

Case Name: *In the Matter of* Accrediting Council for Independent Colleges and Schools

Docket No.: 16-44-O

Filing Party: Respondent, Accrediting Council for Independent Colleges and Schools

Exhibit No.: B-O-79

COMMISSIONER and
BOARD OF DIRECTORS
TRAINING MANUAL



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INTRODUCTION

All new commissioners are required to participate in training to ensure that they can function effectively in the work of the Council. Training includes two activities: (1) attendance at a session of the Intermediate Review Committee (IRC) and (2) attendance at a staff orientation session. At the IRC meeting, new commissioners will be introduced to the structure and processing of institution files resulting from the various types of visits. They will be assigned a mentor and will participate in the file review and considerations processes. Training also includes participation in an orientation session at the Council office during which they will review the contents of this manual, be introduced to key members of the staff, and review the role and responsibilities of service on the Board of Directors.

To document compliance with the Department of Education's definition of public representatives, all members of the Council will read and sign the appropriate section(s) of the classification attestation form to indicate whether they meet the qualifications as a public or member, and academic or administrative representative. This form will be collected by staff and retained by the office of the President.

This manual has been prepared for new members of the Council and is designed to assist commissioners in understanding the responsibilities of the office. It is neither an official document of the Council nor an official statement of its policies and procedures. The official procedures and criteria of the Council are found in the *Accreditation Criteria*.

Included is an outline of the responsibilities of a commissioner as well as procedures developed by the Council to assist in its quality review of institutions and to help in the effective development of criteria by which those institutions are measured.

As a member of the Council, you will be called upon to work many hours, and, except for those who are appointed from outside ACICS-accredited institutions, there will be no monetary reimbursement for your time. You are, of course, reimbursed for all expenses incurred when conducting Council business. Commissioners often are called upon to serve additional time, usually as team members on special or FACT team evaluation visits, in addition to the five times



a year the Council is in session. The Council is a hard-working group, and each member is expected to devote the time necessary to meet the Council's responsibilities.

Please keep this manual for future reference. After a review of these materials, if you have questions or need clarification of the Council's procedures, please call on the staff for assistance.



OVERVIEW OF THE COUNCIL

The Council is recognized by the Council on Higher Education Accreditation (CHEA), and degree-granting institutions accredited by ACICS are eligible for membership in CHEA. CHEA's mission is to serve students and their families, colleges and universities, sponsoring bodies, governments, and employers by promoting academic quality through formal recognition of higher education accrediting agencies. CHEA is the successor organization to the Council on Postsecondary Accreditation (COPA) and the Commission on Recognition of Postsecondary Accreditation (CORPA). ACICS has been a charter member of all three organizations beginning with the founding of COPA in 1975.

Effective July 1, 1993, ACICS became a separate and independent non-profit accrediting agency. The ACICS Bylaws (*Accreditation Criteria*) set forth the structure of the agency. Governance and administration of the affairs of the Council is vested in a sixteen-member Board of Directors, including the fifteen commissioners and the President/CEO, who is a non-voting ex officio member. The Board has three standing committees: and Audit Committee, an Investment Committee, and an Executive Committee.

The Council is comprised of elected and appointed commissioners who represent both non degree and degree-granting institutions. The Council is composed of 15 commissioners, six of whom are elected by the membership and nine of whom are appointed by the Council. **At least three of the appointed commissioners must be public members as defined in the Bylaws. Also, at least three of the commissioners must meet qualifications to be academic representatives, as defined in the Bylaws and Policy & Procedures Manual. The rest of the members may be involved with administration of a member institution.**

The Council is divided into three working committees for the purpose of reviewing school actions. Each committee has a chair and is comprised of commissioners with specific levels of expertise. The composition of these committees is not set at a specific number and may fluctuate depending on the makeup of the institutions that are accredited by the Council. The Council also has six standing committees.



Elections are held by email during the fall, prior to the December Council meeting and the start of the next calendar year. Candidates must be Designated Delegates from ACICS-accredited institutions. Commissioners are elected for one five-year term. The Council may appoint individuals to complete an unexpired term of either an elected or appointed commissioner no longer able to serve.

The appointed commissioners may be from inside or outside the ACICS-accredited membership. Appointed commissioners also serve a five-year term.

No more than one commissioner at a time may represent an institution or group of institutions owned by the same corporation.

The Council is charged with the responsibility of receiving applications from institutions desiring accreditation, appointing qualified evaluators, and deciding from all evidence available whether to grant or withhold accreditation from institutions. In addition, the Council is charged with the responsibility, where accreditation is subject to withdrawal or denial, to accord institutions certain procedural guarantees.

The Council makes available to the public current information concerning the criteria, reevaluates at reasonable intervals the accredited institutions, and exercises such other powers as are necessary to carry out the function of an accrediting agency.

The maximum length of a grant of accreditation that an institution may receive is six years. However, the Council may grant accreditation for a shorter period. The maximum grant length awarded to an initial applicant is three years. However, in some cases, if the institution is concurrently accredited by another recognized organization, one additional year *may* be awarded. The grant of accreditation is always for a specific period of time and will expire automatically with the passage of time unless extended by action of the Council.



