

Policy on Commission Actions on Institutions

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Policy

This policy sets forth the actions that may be taken on the accredited status of institutions by the Accrediting Commission for Community and Junior Colleges, Western Association of Schools and Colleges (ACCJC). Institutions applying for candidacy or initial accreditation and accredited institutions undergoing periodic evaluation for reaffirmation of accreditation will be reviewed by the Accrediting Commission. The Commission will examine institutional evidence of student learning and achievement, the Self Evaluation Report of Educational Quality and Institutional Effectiveness, the External Evaluation Report of Educational Quality and Institutional Effectiveness, and documents from previous evaluations to determine whether the institution complies with the Eligibility Requirements, Accreditation Standards, and Commission policies. The Commission will apply, as ~~it deems~~ appropriate, one of the actions listed in this policy. *The Commission will not condition the granting of candidacy, initial accreditation, or reaffirmation of accreditation on the payment of any fees which are not approved by the Commission for payment of annual dues, evaluation costs, or other fees and assessments to the Accrediting Commission for Community and Junior Colleges, Western Association of Schools and Colleges (ACCJC).*

In the case ~~that a previously~~ *when an* accredited institution ~~cannot~~ *no longer* demonstrates that it meets the Eligibility Requirements, Accreditation Standards, and Commission policies, *the institution will be notified in the Commission action letter of the time it has to come into compliance, which must not exceed two years after first receiving notification of any noncompliance with a standard.*¹ ~~the Commission impose a sanction as defined below.~~ If the institution cannot document that it has come into compliance within *the designated period, a maximum of two years after receiving the initial sanction,* the Commission will take adverse action. In keeping with the provisions of the Higher Education Act of 1965, as amended, the Commission defines adverse actions for accredited institutions as termination of accreditation; denial, or termination for institutions seeking candidacy; and denial for institutions seeking initial accreditation.

Definitions

*Accreditation Cycle. The accreditation cycle is a seven-year period beginning at the conclusion of a comprehensive external evaluation and continuing through the next comprehensive external evaluation.*² *During the accreditation cycle, all institutions*

¹ *The Eligibility Requirements, Accreditation Standards, and Commission policies together comprise the Commission's standards. College deficiencies may result in noncompliance with a standard that is in the Eligibility Requirements, Accreditation Standards, or in Commission policies.*

² *The seven-year cycle will take effect and begin for an institution when it has concluded its initial comprehensive external evaluation under the Accreditation Standards adopted in June, 2014.*

complete annual reports and a midterm report. Institutions may be required to complete other reports with or without visits as determined by the Commission based upon the institution's status of compliance with standards.

Compliance. *The institution meets or exceeds all Eligibility Requirements, Accreditation Standards, and Commission policies.*

Substantial Compliance. *The institution meets or exceeds all Eligibility Requirements, Accreditation Standards, and Commission policies, but for a few which do not place the institution or its students at imminent risk, and for which the deficiencies can be fully resolved in a short period not to exceed one year.*

Deficiency. *An institutional policy, procedure or practice, or absence thereof, which results in an institution not meeting one or more standards. These conditions are generally noted within the factual findings of an external evaluation team report, and may also be noted in the institution's Self Evaluation Report, or by the Commission in its review.*

Enforcement Action. *The two-year rule, as it is commonly known, is found in federal regulation 34 C.F.R. § 602.20. Under U.S. Department of Education enforcement regulations, the Commission is required to take immediate action to withdraw the accreditation of an institution which is out of compliance with any standard. In the alternative, the Commission can provide the institution with additional notice and a deadline for coming into compliance that must not exceed two years from when the institution was first informed of the noncompliance.*

Good Cause Extension. *In exceptional situations, if the institution has done all within its authority to reach compliance on any standard but remains out of compliance after the time allocated by the Commission for coming into compliance, the Commission is permitted by regulations to allocate a one-time, short-term "good cause extension" for the college to reach compliance prior to acting on the institution's withdrawal. This extension—of generally six months to one year-- must not exceed two years. An institution does not have the right to a good cause extension; these extensions are viewed by the U.S. Department of Education to be a form of exceptional relief, afforded to institutions infrequently at the discretion of the Commission. No good cause extension will be granted if there is risk to the students in regard to academic quality or to the sustained viability of the institution.*

