

POLICIES AND PRACTICES OF THE ACCREDITING COMMISSION

The Accrediting Commission is the policy and decision making arm of the Accrediting Council for Continuing Education & Training (ACCET) and applies the Standards for Accreditation (Document 2) to applicants for accreditation. While elected or appointed and administratively supported by the ACCET member institutions, the Commission functions independently from the ACCET membership. The Accrediting Commission's decisions regarding the accreditation of applicants are neither influenced nor reviewed by any other body within ACCET except under explicit conditions outlined for the appeal process.

The Accrediting Commission deliberates and makes a decision regarding the accreditation status of each institution, based on information about each institution which may include the following, depending on the reason the institution is before the Commission:

1. The application and supporting documentation;
2. The Analytic Self-Evaluation Report (ASER);
3. The On-Site Evaluation Team Report and the applicant's response to the Report;
4. Annual reports, completion/placement reports, financial reporting, management reports, and other reporting;
5. Any additional information from other sources such as federal, state, or local government agencies, and/or accrediting bodies that may be deemed appropriate by the Commission in determining the conditions at an institution relevant to the ACCET Standards for Accreditation.

General Policies of the Accrediting Commission

1. The Commission reserves the right to interpret eligibility boundaries and limit the scope of its review to organizations and programs for which it determines the standards are appropriate and for which it has competence to review. The Commission adopts such policies and procedures as it deems necessary with regard to the accreditation and evaluation process.
2. The Commission reserves the right to require an accredited institution to undergo a complete or partial reevaluation at any time upon thirty (30) days notice. Further, ACCET accredited institutions may periodically be required to undergo an unannounced visit in accordance with policies established by the Accrediting Commission. The expenses incurred by the institution will be in accordance with Document 10 - Fee Schedule.
3. A Commissioner shall not vote on any matter relative to an institution with which the Commissioner is affiliated in any capacity or where such a vote would give rise to a conflict of interest or an appearance of such a conflict. A Commissioner must recuse himself/herself from the proceedings while the Accrediting Commission is discussing the case of, or formally taking a vote on action regarding, any institution with which he/she has a previous or current family, ownership, employment, contractual, or other direct business relationship. Any Commission member who is a competitor in the same market area or who served as a member of an on-site evaluation team must formally abstain in the voting process while the Commission is taking formal action.

regarding the institution; however, the Commissioner may answer questions at the request of the Commission.

4. The Commission shall meet at least three (3) times per year and may meet more often if the workload so requires. The Commission may also meet via telephone conference call, provided the quorum requirements of a regular meeting have been attained.
5. The Executive Director of ACCET shall serve as the agent of the Accrediting Commission in communicating information to institutions in all matters addressed throughout this document.
6. An institution will be informed of Accrediting Commission decisions, in writing by the Executive Director of ACCET, within thirty (30) days of the date of the action affecting that institution.
7. The Commission provides a public notice and opportunity for third-party comment on institutions being evaluated for accreditation, concerning the institution's qualifications for accreditation.
8. The Commission routinely invites state representatives to attend on-site evaluations conducted at state-licensed institutions seeking ACCET accreditation or reaccreditation.

Consideration of Actions by the Federal, State, and Accrediting Agencies

The Accrediting Commission takes into consideration action taken by other agencies in the evaluation of institutions seeking initial accreditation or reaccreditation. Refer to ACCET Document 48 – Policy on Adverse Actions by Other Agencies.

If the Accrediting Commission grants initial accreditation or reaccreditation to an institution, notwithstanding the actions described in this section or any other final adverse action taken against the institution by another recognized institutional accrediting agency or state agency, ACCET will provide the Secretary of the U.S. Department of Education, within 30 days of the Commission's action, a thorough explanation, consistent with the accreditation standards, why the previous action by those agencies does not preclude the grant of accreditation.

Applicants for Initial Accreditation

The Commission may make any of the following decisions with respect to an applicant for initial accreditation:

1. **Accredit** - The Commission may grant accreditation if the applicant clearly meets the required standards. Accreditation may be granted for a period of not less than one (1) year nor more than three (3) years for vocational institutions or five (5) years for avocational institutions. However, the Commission may require some type of follow-up action during the institution's grant of accreditation. This may include a complete or partial reexamination of the institution's

compliance with the standards including special reports, submission of documented evidence on specific matters, or any other requirements established by the Commission.

