



ACCREDITING COMMISSION for COMMUNITY and JUNIOR COLLEGES
Western Association of Schools and Colleges

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To: College Chancellors, Superintendents, Presidents, and ALOs
From: Barbara A. Beno, *Barbara A. Beno*
Subject: Policy on Commission Actions on Institutions

I am writing to inform you that last summer, the Accrediting Commission for Community and Junior Colleges (ACCJC) adopted new language pertaining to actions on institutions seeking reaffirmation of accreditation that applies to institutions being considered at the January 2016 Commission meeting and thereafter. The new language appears in Section III, Actions on Accredited Institutions, on page 2 of the enclosed policy.

I want to draw your attention to new language in the policy, and I have paraphrased it below:

- The new language provides for the action to reaffirm accreditation for a limited period, up to 18 months, and require a follow-up report, to allow time for an institution that has some areas of noncompliance to address those areas without a sanction.
- The language under the Warning sanction is also changed slightly, and you will see that the Commission may issue Warning if an institution has acknowledged deficiencies leading to serious noncompliance in its self report, and has demonstrated affirmative steps to fully resolve the deficiency within twelve months.

The evaluation teams conducting this fall's comprehensive evaluation visits were trained on this new language so that they could complete the confidential team recommendation form. This new language will be used by the Commission in the upcoming January meetings. You may want to review the policy language carefully if your institution is undergoing a review for reaffirmation or a follow-up review.

The policy changes provide greater flexibility, and were undertaken in response to issues presented to the Commission by member institutions during the review of standards and processes.

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Enclosure

ACCREDITING COMMISSION FOR COMMUNITY AND JUNIOR COLLEGES
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Policy on Commission Actions on Institutions

(Adopted January 1977; Revised January 1979, January 1991, June 1998; Edited July 2002; Revised June 2003; Edited August 2004, January 2006, August 2006, November 2008, January 2009; Revised January 2010, January 2011; Edited August 2012; Revised June 2013, June 2014, June 2015; Edited July 2015)

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 Commission. The Commission will examine institutional evidence of student learning and achievement, the Institutional Self Evaluation Report, the Evaluation Team Report, documents from previous evaluations, and other relevant documents to determine whether the institution complies with the Eligibility Requirements, Accreditation Standards, and Commission policies (together Commission's Standards). The Commission will apply, as appropriate, one of the actions listed in this policy.

In the case when an accredited institution no longer demonstrates that it meets the Commission's Standards, 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 If the institution cannot document that it has come into compliance within the designated period, 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.

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).

Actions on Accredited Status

I. Actions on Institutions that are Applicants for Candidacy or are Candidates

Grant Candidacy. Candidacy is a pre-accreditation status granted to institutions that have successfully undergone eligibility review² 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.

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 See the Policy on Eligibility to Apply for Accredited Status.

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.

Deny Candidacy. Candidacy is denied when the Commission determines, on review of the institution's initial comprehensive evaluation for candidacy, that the institution has demonstrated that it does not meet all of the Eligibility Requirements, or 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. Denial of candidacy is subject to a request for review and appeal under the applicable policies and procedures of the Commission.

Extend Candidacy. Candidacy is extended at the conclusion of the initial two-year candidacy period, 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.

Terminate 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. If candidacy is terminated, the institution may not reapply for candidacy for at least two years.

II. Actions on Institutions which are Applicants for Initial Accreditation

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

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 is not in compliance with the Commission's Standards 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 Accredited Institutions

Actions that Reaffirm Accreditation

Reaffirm Accreditation. The institution is in compliance with the Eligibility Requirements, Accreditation Standards, and Commission policies (together Commission's Standards). The institution is required to submit a Midterm Report midway through the seven-year accreditation cycle.

Reaffirm Accreditation and Require a Follow-Up Report. The institution is in substantial compliance with the Commission's Standards. 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, with or without an evaluation team visit. The period for reaffirmation with a Follow-Up Report may be up to 18 months, but generally will be one year. Upon successful completion of the reaffirmation with a Follow-Up Report period, the institution will qualify for reaffirmation for the remainder of the seven-year accreditation cycle and will be required to submit a Midterm Report midway through the seven-year accreditation cycle.

Sanctions

Sanctions serve as an indicator of the severity of noncompliance by an institution. The determination is based upon the conditions of the college, and its history of compliance with standards.

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 any Eligibility Requirement, Accreditation Standard, or Commission policy.³

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 the Commission's Standards to an extent that gives concern to the Commission, it may issue **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 Institutional 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 the 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 comprehensive review, reaffirmation is delayed during the period of Warning. The accredited status of the institution continues during the Warning period.

³ Please refer to Enforcement Action in the definitions section at the end of this policy.