Recommendation to meet standards. *A narrative statement of actions recommended to be taken by an institution in order to resolve its deficiencies and to meet the cited standard(s). The included citation of Eligibility Requirements, Accreditation Standards, and Commission policies in a recommendation to meet standards notes the areas of noncompliance by the institution.*

Recommendation to improve. *A narrative statement of actions recommended to be taken by an institution that is currently meeting the cited Eligibility Requirement, Accreditation Standard or Commission policy, but without further action may fall into noncompliance.*

Notations of effective practice. *Evaluation team observations of an institution fully meeting or exceeding the standard, or of effective practice, are not included in recommendations but are noted in the external evaluation report narrative and*

conclusions. The evaluation team may also note suggestions for enhancement or institutionalization of effective practices.

Policy Elements Actions on Accredited Status

I. Actions on Institutions that are Applicants for Candidacy or extension of Candidacy

Grant candidacy. Candidacy is a pre-accreditation status granted to institutions that have successfully undergone eligibility review³ as well as a comprehensive evaluation process using the Accreditation Standards, including preparation of an Institutional Self Evaluation Report and a review by an evaluation team. Candidacy is granted when the institution demonstrates the ability to meet all the Accreditation Standards and Commission policies, or to fully meet them within the two-year candidate period. Candidacy indicates that an institution has achieved initial association with the Commission and is progressing toward accreditation. During candidacy, the institution undertakes the necessary steps to reach demonstrable and complete compliance with Accreditation Standards. This includes an Institutional Self Evaluation Report in preparation for initial accreditation. Candidate status may be extended for two years, for a total period not to exceed four years.

~~**Defer a decision on candidacy.** A Commission decision on candidacy is postponed pending receipt of specified information, as identified by the Commission, from the institution.~~

Extend candidacy. Candidacy is extended in response to a college request when the Commission determines that a candidate institution *continues to meet the Eligibility Requirements and* has made significant progress toward meeting the Accreditation Standards, and Commission policies, and anticipates that the institution will meet all Accreditation Standards, and Commission policies if granted additional time to do so. Candidacy can be extended once for a two-year period. Four years in candidate status is the maximum allowable.

Deny candidacy. Candidacy is denied when the Commission determines that the institution has demonstrated that it does not meet all of the Eligibility Requirements, *or and* does not meet a significant portion of the Accreditation Standards and Commission policies, and therefore cannot be expected to meet all Accreditation Standards and Commission policies within a two-year period. ~~*The institution may reapply for candidacy after two years by submitting an Institutional Self Evaluation Report.*~~ Denial of candidacy is subject to a request for review and appeal under the applicable policies and procedures of the Commission.

Termination of candidacy. Candidacy is terminated when the Commission determines that an institution has not maintained its eligibility for candidacy or has failed to explain or correct deficiencies of which it has been given notice. Termination is subject to a request for review and appeal under the applicable policies and procedures of the Commission.

II. Actions on Institutions which are Applicants for Initial Accreditation

³ See the Policy on Eligibility to Apply for Accredited Status.

Grant initial accreditation. Initial accreditation may be granted after a comprehensive institutional evaluation demonstrating that the institution *is in compliance with meets or exceeds the* Eligibility Requirements, Accreditation Standards, and Commission policies. The institution is required to submit a Midterm Report *midway through in the third year of the six* seven-year accreditation cycle. The institution must be fully evaluated again within a maximum of ~~six~~ seven years from the date of the Commission action granting initial accreditation.