2. **Defer** - The Commission may defer a decision on accreditation pending receipt of: (a) further evidence or clarification of unclear points, or (b) evidence that the institution has made specific improvements within a given time frame. The Commission will inform the applicant, in writing, why its decision was deferred. In such cases where the Accrediting Commission directs a follow-up on-site visit, the Commission may require a new and/or revised Analytic Self-Evaluation Report (ASER).
3. **Deny** - The Commission may deny accreditation if the applicant fails to meet one or more of the standards. The Commission will inform the applicant, in writing, of the reasons for the denial. An institution that has been denied accreditation has the right to appeal the Commission's action. It may not reapply for accreditation until after one (1) year from the date of the Commission's final denial action. If the implementation of such final action by the Commission is delayed, but ultimately upheld, through legal remedies pursued in an appropriate court of law, the one (1) year minimum waiting period required prior to reapplication by the institution will begin on the date of the court's decision.

Applicants for Renewal of Accreditation

The Commission may make any of the following decisions with respect to an institution seeking renewal of accreditation (referred to as reaccreditation):

1. **Accredit** - The Commission may reaccredit the institution for a period of one, three, or five years from the expiration date of the previous grant of accreditation. Renewal of accreditation is granted if the institution clearly meets the required standards, as represented in a level of operational integrity and effectiveness that offers a measure of confidence compatible with the length of the grant awarded. However, the Commission may require some type of follow-up action during the institution's grant of accreditation. This may include a complete or partial reexamination of the institution's compliance with the standards, special reports, submission of documented evidence on specific matters, or any other requirements in accordance with ACCET Document 2 - Standards for Accreditation, and/or ACCET Document 13 - Bylaws.
2. **Defer** - The Commission may defer a decision on renewal of accreditation pending receipt of: (a) further evidence or clarification of unclear points, or (b) evidence that the institution has made specific improvements within a given time frame. The Commission will inform the institution, in writing, why its decision was deferred. The institution's previous grant of accreditation is automatically extended during the deferral period.

The Commission may defer final action on renewal of an institution's accreditation for a period not to exceed the following timeframes:

- a) Twelve months, if the program offered by the institution is less than one year in length.

- b) Eighteen months, if the program offered is at least one year but less than two years in length.
 - c) Two years, if the program offered is at least two years in length.
3. **Deny** - The Commission may deny reaccreditation if the institution fails to meet one or more of the standards. The Commission will inform the institution, in writing, of the reasons for the denial. An institution that has been denied reaccreditation has the right to appeal the Commission's action. If the Commission's action is sustained through the appeals action, the institution's accreditation expires on the date of final action on the appeal. An institution that has been denied reaccreditation may not reapply until after one (1) year from the date of the Commission's final denial action. If the implementation of such final action by the Commission is delayed, but ultimately upheld through legal remedies pursued in an appropriate court of law, the one (1) year minimum waiting period required prior to reapplication by the institution will begin on the date of the court's decision.
3. **Withdraw** -The Commission may withdraw the current grant of accreditation to an institution at any time prior to the official expiration date if the Commission finds that the institution has not demonstrated its compliance with ACCET standard(s), policies, and procedures. The Commission will inform the institution, in writing, why its accreditation is being withdrawn. Refusal of an on-site examination visit will be considered sufficient grounds for withdrawal of accreditation.

Appeal Process

A denial or withdrawal of accreditation is an adverse action subject to the appeals process. In order to initiate an appeal, the institution must file a request for an appeal to the Accrediting Commission, which must include the submission of the following, within fifteen (15) calendar days after receipt of notification of an adverse action: (1) a signed affidavit by an authorized representative of the institution, indicating that a Notice of Status of Accreditation has been disseminated to all enrollees and posted in a conspicuous place at the institution, to include, at minimum, the admission office and the student lounge or comparable location, notifying interested parties of the Commission's adverse action; (2) a teach-out plan in accordance with ACCET Document 32 – Teach Out Plan, to ensure that students are afforded an opportunity to successfully complete their training in the event of the institution's closure; and (3) a certified or cashier's check in the amount established for appeals in ACCET Document 10 – Fee Schedule.

If an institution files an appeal of the Commission's action to deny or withdraw accreditation, the status of the institution held at the time of the Commission's decision shall remain in effect until final action on the appeal. If an appeal is requested, the institution must also file a written statement of the grounds for its appeal within 60 calendar days after receipt of notification of the adverse action by the Commission and must submit to the Commission seven (7) copies (including exhibits) of the grounds for the appeal. Failure to submit a request and fees for the appeal or the written statement of the grounds for the appeal within the specified time period voids the appeal.

