

Name: American Board of Funeral Service Education	Meeting Date: 02/07/2018	Response Submit Date: 11/10/2017	Status: Final Review	Type: Compliance Report
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U.S. Department of Education

Staff Report

to the

Senior Department Official

on

Recognition Compliance Issues

Recommendation Page

1. **Agency:** American Board of Funeral Service Education
2. **Action Item:** Compliance Report
3. **Current Scope of Recognition:** Scope of Recognition: The accreditation of institutions and programs within the United States awarding diplomas, associate degrees and bachelor's degrees in funeral service or mortuary science, including the accreditation of distance learning courses and programs offered by these programs and institutions.
4. **Requested Scope of Recognition:** Same as above.
5. **Date of Advisory Committee Meeting:** February 07, 2018
6. **Staff Recommendation:** Renew the agency's recognition for three years
7. **Issues or Problems:** None

Executive Summary

Part I: General Information About The Agency

The American Board of Funeral Service Education (ABFSE), Committee on Accreditation (COA), is a national specialized accrediting agency. Its current scope of recognition is the accreditation of institutions and programs awarding diplomas, associate degrees and bachelor's degrees in funeral service or mortuary science. ABFSE is, therefore, both an institutional and programmatic accreditor.

ABFSE currently accredits approximately 58 programs in 38 states and the District of Columbia. ABFSE also accredits 11 single purpose institutions, two of which also have regional accreditation. However, it serves as the Title IV gatekeeper, of eight institutions enabling them to establish eligibility to participate in the Title IV student financial aid programs. As such, it must meet the separate and independent requirements as set forth in the Secretary's Criteria for Recognition or seek a waiver. The agency has not had any complaints submitted to the Department since its last review.

Recognition History

At the NACIQI's May 2007 meeting the agency petitioned for continued recognition and an expansion of its scope of recognition to include distance education. At that meeting the NACIQI recommended that the Secretary defer a decision on continued recognition for a period of one year, but did not make a specific recommendation regarding the agency's request for an expansion of its scope of recognition. The agency accepted the NACIQI's recommendation to defer its recognition for a year. However, it appealed and requested the Secretary to grant its request to expand its current scope of recognition to include distance education courses and programs. In November 2007, the Secretary granted the agency's appeal to have distance education included in its current scope of recognition and required the agency to submit an interim report by March 2008, addressing the following issues:

At the NACIQI's June 2008 meeting the agency presented its interim report and supporting documentation. Both the Department and the NACIQI recommended that the agency's recognition be renewed for a period of four years. The Secretary had not made a final decision prior to passage of the Higher Education Opportunity Act, which contained a number of provisions related to accrediting agency recognition that were effective upon enactment. Subsequently, new regulations were developed, effective July 1, 2010. As a consequence, the agency was required to submit an updated petition for review by staff and NACIQI. At its December 2012 meeting

the NACIQI recommended to continue the agency's recognition and require it to come back in three years for its renewal petition. At the NACIQI's December 2015 meeting the agency presented its petition for continued recognition at which time the NACIQI recommended that to continue the agency's current recognition and require the agency to come into compliance within 12 months to demonstrate compliance. The Department's review of that compliance report is the subject of this analysis.

Part II: Summary Of Findings

602.15(a)(6) Conflict of Interest

(6) Clear and effective controls against conflicts of interest, or the appearance of conflicts of interest, by the agency's--

- (i) Board members;**
- (ii) Commissioners;**
- (iii) Evaluation team members;**
- (iv) Consultants;**
- (v) Administrative staff; and**
- (vi) Other agency representatives; and**

In the agency's initial submission it provided documentation of its policies related to conflict of interest (both real and perceived) in its Accreditation and Policy manual, copies of the Conflict of Interest statement that were signed by its committee members, staff, site team members and other agency representatives. They also provided a copy of its minutes demonstrating its application during meetings. However, no signed documents were included in this response and therefore, it was unclear to Department Staff that the reported parties had signed these statements or understand the agency's conflict of interest policy.

The agency provided its Accreditation Manual (Exhibit 3, Chapter X.C. pages 10-1 and 10-2.) documenting its policies for the consistent application of its effective control against conflict of interest procedures. The agency also provided copies of completed conflict of interest statements from the COA and site team members that have participated in the decision and site evaluation process since the 2015 submission of the ABFSE Compliance Report (Exhibit 1 and 2)

602.20(a) Enforcement Timelines

(a) If the agency's review of an institution or program under any standard indicates that the institution or program is not in compliance with that standard, the agency must--

- (1) Immediately initiate adverse action against the institution or program; or**
- (2) Require the institution or program to take appropriate action to bring itself into compliance with the agency's standards within a time period that must not exceed--**
 - (i) Twelve months, if the program, or the longest program offered by the institution, is less than one year in length;**
 - (ii) Eighteen months, if the program, or the longest program offered by the institution, is at least one year, but less than two years, in length; or**
 - (iii) Two years, if the program, or the longest program offered by the institution, is at least two years in**

length.

