MEMORANDUM TO THE FIELD
SEPTEMBER 2020

TO: ACICS-Accredited Institutions and Interested Parties
FROM: Accrediting Council for Independent Colleges and Schools
DATE: September 9, 2020

This Memorandum to the Field contains final criteria changes and proposed language changes to the Accreditation Criteria from the Council’s August 2020 meeting, along with other information for ACICS-Accredited Institutions and Interested Parties.

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FINAL CRITERIA REVISIONS

At its August 2020 Council Meeting, the Council reviewed feedback from the field regarding proposed language revisions posted in the June 2020 Memo to the Field, as well as any changes necessitated by the U.S. Department of Education federal regulations that became effective on July 1, 2020. The ACICS Accreditation Criteria has been updated to reflect all final criteria revisions with a publication date of September 18, 2020. To review the revised copy of the Accreditation Criteria please visit the ACICS website at www.acics.org. > Accreditation > Criteria.

The following criteria have been accepted by the Council as final, effective immediately (new language is underlined and deleted language is struck).

Requirements for Distance Education

Explanation of Final Changes:
The following revisions enhance the standards for distance education, to remain aligned with federal regulations and current practices in the field. The systematic review of distance education standards first began in 2019 and changes were sent as proposed to the field in the September 2019 memo, following independent review by a third-party expert. To ensure compliance with the recently approved federal regulations, further revisions have been included in the language below. These changes include the addition of language to ensure that institutions have procedures for ensuring student identity and academic integrity. Glossary definitions were also added for components of distance education, including recognizing an administrative support center for students.

APPENDIX H Principles and Requirements for Nontraditional Distance Education

DISTANCE EDUCATION

In addition to the general standards in Title III, Chapter 1, which apply to all institutions, and applicable standards in Chapters 2–6, the following standards apply specifically to distance education delivery methods. These principles and guidelines are designed to inform institutions of the policies of the Council and to guide institutional representatives when designing, implementing, and evaluating distance education forms of educational delivery.

INSTITUTIONAL READINESS

(a) Institutions must notify ACICS and receive Council approval from ACICS prior to using distance education as a mode of delivery (see Section 2-2-106).

(a) The objectives which support the institution’s mission must identify the role of distance education learning within its scope and purpose (see Section 3-1-100).

(a)(b) Institutions must have a plan to implement and maintain effective distance education instruction which is integrated into the CEP (see Section 3-1-111 and Appendix K). At a minimum, the plan should include the following:
i. rationale and continued value (effectiveness) of distance education to the institution’s mission;
ii. instructional, human, and technological resources designed to sustain distance education operations;
iii. course and program objectives and how they align with the institution’s mission;
iv. Content and the distance education infrastructure, including the LMS;
v. processes in place that ensure student privacy and that the student who registers is the same student who academically engages in the course.

Student assessment. Institutions must integrate this plan into the Campus Effectiveness Plan (See Section 3-1-111 & Appendix K).

(b)(c) The instructional delivery method must be appropriate for students and the curriculum.
(c)(d) Institutional policies and procedures should be applied consistently using procedures that are appropriate to the mode of delivery.

(d)(c) Institutions must designate a qualified person to oversee the distance education activities and to monitor student learning outcomes and the effectiveness of the mode of delivery.

ADMISSIONS REQUIREMENTS AND ENROLLMENT

(a) Institutions must identify the admission requirements of distance education courses/and or programs and, if applicable, how they differ from, if applicable, the on-ground admission requirements.

(b) If an online admissions test is required, it must be administered in a manner which verifies the student’s identity. Institutions must make it clear in writing at the time of enrollment how the student’s identity will be verified throughout the course and program, how the student’s privacy will be protected, and if the student will be assessed any additional charges associated with the verification of student identity.

(c) Institutions must clearly and appropriately state any hardware or software or other requirements the students must possess have or have access to, or other requirements in order to access this mode of delivery.

(d) Institutions must provide an online orientation program to familiarize the student with the distance education learning process and the equipment and resources that will be used in the distance education activities and to orient the student to the distance education learning process.

CURRICULUM AND INSTRUCTIONAL DELIVERY

(a) Regardless of the instructional delivery method, the syllabi must identify the course learning objectives. Each course learning objective must support one or more program learning outcomes (see Glossary definition of Syllabus).

(b) The course must provide sufficient and appropriate opportunities for substantive interaction between faculty and students and among students (see Glossary definition of Interaction).

(c) Institutions must demonstrate to the Council that the clock or credit hours required and awarded are appropriate for the degrees and credentials offered using a thoroughly developed rationale. Credit award rationales for distance education delivery of courses or programs generally
do not use the traditional lecture/laboratory/externship formulas for credit calculations (see Section 3-1-516).

(d) Curriculum must be administered in a way that maintains security and stability of access.

(e) Institutions must demonstrate that the student who registers for a distance education course or program is the same one who participates in and completes the course or program and receives the academic credit. The verification method, at the option of the institution, may include a secure login and pass code, proctored examinations, and other appropriate student authentication or verification technology. A policy specific to academic integrity expectations and oversight in the distance learning environment must be developed and implemented.

FACULTY AND INSTRUCTIONAL SUPPORT

(a) The institution must employ academically and/or experientially credentialed faculty to teach online courses appropriate to the subject matter.

(b) Faculty hired to facilitate online instruction must be properly trained to use the institution’s LMS for purposes of instruction, communication, and assessment.

(c) All staff assigned to or involved in the administration and support of the distance education activities must be clearly identified and possess the skills and experience necessary to provide the support for course development and delivery.

(d) The instruction must provide an accessible and reliable LMS and technical support to effectively facilitate online instruction and learning and to ensure faculty and student success.

(e) The institution must demonstrate that the student/teacher ratio appropriately supports faculty and student interaction, facilitation of interaction among students, and interaction with curriculum content.

(f) The institution must have a faculty development plan on file that is appropriate for each individual faculty member to include professional development and/or in-service activities relevant to the online delivery method (see Section 3-1-543).

(g) Faculty observations and evaluations must be conducted at least annually to assess effectiveness in the distance education environment.

RESOURCES AND EQUIPMENT

(a) The institution must demonstrate that it has adequate financial resources to support the form of delivery.

(b) The institution must demonstrate that students taking online courses have access to the same or equivalent library resources and support as students taking courses in a physical classroom. If 50 percent or more of the student’s program is approved for online delivery, these resources must include, at a minimum, access to a virtual library collection of program-related books, journals, and periodicals, and access to virtual library and information technology services. These resources are expected to be appropriate for the students’ needs and must be incorporated into the instructional design of the courses offered, as appropriate.

STUDENTS AND STUDENT SERVICES

(a) The institution must orient online students to online education, its LMS, resources, and support services, including expanded technical support expectations.
(b) Student support services available to students enrolled in online programs must be the same or equivalent to those provided to students enrolled in on-ground programs, including, but not limited to, academic advising, financial aid, and employment assistance.

STUDENT EVALUATION AND PROGRAM ASSESSMENT

(a) The learning objectives for a course delivered online must be the same as the learning objectives for the same course delivered on ground.

(b) Regardless of instructional delivery method, assessments and assignments should demonstrate student achievement of course learning objectives.

(c) The institution must document that it conducts course/program evaluations, including assessment of student learning outcomes; student retention and placement; and student, graduate, faculty, and employer satisfaction. The institution must also evaluate the effectiveness of its distance learning activities, including the extent to which online learning goals are achieved, and use the results to enhance the attainment of established program and/or institutional goals (see Section 3-1-111 and Appendix K).

PUBLICATIONS

(a) The institution must fully disclose what form(s) of instruction it uses in its catalog and website and, when appropriate, in its advertising and promotional material.

(b) The catalog disclosure must follow the requirements as described and outlined in Section 3-1-701 and Appendix C.

(c) The institution must meet all disclosures required by state, federal, or other oversight bodies concerning the recruitment and admission of, and services to, students.