OFFICERS OF THE BOARD AND OF THE COUNCIL

Each year, the Council nominates its officers, including the Chair and Vice Chair of the Council. These two individuals also serve as chair and chair-elect of the Board of Directors. In addition, the Board selects a Secretary and Treasurer and both the Board and Council appoint chairs of their respective standing and special committees. The Chair appoints the members of all standing committees. Each working committee must select a chair and may select any other officers it deems necessary for the orderly conduct of activities and meetings.

CHAIR OF THE BOARD OF DIRECTORS AND COUNCIL

The Chair of the Council is also the Chair of the Board of Directors and presides at all Council and Board of Directors meetings. The Chair is responsible for seeing that established policies and actions are carried out, represents the Board and the Council in dealings with governmental bodies, the press, and the public, and may sign or approve correspondence and other instruments. In addition, the Chair appoints standing, working, and any special committees.

VICE CHAIR OF THE BOARD OF DIRECTORS AND COUNCIL

In the absence of the Chair of the Council and the Board of Directors, the Vice Chair of the Council presides at meetings of the Council or the Board.



OFFICERS OF THE COUNCIL

WORKING COMMITTEE CHAIRS

The Chair of each committee presides during considerations of school actions for the committee at all commission meetings. The agenda for each committee consists of the institutions under review. The President, working with the Chair, coordinates the time frame for the meetings and the topics under consideration.

These individuals have responsibility for the following:

1. Chair the respective working committee;
2. Review the delegation of file review to appropriate commissioners with staff assistance;
3. Insure that the committee follows proper procedures during file review; and
4. Report the file review results for the committee to the full Council.

CHAIRS OF SPECIAL AND STANDING COMMITTEES

Committee chairs plan the agenda; coordinate the meetings through the staff representative; adhere to the budget allocation or request additional funding when needed prior to the scheduled meeting; and report to the Chair of the Council on a timely basis the results of the Committee's work.



COUNCIL

The Council consists of the elected and appointed commissioners. The Council is responsible for the promulgation standards of accreditation and establishment of eligibility conditions, policies and procedures for accreditation. The Council is responsible for taking final action on initial grants of accreditation, denial, suspension, and withdrawal motions; for providing mechanisms for appeals and dispute resolution to ensure due process in resolution of conflicts between members and the Council and for providing members with appropriate accreditation-related services such as consultation, workshops, and training or evaluators. It is also responsible for disseminating information on standards, procedures, and activities; monitoring compliance with standards; receiving and acting on applications; issuing show-cause directives; placing institutions on probation; serving as a liaison to recognition agencies or bodies; issuing a list of accredited members; developing and approving an annual budget; assessing and collecting fees from members; taking final action on the strategic plan, and exercising other powers and duties related to those listed above.

STANDING COMMITTEES OF THE COUNCIL

The Council has the following standing committees which consist of commissioners appointed by the Chair of the Council each year. In most instances, two staff representatives will be appointed to each committee to coordinate activities and act as staff liaisons. The Chair of the Council is responsible for appointing a Chair for each committee and giving the committee its charge and timetable. Committee chairs plan the committee agendas; coordinate the meetings through the staff representative; adhere to the budget allocation or request additional funding when needed prior to the scheduled meeting; and report to the Chair of the Council on a timely basis the results of the Committee's work.

BUSINESS PRACTICES COMMITTEE (BPC)



BPC is responsible for identifying and promoting quality business practices of career colleges and schools, to ensure integrity and ethical relations, and to foster cooperation among institutions on behalf of students and others served.

EDUCATION ENHANCEMENT AND EVALUATION COMMITTEE (EEE)

EEE is responsible for establishing standards for educational quality that assist institutions in mission fulfillment, program planning and development, institutional evaluation activities, and successful educational outcomes. EEE's responsibilities include issues pertaining to non-traditional modes of delivery, such as online or distance education.

FINANCIAL REVIEW COMMITTEE (FRC)

FRC is responsible for monitoring the financial stability of accredited institutions in order to ensure they maintain sufficient financial resources to deliver a quality education to their students.

INSTITUTIONAL EFFECTIVENESS COMMITTEE (IEC)

IEC is responsible for assisting institutions in the improvement of their outcomes by establishing and assessing criteria for institutional effectiveness. The committee also reviews Annual Institutional Reports (AIR), Institutional Effectiveness Plans (IEP), and institutional outcomes and measures.

NOMINATING COMMITTEE

The Nominating Committee is responsible for screening nominees and selecting candidates for election as commissioners; in addition, it is also responsible for identifying persons qualified to be appointed as commissioners and recommending them to the Council for appointment. The Nominating Committee consists of five members and the Vice Chair of the Council automatically serves as the Chair of the Nominating Committee.

WORKING COMMITTEES OF THE COUNCIL

In addition to the standing committees, the Council also has three working committees, also referred to as file review committees: Committee A, B and C. Each committee consists of five



commissioners, one serving as Chair, of various levels of experience and is charged with the review of all impending institutional actions.