The appeal process allows for the institution to provide clarification of and/or new information regarding the conditions at the institution at the time the Accrediting Commission made its decision to deny or withdraw accreditation, which is the last date of the Commission meeting, unless otherwise specified in the Commission action letter. The appeal process does not allow for consideration of changes that have been made by or at the institution or new information created or obtained after the Commission's action to deny or withdraw accreditation, except under such circumstances when the Commission's adverse action included a finding of non-compliance with Standard III – Finance, Section A – Stability, whereupon the Appeals Panel may consider, on a one-time basis only, such financial information provided the following conditions are met:

- The financial information was unavailable to the institution until after the Commission's decision was made and is included in the written statement of the grounds for appeal submitted in accordance with the ACCET appeals process;
- The financial information provided is significant and bears materially on the specified financial deficiencies identified by the Commission; and
- The Appeals Panel shall apply such criteria of significance and materiality as established by the Commission. Further, any determination made by the Appeals Panel relative to this new financial information does not constitute a basis for further appeal.

Appeals of denials or withdrawals shall be heard by an independent Appeals Panel appointed by the Chair of the Commission. The three-member panel shall be composed of a former Commissioner, who shall be designated as the Chair of the Appeals Panel; a representative from the public who may be a former Commissioner; and a representative from an ACCET accredited institution. No member of the Appeals Panel may have been a Commissioner at the time the appealed adverse action was taken. The Appeals Panel members selected shall be subject to ACCET's conflict of interest policy and shall receive appropriate orientation and training to ensure a fair and impartial review of the institution's appeal. The institution may make an oral presentation before the Appeals Panel with or without legal counsel and/or other experts.

The grounds for appeal shall be that the Commission's adverse decision should be reversed as erroneous on the basis of the record before the Commission at the time of the decision. The appeals process does not allow for consideration of changes to the effective date of the decision to deny or withdraw accreditation. Additional evidence, if any, may be submitted in the appeal if the original evidence on the record at the time of the Commission's decision was erroneous. Written statements of the grounds for appeal and exhibits, if any, will not be received by the panel after the due date for initial submission prescribed above unless the institution can show, to the satisfaction of the panel chairperson, that such information was not available before the initial submission date and failure to make a timely submission was beyond the institution's control.

In the hearing, the institution shall have 45 minutes to present its case. At the panel chairperson's discretion, additional time may be devoted to questions by the panel and responses by the

institution. The chairperson shall preside at the hearing and rule on all procedural matters. The institution may be represented by counsel. Additional counsel may be present to provide procedural and legal advice to the Appeals Panel. The institution may waive its right to make an oral presentation before the Appeals Panel, in which case the appeal will be considered on the basis of the institution's written submission.

The Commission shall have at least one staff person and, if requested by the panel chairperson, ACCET counsel present at the hearing to answer panel questions. The institution shall not have the right to cross-examine the staff person(s) or the ACCET counsel. The hearing may be recorded by stenographic or electronic means if requested by the institution and approved by the chairperson. Recording and transcripts thereof shall be at the institution's expense, and a copy will be timely provided to ACCET following the appeal hearing at no charge. The chairperson may promulgate such additional rules of procedure for scheduling and conducting the hearing as are consistent with these procedures.

The decision of the panel shall have the concurrence of a majority of the panel. Within a reasonable time after conclusion of the hearing, the panel shall issue a written decision with a statement of the reasons therein and amendments, if any, to the Commission. The decision will indicate those members of the panel joining in the decision. Dissenting opinions may be filed. A copy of the decision and dissenting opinion, if any, shall be furnished to the institution.

After deliberation, the Appeals Panel may take the following actions:

1. Affirm the decision under appeal; or
2. Reverse the decision under appeal on the grounds that the findings of the Commission were found to be erroneous, in which event the Commission will be directed to implement the decision of the Appeals Panel in a manner consistent with the Appeals Panel decision, to include such consideration for follow-up reporting and/or evaluative requirements to ensure ongoing compliance with the standards, policies and procedures represented in a grant of accreditation; or
3. Amend the decision under appeal for implementation by the Commission. In the case of an amended decision, the Appeals Panel may modify, decrease or add to the findings made by the Commission in those circumstances where the record on appeal would support such amendment. An amended decision may become part of an affirmance or become part of a remand to the Commission. In the case of a remand of an amended decision, the Appeals Panel may provide such instruction as is appropriate to guide the deliberations of the Commission on remand; or
4. Remand the decision under appeal to the Commission for further consideration, review, and final decision. In a decision to remand the adverse action to the Commission for further consideration, the appeals panel must identify specific issues that the Commission must address. In a decision that is implemented by or remanded to the Commission, the Commission must act

in a manner that consistent with the Appeals Panel's decisions or instructions and the standards, policies and procedures represented in a grant of accreditation.