GLOSSARY OF DEFINITIONS

Hybrid Course or Hybrid Program. A hybrid course is one which mixes face-to-face, traditional classroom instruction with online instruction. A hybrid program is one which offers or requires a percentage of the required courses in a program online. ACICS requires the school to clearly outline the percentage of online activity included in a course or a program. Institutions are required to apply for and secure approval prior to initiating any distance education activity and also when they increase their distance education activity to the extent that it constitutes 50% or more of a program from hybrid to fully online (see Section 2-2-106).

Interaction. Refers to the student engagement between with faculty and students, among other students, and with other participants in learning content at a level aligned with the courses offered as part of the ongoing learning process.

Memorandum of Understanding (MOU). An approved arrangement between and among campuses within an institution to provide services, including distance education, from one location to another. Such arrangements must be approved by ACICS and published in the institution’s catalog.
**Service Center, Distance Education.** A permanent location used to provide academic support and student services to those enrolled in distance education programs. There is no face-to-face instruction as in a traditional classroom.

Requirements for English as a Second Language Programs

*Explanation of Final Changes:*

Substantial revisions were finalized through the systematic review process for English as a Second Language (ESL) Programs. Appendix F of the Accreditation Criteria has been restructured by areas of review with updates to each area relative to the implementation and monitoring of ESL programs. It should be noted that the removal of language relative to ESL courses as part of a program does not exclude an institution from offering such courses.

**APPENDIX F  REQUIREMENTS FOR ENGLISH AS A SECOND LANGUAGE PROGRAMS** —

In addition to the general standards for all institutions in Title III, Chapter 1, the following areas apply specifically to institutions offering English as a Second Language (ESL) programs. Further, as detailed in Title II, Chapter 2, all requirements apply related to the addition of a new program and changes to an existing program, as detailed in Title II, Chapter 2, apply. This appendix consolidates information regarding outlines the Council’s requirements for institutions offering stand-alone ESL programs and/or ESL coursework as part of a Title IV-eligible program. In both cases, the institution is required to comply with federal requirements for awarding financial aid.

ESL coursework required by a student when accepted into an existing, Title IV-eligible program must be considered remedial in nature for the purpose of calculating student financial aid. This coursework does not require ACICS approval as it does not constitute an academic program.

The objective of a stand-alone ESL program is to enhance English-language proficiency, including for those who have pre-existing vocational knowledge, training, or skills they cannot use because of their limited English-speaking proficiency. No vocational training is provided in a stand-alone ESL program. However, the ESL program must articulate proficiency outcomes for successful completion of the program to meet English Language Proficiency Admission requirements for vocational or academic programs, if applicable. Further, vocational training programs must have established English proficiency benchmarks for admission purposes. The objective of a stand-alone ESL program is to enhance the English-language proficiency of individuals, including those who have pre-existing vocational knowledge, training, or skills, but cannot use that knowledge, training, or skill because of their limited English-speaking proficiency. No vocational training is provided in a stand-alone ESL program. However, the ESL program must articulate proficiency outcomes for successful completion of the program to meet English Language Proficiency Admission requirements for vocational or academic programs, if applicable. Further, vocational training programs must have established English proficiency benchmarks for admission purposes.
The following information is intended to combine the highlights of the ACICS requirements and federal regulations noted above and should assist institutions in understanding Council criteria for offering stand-alone ESL programs and the major differences between Council requirements and federal regulations for these ESL programs. Additionally, an overview of federal guidelines for ESL coursework offered within an eligible program is included.

Separately Eligible, Stand-Alone ESL Programs

Council Requirements

The requirements for reporting information on separately-eligible ESL programs are the same as for all other programs. The institution must immediately notify ACICS when these programs are initiated, changed, or discontinued. An on-site evaluation with an appropriate subject specialist will be required when a new ESL program is initiated, and may be required when the program is changed.

The objective of stand-alone ESL programs is to enhance the English language proficiency of individuals who have pre-existing vocational knowledge, training, or skills, but cannot use that knowledge, training, or skill because of their English speaking deficiency. No vocational training is provided in a stand-alone ESL program.

Curriculum and Program Development

In order to receive approval from ACICS to provide stand-alone ESL programs, the institution shall:

(a) The program’s objectives must be clearly defined and aligned with the institution’s mission.

(b) The curriculum must have goals and objectives that demonstrate clear progression to meet the program’s stated outcomes.

(c) The curriculum must have clearly defined learning outcomes, with demonstrated consistency and progression towards the program’s objectives.

(d) The length of the program must be consistent with similar ESL offerings in the field, and the curriculum must have clearly delineated proficiency levels and the progressions through those levels.

Recruitment and Admissions Requirements

(a) Adhere to the stated mission of the program when developing the curriculum. The institution must demonstrate compliance with all Department of Homeland Security (DHS) and Department of State (DOS) requirements, if applicable, as they relate to the monitoring and use of international recruiting agents.

(b) The institution must administer a reliable and valid evaluation instrument for admission and placement in proficiency levels that is benchmarked to a recognized proficiency framework, such as the Common European Framework of Reference for Languages, the Canadian Framework of Reference for Languages, the Global Scale of English, the American Council on the Teaching of Foreign Languages, the Association of Language Testers in Europe, or the Defense Language Institute. The assessment instrument must be aligned to the program’s proficiency bands and curriculum goals, objectives, and learning outcomes. At entrance and exit, a nationally recognized exam of English comprehension (e.g., Test of English as a Foreign Language, Test of Spoken English.)

(c) Provide documentation that all admitted students are enrolled in accordance with Section 31303. Admissions criteria must be aligned with the program’s objectives and
documentation must be maintained to demonstrate consistency among different types of students.

(d) Verify or assess at entrance, with supporting documentation, that the enrolling student already has knowledge, training, or skills in a vocational field, unless the student is enrolled solely to obtain ESL competency unrelated to a vocation (also a Department of Education regulation.) In addition to the requirements of Section 3-1-414, enrollment agreements must include notice to students that the ESL program does not lead to licensure or placement for employment purposes.

**Faculty Qualifications and Development**

(a) Describe the placement services, if any, to be offered to graduates of the ESL program. Institutions are not required to include these graduates in their placement statistics.

(a) Employ degreed faculty who have prior experience in this field of instruction. All faculty members must hold the following minimum qualifications:

- A bachelor’s degree with at least 18 semester credit hours or its equivalent in TEFL; or
- A bachelor’s degree with either a certification or at least six months of documented experience teaching ESL or EFL.

(b) Involve faculty in professional organizations and workshops enabling them to meet the special needs of the ESL student, such as the national or regional TESOL International Association.

(c) Faculty development plans must include annual participation in professional development activities that strengthen the knowledge and expertise of the faculty members, specifically in ESL.

**Instructional Support and Resources**

(a) The program must have sufficient and appropriate instructional resources that support student engagement and learning.

(b) External resources, including community engagement, that enhance the student experience while supporting the program objectives must be incorporated in the program.

(c) Instructional materials and methodologies should be clearly aligned and consistent with the curriculum and support learning outcomes.

**Student Services and Academic Progress**

(a) The institution must provide appropriate immigration counseling and/or referrals, as required by the federal agencies.

(b) Cultural adjustment support and counseling must be provided to meet the needs to ESL students who are not domestic. These services must be appropriate in scope and offering to the program size and objective.

(c) The SAP policy must be specific to the program as part of Section 3-1-421 and include the following:

   (a) monitoring schedule of student progress within a level and between levels,
(b) the number of levels that can be repeated,
(c) procedures when a student repeats a level or levels, and
(d) process for those students who are not making SAP.

**PROGRAM ASSESSMENT**

(a) The program must include a final exit exam using the same entrance instrument.
(b) The institution must provide an ongoing analysis of the exams used in the program to demonstrate how they are updated and used to enhance the overall quality of the program.
(c) An evaluation of the program, as it affects institutional effectiveness, must be included in the CEP.