The Chair of each committee presides during considerations of school actions for the committee at all Council meetings. The agenda for each committee consists of the institutions under review. The President, working with the Chair of the Council, coordinates the time frame for the meetings and the topics under consideration.

The Chairs of the Working Committees have responsibility for the following:

1. Chair the respective working committee;
2. Review the delegation of file review to appropriate commissioners with staff assistance;
3. Insure that the committee follows proper procedures during file review; and
4. Report the file review results for the committee to the full Council.

SPECIAL COMMITTEES

Special committees are formed occasionally to address a particular issue that is raised by the Council, by the membership, or by various other publics such as government agencies. Special committees will meet as many times as directed by the Chair of the Council to complete their charges.



BOARD OF DIRECTORS

The Board of Directors is comprised of the commissioners and the President who serves as an ex officio member with no voting rights.

The Board of Directors has the right and responsibility to manage and direct the affairs and exercise the powers of the Corporation. The Board is responsible for providing an annual certified audit and management letter regarding all financial affairs of ACICS; oversight of revenues, expenditures, investments, budget development, and internal financial controls; monitoring and coordinating external affairs (including government and consumer concerns); assurance of canons of ethical business operations and personal conduct; appointment and review of the President; conducting an Annual Meeting of the membership; facilitation of communication and coordination among commissioners; coordination of strategic planning (including assessment of effectiveness and final action); assessment of the effectiveness of ACICS in fulfilling its mission and meeting its goals and objectives; take actions to perform required functions of the Corporation; and amendment of the Bylaws.

OFFICERS OF THE BOARD AND THE COUNCIL

Officers of the Board or the Council generally serve for one year terms or until election of a successor. An ex officio position is held as long as the individual holds the position that entitles them to serve as an officer of the Board and/or Council.

CHAIR OF THE BOARD OF DIRECTORS AND OF THE COUNCIL

The Chair of the Council is also the Chair of the Board of Directors and presides at all Council and Board of Directors meetings. The Chair is responsible for seeing that established policies and actions are carried out, represents the Board and the Council in dealings with governmental bodies, the press, and the public, and may sign or approve correspondence and other instruments. In addition, the Chair appoints standing and special committees.

VICE CHAIR OF THE BOARD AND OF THE COUNCIL



The Vice Chair of the Council also serves as the chair-elect of the Board. The Vice Chair assumes responsibilities as delegated by the Board and in the absence of the Chair, shall serve as Chair of the Board and of the Council in the subsequent year.

OFFICERS OF THE BOARD

SECRETARY

The President serves as the Secretary of the Board and is responsible for preparing and maintaining custody of minutes for all Board and Council meetings in order to authenticate the records of the corporation for each. In addition, the Secretary is responsible for giving all notices required by the Bylaws, for receiving service in legal matters, and for performing all duties customary to the office of Secretary. The Secretary is also the custodian of the corporate seal and possesses the authority to affix the seal to any instrument requiring it.

TREASURER

The Treasurer is a member of the Board and is elected by majority vote during a scheduled meeting of the Board. The Treasurer has custody and responsibility for all funds and securities of the Corporation and is responsible for keeping complete and accurate accounts of all moneys and other valuable property of the Corporation. The Treasurer is also a member of the Audit and Investment Committees of the Board and has the responsibility to report on the financial condition of the Corporation to the members at least annually.

ADDITIONAL OFFICERS

The Board may create positions of Assistant Treasurer and Assistant Secretary as necessary to conduct orderly business or may authorize the President to appoint individuals from the professional staff to fill the offices and may assign appropriate duties.

STANDING COMMITTEES OF THE BOARD

The standing committees of the Board include Audit, Investment, Executive and Governance.



EXECUTIVE COMMITTEE

The Executive Committee consists of the Chair of the Board of Directors, who shall serve as Chair of the Executive Committee; the Vice Chair of the Board, who shall serve as Chair of the Executive Committee in the absence of the Chair of the Board; the Secretary; the Treasurer; and two additional Directors elected annually by majority vote of the Board. The Executive Committee acts on behalf of the Board during the periods between Board meetings. The Executive Committee's responsibilities include acting on issues requiring the timely attention of the Board of Directors; in consultation with the Board of Directors, overseeing the President's performance of his or her duties; and assuming such other duties as the Board of Directors may from time to time delegate to the Executive Committee.

AUDIT COMMITTEE

The Audit Committee consists of a minimum of three members of the Board, including the Treasurer, as well as such other members as the Chair appoints. The committee works with the President to ensure that an annual certified audit of the organization's financial activities is completed, that the findings of the audit are reviewed, and that actions are taken to address recommendations and areas of concern identified as part of the audit process.

INVESTMENT COMMITTEE

The Investment Committee consists of the President, a minimum of three other members of the Board, including the Treasurer, and such other members as the Chair appoints. The Investment Committee works with the President to provide oversight of ACICS's investment funds. The Investment Committee shall select investment advisors, develop an investment plan, and review investment reports at least annually.

GOVERNANCE COMMITTEE

The Governance Committee consists of commissioners appointed by the Chair of the Council and Board. The mission of the committee is to ensure that ACICS operates within the construct of the Bylaws. The committee will evaluate and make recommendations for modifications to the Bylaws.



