

PROPOSED CHANGES

Key: Deleted, Added, Explanation

Policy on Communication of Accreditation Decisions

In keeping with its responsibility as a recognized accrediting body, the Commission on Accreditation of the ABHE seeks to provide timely information to appropriate agencies and the public regarding its final accrediting decisions. Accordingly, it has established the following procedures:

- 1. Notification by ABHE to interested parties.** Within 30 days of a final action to (1) grant or reaffirm an institution's or program's accreditation or candidacy, (2) place an institution or program on **warning or probation**, (3) issue a show cause order to an institution or program, or (4) implement an adverse **decision action** (denial, withdrawal, ~~or~~ suspension, **revocation, or termination of membership candidate or accredited status**), the ABHE Commission on Accreditation will provide **electronic** written notification of its decision to the institution, the United States Department of Education, ~~the state or~~ and provincial **postsecondary education offices concerned with postsecondary education**, ~~any recognized accrediting agency with which the institution has preaccreditation or accreditation status~~ **agencies**, and the public. ~~Notice to the public shall be via the association website. Notification of probation, a show cause order, or an adverse decision shall be made to the United States Department of Education, the state or provincial office concerned with postsecondary education, and any recognized accrediting agency with which the institution has preaccreditation or accreditation status at the same time as it is made to the Institution. Public notification of a negative action will be made within 24 hours of the notice to the institution or program via the association website. Notification to federal, state, provincial, and accrediting agencies will be at the same time as it is made to the institution. Notice to the public will be via the association website within 24 hours of notice to the institution or program. Notification of a final action of warning, probation, show cause, or adverse action will include publication of the contents of the action letter, including the reason(s) for the action. Within 60 days of the decision to take negative action, the Commission shall make available to all of the parties identified above a summary of the reasons for the decision and any official comments that the affected institution or program may wish to make regarding the decision. If the institution or program does not choose to make comments, the Commission must provide evidence that it provided the institution or program an opportunity to offer official comments.~~
- 2. Responsibility of ABHE to report rationale and institutional comments for negative decisions adverse actions.** Within 60 days after a final decision to **deny, withdraw, suspend, revoke, or terminate candidate or accredited status**, the ABHE Commission on Accreditation will make available to (1) the U.S. Department of Education, (2) ~~the appropriate~~ state and provincial postsecondary education offices ~~or provincial office, and, upon request,~~ (3) ~~any appropriate accrediting bodies~~ **recognized accrediting agencies**, and (4) the public, a **brief statement of the rationale summary of the reasons** for any adverse **decision action made** regarding an institution or program and any **official** comments that the institution may **wish to** make in response to the decision. If no comments are offered, ABHE will ~~provide evidence~~ **document** that the institution was provided opportunity to make comments.

3. **Responsibility of ABHE to report voluntary withdrawals or lapses in accreditation or candidate status.** Within 30 days after receiving notification from the institution, the Commission on Accreditation will provide notification of voluntary withdrawal of accredited or candidate status to (1) the U.S. Department of Education, (2) state and provincial postsecondary education offices, (3) recognized accrediting agencies, and (4) the public. Should an institution allow its accreditation or candidate status to lapse, the Commission on Accreditation will, within 30 days of the effective date, provide notification of termination of accreditation or candidate status to the four entities named above. Notification to the public will be via the association website.
- 3 4. **Responsibility of institutions to report actions of related agencies.** Institutions or programs seeking or holding candidate or accredited status with the ABHE Commission on Accreditation are to advise the Commission within 30 days of receipt of notice of any final action taken by another recognized accrediting body or governmental agency to deny, suspend, or revoke any preaccreditation or accreditation status. Notification ~~shall~~ will include a copy of the rationale given to the institution by the other agency for its decision. Failure to notify the Commission within 30 days of the final action by the other body ~~shall~~ will require issuance of a show cause order as to why status with ABHE should be continued.

Section 5 moved here from COA Handbook and modified as indicated:

5. **Responsibility of institutions to notify students and the public of negative accreditation decisions.** Within 30 days after receiving notification from the Commission of a decision to place the institution on warning or probation, show cause why the institution's accreditation should be continued, or denial, withdrawal, suspension, revocation, or termination of candidate or accredited status, the institution will publish notice of the action as stated below to its website.