**Department of Education Regulations**

The institution must provide information or documentation that the program:

1. Consists solely of ESL instruction.
2. Admits only undergraduate students who it determines need ESL to use already-existing knowledge, training, or skills.
3. Meets the other program and institutional eligibility requirements including:
   (a) that it leads to a degree or certificate,
   (b) that it is at least a one-year program at a public or private nonprofit institution of higher education, or a six-month program at a postsecondary vocational institution or a proprietary institution of higher education,
   (c) that it admits as regular students only persons who have a high school diploma or the recognized equivalent (GED) or who are beyond the age of compulsory school attendance in the state in which the institution is located and have the ability to benefit from the training offered,
   (d) that it is legally organized by its state to offer the ESL certificate or degree program,
   (e) that it is approved by the school’s nationally recognized accrediting agency or association, or that it meets one of the statutory alternatives to accreditation, and
   (f) if it is a credit-hour program, that it meets any applicable state and accrediting agency requirements governing the use of credit hours.

**NOTE:** ESL is an eligible program only for purposes of the Pell Grant Program.

**ESL COURSES AS PART OF AN ELIGIBLE PROGRAM**

**Council Requirements**

Conversion from clock to credit hour for the ESL courses must be appropriate and in compliance with Department of Education regulations for remedial coursework.

**Department of Education Regulations**

ESL coursework required by a student when accepted into an existing, Title IV-eligible program must be considered remedial in nature for the purpose of calculating student financial aid. Note that remedial coursework is by regulation either noncredit or reduced credit, for
purposes of the postsecondary program, although these noncredit or reduced academic credit hours are converted to the credit value of non-remedial courses for the purpose of calculating Title IV payments to students.

It is important to remember that a program of study must be Title IV eligible excluding the remedial courses (i.e., for a 300 clock-hour Hospitality and Tourism program to be eligible for student loan programs, any remedial courses offered must be added to the 300 clock hours).

**Summary**

ACICS members currently offering or planning to offer stand-alone ESL programs or ESL as remedial courses taken with an eligible program must be aware of and in compliance with all Council requirements and Department of Education regulations. In comparing the two, it is apparent that if an institution is not in compliance with the Department of Education, it will not be in compliance with ACICS because all of the Department’s requirements are inherent to the Accreditation Criteria; ACICS is, however, more restrictive in several areas.

Be advised that compliance with Appendix F does not ensure that a program will be determined by the U.S. Department of Education to be eligible for Title IV participation. Should the institution desire Title IV funding for an ESL program, it should discuss program eligibility with the appropriate Department of Education regional office before applying for Council approval.

**Guidelines in Disclosure and Notification**

**Explanation of Final Changes**

The following language was updated to reflect the current practices of the Council regarding notification. The language also aligns to the updated federal regulations.

**Appendix G  Guidelines on Disclosure and Notification**

These guidelines are designed to inform institutions of the policies of the Council and to guide staff in disclosing information and providing materials to third parties regarding an institution’s accreditation. Many policies are required by federal law and regulation.

The policies presented below are not intended to cover every situation be exhaustive, and the Council exercises considerable discretion in balancing the need for confidentiality in the accreditation process with the need to disclose information to the public, including **students current** and **prospective students/applicants**, and to other interested third parties, including government agencies. The Council will provide information as requested by the USDE that may bear on an institution’s compliance with federal student financial aid requirements, including the eligibility of the institution to participate in Title IV programs (see Title II, Chapter 3).

1. The Council maintains the following information on its website to be and makes available to member institutions, appropriate governmental agencies, and the public regarding the following: complete information regarding

   (a) its accreditation criteria, policies, and practices; policies, procedures, and standards;
(b) the institutions that it currently accredits, currently accredited institutions, including the dates when the institutions are scheduled to be reviewed for renewals of accreditation; the accreditation status, grant length terms, and approved programs;

(c) the names, educational backgrounds, and professional qualifications of its commissioners and senior administrative staff.

This information is provided in written documents available from the Council office or on the Council’s website. These documents include a directory of accredited institutions, summaries of Council actions, and an annual report are all available on the ACICS website, copies of which are forwarded automatically to the U.S. Department of Education, state regulatory agencies, and other recognized institutional accrediting agencies.

1.2 The Council will notify the USDE, state regulatory agencies, other accrediting agencies, other interested third parties, and the public within 30 days of all Council actions that affect an institution’s grant of accreditation, including initial grants of accreditation.

Notification of institutional closings, and voluntary withdrawal or expiration of accreditation will occur within 10 days

At the same time the Council notifies the institution, it will notify the USDE, state regulatory agencies, and other accrediting agencies of the following actions:

- a final decision to place an institution on show-cause or equivalent status; and
- the initiation of an adverse decision action; or
- a final decision to deny, withdraw, revoke, or terminate the accreditation of an institution.

In such instances, public notification will be provided within one business day. The institution will be required to notify all current and prospective students within seven business days.

Deferral actions will include an explanation that the institution’s application is pending, and that additional information has been requested. Negative Any adverse actions subject to appeal will be denoted with a statement that the action is subject to appeal and is not final unless the institution does not exercise its appeal rights or until the institution’s appeal rights have been exhausted. The disclosure of Review Board decisions will be in accordance with the procedures described in Section 2-3-607. The Council retains the discretion and the responsibility to communicate other relevant accreditation information with appropriate agencies and regulatory bodies.

2.3 Within 60 days of a final negative-adverse action, the Council will also make available to the agencies above and the public upon request a brief statement summarizing the reasons for the negative action determination and the official comments that the institution may wish to make with regard to the Council’s decision, or evidence that the affected institution has been offered the opportunity to provide official comment.

3.4 Through written, established protocols, the Council will directly, and in a timely manner,
inform the USDE of any institution which the Council has reason to believe is failing to meet its Title IV program responsibilities or is engaged in fraud and abuse, along with the Council’s reasons for concern about the institution.

Further, the Council will make such notification if it believes the institution demonstrates systemic noncompliance with respect to use of the USDE definition of credit hour or significant noncompliance regarding conformity with commonly accepted practice in the assignment of credit hours to one or more programs at the institution. The institution will then be given an opportunity to provide evidence demonstrating it is in compliance with Title IV requirements regarding credit hour assignments.

4.5. The Council will notify the public through its website and other means, as appropriate, of the following:

(a) at least one year in advance of grant expirations, a list of all institutions with current grants of accreditation due to expire; and

(b) as soon as practical, a list of all institutions which have applied for initial grants of accreditation.

This notification will include guidance on how third parties may comment on these institutions’ qualifications for accreditation.

5. The Secretary of Education’s grant of recognition constitutes a “grant of authority” to the Secretary to (1) observe site visits to one or more of the institutions accredited by the Council, on an announced or unannounced basis; (2) visit locations where agency activities such as training, review and evaluation panel meetings, and decision meetings take place, on an announced or unannounced basis; (3) obtain copies of all documents the staff deems necessary to complete its review of the agency; and (4) gain access to agency records, personnel, and facilities, conduct site visits (both to ACICS and to the institutions) and to gain access to agency records, personnel, and facilities on an announced and unannounced basis.

6. The Council automatically will submit an annual report to the Secretary of Education, as requested.

7. The Council will provide information regarding debarment actions on request the website.

Teach-Out Plans and Agreements

Explanation of Final Changes

To ensure alignment with recently approved federal regulations on teach-outs (CFR 602.24(c)), the Council made final the following updates to the Accreditation Criteria on teach-out plans and agreements, including providing definitions of relevant terms.

2-2-303. Teach-out.

(1) The Council will require an institution to provide a teach-out plan in the following instances:

(a) The Secretary of Education notifies ACICS of a determination by the institution’s independent auditor expressing doubt about the institution’s ability to operate as a going concern or indicating an adverse opinion or a finding of material weakness related to financial stability.
(a)(b) The Secretary of Education notifies ACICS that it has initiated an emergency action against an institution or an action to limit, suspend, or terminate participation in Title IV programs, and that a teach-out plan is required; the institution is participating in Title IV, HEA programs under a provisional program participation agreement and the Secretary has required a teach-out plan as a condition of participation;

(b)(c) ACICS acts to deny or withdraw the accreditation of an institution place the institution on show-cause;

(c) The institution notifies ACICS that it intends to cease operations or close a location that provides 100% of at least one program;

(d) A state licensing or authorizing agency notifies ACICS that an institution’s license or legal authorization to provide educational programs has been or will be revoked; or

(e) ACICS is notified of adverse information, high cohort default rate(s), low retention and/or placement rate(s), financial instability, or other concerns that may call into question the institution’s ability to continue to serve the educational needs and objectives of its students or to continue as an on-going concern.