The Appeals Panel decision, as interpreted and implemented by the Commission, represents the final administrative remedy available to the institution and shall become final upon notification to the institution. Such notification shall be made within thirty (30) days after the Appeal Panel hearing.

Other Commission Actions: The Commission may take additional actions concurrent with its decisions relative to accreditation or at such time as the Commission determines action is warranted, to include:

1. **Restrictions and Reporting** - Under certain circumstances, such as when the Commission vacates a show cause, the Commission may determine sufficient cause to place the institution on restrictions and reporting status, with no substantive changes permitted by the institution for a maximum of 12 months, in order to ensure the systematic and effective compliance with ACCET standards, policies, and procedures over time.
2. **Show Cause** - The Commission may issue a show cause directive if it has substantive questions and concerns regarding the institution's compliance with ACCET standards, policies, and procedures. A show cause directive may cover the entire institution and/or a specific program(s) or course(s) offered by the institution. The show cause directive requires the institution, in the former case, to definitively demonstrate why its accreditation should not be withdrawn or, in the latter case, why approval to offer a specific program(s) or course(s) should not be withdrawn. The Commission will inform the institution, in writing, of the reasons for the show cause directive, to include the nature, purpose, and scope of the information to be submitted and of the on-site evaluation (if any) to be made.
 - a) A show cause is not an adverse action but rather a statement of such serious concern that the institution must provide sufficient evidence to demonstrate that it does, in fact, comply with the ACCET standards, policies, and procedures such that its accreditation should not be withdrawn. The duration of the show cause directive may not exceed 12 months, unless the Commission extends the time frame for good cause, defined as significant improvement by the institution in the deficient area(s) and/or the need for sufficient time to demonstrate full compliance (e.g. significant improvement in completion and/or placement rates). During the term of the show cause directive, no requests for substantive changes or applications for additional locations or programs will be considered without prior written review and approval by the Commission to allow receipt and processing. **In the interest of transparency, the institutional directory on the ACCET website will identify those institutions issued an institutional show cause directive and provide access to a copy of the show cause letters.**
 - b) The Accrediting Commission authorizes the Chair of the Commission to act on its behalf, when not in session, in conferral with the Executive Director of ACCET to issue

- a show cause directive when, by their mutual agreement, conditions warrant such action. The Commission will review and evaluate the institution's response to the show cause directive and determine a judgment that may include: (a) vacating the show cause, (b) placing the institution on restrictions and reporting status, (c) continuing and/or expanding the show cause, (d) withdrawing a previously granted approval, (e) withdrawing or denying accreditation, and/or (f) withdrawing program approval from one or more programs which prohibits the institution from enrolling or starting new students in the program(s), but continues program approval for teach-out purposes to ensure that the institution successfully completes the training and, if applicable, the placement of all students currently enrolled in the program(s).
- c) When the Commission vacates a show cause but places the institution on restrictions and reporting status to ensure continued, close monitoring, the institution shall be prohibited from making any substantive changes during that period. This status may not continue past 12 months from the date the show cause was vacated.
3. **Debarment** - The Commission may debar an individual from being an owner or senior administrator of an ACCET accredited institution if that person held a comparable position at an institution which contemporaneously had its accreditation denied or withdrawn by a U.S. Department of Education or Council for Higher Education Accreditation (CHEA) recognized agency or its license revoked by a state agency or that closed without providing adequate arrangements for the students enrolled at the institution at the time of closure. Debarment may also be extended to any person(s) acting on behalf of or as the alter ego of an owner or senior administrator who would be subject to debarment as outlined above.

The Commission may debar an owner or senior administrator of an ACCET accredited institution if that person was found guilty of fraudulent, criminal, or unethical behavior.

The Commission will notify such individual(s) whom it has decided to debar within 30 calendar days of making its decision. Notification of debarment actions will be sent to state, federal and other agencies in the normal course of disseminating Commission action decisions.

Person(s) who have been so debarred may appeal the decision to the Accrediting Commission following specified procedures which will be similar to the appeals procedures for adverse actions against institutions as outlined in ACCET Document 11, except that the Appeals Panel's decision represents a recommendation to the Commission. The appeal will be considered at the next regularly scheduled Commission meeting after the appeal hearing. The Commission's decision is final. There are no additional appeal rights available under these procedures, and the Commission retains full discretion to establish the terms and length of the debarment, with a minimum term of debarment of two calendar years.