~~Grant initial accreditation and request a Follow-Up Report. The institution substantially meets or exceeds the Eligibility Requirements, Accreditation Standards and Commission policies, but has recommendations on a small number of issues of some urgency which, if not addressed immediately, may threaten the ability of the institution to continue to meet the Eligibility Requirements, Accreditation Standards, and Commission policies. The Commission will specify the nature, purpose, scope, and due date of the report to be submitted. The institution is also required to submit a Midterm Report in the third year of the six-year accreditation cycle.~~

~~Grant initial accreditation and request a Follow-Up Report with a visit. The institution substantially meets or exceeds the Eligibility Requirements, Accreditation Standards and Commission policies, but has recommendations on a small number of issues of some urgency which, if not addressed immediately, may threaten the ability of the institution to continue to meet the Eligibility Requirements, Accreditation Standards, and Commission policies. The Commission will specify the nature, purpose, scope, and due date of the report to be submitted and of the visit to be made. The institution is also required to submit a Midterm Report in the third year of the six-year accreditation cycle.~~

~~Defer a decision on Initial Accreditation. A Commission decision on initial accreditation is postponed pending receipt of specified information from the institution, as identified by the Commission.~~

Extend candidacy. The Commission may extend candidacy in lieu of granting initial accreditation when the institution has not met the conditions for initial accreditation and has had candidacy *for one two-year term*. Candidacy can only be extended for a maximum of two years.

Deny Initial Accreditation. The Commission denies initial accreditation when an applicant institution ~~no longer meets or fails to meet~~ *is not in compliance with* Accreditation Standards, Commission policies, or Eligibility Requirements within the maximum period allowed for a college to remain in candidacy. A denial is subject to a request for review and appeal under the applicable policies and procedures of the Commission. If initial accreditation is not granted, the institution may not reapply for candidacy for at least two years.

III. Actions on Institutions that are Applicants for Reaffirmation of Accreditation

Actions that Reaffirm Accreditation

~~Reaffirm accreditation. The institution substantially meets or exceeds the is in compliance with Eligibility Requirements, Accreditation Standards and Commission policies. Recommendations are directed toward strengthening the institution, not correcting situations where the institution fails to meet the Eligibility Requirements, Accreditation Standards and Commission policies.~~ The institution is required to submit a Midterm Report ~~in the third year of the six~~ midway through the seven-year accreditation cycle.

~~Reaffirm accreditation for one year and request~~ require a Follow-Up Report. The institution ~~is in substantial compliance with substantially meets or exceeds the~~ Eligibility Requirements, Accreditation Standards and Commission policies ~~but has recommendations on a small number of issues of some urgency which, if not addressed immediately, may threaten the ability of the institution to continue to meet the Eligibility Requirements, Accreditation Standards and Commission policies.~~ The institution is required to submit a Follow-Up Report ~~demonstrating that it has resolved all cited deficiencies.~~ The Commission will specify the issues to be addressed and the due date of the report. ~~Resolution of the issues is expected within a one to two year period.~~ Upon successful completion of the one-year reaffirmation period, the institution will qualify for reaffirmation for the remainder of the seven-year accreditation cycle and will be ~~is also~~ required to submit a Midterm Report ~~midway through in the third year of the six~~ seven-year accreditation cycle.

~~Reaffirm accreditation, and request a Follow-Up Report with a visit. The institution substantially meets or exceeds the Eligibility Requirements, Accreditation Standards and Commission policies, but has recommendations on a small number of issues of some urgency which, if not addressed immediately, may threaten the ability of the institution to continue to meet the Eligibility Requirements, Accreditation Standards and Commission policies. The Commission will identify the issues to be addressed in the report, the due date of the report to be submitted, and specifics of the visit to be made. Resolution of the issues is expected within a one to two year period. The institution is also required to submit a Midterm Report in the third year of the six-year accreditation cycle.~~

~~Defer a decision on reaffirmation of accreditation. A Commission decision on reaffirmation of accreditation is postponed pending receipt of specified additional information from the institution or to permit an institution to correct deficiencies and report to the Commission within six months or less. The response from the institution may be followed by a visit addressed primarily to the reasons for the decision. The Commission will specify the nature, purpose, and scope of the information to be submitted and of the visit to be made. The accredited status of the institution continues during the period of deferment.~~

IV. Sanctions

Sanctions serve as an indicator of the severity of noncompliance by an institution. A sanction is not based upon the number of deficiencies noted nor on the number of standards out of compliance. Instead, the determination is based upon the conditions of the college, its history of compliance with standards, and the impact of the noncompliance upon the quality and stability of the institution. Sanctions are not imposed in a progressive order (nor are they sequentially reduced along a continuum as an institution demonstrates resolution of deficiencies which led to

noncompliance); rather, a particular sanction is imposed or removed when the Commission finds it is appropriate to do so.