At the discretion of the Council, the teach-out plan may include a formal teach-out agreement with another institution.

(2) The Council will require an institution to provide a teach-out plan and, if practicable, teach-out agreements in the following instances:

(a) The Secretary notifies ACICS that it has placed the institution on the reimbursement payment method or the heightened cash monitoring payment method requiring the Secretary’s review of the institution’s supporting documentation;

(b) The Secretary notifies ACICS that the Secretary has initiated an emergency action against an institution, or an action to limit, suspend, or terminate an institution participating in any title IV, HEA program;

(c) The Council acts to deny or withdraw the accreditation of an institution;

(d) The institution notifies ACICS that it intends to cease operations or close a location that provides 100 percent of at least one program, including if the location is being moved and is considered by the Secretary to be a closed school; or

(e) A state licensing or authorizing agency notifies ACICS that an institution’s license or legal authorization to provide educational programs has been or will be revoked.

If an institution closes or announces its intent to close, the Council will work with the USDE and the appropriate state regulatory agencies to the extent feasible to ensure that students are given reasonable opportunities to complete their education without additional charge. An institution that closes without completing its contractual training obligations to students must refund all unearned revenue.

Should an institution enter into a teach-out agreement with another accredited institution, the signed agreement must be submitted to and approved by the Council prior to implementation. Teach-out agreements must include the following: In addition to general information on the institutions entering into the teach-out agreement, the agreement must demonstrate the following:
(a) A complete list of students currently enrolled in each program at the institution and the program requirements each student has completed;
(b) A plan to provide all potentially eligible students with information about how to obtain a closed school discharge and, if applicable, information on state refund policies;
(c) A record retention plan to be provided to all enrolled students that delineates the final disposition of teach-out records (e.g., student transcripts, billing, financial aid records);
(d) Information on the number and types of credits the teach-out institution is willing to accept prior to the student’s enrollment; and
(e) A clear statement to students of the tuition and fees of the educational program and the number and types of credits that will be accepted by the teach-out institution.

Teach-out agreements will be approved only if the teach-out institution

(a) has the necessary experience, resources, and support services to provide an educational program that is of acceptable quality and reasonably similar in content, delivery modality, and scheduling to that provided by the institution that is ceasing operations either entirely or at one of its locations; however, while an option via an alternate method of delivery may be made available to students, such an option is not sufficient unless an option via the same method of delivery as the original educational program is also provided;
(b) has the capacity to carry out its mission and meet all obligations to existing students; and
(c) demonstrates that it
   i. can provide students access to the program and services without requiring them to move or travel for substantial distances or durations; and
   ii. will provide students with information about additional charges, if any.

1. that students will be provided, without additional charge, all of the instruction promised but not yet provided by the closing institution; and

that the teach-out institution is geographically proximate to the closing institution or otherwise can provide students with reasonable access to its programs and services, and that it has the necessary experience, resources, and support services to provide an educational program that is of acceptable quality and is reasonably similar in content, structure, and scheduling to that provided by the closing institution.

GLOSSARY

Teach-out. A process during which a program, institution, or institutional location that provides 100 percent of at least one program engages in an orderly closure or when, following the closure of an institution or campus, another institution provides an opportunity for the students of the closed institution to complete their program, regardless of their academic progress at the time of closure.
Teach-out Agreement: A written agreement between institutions that provides for the equitable treatment of students and a reasonable opportunity for students to complete their program of study if an institution, or an institutional location that provides 100 percent of at least one program offered, ceases to operate or plans to cease operations before all enrolled students have completed their program of study.

Teach-out Plan: A written plan developed by an institution that provides for the equitable treatment of students if an institution, or an institutional location that provides 100 percent of at least one program, ceases to operate or plans to cease operations before all enrolled students have completed their program of study.

Initiation and Evaluation of Program Changes
Explanation of Final Changes:
The Council conducted a review of its published procedures relative to program changes. The final language below includes replacing the term “extensive change” with “substantive change,” adding distance education activity within the one-year initiation timeframe following approval, and other revisions to program and distance education approval processes.

2-2-106. Initiation of Distance Education (Online) or New Instructional Delivery Method.
It is the responsibility of the institution to secure approval from the Council of the intention to initiate online delivery if all courses and programs within the institution are currently approved for residential or face-to-face instructional delivery method. Any significant change in instructional delivery method requires prior Council approval.

The institution or campus must initiate the approval process through the submission of a new program-distance education application and required documentation information for Council review and approval before being included into the institution’s current scope of accreditation. Once the institution receives approval from the Council to initiate online delivery, a new program application can be submitted to offer a new program in that mode of delivery. If current, residentially offered programs wish to utilize the newly approved online mode of delivery, notification per program is required.

2-2-109. Increasing-Changing the Number of Clock or Credit Hours. It is the responsibility of the institution to secure approval from the Council of the intention to initiate a change of 25 percent or greater in the number of clock or credit hours awarded for successful completion of a program. If the percentage change is less than 25 percent, but it results in a change in the credential level, the resulting credential level will be evaluated to be within the institution’s scope of accreditation.

The institution or campus must initiate the approval process through the submission of a new program application and required documentation for Council review and approval before being included into the institution’s scope of accreditation. The institution shall notify the Council if it does not implement the changes within one year of approval. Requests to extend the proposed start date beyond one year of the initial date must be submitted to the Council.

2-2-120 – Initiation and Evaluation of Changes Within Current Scope
All programs and delivery methods must be within the institution’s scope of accreditation and receive ACICS approval before recruiting or enrolling students. Programs offered by the institution are appropriately evaluated during the institution’s initial grant of accreditation and renewal of accreditation evaluations.

The initiation of a new program, or a change in the overall objective of a currently approved program or in the credential level of an existing program, requires approval prior to implementation. The initiation of courses and programs offered via an online modality also requires approval prior to implementation. An application form and any additional documentation specified by ACICS must be submitted. Programs and distance education that have not started within one year of the proposed start date and programs that have been inactive for at least two years must be surrendered as defined in Section 2-2-503. Institutions or campuses must have demonstrated compliance with ACICS standards at a lower credential level before requesting the addition of a new program at a higher credential level.

Any institution or campus on interim reporting to the FRC may be required to obtain prior permission from ACICS for the initiation of any new program. Any institution or campus under a compliance warning, or a show-cause directive or a negative action must obtain prior approval from the Council to apply for a new program. Additionally, any institution or campus subject to a comprehensive on-site evaluation as a result of extensive substantive changes must obtain prior permission from ACICS for the initiation of any new program.

2-2-121. Changes to Existing Programs. Changes to existing or currently approved programs fall under (a) extensive substantive changes and (b) non-substantive changes.

(a) Extensive-Substantive Changes. An extensive substantive change to existing program application process must be initiated and approval received prior to implementation. Failure to do so will result in a compliance warning for offering an unapproved program.

The following changes will be considered substantive changes to the institution’s scope of accreditation and require approval per Section 2-2-100:

1) a 25 percent change in the number of clock or credit hours awarded for successful completion of an existing program; and

2) a change from clock hours to credit hours.

Legal Organizations for International Applicants

Explanation of Final Changes

The Council finalized the following revision to the minimum eligibility requirements to allow for legal structures of international institutions that may not fit the recognized legal organizations of institutions within the United States.

1-2-100 – MINIMUM ELIGIBILITY REQUIREMENTS

To be eligible for consideration for accreditation, an institution or entity must satisfy the following minimum requirements.

...
postsecondary institutions or (2) the appropriate state agency for authorizing the conduct of business in that state for noninstitutional entities. For non-US institutions in countries in which legal authority to award degrees is not available or required, evidence of acceptance as a reputable private institution with significant support from all key stakeholders must be provided. For all institutions, educational services must have been offered to the general public for at least two years immediately prior to consideration of the application by ACICS.