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 Standards, but not to such an extent as to warrant a Show Cause mandate or the termination of accreditation, the Commission will impose Probation. The Commission may also impose Probation when the institution fails to respond to conditions placed upon it by the Commission, including a Warning. The Commission will specify the time within which the institution must resolve deficiencies and demonstrate its compliance with the Commission's Standards, 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 comprehensive review, reaffirmation is delayed during the period of Probation. The accredited status of the institution continues during the Probation period.

Show Cause. When the Commission finds an institution to be in substantial noncompliance with the Commission's Standards, it will mandate Show Cause. The Commission may also mandate Show Cause when the institution has not responded to the previous conditions imposed by the Commission. Under Show Cause, the institution is required to demonstrate why its accreditation should not be withdrawn at the end of a stated period by providing evidence that it has corrected the deficiencies noted by the Commission and is in compliance with the Commission's Standards. In such cases, the burden 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 mandate, the institution will be subject to reports and visits at a frequency to be determined by the Commission. If Show Cause is mandated as a result of the institution's comprehensive review, reaffirmation is delayed pending the institution's ability to demonstrate why its accreditation should be continued. The accredited status of the institution continues during the period of the Show Cause mandate.

Actions Related to Commission Withdrawal of Accreditation

Withdraw Accreditation for Noncompliance. If, in the judgment of the Commission, an institution has not satisfactorily explained or corrected 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 (together Commission's Standards), its accreditation may be withdrawn. The Commission will give the institution written reasons for its decision. 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 the entire accreditation process beginning with Eligibility Review and then Candidacy to regain its accreditation.

Grant Restoration Status. When there has been a Commission action to withdraw the accreditation of a member institution for noncompliance, prior to the 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 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 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 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 withdrawal effective date will be rescinded and the withdrawal implementation will be suspended. The institution's status will be accredited, pending withdrawal.

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 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 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 the Eligibility Requirements, Accreditation Standards, and Commission policies (together Commission's Standards). If, in the judgment of the Commission, the institution is in compliance with the Commission's Standards, then the accredited status of the institution will be reaffirmed.

⁴ The other administrative remedies provided to an institution for which the Commission has acted to 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 (ACCJC).

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

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 Status is not granted, or if the restoration period does not result in reaffirmation of accreditation, then the administrative remedies will be considered exhausted. The institution may then seek legal recourse without further administrative steps, if it feels there is a basis to do so.

However, if in the judgment of the Commission the institution is not in compliance with the Commission's Standards, then the 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.

Administratively Withdraw Accreditation. The Commission may administratively withdraw the accreditation of a member institution for nonpayment of dues, costs incurred as part of an evaluation team visit, 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.

Other Actions on Institutions

Defer Action. 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.

Require a 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 the Commission's Standards. That report and/or site visit may be required when an institution has demonstrated current compliance with standards in a report, with or without a visit, but has a recent history of serious noncompliance or a pattern of falling out of compliance and then regaining compliance for a short period.

Accept Institutional Request for 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, with all the attendant responsibilities of a member institution.

Accept Institutional Re-application for Accredited Status. In the event of the 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.

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Definitions Related to Commission Actions and Action Letters

Accreditation Cycle. The accreditation cycle is a seven-year period beginning at the conclusion of a comprehensive review and continuing through the next comprehensive review.⁷ During the accreditation cycle, all institutions 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 of the Commission's Standards.

Substantial Compliance. The institution meets or exceeds the Commission's Standards as a whole, 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 evaluation team report, and may also be noted in the Institutional Self Evaluation Report, or by the Commission in its review.

Enforcement Action. Federal regulations require accreditors to take adverse action (action to deny or withdraw accredited status) to enforce compliance with accreditation standards. 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. At the discretion of the Commission and in the alternative, the Commission may provide the institution with notice and a deadline for resolving the deficiencies and coming into compliance that must not exceed two years from when the institution was first informed of the noncompliance. The two-year rule, as it is commonly known, is found in federal regulation 34 C.F.R. § 602.20. It should be noted that the U.S. Department of Education requirement is based solely on the passage of time

⁷ The seven-year cycle will take effect and begin for an institution when it has concluded its initial comprehensive review under the Accreditation Standards adopted in June, 2014.

following notification to the institution of any standard it does not meet. The maximum allowable period for meeting a standard is not based upon whether there is the imposition of a sanction.

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 at its sole discretion a one-time, short-term “good cause extension” for the college to reach compliance prior to acting on the institution’s withdrawal. When a good cause extension is granted by the Commission, it will generally be for six months to one year. 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 citation of the Commission’s Standards included 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.

Team notations of effective practice. Evaluation team observations of an institution fully meeting or exceeding the standard, or of effective practice, may be noted in the evaluation team report narrative and conclusions. The evaluation team may also note suggestions for enhancement or institutionalization of effective practices.