Institutions are advised that the U.S. Department of Education requires recognized accrediting bodies to terminate accreditation when an institution is determined to be out of compliance with Eligibility Requirements, Accreditation Standards and Commission policies and fails to ~~come into compliance~~ *meet any standard for which the institution is out of compliance within the time permitted by the Commission to meet the standard, which may not be more than two years from when notification of deficiencies is first provided to the institution. a two-year period.* Consequently, the Commission will take action to terminate accreditation if deficiencies are not resolved within the *time period allocated to the institution.* Under extraordinary circumstances, the institution may be granted additional time when the Commission determines good cause for extension exists.

It should be noted that the maximum allowable period for meeting a standard is not based upon whether there is the imposition of a sanction. The U.S. Department of Education requirement is based solely on the passage of time following notification to the institution of any standard it does not meet.

- A. **Issue Warning.** An institution has been determined by the Commission not to meet one or more standards, and Reaffirmation for One Year is not warranted. When the Commission finds that an institution is out of compliance with ~~has pursued a course deviating from the Commission's~~ Eligibility Requirements, Accreditation Standards, or Commission policies to an extent that gives concern to the Commission, it may issue a Warning to the institution to correct its deficiencies, refrain from certain activities, or initiate certain activities, *and meet the standards. The Commission may also issue Warning if the institution has acknowledged within its Self Evaluation Report or Special Report the deficiencies leading to serious noncompliance, and has demonstrated affirmative steps and plans to fully resolve the deficiencies within twelve months.* The Commission will specify the time within which the institution must resolve these deficiencies *and demonstrate compliance, generally twelve to eighteen months.* During the Warning period, the institution will be subject to reports and visits at a frequency to be determined by the Commission. If Warning is issued as a result of the institution's educational quality and institutional effectiveness review, reaffirmation is delayed during the period of Warning. The accredited status of the institution continues during the Warning period.
- B. **Impose Probation.** *An institution has been determined by the Commission not to meet one or more standards, and there is a serious concern on the part of the Commission regarding the level and/or scope of the noncompliance issues.* When an institution deviates significantly from the Commission's Eligibility Requirements, Accreditation Standards, or Commission policies, but not to such an extent as to warrant a Show Cause order or the termination of accreditation, or *when the institution* fails to respond to conditions imposed upon it by the Commission, including a Warning, the institution may be placed on Probation. The Commission will specify the time within which the institution must resolve deficiencies *and demonstrate its compliance with Eligibility Requirements, Accreditation Standards and Commission policies, generally twelve to eighteen months. A shorter period may be given if the severity of noncompliance warrants it.* During

the Probation period, the institution will be subject to reports and visits at a frequency to be determined by the Commission. If Probation is imposed as a result of the institution's educational quality and institutional effectiveness review, reaffirmation is delayed during the period of Probation. The accredited status of the institution continues during the Probation period.

- C. **Order Show Cause.** When the Commission finds an institution to be in substantial noncompliance with its Eligibility Requirements, Accreditation Standards, or Commission policies, or when the institution has not responded to the *previous* conditions imposed by the Commission, the Commission will require the institution to Show Cause why its accreditation should not be withdrawn at the end of a stated period by demonstrating that it has corrected the deficiencies noted by the Commission and is in compliance with the Eligibility Requirements, Accreditation Standards and Commission policies. In such cases, the burden ~~of proof~~ will rest on the institution to demonstrate why its accreditation should be continued. The Commission will specify the time within which the institution must resolve deficiencies *and meet the standards. The period will generally be six months or less.* If the loss of accreditation will likely cause an institution to close, then during the Show Cause period, the institution must make preparations for closure according to the Commission's "Policy on Closing an Institution." While under a Show Cause order, the institution will be subject to reports and visits at a frequency to be determined by the Commission. If Show Cause is ordered as a result of the institution's educational quality and institutional effectiveness review, reaffirmation is delayed ~~during the~~ *pending the institution's ability to Show Cause why its accreditation should be continued order.* The accredited status of the institution continues during the period of the Show Cause order.