BOARD OF ETHICS

The Board of Ethics consists of three individuals selected by the Board consisting of two independent, public members and one member affiliated with an ACICS institution. The Board will have the authority to review perceived or actual conflicts of interest by a commissioner or Director and decide if the individual is to be directed to resign.



STAFF

ACICS maintains its office in Washington, DC, with a full-time staff of approximately 15. All staff that travel attend Council meetings and serve as staff representatives on institutional site evaluations. They are available to assist commissioners in reviewing the institutional files and in preparing actions for the consideration of the school's request. Staff members also prepare a review of the materials submitted in conjunction with a school's personal appearances before the Council and assist the primary reviewer of a hearing file. In addition, they serve as committee liaisons. Administrative staff is responsible for providing support to the professional staff, maintaining the Council database, and various other tasks.

General Counsel for ACICS serves as a legal resource person for the Council. The General Counsel advises the Council on procedures and policy matters and assists in resolving technical questions concerning the actions of the Council.



STANDARDS OF ETHICAL RESPONSIBILITY

Each commissioner must read and comply with the following Standards of Ethical Responsibility in performing their ACICS duties:

1. A commissioner shall uphold the integrity of the accreditation process.
2. A commissioner shall avoid impropriety or the appearance of impropriety in all activities.
3. A commissioner shall perform the duties, as outlined in Article III of the Bylaws, impartially and diligently.
4. A commissioner shall refrain from any activity that might call into question their fiduciary responsibility.
5. A commissioner shall, in a timely manner, disclose to the Council any actual, potential, or appearance of a conflict of interest and shall not participate in Council actions regarding an institution that is the subject of that conflict.
6. A commissioner shall preserve the confidentiality of Council deliberations, institutional data, and ACICS business information.
7. A commissioner shall exercise discretion in advocating for, or against, a policy which may impact an institution with which he or she is associated.
8. A commissioner shall not violate the *ACICS Policy on Discrimination and Harassment* in interactions with other commissioners, staff, evaluators, or any person associated with a member institution.
9. A commissioner shall not solicit or accept, either for themselves or a family member, anything of value from an ACICS-accredited institution or an applicant institution seeking ACICS accreditation.

A commissioner shall immediately inform the Chair and/or Vice Chair of any potential violation of these Standards. The Chair and/or Vice Chair will determine that no violation has occurred and will notify the Ethics Review Board for follow up review and action, as applicable. The commissioner involved shall have the opportunity to respond to the



allegation in writing to the Ethics Review Board which shall subsequently provide a recommendation to the Council for final action. If the Council determines that a serious violation has occurred, it may remove the commissioner by a two-thirds vote. The Council shall, in all cases, take such action as necessary in order to maintain the integrity of ACICS.

Council Staff assigns institutions under review to commissioners prior to each meeting, and in doing so, distributes them in such a way as to avoid conflicts of interest. If a commissioner has any material interest in an institution or feels that there would be any conflict of interest, or appearance of the same, in his or her assignment to an institution's file, the commissioner must notify the Chair to request a reassignment of that file review and should, as appropriate, recuse or abstain from participating in the deliberations. The recusal or abstention will be recorded in the minutes.

Within 30 days after the close of the Council meeting, all institutions on the agenda are notified in writing of any action taken by the Council. These actions must be kept confidential until official notification from the Council.

After the Council meeting, commissioners frequently will receive calls from representatives of institutions that were on the agenda who are seeking information concerning the action the Council has taken on their institutions. Commissioners should advise callers to contact the Council office for appropriate information following receipt of the action in writing.

The Council, in adopting the Standards of Ethical Responsibility, has put into words the responsibilities that members of the Council have always expected of each other.

The Council encourages commissioners to assist institutions in improving and upgrading themselves but requires that when a commissioner provides significant assistance to an institution, the commissioner should disclose the fact and refrain from taking part in any decisions concerning the institution.

During a Council meeting, a number of topics of discussion will arise and numerous actions will be taken by the Council. Time is reserved for policy discussion which may range from



discussions of administrative procedures for the Council staff to the adoption of a criteria amendment. These policy discussions are open, and a commissioner may disclose the policy decisions to the membership. The policy minutes are available to any Designated Delegate of an ACICS-accredited institution who submits a written request for these minutes.

School actions, however, must be kept confidential. The commissioners have a duty and a responsibility to serve all institutions fairly and equally. Staff assigns institutions under review to commissioners prior to each meeting, and in doing so, attempts to distribute them in such a way as to avoid conflicts of interest. For example, a commissioner will never be assigned an institution located in his or her home state. If a commissioner has an interest in an institution or feels that there would be any conflict of interest in his or her review of an institution's file, the commissioner should request that the institution's file be given to someone else and may wish to refrain from participation in the deliberations concerning a final decision on the institution's status. As a policy, when the Council deliberates about an institution in which a commissioner has an interest, the commissioner will be excused from the room until a final decision has been reached and the commissioner should abstain from the vote. The Chair will advise the commissioner of the action taken by the group.

