

Department of Education Moves to Withdraw ACICS' Recognition

By Don Sutherland

Today, the Department of Education accepted the recommendation of the National Advisory Committee on Institutional Quality and Integrity (NACIQI) to terminate recognition of the [Accrediting Council for Independent Colleges and Schools \(ACICS\)](#). ACICS is the nation's largest national accrediting agency. According to that agency, ACICS-accredited institutions currently enroll an estimated 600,000 students.

ACICS has ten days to file an appeal. In a [press statement](#) issued following the Department of Education notice, ACICS indicated that it would appeal the decision. In that statement, ACICS' Interim President Roger Williams expressed disappointment in the decision and confidence that if the institution is given a chance to "come into full compliance with the Department of Education's recognition criteria" that it would be able to "demonstrate major reforms and ongoing progress towards compliance with the Department's recognition criteria."

In its [recommendation](#) that the Department of Education deny ACICS' request for renewal of its recognition and withdraw recognition, NACIQI explained:

It does not appear that the agency meets the following sections of the Secretary's Criteria for Recognition. These issues are summarized below and discussed in detail under the Summary of Findings section.

-- The agency still needs to address how well graduates of its institutions succeed on those licensing exams that are required for employment, especially by using data specific to each licensing exam. In addition, the agency still needs to provide documentation of continued positive relationships with state licensing-related entities and nurse accrediting agencies, especially by providing current documents.
[§602.13]

-- The agency's response did not demonstrate that ACICS reserves and planning can weather highly-probable long-term decreases in budgeted revenue. The agency needs to submit its FY 2015-2016 audit when it becomes available in October 2016. In addition, the agency needs to submit its FY 2016-2017 budget at that time as well.

[§602.15(a)(1)]

-- The agency needs to document how its revised training program for all volunteers provides more focus on consistently recognizing problems and questionable practices at institutions, particularly concerning student achievement. In addition, the agency needs to document that each volunteer has undergone the improved training process before being permitted to fulfill the tasks assigned to them. Furthermore, the agency needs to document the membership and activities of its new Ethics Review Board. It needs to document the integrity and sufficiency of its data verification regime, both in design and

implementation. [§602.15(a)(2)]

-- The agency needs to clarify and document its entire process for the recruitment, selection, and verification of the qualifications and experience possessed by those selected to serve on the agency's evaluation teams and decision-making bodies. [§602.15(a)(3)]

-- The agency needs to ensure that the conflict of interest attestation forms required of appeal board members are clearly understood, and consistently interpreted, by those required to sign them. [§602.15(a)(5)]

-- The agency still needs to provide clear documentation of its consistent past practices to ensure that members of the Intermediate Review Committee (IRC) were free from conflicts of interest. [§602.15(a)(6)]

-- The agency must effectively demonstrate that it has resolved issues of widespread placement rate falsification. The agency must explain its delay in implementing verification it promised to begin performing in 2011. The agency must specifically explain what actions it took with respect to each pending or settled State or federal lawsuit initiated for the benefit of students against ACICS-accredited institutions in the last 5 years to demonstrate that its actions were appropriate and effective. The agency must also demonstrate that it took follow up action on evidence it had that placement rate data submitted by institutions was unreliable. The agency must also provide current documentation policies/practices to address the non-compliant issues. [§602.16(a)(1)(i)]

-- The agency needs to fully implement its plans to more consistently review and identify at-risk institutions. In addition, the agency needs to develop and implement its strengthened expectations for visiting teams to more consistently uncover institutional fiscal and administrative problems while on-site. [§602.16(a)(1)(v)]

-- The agency needs to fully implement its new and strengthened initiatives regarding misrepresentations to prospective students and abusive recruiting. In addition, the agency needs to regularly verify that each institution's recruitment process is complying with the new ACICS requirements. [§602.16(a)(1)(vii)]

-- The agency needs to continue implementing its strengthened process for obtaining and evaluating the record of student complaints for each institution. In addition, the agency needs to compile evidence that its strengthened process is effective in practice. [§602.16(a)(1)(ix)]

-- The agency does not meet the requirements of this section of the criteria. The Department cannot see how the agency could apply these revisions in such a way as to document effectiveness in monitoring in the time it would be given to respond in a compliance report, particularly in view of its weak record in monitoring and failure to document enforcement, and prior lack of cooperation with the Department. [§602.16(a)(1)(x)]

-- The agency does not meet the requirements of this section. The agency must clarify its policies and procedures relative to its new data integrity standards and new team reviewer. The agency must also demonstrate that it has applied these standards. (For example, in a site visit report) [§602.17(a)]

-- The agency needs to provide evidence that its regular on-site visit process currently and consistently obtains sufficient information to determine if the institution complies with ACICS standards. [§602.17(c)]

-- The agency must have a reasonable basis for determining that the information it relies on for making accrediting decisions is accurate. The agency must clarify how the agency holds institutions accountable for ensuring integrity in their data submissions and explain their verification processes. The agency must provide documentation demonstrating that they have applied their standards (such as an onsite visit report). [§602.18(d)]

-- The agency does not meet the requirements of this section of the criteria. The agency must demonstrate that it could apply revision in such a way as to document effectiveness in monitoring in the time it would be given to respond in a compliance report, particularly in view of its weak record in monitoring and failure to document enforcement. Also, the agency must demonstrate that it provided the appropriate information and documentation of the use of all monitoring mechanisms included in the agency's narrative as requested in the staff draft analysis.

[§602.19(b)]

-- The agency's response to the documentation requests regarding enforcement of timelines was insufficient. In addition, the agency's proposed language revisions are insufficient and have not been finalized and implemented, and the agency has been ineffective in past efforts to bring itself into compliance. As a result, the agency cannot be found in compliance with the requirements of this section. [§602.20(a)]

-- The agency's proposed policy language regarding good cause extensions does not include a maximum time period, as requested. In addition, the agency did not provide the requested documentation demonstrating ACICS took immediate adverse action when an institution did not bring itself into compliance within the specified time period. As a result, the agency cannot be found in compliance with the requirements of this section. [§602.20(b)]

-- The agency must provide additional documentation to demonstrate that it has a systematic reoccurring process to identify issues occurring at problematic institutions outside of its normal standards review process as noted in the draft analysis. The agency must also provide a completed CEP and evidence of a standards revision as a result of its review of a CEP. [§602.21(a)(b)]

-- The agency continues to be out of compliance with this criterion. The agency needs to develop a written policy that would enable it to consistently determine whether a new comprehensive evaluation is required.

[\$602.22(a)(3)]

-- The agency does not meet the requirements of this section. The agency needs to revise its teach out plan policies to include the requirements of this section of the criteria.

[\$602.24(c)(1)]

-- The agency does not meet the criteria in this section. The agency's Accreditation Criteria provided fail to comply with the requirements of this section and as a response for this item are not effective until July 1, 2016. The agency has not complied with this section in practice and has provided no basis for concluding it will do so in the future. It is unclear to Department staff how the agency has held its institutions accountable for fraud and abuse prior to this or how it will following the effective date (July 1, 2016) of the new standards. [\$602.27(a)(6-7),(b)]