... 

(h) It shall be legally organized as a corporation, as a limited partnership with a corporate general partner, or as a limited liability company. Non-US institutions under other legal structures may be considered on a case-by-case basis.

Reasons for Revocation
Explanation of Final Changes
The Council revised the revised language below which would remove two reasons for revocation as they all under the reasons which may lead to a withdrawal of accreditation by suspension. In both instances, procedurally an institution would first be notified of their failure to submit. Should an institution fail to respond to communication attempts or refuse to submit, a show-cause directive would first be issued, giving the institution an opportunity provide “cause” before the potential for withdrawal by suspension.

2-1-801. Annual Campus Accountability Reports. The Annual Campus Accountability Reports (CAR) must be submitted on Council forms and comply with Council guidelines and be certified by the chief executive officer of the institution. Data must be submitted separately on the Campus Accountability Report (CAR) for each main campus and for each branch campus. These reports are due on or before November 1 annually. Failure to submit the Annual Accountability Reports CAR in a timely manner will result in the revocation of accreditation subjects the member to a withdrawal of accreditation by suspension.

2-1-802. Annual Financial Report. The Annual Financial Report must be submitted on Council forms and be certified by an officer or stockholder of the corporation. Data reported must align with an institution’s fiscal year and must be submitted separately for each campus included in the institution’s grant of accreditation. It is due no more than 180 days after the end of the institution’s fiscal year. Failure to submit the Annual Financial Report in a timely manner subjects the member to a withdrawal of accreditation by suspension will result in the revocation of accreditation.

... 

2-1-804. Payment of Fees. Institutions are required to pay all annual sustaining fees, user fees, evaluation visit deposits and expenses, and other assessed costs by the established deadlines. Non-payment of any fees or expenses subjects the member to a withdrawal of accreditation by
suspension subjects a member to revocation of accreditation without a hearing (see Appendix A, Article VI, Section 5).

2-3-401. Revocation. Revocation occurs without a hearing for any of the following reasons:
(a) An institution, campus, state authority, USDE, Ministry of Education, or similar body notifies the Council that the institution has closed and/or ceased operation.
(b) An institution notifies the Council that it is voluntarily withdrawing its grant of accreditation or the inclusion of one or more of its nonmain campuses from within its grant of accreditation.
(c) An institution is denied a renewal of accreditation and does not appeal the action, or the action is affirmed by the Review Board of Appeals.
(d) An institution or campus fails to submit a written response to a show-cause directive by the indicated due date.
(e) An institution or campus whose accreditation has been summarily suspended does not challenge or appeal the suspension within 10 days of receipt of the suspension notice (see Section 2-2-301).
(f) The institution or campus fails to file an annual report as required by the Council. (See Sections 2-1-801 and 2-1-802)
(g) The institution or campus fails to pay its annual fees, application fees, other assessed fees, or evaluation expenses. (See Section 2-1-804)

A revocation action is not appealable. It requires that an institution start anew and undergo the entire accreditation process to regain accreditation.

Campus Consolidations
Explanation of Final Changes
The Council removed language for the consolidation of campuses. The revised process now requires the closure of the one campus and transfer of students to the other campus to ensure an accurate record of all the students impacted. Section 2-2-202 now encompasses only language concerning the reassignment of a branch campus to a main designation, or a main to a branch.

2-2-202. Reassignment and Consolidation of Campuses. Institutions seeking to reassign the classification of a campus or campuses within an institution or campuses or to consolidate groups of campuses must submit the appropriate application and documentation, including the rationale to the Council, for approval prior to reassignment. The Council will consider the institution’s requested grant expiration date for the newly formed group of campuses and assign modified or full team evaluation visits as necessary to bring the grant lengths of the various groups of campuses into alignment. The scope and timing of these visits will be based on the length of the grant of accreditation for each group being reassigned or consolidated, as well as a review of determining factors such as retention and placement rates, reporting status, complaints and adverse, and any other pertinent information. No campus will be given an extension of its current grant longer than one year for purposes of the consolidation, and new campuses moving through the branch inclusion process will be
visited as part of that process, regardless of the consolidation proposal. The Council reserves
the right to assign an on-site evaluation visit at either the main campus or branch campuses
at any time as it deems necessary.

**Change of Ownership or Control**

**Explanation of Final Changes**

The following revision creates a distinction between procedures for change of control that
occur at institutions managed by a not-for-profit corporation and those managed by all other
entities. This distinction is necessary as there is no financial transaction in the change
of control of a not-for-profit; the change occurs when the governance changes. Further, there
are change of ownerships that do not result in a change of control and there are change of
controls that do not necessarily constitute a change in ownership.

2-2-403. Change of Ownership or Control Review Procedures.

(a) **Not-for-Profit:** Institutions that are controlled by a not-for-profit entity and are seeking a change
in control must receive Council approval prior to the change. If the institution fails to receive
Council approval prior to the change in control, the institution will be directed to show cause why
its grant should not be withdrawn by suspension. The following procedures govern the Council’s
review of the change of control:

i. The institution must submit the Change of Control application, including all requested
   materials, for consideration and approval by the Council.

ii. The institution will be required to host a Quality Assurance Monitoring (QAM) visit to
evaluate its ongoing compliance with the Accreditation Criteria no later than six months
   following the implementation of the change.

   The Council, at its discretion, may require the institution’s new chief onsite administrator and/or
   chairperson of the board to attend an ACICS accreditation session prior to, or following, the visit.

(b) **All Other Entities:** Institutions that are controlled by a privately held, public traded,
limited liability corporation, or any other legal structure and are considering a change of ownership
or control, must submit Part I of the change of ownership/control application 30 days
prior to the transfer of ownership. Part II of the change of ownership/control application must be submitted
within five business days after the transaction. The following procedures govern the Council’s
review of the change of ownership/control:

i. **Automatic Discontinuation.** Any change of ownership or control results in the immediate and
   automatic discontinuation of an institution’s grant of accreditation. The grant of accreditation
   may be reinstated only upon application to and approval by the Council. Because the
   discontinuation results without action or prior approval on the part of the Council, this change
   in status does not constitute withdrawal of accreditation and is not a negative action.

ii. **Reinstatement.** After the grant of accreditation has been discontinued, it may be reinstated at
   the discretion of the Council within 30 days of the change in ownership/control. Those terms
   and conditions of the reinstatement process are set forth in policy statements issued to the field
   and in the change of ownership/ control application document that institutions must file to
   initiate the reinstatement process. The Council will conduct a quality assurance monitoring
   visit within six months of the effective approval date of a change of ownership/control. The
   new owner(s) and the chief on-site administrator may be directed to attend an ACICS
   Accreditation session within one year of the change of ownership or prior to the quality
assurance monitoring visit.

iii. **Effect.** Until the Council approves a reinstatement of the grant of accreditation, the accreditation of the institution remains in abeyance. If approval of the application for reinstatement is withheld, the matter will be treated procedurally as a deferral or a denial, as the case may be (see Title II, Chapter 3).

**Review Board Decisions**

**Explanation of Final Changes**

Revised federal regulations in CFR 602.25, the Council proposes the removal of the Board’s ability to reverse the Council’s decision. Additionally, the recording of any dissenting opinions was removed since the Panel’s decision is reached by consensus and communicated as one voice.

**2-3-603. Jurisdiction and Authority.** The Review Board of Appeals is empowered to review, upon notice of appeal timely filed, actions specified in Sections 2-3-301, 2-3-302, and 2-3-402. The Review Board panel has the authority to:

a) affirm the decision of the Council;
b) amend the decision of the Council; or
c) reverse the decision of the Council; or
d) remand the case to the Council with recommendations for further consideration.

The Review Board panel may amend or reverse the decision of the Council or remand the case to the Council for further consideration only if it finds the decision to be one of the following:

a) arbitrary, capricious, or otherwise in substantial disregard to the Accreditation Criteria; or
b) not supported by substantial evidence in the record on which the Council took the negative action.