Notification concerning warning:

"The ABHE Commission on Accreditation has placed [institution's name] on warning for weaknesses in satisfying the following accreditation standard(s).

[Statement of standards and weaknesses as noted in the action letter]

"The institution retains [accredited / candidate] status with ABHE during this period of warning, and will be subject to periodic monitoring, which may include progress reports and/or focused visits by Commission staff or evaluation teams. If weaknesses are not resolved within the time specified (usually one year), the Commission may (1) extend the warning for a second year, (2) place the institution on probation, (3) order the institution to show cause why its [accreditation / candidate status] should be continued, or (4) withdraw [accreditation / candidate status]. Warning is rarely extended beyond two years."

Notification concerning probation:

~~The Commission has a responsibility to inform both the institution and the public of the decision to place an institution on probation within 24 hours of the time that a final decision is reached. The public will be informed of a final decision to place an institution on probation by virtue of the ABHE website. Additionally, the institution must assume responsibility to promptly inform its students and the public of a final decision to place the institution on probation once it is informed of the Commission's final decision. Information to the public may be via the institution's website. In informing its students and the public regarding its probationary status, the institution shall use the following statement:~~

"The ABHE Commission on Accreditation has placed [institution's name] on ~~public~~ probation for ~~its~~ failure to comply with the following accreditation standard(s).

[Statement of standards and weaknesses as noted in the Commission action letter]

~~"Probation is a status that can only be held for two years. An institution's accreditation standing with the Commission is sustained during a period of probation. The institution retains [accredited / candidate] status with ABHE during this period of probation, and will be subject to periodic monitoring, which may include progress reports and/or focused visits by Commission staff or evaluation teams. Should the institution fail to correct the identified deficiencies within two years, the Commission is required to must take adverse action against the institution and remove its [accreditation / candidate status]. In this context, adverse action means that the institution's accreditation will be removed. The Commission may make an exception to this requirement for "good cause" and place the institution on an order to "show cause" why its accreditation should not be revoked. Where there is sufficient progress, the Commission may grant a one-year extension of [accreditation / candidate status] for "good cause" to allow the institution to demonstrate substantial compliance with the Standards for Accreditation. The Commission has required (institutional name) to submit to an intense monitoring process during the period of its probation. This monitoring may be in the form of a progress report for consideration at the Commission's next meeting, a visit by the Commission staff, or a visit by a focused evaluation team during the probationary period."~~

Notification concerning show cause:

"The ABHE Commission on Accreditation has issued [institutional name] an order to show cause why its [accreditation / ~~candidacy for accreditation~~ candidate status] should be continued. An institution ~~can continue its accreditation/preaccreditation standing for a maximum period of one-year under show cause order.~~ An institution retains its accreditation or candidate status with the Commission on Accreditation while under show cause order. The maximum time permitted for a show cause order is one year. Failure to comply with the following specific accreditation standard(s) by the deadline imposed by the Commission will result in removal of the institution's status with the Commission."

[Statement of standards and deficiencies as noted in the Commission action letter]

When an institution is issued a show cause order, it must inform its students and the public of the Commission's final decision. ~~It must include the following statement in its description of the Commission's action:~~

Should an institution or program holding ABHE accreditation or preaccreditation status receive a negative action on the part of another recognized accrediting body with which it has had standing, the ABHE Commission will, within 30 days of receipt of notification by the other agency or the institution, initiate a review of the institution's or program's preaccreditation or accreditation status to determine if it continues to comply satisfactorily with the Commission's accreditation Standards. ~~The review will consist of a one-day staff visit and a written staff report to the appropriate Commission committee at the next scheduled meeting. The Commission may subsequently require follow-up reporting or a focus team visit.~~

The Commission will not reaffirm the accreditation or preaccreditation status of an institution or program during the period that it is the subject of an interim action by another recognized institutional or programmatic accrediting body or state agency that could lead to loss of its status with the agency or loss of its state authorization to provide postsecondary education. The Commission will also not grant initial

accreditation or preaccreditation status to an institution or program during the period that it is the subject of an interim action by another recognized institutional or programmatic accrediting body or state agency that could lead to loss of its accreditation status with the other agency or loss of its state authorization to provide postsecondary education. Grounds for withholding initial or reaffirmation of accreditation or preaccreditation status include the following:

- a. A pending or final action brought by a State agency to suspend, revoke, withdraw, or terminate the institution's legal authority to provide postsecondary education in the State;
- b. A decision by a recognized agency to deny accreditation or preaccreditation;
- c. A pending or final action brought by a recognized accrediting agency to suspend, revoke, withdraw, or terminate the institution's accreditation or preaccreditation; or
- d. Probation or an equivalent status imposed by a recognized agency.