In the agency's initial submission, it provided evidence verifying that the maximum response time for programs/institutions cited for non-compliance with any COA Accreditation Standard is from 18 months to 24 months, depending on the length of the program. Agency standards outlining the notification process of noncompliance with a standard are included in the Accreditation and Policy Manual. The agency also provided documentation showing the application of these policies by providing sample correspondence to an institution stating what is needed in order to bring the institution back into compliance.

During that review the Department found the agency compliant with this section. However, in response to concerns voiced by the NACIQI that ABFSE standards did not comply with 602.20(a), the Department asked the agency to revisit its submission of this section of the criteria. In response the agency revised its Standard (Exhibit 3, ABFSE Accreditation Manual, Sec 11.4 pages 9-15) to clarify that programs failing to achieve a 3-year average pass rate of 60% on the national licensing examination are placed on probation and if the pass rate does not improve to meet the minimally acceptable rate for the second consecutive year the program is placed on 'Show Cause' status to explain why accreditation should not be withdrawn. The agency also provided the revised standard in its narrative. However, it did not provide any documentation demonstrating application of its revised policies and procedures or notify the Department that it did not have the opportunity to apply the requirements of this section.

The agency needs to provide documentation demonstrating the application of its revised policies or notify the Department that it has not had the opportunity to apply this requirement.

Analyst Remarks to Response:

ABFSE's Commission on Accreditation (COA) provided documentation demonstrating the application of its revised policies regarding the evaluation of national licensing examination pass rates which occurred in April 2017 (Exhibit 1). The agency also provided decision letters to institutions demonstrating the application of the requirements of this section (Exhibit 2 and 3). The COA also posted this information on its web-site.

602.20(b) Enforcement Action

(b) If the institution or program does not bring itself into compliance within the specified period, the agency must take immediate adverse action unless the agency, for good cause, extends the period for achieving compliance.

In the agency's initial submission the agency provided its policy for enforcement actions which stipulates that when an institution or program fails to bring itself into compliance with its standards which include responding to an imposed warning, or fails to submit funds due, it will be placed on probation until such time as appropriate corrective action is taken by the program. The policy also requires the agency to take immediate adverse action or allow the institution or program time to demonstrate compliance within the timelines established in 602.20 (a). The issue is the agency term "deviating significantly." Department staff was unclear regarding the meaning of this term as it relates to compliance or non-compliance with its standards, and asked the agency to further clarify what it means to 'deviate significantly' from agency policy, and if this would be considered a non-compliant situation

In response the agency provided its amended language which eliminates the vague wording "deviates significantly" (Exhibit 3, Accreditation Manual, Chapter VI.B.4. Committee on Accreditation Procedures, page 6-1) and replaced it with specific language indicating that failure to comply with COA and/or ABFSE standards is reason for probation status. The amended language was also provided in the agency's narrative. However, the agency did not provide any documentation demonstrating the application of its revised policy or notify the Department that it has not had the opportunity to apply the requirements of this section.

The agency needs to provide documentation demonstrating the application of its revised policy or notify the Department that it has not had the opportunity to apply the requirements of this section.

Analyst Remarks to Response:

ABFSE's Commission on Accreditation (COA) provided documentation demonstrating the application of its revised policies regarding the language for Enforcement Actions (Exhibit 5). The agency also provided the decision letter to the institution. The agency notes that the information is also posted on its web-site .

602.24(f)(2) Credit Hour Review

(2) In reviewing and evaluating an institution's policies and procedures for determining credit hour assignments, an accrediting agency may use sampling or other methods in evaluation, sufficient to comply with paragraph (f) (1)(i)(B) of this section.

In the agency initial it provided documentation in its Accreditation and Policy manual that addresses credit hour policies and a self-study to show that this information is included in the institution or program's regular review for accreditation. In addition, in the 2014 annual report there were questions provided that address credit hour methods used. However, the Department staff was unclear if the review of that information is accordance with the Department's definition of a clock hour. In response to the draft analysis the agency provided additional documentation that shows a review of information related to clock hours is regularly included in the institution or program's regular review for accreditation at all stages of the comprehensive review. However, it still remained unclear if the review of this information is in accordance with the Department's definition of a clock hour. The agency narrative stated that they plan to further articulate that the review was based on the Department's definition. However, the Department requested that the agency provide evidence that this information is further articulated.

In response the agency provided (Exhibit 3. ABFSE Accreditation Manual. Standard 15 page 9-17) which includes the US Department of Education's definition of credit hours and will ensure the proper evaluation of this criteria and that the review of this information in is in accordance with the Department's definition of a clock hour. The agency standard was also provided in the narrative. However, the agency did not provided any documentation demonstrating the application of a review that is based on the Department's definition of credit hours, or notify the Department that it has not had the opportunity to apply the requirements of this section.

The agency needs to provide documentation demonstration the application of a review that is based on the Department's definition of credit hours, or notify the Department that it has not had the opportunity to apply the requirements of this section.

Analyst Remarks to Response:

ABFSE's Commission on Accreditation (COA) provided documentation demonstrating the application of its review and evaluation of the Dallas Institute of Funeral Services that is based on the Department's definition of credit hours (Exhibit 6).

Part III: Third Party Comments

The Department did not receive any written third-party comments regarding this agency.