The Review Board panel cannot amend or reverse the decision of the Council or remand the decision based on argument by the appellant that the Council action was disproportionate to the violations cited. The Review Board panel is further limited in that it has no jurisdiction or authority concerning the reasonableness of the Accreditation Criteria.

A determination by the Review Board panel to affirm the Council’s decision is effective immediately upon the Review Board panel’s action. A determination by the Review Board panel to amend, reverse, or remand the Council’s decision will be referred to the Council for implementation and further action.

**2-3-606. Decision of the Review Board.** Every decision must have the concurrence of the majority of the Review Board panel. Within a reasonable time after the conclusion of the hearing, the hearing panel shall issue in writing its decision with a statement of its reasons and recommendation, if any, to the Council. The decision will indicate those members of the Review Board panel who concur with the decision. Dissenting opinions may be filed. The majority decision with dissenting opinions, if any, will be furnished to the institution.
BYLAWS
Article VII
Appeals Process
Section 1—Review Board of Appeals. A Review Board of Appeals shall be appointed by the Council. The purpose of the Review Board shall be to review, according to pre-established procedures and guidelines, appeals by members of final negative actions by the Council and in each case either to affirm the action of the Council, to remand the case to the Council for further review, or to amend or overturn the action. The Review Board shall consist of 15 persons, all of whom have had experience in accreditation. The Review Board shall include at least two academic representatives, two administrative representatives, and three public members, as defined in Article III, Section 1 herein. Review Board panels will consist of a minimum of three members and be comprised of at least one public, one academic, and one administrative representative. Members of the Review Board shall be appointed to terms of three years, with terms of initial appointees staggered so that one-third of the terms expire each year. A person appointed to the Review Board shall not have been a commissioner within one year prior to appointment. The President shall convene timely a panel of the Review Board when necessary.

Debarment
Explanation of Final Changes
The Council finalized the following revision to identify when a person or entity is sufficiently notified of its intent to bar them from being an administrator or owner of an ACICS-accredited institution. This change reflects an updated practice of electronic communication. To maintain accurate contact information, institutions will be required to update this information on their Ownership Disclosures as part of the Annual Financial Reports.

2-3-900

The Council will notify the persons or entities whom it intends to bar as the result of denial or suspension action within four months following the loss of the institution’s accreditation. It will notify the persons or entities whom it intends to bar as the result of the closing of an institution within a reasonable period of time following the closure. In each case, the Council will forward an intent to bar notice by both electronic and certified email to the last institutional mailing address known to the Council, unless the Council has received updated mailing information following the institution’s closure or loss of accreditation. Those persons or entities will be considered notified when the Council has forwarded the intent to bar notice in accordance with these procedures.

Negative vs. Adverse Actions
Explanation of Final Changes:
The Council considered its use of the terms “negative” versus “adverse” actions in the Accreditation Criteria compared to the terminology utilized by federal, state, and other accrediting agencies. While the terms were found to be used interchangeably, “adverse” was predominantly used. The Council determined it was best to use the term “adverse” for consistency throughout the Accreditation Criteria and in all its communications.
2-1-808. Financial Review. The Council reviews the Annual Financial Report, audited financial statements, and other relevant information to monitor each institution’s financial condition. When this review indicates that an institution’s financial condition may be weak or deteriorating, the Council will require the institution to furnish Quarterly Financial Reports, a Financial Improvement Plan, or other interim narrative reports that demonstrate the actions the institution is taking to improve its financial condition. If the Council determines the institution no longer complies with the Council’s requirements for financial stability, the Council **will** or **may** issue a compliance warning or **issue a show-cause directive**, or **otherwise take negative action** and require the institution to demonstrate compliance within the time frames described in Title II, Chapter 3. These time frames may be extended at the sole discretion of the Council for good cause, including evidence that there has been significant improvement in the deficient area(s) and the applicable time frame does not provide sufficient time to demonstrate full compliance, e.g., significant improvement in financial stability. Institutions that are required to submit interim financial reports or that are determined to be out of compliance with the Council’s standards for financial stability are considered to be on financial review and are subject to additional restrictions regarding the initiation of branches and learning sites. **At its discretion, the Council may take an adverse action at any time.**

2-2-104. Initiation of Additional Campus Activity. An additional activity includes any ongoing instructional activity offered at a site away from the main facility of an institution. Activity at a site that meets the Council’s definition of a “Branch” is described in Section 1-3-100. Activity at a site that does not meet the definition of a Branch Campus is referred to below as a “Learning Site.” Reporting requirements are as follows:

(a) **Branch Campus.** It is the responsibility of the institution to secure approval from ACICS of the intention to initiate a branch campus before the branch begins classes. If approved, activity must be initiated at the branch campus within one year of the proposed start date. A branch campus must be approved by the Council before advertising, recruiting, and enrollment may take place. Failure to secure approval from ACICS prior to the initiation of a branch campus may call into question the accreditation of the institution.

Any institution which (1) is required to submit a financial improvement plan to the Financial Review Committee, or which (2) is under a deferral action by the Council must request and receive prior permission from ACICS for the initiation of any branch campuses. An institution under a show-cause directive or **a negative action** will not receive approval from ACICS for the initiation of any branch campus while the action is in effect.

(b) **Learning Site.** It is the responsibility of the institution to secure approval from ACICS prior to initiation of any new educational activity which is under the direct control of the on-site administration of a main campus or branch campus and at a site that is apart from the primary location of that campus…. 
Any institution which has a campus that (1) is under review by the Financial Review Committee of ACICS, (2) shows either a net loss or a negative net worth on its most recent financial report, (3) is required to report placement and/or retention data to the Institutional Effectiveness Committee, or (4) is under a deferral action by the Council must request and receive prior permission from ACICS for the initiation of any additional campus activity at which 50 percent or more of an academic program is provided. An institution under a show-cause directive or an adverse action will not receive approval for the initiation of any such additional campus activity while the action is in effect.

### 2-2-403. Change of Ownership or Control Review Procedures

Institutions must submit Part I of the change of ownership/control application 30 days prior to the transfer of ownership or change in control occurs. Part II of the change of ownership/control application must be submitted within five business days after the transaction. The following procedures govern the Council’s review of change of ownership/control:

(a) Automatic Discontinuation. Any change of ownership or control results in the immediate and automatic discontinuation of an institution’s grant of accreditation. The grant of accreditation may be reinstated only upon application to and approval by the Council. Because the discontinuation results without action or prior approval on the part of the Council, this change in status does not constitute withdrawal of accreditation and is not an adverse action.

### 2-3-100 – ACCREDITATION GRANTED

If an institution is found to be in compliance with the Accreditation Criteria, ACICS may grant accreditation for a specific period of time from a minimum of one year to a maximum of six years. The length of the grant shall be at the discretion of ACICS. A grant of accreditation for less than six years is not an adverse action and, therefore, is not appealable.

### 2-3-210. Deferral

When Council determines there is insufficient evidence available to make a decision, it may defer action until a later date pending receipt of additional information.

Deferral is, in effect, “no action at this time” and is not an adverse action. Therefore, deferral is not an appealable action. Nor is deferral a final action. In all cases of deferral on renewal of accreditation of accredited institutions, the Council will extend the present grant of accreditation for a period sufficient for the institution to provide the information needed.

### 2-3-300 – ACCREDITATION DENIED
Denial of an accredited status is characterized by the Council as a “withholding” action and is differentiated from suspension of accreditation, which is a “withdrawal” action. There are two levels of denial. One totally withholds accreditation of the institution or a branch; the other denies approval of a requested substantive change. Denial at either level constitutes a negative adverse action and is challengeable by the institution. The process of challenge, however, is different for each level of denial as separately described in Sections 2-3-301, 2-3-302, and 2-3-303. In all cases, the Council will give the institution written reasons for the denial, which are subject to modification through the appeals processes as later described and explained. Denial actions that are not appealed in accordance with the appeals procedures provided by the Council are considered final actions.