Should the ABHE Commission, upon completion of interim action by another agency or state, make a decision different from that of the other body, it will, within 30 days of its action, provide the USDE Secretary and other affected bodies a rationale for its decision, to include an explanation why the issue(s) that caused adverse action by the other accreditor was not sufficiently compelling to prevent the Commission from coming to a different decision.

Following each regular meeting, the ABHE Commission on Accreditation provides written information regarding its final decisions relating to an institution's or program's accreditation/preaccreditation status to the U.S. Department of Education, the Council for Higher Education Accreditation, all recognized institutional accrediting bodies, and all states or provinces. It is sometimes the case that the Commission will make a final decision regarding an institution or program outside of its regular meeting cycle. In such cases, the Commission routinely provides written information regarding its final decision to the U.S. Department of Education, the Council for Higher Education Accreditation, ~~any other recognized accrediting body(ies), and the state(s) or province(s) related to the institution or program~~ recognized accrediting bodies, and state or provincial postsecondary education offices. The Commission will share information regarding its decisions related to an institution's or program's accreditation or preaccreditation status, whether positive or ~~adverse~~ negative, with other recognized accrediting bodies and state/provincial approval agencies upon request.

Negative Actions and Sanctions

Section Moved here from COA Handbook and Modified as Indicated

Public Actions Regarding Accredited and Candidate Status

Grant Accredited Status

Granting accredited status is an affirming, public action based on the Commission on Accreditation's judgment that the institution or program substantially complies with all ABHE's Standards, including documentation of the appropriateness, rigor, and achievement of the institution's stated student learning outcomes. For institutional accreditation, the grant of accredited status also indicates the Commission's judgment that the institution substantially complies with all Title IV eligibility requirements. The initial grant of accreditation is for up to five years with a subsequent comprehensive review; subsequent reaffirmation of accreditation is for up to ten years.

Grant Candidate Status

Granting candidate (preaccreditation) status is an affirming, public action based on the Commission on Accreditation's judgment that the institution is making satisfactory progress toward accreditation and shows promise of achieving accreditation within a maximum of five years.

Reaffirm Accredited Status

Reaffirmation of accreditation is an affirming, public action indicating an extended renewal of accreditation status for an institution currently holding ABHE accreditation. Reaffirmation is based on the Commission on Accreditation's judgment that the institution or program substantially complies with all ABHE's Standards, including documentation of the appropriateness, rigor, and achievement of the institution's stated student learning outcomes. For institutional accreditation, reaffirmation also indicates the Commission's judgment that the institution substantially complies with all Title IV eligibility requirements. Reaffirmation is granted for an extended period of time (up to ten years) as designated by the Commission.

Continue Accreditation

~~"Continue accreditation" is a technical designation used by the Commission on Accreditation to differentiate between institutions whose accreditation has been "reaffirmed," i.e., granted for a ten-year period subject to normal terms and conditions, and those whose accreditation status has been "continued," i.e., not reaffirmed, but simply maintained pending the eventual outcome of monitoring (warning) or sanctions, including probation or show cause. Should warning, or a probation or show cause sanction be withdrawn, the institution's accreditation is reaffirmed retroactive to the time of the initial Commission decision.~~

~~In its directory and other public notices, however, the Commission will use the term "continued" with reference to all institutions that were considered for reaffirmation and who did not receive a show cause order or have their accreditation withdrawn. In such publicity, "continued" is not used in the technical sense described above.~~

Continue accreditation is a neutral, public action for an institution that was reviewed for reaffirmation, but did not have reaffirmation granted for the customary extended period of time. Instead, the institution's accreditation was continued for a shorter period of time (usually one year) due to interim or temporary circumstances that warrant a subsequent appearance before the Commission on Accreditation. Continued accreditation may be linked to a negative action as noted below. Reasons for continued accreditation include the following:

- a. The institution is subject to an interim negative action by another recognized accrediting agency. ABHE will not reaffirm the accreditation of an institution until a negative action by another recognized accrediting agency has been resolved. During the period of interim action by another agency, the institution's ABHE accreditation remains intact, and the institution is not considered to be under negative action by the ABHE Commission on Accreditation.
- b. The Commission on Accreditation has asked the institution for a follow-up report before making a decision on reaffirmation. In such circumstances, accreditation may be continued for up to two years, if deemed necessary by the Commission on Accreditation.
- c. The Commission on Accreditation has placed the institution on warning, probation, or show cause. ABHE will not reaffirm the accreditation of an institution until negative action by the ABHE

Commission on Accreditation has been resolved. During the period of warning, probation, or show cause, the institution's accreditation remains intact.

- d. The institution has been removed from warning, probation, or show cause, and has been found by the Commission on Accreditation to be in substantial compliance with ABHE Standards, but is subject to a monitoring report to verify that reaffirmation of accreditation is warranted before action is taken to reaffirm the institution's accreditation. In such circumstances, accreditation may be continued for up to two, if deemed necessary by the Commission on Accreditation.

Warning

Warning is ~~an indication to the institution that its compliance with one or more standards is so weak~~ a negative, public action indicating that the Commission on Accreditation has determined that an institution is in substantial compliance with ABHE standards, but meets one or more standards with sufficient weakness that, if the current trend is not altered, the institution is in jeopardy of being found out of compliance with a standard in the near future and placed on probation. ~~Warning is a non-public notification that does not, therefore, require that the Association inform the public of the Commission on Accreditation's concerns. Warnings should rarely be extended beyond two years.~~ The institution retains accredited or candidate status with ABHE during a period of warning, and will be subject to periodic monitoring, which may include progress reports and/or focused visits by Commission staff or evaluation teams. If weaknesses are not resolved within the time specified (usually one year), the Commission may (1) extend the warning for a second year, (2) place the institution on probation, (3) order the institution to show cause why its accreditation or candidate status should be continued, or (4) withdraw accreditation or candidate status. Warning is rarely extended beyond two years. Rather, an institution that fails to strengthen specified weaknesses by a stated Commission deadline ~~should be~~ is placed on probation.

Warning is not an appealable action.

Probation

Probation is ~~an indication that an institution~~ a negative, public action indicating that the Commission on Accreditation has determined that the institution no longer complies with one or more ~~standards~~ of the Standards for Accreditation. ~~Probationary status can be held only for a limited period of time, not to exceed two years, after which an institution must demonstrate that specified deficiencies have been corrected to the extent necessary to come back into compliance with the standards for accreditation.~~ The institution retains accredited or candidate status with ABHE during a period of probation, and will be subject to periodic monitoring, which may include progress reports and/or focused visits by Commission staff or evaluation teams. ~~If the deficiencies are not corrected,~~ Should the institution fail to correct the identified deficiencies within two years, the Commission must take adverse action against the institution and remove its accreditation or candidate status. ~~An exception to this requirement may be made when the Commission is able to identify a "good cause" for giving the institution more time to come back into compliance with the accreditation standards. In such a case, the institution will be issued an order to "show cause" why its accreditation or candidacy should be continued in light of the failure to correct the areas of deficiency.~~ Where there is sufficient progress, the Commission may grant a one-year extension of accreditation or candidate status for "good cause" to allow the institution to demonstrate substantial compliance with the Standards for Accreditation. An institution on probation and/or show cause for two years cannot be returned to warning. ~~Probation is a public sanction, meaning that the Director, Commission on Accreditation, will announce the imposition of this sanction upon the institution to the public (via the Association's newsletter and website), to state and federal higher education authorities,~~

~~and to other accrediting agencies.~~

A teach-out plan, approved by the appropriate Commission committee (APCAN for candidate institutions, PRSC for accredited institutions), is required for institutions placed on probation or show cause. ~~When an institution is placed on public probation because of financial instability, the Commission will ask it to develop a teach-out plan for presentation to the Commission.~~ The institution will be required to submit a teach-out plan in accord with specifications in the Policy and Process for Reviewing a Required Teach-Out Plan ~~The institution will be expected to submit the teach-out plan to the Commission~~ within 60 days of the notice informing it of the probationary status. If the institution already has an approved teach-out plan on file, a new plan is not required unless changes are necessary.