V. **Actions that Terminate Result in Related to Commission Withdrawal of Accreditation**

Terminate Withdrawal of Accreditation for Noncompliance. If, in the judgment of the Commission, an institution has not satisfactorily explained or corrected ~~matters~~ *deficiencies* of which it has been given notice, or has taken an action that has placed it significantly out of compliance with the Eligibility Requirements, Accreditation Standards, and Commission policies, its accreditation may be ~~withdrawn terminated.~~ The Commission will give the institution written reasons for its decision. ~~Termination~~ *Commission withdrawal of an institution's accreditation is subject to a request for review and appeal under the applicable policies and procedures of the Commission. The accredited status of the institution continues pending completion of any review and appeal process the institution may request. Otherwise, the institution's accreditation ends on the date when the time period permitting such a request expires. In such a case, the institution must complete again the entire accreditation process beginning with Eligibility Review and then Candidacy to regain its accreditation.*

Restoration Status. *When there has been a Commission action to withdraw the accreditation of a member institution for noncompliance, prior to the termination withdrawal effective date established by the Commission or within seven days after completion of any requested review and appeal process,⁴ whichever is later, the*

⁴ The other administrative remedies provided to an institution for which the Commission has acted to ~~terminate withdraw~~ accreditation are a Review of Commission Action in accordance with Commission policy, and an appeal heard before an Appellate Hearing Panel, in accordance with the Bylaws of the Accrediting Commission for Community and Junior Colleges, Western Association of Schools and Colleges

institution may submit a request for granting of Restoration Status. If, however, an institution has been granted a good cause extension to come into compliance with any standard prior to the ~~termination withdrawal~~ action,⁵ the institution may not apply for Restoration Status following *withdrawal*.

The request for granting of Restoration Status must be accompanied by a completed Eligibility ~~report~~ *Application*, demonstrating compliance with the Eligibility Requirements. Upon receipt of the institution's request, the Commission shall schedule a comprehensive evaluation of the institution no later than four months following the request. The institution must submit an institutional self-evaluation four to six weeks prior to the scheduled visit.

For the period leading to completion of the comprehensive evaluation for Restoration Status, the ~~termination withdrawal~~ effective date will be rescinded and the ~~withdrawal termination~~ implementation will be suspended. The institution's ~~accredited~~ status will be accredited, pending ~~withdrawal termination~~.

The comprehensive evaluation for Restoration Status will determine if the institution meets all Eligibility Requirements and has demonstrated either its compliance with all of the Accreditation Standards and Commission policies or the ability to meet them within the two-year Restoration Status period. If, in the judgment of the Commission, the institution fully meets all Eligibility Requirements and has demonstrated either its compliance with all of the Accreditation Standards and Commission policies or the ability to fully meet all Accreditation Standards and Commission policies within the two-year Restoration Status period, the institution will be granted Restoration Status. If, however, in the judgment of the Commission, the institution does not fully meet all Eligibility Requirements and/or has not demonstrated the ability to fully meet all Accreditation Standards and Commission policies within the two-year Restoration Status period, the ~~termination withdrawal~~ implementation will be reactivated and the effective date will be immediate. There will be no further right to request a review or appeal in this matter.⁶

The Commission ~~may~~ *shall* determine such follow-up and special reports as may be warranted during the Restoration Status. At the conclusion of the Restoration Status period, a comprehensive evaluation will be conducted for the purpose of determining whether the institution has demonstrated its compliance with Eligibility Requirements,

(ACCJC).