2-3-603. Jurisdiction and Authority. The Review Board of Appeals is empowered to review, upon notice of appeal timely filed, actions specified in Sections 2-3-301, 2-3-302, and 2-3-402.

The Review Board panel may amend or reverse the decision of the Council or remand the case to the Council for further consideration only if it finds the decision to be one of the following:

(a) arbitrary, capricious, or otherwise in substantial disregard of the Accreditation Criteria; or
(b) not supported by substantial evidence in the record on which the Council took the negative adverse action.

BYLAWS

ARTICLE VII Appeals Process.

Section 1—Review Board of Appeals. A Review Board of Appeals shall be appointed by the Council. The purpose of the Review Board shall be to review, according to pre-established procedures and guidelines, appeals by members of final negative adverse actions by the Council and in each case either to affirm the action of the Council, to remand the case to the Council for further review, or to amend or overturn the action. The Review Board shall consist of 15 persons, all of whom have had experience in accreditation. The Review Board shall include at least two academic representatives, two administrative representatives, and three (3) public members, as defined in Article III, Section 1 herein. Review Board panels will consist of a minimum of three members and be comprised of at least one public, one academic, and one administrative representative. Members of the Review Board shall be appointed to terms of three years, with terms of initial appointees staggered so that one-third of the terms expire each year. A person appointed to the Review Board shall not have been a commissioner within one year prior to appointment. The President shall convene timely a panel of the Review Board when necessary.
APPENDIX G GUIDELINES ON DISCLOSURE AND NOTIFICATION

These guidelines are designed to inform institutions of the policies of the Council and to guide staff in disclosing information and providing materials to third parties regarding an institution’s accreditation.

2. The Council will notify the USDE, state regulatory agencies, other accrediting agencies, other interested third parties, and the public of all Council actions that affect an institution’s grant of accreditation, institutional closings, and voluntary withdrawal or expiration of accreditation within 30 days. In the case of the public, however, the Council will provide written notice of the decisions listed below within 24 hours of its notice to the institution:
   (a) a final decision to place an institution on show-cause or equivalent status; and
   (b) a final decision to deny, withdraw, suspend, revoke, or terminate the accreditation of an institution.

Deferral actions will include an explanation that the institution’s application is pending, and that additional information has been requested. Negative Adverse actions subject to appeal will be denoted with a statement that the action is subject to appeal and is not final unless the institution does not exercise its appeal rights or until the institution’s appeal rights have been exhausted. The disclosure of Review Board decisions will be in accordance with the procedures described in Section 2-3-607. The Council retains the discretion and the responsibility to communicate other relevant accreditation information with appropriate agencies and regulatory bodies.

3. Within 60 days of a final negative adverse action, the Council will also make available to the agencies above and the public upon request, a brief statement summarizing the reasons for the negative adverse action determination and the official comments that the institution may wish to make with regard to the Council’s decision, or evidence that the affected institution has been offered the opportunity to provide official comment.

APPENDIX L - STUDENT ACHIEVEMENT STANDARDS AND CAMPUS ACCOUNTABILITY REPORTS

...^ The Council also will consider any conditions or negative adverse actions from other oversight agencies, as well as additional student achievement indicators when taking an action...

...^ A program show-cause directive or compliance warning is not a negative adverse conditioning action and is therefore not appealable. It is issued as an official notification to an institution that a program provided by the institution is out of compliance with agency standards...
Additional Stipulations

Explanation of Proposed Changes
The Council proposed revisions in the June 2020 Memo to codify that the Council has the ability to take additional actions, as necessary, to assist institutions in maintaining compliance and/or to ensure the protection of students, while also maintaining due process for institutions. Feedback from the field relayed concerns regarding the ambiguity of the previous language citing actions to be taken. Therefore, the Council revised the language at its August meeting to include language which qualifies such actions that may be taken.

Chapter 1 Gaining and Maintaining Accreditation

Introduction
This chapter outlines the steps that institutions must follow, and the procedures utilized by ACICS leading to and following the award of accreditation status. Accreditation is a deliberate and thorough process and is entered into for purposes of quality assessment and institutional enhancement. When an institution applies for and receives a grant of accreditation, it is committing itself to operate in accordance with the standards and policies established by the Council throughout the term of the grant. The Council may take an action at any time it finds the institution to be operating out of compliance with these standards.

Inasmuch as accreditation is given for a specified period of time not to exceed six years, ACICS uses the term “initial grant” to denote the first time an institution is accredited. The term “renewal of accreditation” indicates a continuing status with ACICS after an institution has reapplied, has been reevaluated, and has been reaccredited.

2-1-700 – COUNCIL ACTIONS

Council action to accredit or renew accreditation or not to do so, or to limit or otherwise condition the grant of accreditation, is determined following review of the self-evaluation report prepared by the applicant institution, the report of the visiting team, the response of the institution to that report, the institution’s financial condition, student achievement data, any complaints against the institution, and the recommendations (if any) of the interim reviewers. At each level of review, the number and seriousness of any deficiencies are taken into account, as well as the institution’s indicated willingness and ability to overcome them. The Council may, at its discretion, direct an institution to submit a teach-out agreement, as described in Section 2-2-303 and/or otherwise condition the institution’s grant of accreditation. Specific Council actions are discussed in Title II, Chapter 3. Action by ACICS to accredit or renew accreditation or not to do so, or to limit or otherwise condition the grant of accreditation, is determined only following review of the self-evaluation report prepared by the applicant institution, the report of the visiting team, the response of the institution to that report, the institution’s financial condition, review of student achievement data, a review of any complaints against the institution, and the recommendations (if any) of the interim reviewers. At each level of review, the number and seriousness of any deficiencies are taken into account, as well as the
institution’s indicated willingness and capability to overcome them. The Council may, at its discretion, direct an institution to submit a teach-out agreement, as described in Section 2-2-303 and/or otherwise condition the institution’s grant of accreditation. Specific Council actions are discussed in Title II, Chapter 3.

…

Chapter 3 Council Actions

INTRODUCTION

When the Council has considered all of the information and reports submitted as a result part of the accrediting process, it will make a decision based on the institution’s compliance with the Accreditation Criteria. Judgment as to an institution’s compliance with the Accreditation Criteria: The Council’s decision is based on the extent of an institution’s compliance. The decision is referred to as a “Council action.” At its discretion, the Council may limit or otherwise condition an institution’s grant of accreditation in addition to a Council action. The actions which the Council may take are described in this chapter. Procedures available to institutions to challenge those Council actions and the maximum time frames for achieving final disposition of those actions by the Council also are explained. There are four general areas of Council actions: accreditation (1) granted, (2) deferred, (3) denied, and (4) withdrawn.

If the Council determines that an institution is not in compliance with the Accreditation Criteria, it will take prompt adverse action against the institution, or require the institution to take appropriate action to bring itself into compliance within a specified time frame after the institution has been notified that it is not in compliance. That time frame will not exceed and may be less than the following:

(a) twelve months, if the longest program is less than one year in length;
(b) eighteen months, if the longest program is at least one year, but less than two years in length; and
(c) two years, if the longest program is at least two years in length.

Similarly, if the Council determines that a campus’s program is not in compliance with the Accreditation Criteria, it will take prompt adverse action on the program, or require the campus to take appropriate action to bring the program into compliance with the Accreditation Criteria within a specified time frame after the campus has been notified that its program is not in compliance. That time frame will also not exceed and may be less than the following:

(a) twelve months, if the program is less than one year in length;
(b) eighteen months, if the program is at least one year, but less than two years in length; and
(c) two years, if the program is at least two years in length.

The above time frames may be extended at the sole discretion of the Council for good cause, including evidence that there has been significant improvement in the deficient area(s) and that
the applicable time frame does not provide sufficient time to demonstrate full compliance, e.g.,
significant improvement in completion or placement rates. In no event will such extension
exceed one year.