Placement on probation may be appealed in accordance with the ABHE Policy on Reviews and Appeals. Notification of an appealable action will not be released until appeal options have been exhausted and the action is final.

See Section 5 above for additional notification text concerning probation moved from COA Handbook.

Show Cause

A show cause order is a ~~notice to the institution that its~~ negative, public action indicating that an institution's accredited or candidate status will be withdrawn unless it can provide persuasive evidence and argument that such action should not be taken. The time allowed to provide this persuasive evidence and argument is not to exceed one year. ~~Show Cause is a public sanction, meaning that the Director, Commission on Accreditation, will announce the imposition of this sanction upon the institution to the public (via the Association's newsletter and website), to state and federal higher education authorities, and to other accrediting agencies.~~ A teach-out plan, approved by the appropriate Commission committee, is required for institutions placed on probation or show cause. ~~When an institution is issued an order to show cause why its status should be continued because of financial instability, the Commission will ask it to develop a teach-out plan for presentation to the Commission.~~ The institution will be required to submit a teach-out plan in accord with specifications in the Policy and Process for Reviewing a Required Teach-Out Plan ~~The institution will be expected to submit the teach-out plan to the Commission~~ within 60 days of the notice informing it of the show cause order. If the institution already has an approved teach-out plan on file, a new plan is not required unless changes are necessary.

In cases where an institution has been on probation for two years, but has failed to correct its deficiencies, a show cause order can only be issued for good cause. In the absence of good cause, the Commission is required by federal regulations to remove an institution's status with the Commission. The rationale for good cause must be substantive and defensible.

A show cause order may be appealed in accordance with the ABHE Policy on Reviews and Appeals. Notification of an appealable action will not be released until appeal options have been exhausted and the action is final.

See Section 5 above for additional notification text concerning show cause moved from COA Handbook.

Termination of Accredited/Candidate Status

Termination of Accredited or Candidate Status is a negative, public action indicating that an institution's or program's accredited or candidate status has been withdrawn.

Termination of accredited or candidate status may be appealed in accordance with the ABHE Policy on Reviews and Appeals. Notification of an appealable action will not be released until appeal options have been exhausted and the action is final.

Denial of Initial Accreditation/Candidate Status

Denial of initial accreditation or candidate status is a negative, public action indicating that a candidate institution or program seeking accreditation has been denied accreditation status or an applicant institution or program has been denied candidate status. Denial of initial accreditation is the most often the result of a candidate institution not achieving substantial compliance with the ABHE Standards for Accreditation within the maximum five years from the granting of candidate status and the maximum deadline for achieving initial accreditation. Denial of candidate status is most often the result of an applicant institution not achieving substantial progress toward accreditation within the maximum five years from the granting of applicant status and the maximum deadline for achieving candidate status.

Denial of initial accreditation or candidate status may be appealed in accordance with the ABHE Policy on Reviews and Appeals. Notification of an appealable action will not be released until appeal options have been exhausted and the action is final.

The Commission's negative actions may be imposed in an incremental fashion. This does not mean, however, that the Commission may not immediately impose a sanction of probation or show cause where the severity of circumstances warrants.

Appeals

In the interest of fairness and effective communication, the Commission on Accreditation's appeal process provides a ~~30-day~~ 10-day interval to file a written intention to appeal following written notification of a decision to impose a sanction, and an additional 20-day interval to document the appeal in accordance with the procedures outlined in the ABHE Policy on Reviews and Appeals. During this period, the affected institution may present mitigating information regarding the evidence upon which the Commission's sanctions were based. With the exception of finances, institutions may not provide new information, but they may clarify information that has already submitted. Institutions are permitted an opportunity to provide updated financial information at the time of appeal. The Director, Commission on Accreditation, will not notify the public of the imposition of a sanction until a decision is final. In the event of an appeal, the decision is not final until all of the steps of the appeals process have been completed. Once a decision is final, the Director, Commission on Accreditation, will immediately inform the institution and other affected entities, including the public, of the decision as required by law and by Commission policy.

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