⁵ See *Enforcement Action and Good Cause Extension in the definitions section of this policy.*

34 C.F.R. § 602.20. Under U.S. Department of Education enforcement regulations, the Commission is required to take immediate action to ~~terminate withdraw~~ the accreditation of an institution which is out of compliance with any standard. In the alternative, the Commission can provide the institution with additional notice and a deadline for coming into compliance that ~~is no later than must not exceed~~ two years from when the institution was first informed of the noncompliance. In exceptional situations, if the institution has done all within its authority to reach compliance on any standard but remains out of compliance, the Commission is permitted by regulations to allocate a one-time, short-term "good cause extension" for the college to reach compliance prior to acting on the institution's ~~withdrawal, and this extension must not exceed two years. termination.~~

⁶ *The institution will have already exercised its administrative remedies of Review of Commission Action and appeal prior to applying for restoration. Thus, if restoration fails, the administrative remedies will be considered exhausted and the institution may then seek legal recourse without further administrative steps, if it feels there is a basis to do so.*

Accreditation Standards, and Commission policies. If, in the judgment of the Commission, the institution is in compliance with Eligibility Requirements, Accreditation Standards, and Commission policies, then the accredited status of the institution will be reaffirmed. However, if in the judgment of the Commission the institution is not in compliance with Eligibility Requirements, Accreditation Standards, and Commission policies, then the ~~termination~~ *withdrawal* implementation will be reactivated and the effective date will be immediate. There will be no further right to request a review or appeal in this matter.

An institution may apply for Restoration Status only one time within a 20-year period.

Administrative Withdrawal of Accreditation. *The accreditation of a member institution may be withdrawn administratively for nonpayment of dues, costs incurred as part of an external evaluation, or special assessments, following provision of notice to the institution of nonpayment and sufficient time to pay, and upon providing 60 days notice of the impending termination action.*

Re-application for accredited status. In the event of the ~~termination~~ *withdrawal* of accreditation of an institution, the institution must complete again the entire accreditation process, starting with the Eligibility Review and then Candidacy, *to regain accreditation.*

V. *Other Actions*

- A. **Deferral.** *The Commission may postpone its decision on the candidacy or initial accreditation of an institution pending receipt of specific documentation, as identified by the Commission, that is needed in order to grant candidacy or initial accreditation. The deferral may be for a period not to exceed six months.*

The Commission may postpone a decision on the reaffirmation of accreditation of an institution pending receipt of specified additional information from the institution. The response from the institution may be followed by a visit addressed primarily to the reasons for the deferral. The Commission will specify the nature, purpose, and scope of the information to be submitted and of the visit to be made. The accredited status of the institution will continue during the period of deferral. The deferral may be for a period not to exceed six months.

- B. **Report and site visit to verify sustained compliance.** *The Commission may require that a report be submitted by an institution and/or a site visit be conducted at an institution to verify sustained compliance with Eligibility Requirements, Accreditation Standards, and Commission policies. That report and/or site visit may be required when an institution has demonstrated current compliance with standards during an external evaluation, but has a recent history of serious noncompliance or a pattern of falling out of compliance and then regaining compliance for a short period.*
- C. **Voluntary Withdrawal.** *An institution may voluntarily withdraw its request for initial candidacy at any time (even after evaluation) prior to action by the Commission on the institution's accredited status. Upon receipt of written*

notice of voluntary withdrawal by the institution through its chief executive officer and governing board, the Commission will act to accept the withdrawal.

Candidate institutions and accredited institutions may voluntarily withdraw from accreditation at any time by submitting notification to the Commission of the intention to withdraw and the expected time for the withdrawal effective date. If the voluntary withdrawal will result in the likely closure of the institution or certain programs, then the institution must submit a closure plan in accordance with the Policy on Closing an Institution. The Commission will act at its next meeting to accept the institution's voluntary withdrawal upon fulfillment of the closure plan.

If the voluntary withdrawal is based on the anticipation of accreditation by another recognized accrediting agency, the Commission will act to accept the institution's voluntary withdrawal upon receipt of notification by the U.S. Department of Education that another recognized accrediting agency has been authorized for the institution. While that notification is pending, the institution will remain accredited by the ACCJC, will all the attendant responsibilities of a member institution.