Notifications

The Commission provides notification of its activities and final decisions to the public and appropriate agencies as follows:

1. Notice, consisting of a copy of the notice to the institution, will be forwarded to the U.S. Secretary of Education and appropriate state agencies within 30 days of a Commission decision to:
 - a. award initial or renewal of accreditation;
 - b. deny or withdraw accreditation; or
 - c. place an institution on probation/institutional show cause.
2. Notice will be forwarded to the U.S. Secretary of Education and appropriate state agencies within thirty days of a decision by an ACCET accredited institution to:
 - a. voluntarily withdraw from accreditation; or
 - b. let its accreditation expire.
3. Notice of final decisions to deny or withdraw the accreditation of an institution will be forwarded to the U.S. Secretary of Education simultaneously with the notice to the institution and will be made available to the public by means of the ACCET website within 24 hours of notice to the institution.
4. Notice of final decisions to deny or withdraw the accreditation of an institution will be made available to the U.S. Secretary of Education, appropriate state agencies and the public upon request, no later than 30 days after the final decision, together with a brief statement summarizing the reasons for the Commission's decision and any comments the affected institution may wish to make with regard to that decision.
5. The U.S. Secretary of Education will be provided copies of any documentation requested from ACCET regarding an institution's compliance with its Title IV, HEA program responsibilities, including eligibility issues. In addition, if the Accrediting Commission has reason to believe an ACCET accredited institution is failing to meet its Title IV, HEA program responsibilities or is engaged in fraud or abuse, the Secretary will be provided the name of the institution and the reason for the Commission's concern.
6. Notice of proposed changes to ACCET standards, policies or procedures that affect the agency's scope of recognition or compliance with the Secretary's Criteria for Recognition will be forwarded to the U.S. Secretary of Education.

7. Notice of Commission actions initiated at each meeting, including the opportunity for call-for-comment on proposed new or revised standards, policies and procedures will be forwarded to member institutions, federal and state agencies, other accrediting agencies and the public and posted on the ACCET website following the meeting. Comments received relative to proposed new or revised criteria are considered by the Standards and Policy Review Committee (SPRC) of the Commission in the course of deciding upon adoption.
8. A copy, updated annually, of ACCET's directory of accredited institutions will be provided to the U.S. Secretary of Education through either print or electronic format or ACCET website reference.

Substantive Changes

Any ACCET accredited institution that undergoes a substantive change must obtain ACCET's approval before that change may be included in the scope of accreditation previously granted to the institution. ACCET defines a substantive change to include the following:

- Any change in the established mission or objective of the institution which includes changing from an avocational to a vocational program.
- Any change in the legal status, form of control, or ownership of the institution. Institutions are required to make application to ACCET within ten days of the consummation of any change of ownership of 10% or greater or following a change in control of the institution.
- The addition of courses or programs that represent a new program, a major revision of a program, or significant departure, in either content or method of delivery.
- The addition of courses or programs at a degree or credential level above that which is included in the institution's current accreditation or scope.
- A change from clock hours to credit hours and/or a substantial increase in the number of clock hours or credit hours awarded for the successful completion of a program.
- The establishment of an additional location geographically apart from the main campus at which the institution offers at least 50% of an educational program.
- The establishment of a contract with another institution or organization to offer more than 25 percent of one or more of the ACCET institution's educational programs.
- The acquisition of any other institution or any program or location of another institution.
- The addition of a permanent location at a site at which the institution is conducting a teach-out for students of another institution that has ceased operating before all students have completed their training.

ACCET will review an institution's application for approval of a substantive change and will grant approval if it determines that the change does not adversely affect the capacity of the institution to continue to meet ACCET's Standards for Accreditation.

Reporting requirements pertinent to substantive changes and other events that institutions are required to report to ACCET are outlined in ACCET Document 14 ACCET Reporting Requirements, which can be found on the ACCET website (www.accet.org) under Documents and Forms. Copies of these requirements should be distributed to all affected staff at the institution to ensure compliance with ACCET's requirements.

Institutions are restricted from making substantive changes in any of the following situations:

1. After submission of the ASER until a final decision is made by the Accrediting Commission;
2. While the application for reaccreditation is on deferral;
3. While the institution is on show cause;
4. During the 12-month period following a grant of initial accreditation;
5. During the 12-month period following provisional reinstatement of accreditation after a change of ownership and/or control.

The restriction may be waived, in whole or in part only upon approval of a special consideration requested by the institution from the Accrediting Commission prior to making application for such proposed changes.