As soon as possible after a Council meeting, all institutions on the agenda are notified in writing of any action taken by the Council. Commissioners are expected not to inform institutions of these actions; instead, the institution must wait for the official notification letter from the Council.

After the Council meeting, commissioners frequently will receive calls from representatives of institutions that were on the agenda who are seeking information concerning the action the Council has taken on their institutions. It is expected that commissioners will advise callers to contact the Council office for appropriate information following receipt of the action in writing.

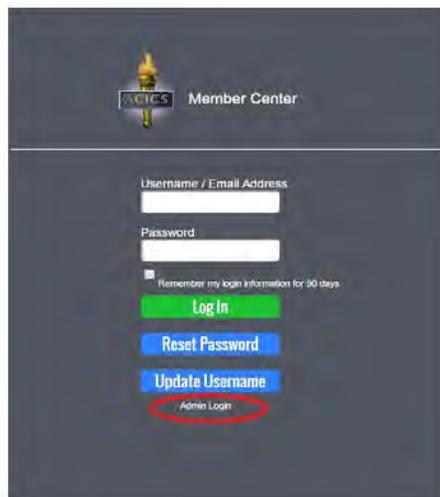


INSTITUTIONAL FILES IN THE COMMISSIONER PORTAL

To login to the Commissioner's portal, please go to: www.acics.org then click on “I want to...” then select **Login**.



You will be taken to the login page for the Member Center. You will login through the “**Admin Login**”. Click on “**Admin Login**” and click on it again.

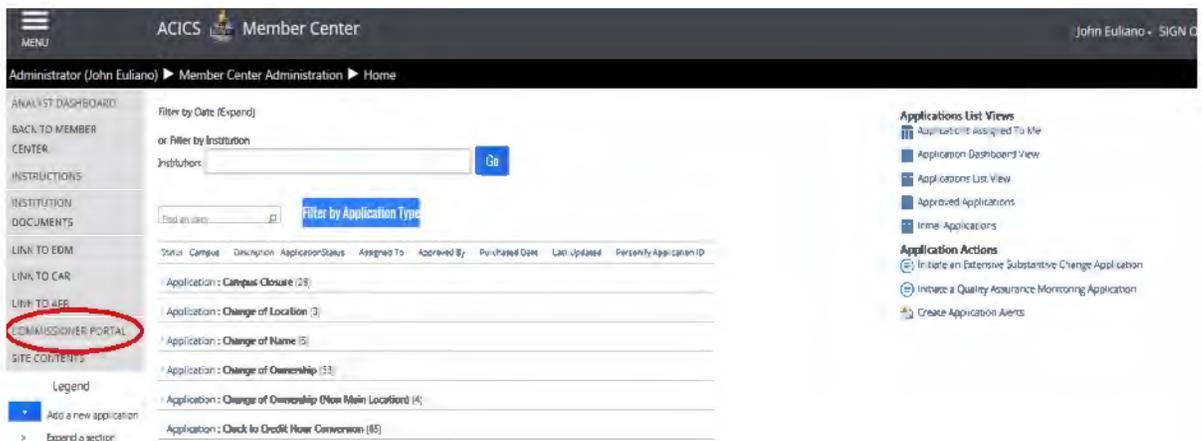




Login with your username and password. Your username will be the first letter of your first name plus your last name. The password is **Acics980**. Please note that the password is case-sensitive.



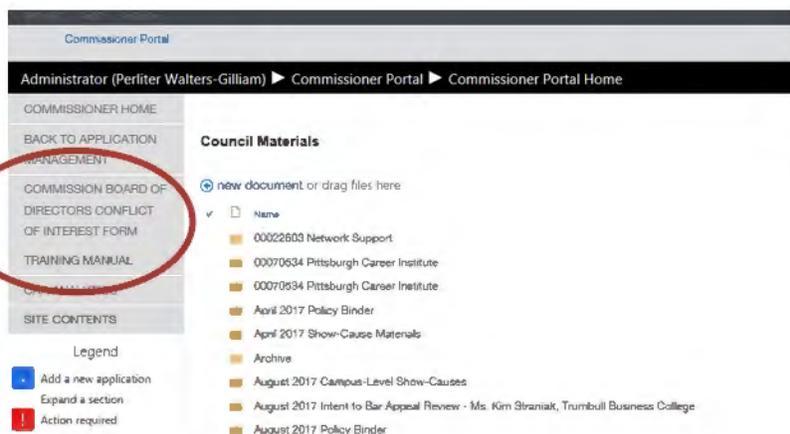
Once you are logged in, click on the link “**Commissioner Portal**” located on the left side of the page.





Then you should be at the homepage of the Commissioner Portal. Prior to every review session, the **Commission/Board of Directors Conflict of Interest Form** must be reviewed and signed.