In addition to the actions stated below, the Council may take an action to require any of the
following, at any time, if deemed necessary and appropriate to aid the institution, campus, or
program in meeting compliance standards or to ensure the protection of students. Such
requirements may include, but are not limited to:
1. additional reporting requirements;
2. attendance at a workshop or training relative to areas of concern;
3. an evaluation visit;
4. prior approval before the submission of any substantive change applications;
5. the submission of teach-out plans or agreements for a program and/or campus;
6. a temporary cessation of new enrollment.

…

2-3-220. Compliance Warning. When the Council determines that an institution is not in
compliance with the Accreditation Criteria, it may issue a compliance warning. The institution
will be provided in writing with the areas of noncompliance and will be required to demonstrate
corrective action for review by ACICS. At its discretion, the Council may issue additional
requirements while the institution is under review.

As described in Sections 2-3-230 and 2-3-402, the Council may issue a show-cause directive or
denial action as the result of reviewing a compliance warning. Following receipt of a
compliance warning, the institution must bring itself into compliance within the time frames
specified in Title II, Chapter 3, or it will be subject to a final adverse action.

2-3-230. Show-Cause Directive. The Council may direct an institution to show cause. Show-
cause is a status that the Council may impose on an institution when it determines that the
institution or one of the campuses within the institution does not materially operate in
accordance with the Accreditation Criteria. The Council will provide a written summary of the
areas of noncompliance to the institution, which will be required to provide evidence of
corrective action for ACICS review. Following receipt of a show-cause directive, the institution
must bring itself into compliance within the time frames specified in Title II, Chapter 3, or be
subject to an adverse action.

The issuance of a show-cause directive may be considered the basis for an institutional review,
as defined in Section 2-3-500. A suspension order or denial action may be issued by ACICS as
the result of the Council’s review of the institution’s response, and such action is considered a
final action that may only be appealed to the Review Board of Appeals as described in Section
2-3-600. All institutions that are issued a show-cause directive by the Council will be directed to
submit a school closure plan and may be required to submit a teach-out agreement as described
in Section 2-2-303.

2-3-231. Result of Show-Cause. The Council will not accept any applications for new programs
or new campuses from any institution directed to show-cause unless approval is received in
advance to submit such an application. *At its discretion, the Council may issue additional requirements while the institution is under review.*

GLOSSARY

**Adverse Action, Institutional** – A withdrawal by suspension of the institution’s accreditation, or withdrawal of inclusion of the branch campus’s approval within the accredited status of the institution.

**Adverse Action, Programmatic** – A withdrawal of the program’s approval, except for teach-out purposes for currently enrolled students.

FOR INFORMATION ONLY

**Semi-Annual CAR**

Effective with the 2021 CAR, reports will be submitted semi-annually. This reporting timeframe will align with the new two-cycle review year (see item D below) and allow for a better representation of trends in student achievement outcomes. The new reporting schedule will be as follows:

- Semi-annual CAR: Opens April 1; due May 1 (July–December)
- Annual CAR: Opens October 1; due November 1 (Full report for July - June)

Revised CAR guidelines reflecting the new reporting schedule will be posted to the ACICS website in January 2021, after the 2020 CAR reporting year has closed.

**Placement Verification Program (PVP) CIP-to-SOC Update**

The most recent 2018 CIP and 2020 SOC codes provided by the National Center for Education Statistics (NCES) have been updated in the PVP system. The spreadsheets have been updated so please be sure to download a new spreadsheet when submitting placements to the PVP. Additionally, institutions should review their program CIP codes against those provided by NCES to ensure the current codes used to identify their programs are the most accurate. Should you need to make a change to your CIP code, please provide state documentation, as appropriate, and an email with the explanation of the change to Ms. Terri Jelinek, Senior Program Analyst, at *tjelinek@acics.org*.

**PVP Third-Party Verification**

In preparation for the 2020 Annual CAR, campuses will once again be able to provide third-party verifications from Work Number/Equifax for up to 10 percent of the reporting year’s placements already submitted to the PVP. The third-party verifications will be accepted only for **placements classified as a title match and only from Work Number/Equifax.** ACICS
will enable campuses to upload the documentation for non-responders on October 14, 2020, at which time the 10 percent allowance will be calculated. All Work Number/Equifax verifications submitted must be for placements already submitted to the PVP, but for which no response was received from the graduate or employer.

Two-Year Review Cycle
As previously stated, ACICS will be transitioning to a two-cycle review year, starting in 2021. Below is the revised annual schedule. Moving to two cycles will allow ACICS to extend the review periods for accreditation visits and institutional responses.

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<tr>
<th>Current Three-Cycle Year</th>
<th>Two-Cycle Year</th>
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<td>Council Meetings</td>
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<td>Policy Meeting</td>
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<td>Student Achievement (CAR) Review</td>
<td>December</td>
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<td>Annual Meeting</td>
<td>May</td>
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Systematic Review
As ACICS continually strives to enhance its standards to remain current with best practices in the industry and various fields, the Council continues its solicitation of feedback from all stakeholders. The Council’s 2020–2021 Systematic Review Schedule includes the standards relative to Library Resources and Services, International Partnership Agreements (Appendix I), and Study Abroad (Appendix J). The Council requests feedback from all interested parties in these areas, along with any of the proposed revisions above. Stakeholders with expertise in a particular area are especially invited to contact staff for direct involvement in the continued review and revision of these components of the Accreditation Criteria. Requests may be sent to Ms. Karly Zeigler, Director of Accreditation, at kzeigler@acics.org.

CAR - Program Enrollment or Graduates Totaling Less than 10
Effective with the 2020 CAR year, any program(s) with less than 10 students or graduates during the reporting year will be held to the requirements of Appendix L. No program will be exempt from evaluation for compliance with Appendix L based upon small population size and/or number of graduates, nor will this reason alone be sufficient grounds for consideration
of mitigating circumstances. Any questions may be sent to Ms. Michelle Bonocore, Director of Institutional Compliance, at mbonocore@acics.org.

CAR – Applying for Mitigating Circumstances
As referenced in Appendix L of the Accreditation Criteria, consideration will be given to reasonable extenuating circumstances directly impacting the institution when reviewing student achievement data. An institution must apply to be considered. Applications will be posted on the ACICS website and must include a narrative of the extenuating circumstance(s) with back-up documentation as well as a narrative explanation of alternative indicators of student learning in the program with back-up documentation supporting these indicators. Applications must then be attached to the CAR submission on or before November 1. Applications will be available October 1.

Workshops
A renewal workshop has been scheduled for Thursday, September 17, 2020 and registration is open on the website. Additional workshops, to include CEP and student achievement workshops will be coming soon!

Registration information can be found on our website at: https://www.acics.org/workshops.

Call for Evaluators
ACICS evaluators play a critical role in the deliberate, thorough accreditation of institutions, ensuring quality, institutional enhancement, and adherence to ethical business and educational practices. Evaluators are needed in several content areas, from both member and non-member institutions. If you or anyone you know is interested in contributing further to enhancing higher education institutions, please visit our website to register and complete the training: https://www.acics.org/evaluators-becoming. Questions regarding becoming an evaluator can be sent to evaluatormanager@acics.org.

COVID-19 Updates
Continuous updates and guidance on the situation can be found on the website under the “News and Events” tab, or you can click here.

COMMENT SURVEY – PROPOSED CRITERIA REVISIONS

The Council encourages students, faculty, administrators, evaluators, employers, and other interested parties to provide feedback regarding proposed revisions to Council policies and procedures. Comments on the proposed Accreditation Criteria revisions are due by Friday, November 6, 2020. ACICS is using an electronic survey to collect all comments from the field on proposed Accreditation Criteria revisions. Please find the survey link below:

https://www.surveymonkey.com/r/ACICSCALLFORCOMMENTSEPT2020

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In preparation for the scheduled AWARE on Tuesday, September 15, 2020 to discuss these proposed changed and informational procedures, please send your questions to kzeigler@acics.org to ensure that we are able to provide as much guidance as possible. To register for the AWARE:

https://attendee.gotowebinar.com/register/5410641054695645200

For any other questions or to provide policy comments, please contact:

Ms. Karly Zeigler
Director of Accreditation
kzeigler@acics.org