It is located on the left-hand toolbar:



The expectations should be reviewed and acceptance noted with submission:



COUNCIL
STANDARDS OF ETHICAL RESPONSIBILITY

Each commissioner must read and comply with the following Standards of Ethical Responsibility in performing their ACICS duties:

1. A commissioner shall uphold the integrity of the accreditation process.
2. A commissioner shall avoid impropriety or the appearance of impropriety in all activities.
3. A commissioner shall perform the duties, as outlined in Article III of the Bylaws, impartially and diligently.
4. A commissioner shall refrain from any activity that might call into question their fiduciary responsibility.
5. A commissioner shall, in a timely manner, disclose to the Council any actual, potential, or appearance of a conflict of interest and shall not participate in Council actions regarding an institution that is the subject of that conflict.
6. A commissioner shall preserve the confidentiality of Council deliberations, institutional data, and ACICS business information.
7. A commissioner shall exercise discretion in advocating for, or against, a policy which may impact an institution with which he or she is associated.
8. A commissioner shall not violate the ACICS Policy on Discrimination and Harassment in interactions with other commissioners, staff, evaluators, or any person associated with a member institution.
9. A commissioner shall not solicit or accept, either for themselves or a family member, anything of value from an ACICS-accredited institution or an applicant institution seeking ACICS accreditation.

A commissioner shall immediately inform the Chair and/or Chair-elect of any potential violation of these Standards. The Chair and/or Chair-elect will determine that no violation has occurred and will notify the Ethics Review Board for follow-up review and action, as applicable. The commissioner involved shall have the opportunity to respond to the allegation in writing to the Ethics Review Board which shall subsequently provide a recommendation to the Council for final action. If the Council determines that a serious violation has occurred, it may remove the commissioner by a two-thirds vote. The Council shall, in all cases, take such action as necessary in order to maintain the integrity of ACICS.

Council Staff assigns institutions under review to commissioners prior to each meeting, and in doing so, distributes them in such a way as to avoid conflicts of interest. If a commissioner has any material interest in an institution or feels that there would be any conflict of interest, or appearance of the same, in his or her assignment to an institution's file, the commissioner must notify the Chair to request a reassignment of that file review and should, as appropriate, recuse or abstain from participating in the deliberations. The recusal or abstention will be recorded in the minutes.

Within 30 days after the close of the Council meeting, all institutions on the agenda are notified in writing of any action taken by the Council. These actions must be kept confidential until official notification from the Council.

After the Council meeting, commissioners frequently will receive calls from representatives of institutions that were on the agenda who are seeking information concerning the action the Council has taken on their institutions. Commissioners should advise callers to contact the Council office for appropriate information following receipt of the action in writing.

The commissioner, by signing below, acknowledges that they have read and will abide by these Standards of Ethical Responsibility.

<input type="text"/>	<input type="text"/>
Full Name of Commissioner	Institution/Employer Affiliation
<input type="checkbox"/> Signature	<input type="text"/>
(Checking the box above is equivalent to Date your signature)	



Once submitted, click on the appropriate review cycle folder to access the pertinent institutional and policy items.



ACICS Member Center

John Euliano SIGN OUT

Administrator (John Euliano) > Commissioner Portal > Commissioner Portal Home

COMMISSIONER HOME

WELCOME CONTENTS

Legend

- Application
- Open
- Closed

Council Materials

- Name
- Commissioner Resources
- December 2015 Hearing Binders
- December 2015 Policy Binder

Document Templates

- Name
- MOTION LETTER TEMPLATES
- ORANGE SHEET TEMPLATES
- Sample Documents
- Substantive Changes Templates

Commissioners

- Chris Alcega
- Deborah Jones
- Dr. Ashlene Hobdy
- Dr. Faried Raper
- Dr. Ruth Shaffer- ACICS
- Edward G. Thomas
- Jay Ford
- Jessie Herrmann
- John Euliano
- Julie Bala
- Lawrence Lear
- Linda Blair
- Luis Llerena
- Michelle Edwards

Application Documents

Find a file

Title	Campus Address	Applicant Status	Applicant ID	DC Member	Commissioner	Committee	Staff Assigned
Renewal of Accreditation	MADE Cope Institute (00010106) Brooklyn, NY	APPROVED PENDING COUNCIL REVIEW	59122	Unassigned	Ieanne Heimann	Committee A	Kacie Morrison Not Ready
New Branch	Alu California Mizanar University-Kenya (00149159) Nairobi, Kenya	APPROVED PENDING COUNCIL REVIEW	19289	PRO4	Unassigned	Committee A	Joseph Gurubatham Not Ready



PREPARATION FOR COUNCIL MEETINGS

The Council meets five times a year to review and take action on school files and policy items, usually the first week of April, August, and December; in February of each year for a policy-only meeting; and in conjunction with the Annual Meeting, to be held in November of each year. With the exception of the February and November meetings, all meetings are held in Washington, DC. Before each Council meeting, the staff will complete a number of tasks to help provide for a more effective meeting.

In scheduling a Council meeting, the staff will provide necessary information for the commissioners to make their travel plans. The staff will make arrangements for the hotel accommodations, but the commissioners are responsible for making their own transportation arrangements. Any expenses will be reimbursed following the meeting. Commissioners who have been appointed as public members will receive the current honorarium per day for the meeting, in addition to reimbursement for all expenses.

INTERMEDIATE REVIEW COMMITTEE

Before each Council meeting, the Intermediate Review Committee (IRC) meets to review all institutions scheduled for consideration for the first time at the meeting. The Intermediate Review Committee is composed of an outside panel of former commissioners and experienced evaluators and all Council professional staff members.

The Committee meets for five or six days during the month prior to the Council meeting. The Committee reviews each file in depth and recommends an action for the Council's consideration. The recommendation is not binding on the Council. The recommendation is not the opinion of a single member, but a group recommendation after the entire Committee has considered the matter.

After the meeting, the recommendations are prepared as notification letters for inclusion in each commissioner's school agenda for the meeting. In some cases, for institutions that are under a deferral action, the Council staff member who was assigned to the visit performs the IRC duties.



COUNCIL AGENDA

The Council at each meeting works from an agenda which is prepared by the staff and includes three of the following areas:

POLICY AGENDA

The policy agenda is based on items that are suggested by members of the Council, the membership at large, or the staff. These may include such items as issues raised by federal or state agencies and their effect on ACICS institutions, requests for revision of Council criteria or procedures, and issues that the staff feels should be brought to the attention of the Council. Commissioners wishing to have an item placed on the policy agenda should make their request to the Chair of the Council or to the President. A part of the policy agenda will include reports of the Committees. A discussion of policy is scheduled for several hours at each Council meeting, and all commissioners are expected to participate.

Commissioners are sent via e-mail prior to the Council meeting the Council meeting agenda, the working committee agendas and, the standing committee agendas. Each commissioner will also receive by e-mail the team reports for each institution they are assigned to review.

A binder of policy proposals, supporting documentation, and other items of interest is prepared by staff and will be available at the Council meeting. This binder may be retained by the commissioners.

SCHOOL AGENDA

The school agenda contains information about all institutions coming before the Council for consideration at the meeting. These include institutions to be reviewed for an initial or new grant of accreditation, reclassification, change of ownership, or a variety of other reasons. The school agenda contains the recommended actions of the Intermediate Review Committee, as well as other pertinent information concerning the institution.

Commissioners have access to institutional file via the Member Center online portal approximately one week prior to the Council meeting, and are expected to review their assigned files prior to the meeting.



HEARING AGENDA

Hearing files are prepared for each institution scheduled for a hearing and each contains three basic pieces of information about every institution that has a hearing, either by personal appearance or in writing. For each institution, staff prepares a review and summary which contains an analysis of the major issues leading up to the hearing; a chronology of events; and the Council action (motion) which resulted in the hearing.

COMMITTEES

Staff prepares committee agendas with the assistance of each committee chair.

The **Business Practices Committee** reviews such areas as complaint procedures, advertising standards, refund policies, policies regarding requests for information from the media, and institutional default rates.

The **Education Enhancement and Evaluation Committee** is charged with reviewing all aspects of the educational concerns of the Council. In addition, this Committee also has responsibility for the continuous review of the Council's evaluation procedures. These include, but are not limited to, developing needed reports, recommending content and format of self-studies, on-site visit procedures, and training activities for evaluators and staff.

The **Institutional Effectiveness Committee** is responsible for monitoring institutional outcomes and measurements as well as reviewing the Annual Institutional Report (AIR) and other measurement-related reporting activities. The Committee has overall responsibility for reviewing and monitoring those institutions which are on retention and/or placement reporting, assessing institutional improvement plans, and providing institutions with the appropriate direction to improve retention and/or placement.

The **Financial Review Committee** is charged with monitoring the annual financial statements of the institution and recommending policies and procedures related to the financial concerns of the Council. The committee is also responsible for review of financial adverse information and the Annual Financial Report (AFR).



The **Nominating Committee** is composed of representatives from institutions with programs at varying credential levels. The purpose of this committee is to select candidates for election or appointment to each commission and to nominate individuals for positions within the Council.



COUNCIL MEETING

An outline of a typical Council meeting is shown below.

- Day One (1/2 day)..... Board Committee Meetings
 - Board of Directors Meeting
 - Hearing Preparation (if applicable)
 - File Review
- Day Two..... Full Council Meeting
 - Standing Committee Meetings (EEE, IEC, FRC, BPC, NC)
 - Hearings (if scheduled)
 - File Review
- Day Three..... File Review
 - Standing Committee Meetings (EEE, IEC, FRC, BPC, NC)
 - Hearings (if scheduled)
 - Presentation of Initials/Negatives to lawyers
- Day Four Full Council Meeting
 - Hearings (if scheduled)
 - Working Committee Considerations
- Day Five (1/2 day) Full Council Meeting
 - Considerations by full Council (Initials/Negative)
 - Standing Committee Reports
 - Unfinished Business
 - Adjournment of Meeting

POLICY

Policy is usually the first agenda item at a Council meeting. Included in the first day's policy discussion will be a review of the previous minutes and their adoption, introduction of new commissioners and guests as appropriate, opening remarks by the Chair, guest speaker if schedules, and regular reports on topics such as regulatory affairs. Policy sessions are open to the membership.



It is possible that someone from the U.S. Department of Education or other agencies will observe a Council meeting.

The policy discussion is normally scheduled the first few days of the Council meeting. The policy discussion is open for the participation of all commissioners, including those who are observing their first meeting but without the privilege of voting. It is also open to members of the public, if they give 30 days notice.

FILE REVIEW

The review of individual institutions is conducted by the working committees. Under the direction of their committee chair, individual commissioners will review the institutional files and develop recommended actions for discussion. New commissioners generally will be assigned to work with a more experienced commissioner who will assist them in the file review process.

The standard procedure involves reviewing the reason that the institution is on the agenda and determining the actions the Council has taken in the past in consideration of the institution. After reviewing the materials, the commissioner then should check the recommended action. Unless information received subsequent to the Intermediate Review Committee's meeting warrants change, it may be appropriate to accept the recommended action and submit it to the Council for consideration. When a commissioner believes the recommended action is not consistent with the facts in an institution's file, or if subsequent information has been received to alter the recommended action, a second commissioner may be asked to assist in the review. The Chair of the Council will designate which commissioners should assist in this review. The Committees will convene during the week to discuss the findings for the institutions each commissioner has reviewed.

FINANCIAL REVIEW

If a part of the consideration of an institution coming before the Council involves a review of its financial statements, they will be reviewed by the Financial Review Committee. Copies of the financial statements may be sent from the Washington office to commissioners to be reviewed apart from the institution's file. The financial review is based solely on the financial statements, regardless of the reason the institution is on the agenda.



COMMITTEE REVIEW

The Committee review of the recommended actions proposed by each commissioner will involve a discussion of the institution, the reason for it appearing on the agenda, any particulars of the situation, and the individual reviewer's action. The Committee then agrees on a motion for final action and presentation to the full Council. During the Committee review, each commissioner should be prepared to discuss reasons for the recommended action and to answer specific questions concerning the team report, institution's response, etc.

All recommendations regarding institutional accreditation are presented to the full Council for discussion and approval. **Throughout the meeting, all commissioners will have access to the complete institutional file for each institution under consideration for an initial grant, a new grant, or a negative action, in case they have questions or wish to review aspects of the file before the vote of the full Council.**



COUNCIL ACTIONS

During the course of file review, commissioners will be called upon to review a number of institutions and to arrive at decisions regarding their accreditation. These decisions may range from a grant of accreditation, to the denial of a new grant of accreditation, to a show-cause directive. Staff has prepared form letters for common decisions. The outlines have been prepared to comply with the procedural guarantees outlined in the *Accreditation Criteria* so that they will provide the necessary information for the institution to understand the Council's position and will afford the institution the opportunity to adequately respond to the Council.

APPLICANTS FOR INITIAL GRANTS OF ACCREDITATION

When an institution has completed the procedures of an application for an initial grant of accreditation, undergone a resource visit, prepared a self-study, undergone a team evaluation visit, financial review, Intermediate Review Committee review, and commission review, a decision is made concerning its request.

If an institution is found to be in compliance with all criteria, the appropriate action is to grant the institution accreditation for a specific period of time up to four years. Generally, a three-year grant is awarded. However, in some cases, if the institution is concurrently accredited by another recognized organization, one additional year *may* be awarded.

If the institution is not found to be in full compliance with the criteria, the Council may defer action on the application and require additional information from the institution concerning the correction of the deficiencies. Normally, a deferral will extend until the next meeting of the Council, depending upon the deficiencies.

If an institution is found to be seriously and substantially out of compliance with the criteria, the Council may deny the request for an initial grant of accreditation. In the denial, as in a deferral, the Council must list the specific criteria with which the institution was found in noncompliance and identify the reasons why the institution was found in noncompliance. Should a denial be issued, the institution will have the right to appeal that decision to the Review Board.



Institutions which apply for freestanding, main campus accreditation for a currently-operating branch campus are considered to be applying for an initial grant.

APPLICANTS FOR NEW GRANTS OF ACCREDITATION

Institutions previously accredited have been given grants of accreditation for a specific period of time. Within that period of time, they must apply for new grants in order for accreditation to continue uninterrupted. The Council office keeps track of the grants and advises institutions when they should initiate applications for new grants of accreditation.

Failure of an institution to initiate an application for a new grant of accreditation or of the Council to grant the institution an extension of the previous grant of accreditation will result in the expiration of the institution's accreditation with the passage of time.

Generally speaking, institutions applying for new grants of accreditation will be considered and given new grants of accreditation or will have the previous grants of accreditation extended in order for the Council to receive additional information.

OTHER ACTIONS CONCERNING INSTITUTIONS

In addition to considerations of institutions seeking initial or new grants of accreditation, the Council makes decisions about a number of other requests.

These actions include consideration of an institution's application to offer a credential at a higher level, change of ownership or control, inclusion of new programs and nonmain campus activities within the scope of the institution's accreditation, and a variety of special considerations which may develop with an institution.

Many institutions appear on the Council's agenda for consideration of a decision which was deferred. A deferral generally occurs when the Council has determined that there is insufficient information to determine if an institution is out of compliance, or if only a small number of minor issues remain. In considering a deferral, the Council must reconsider the action which resulted in the deferral to determine the appropriate decision.



Whether seeking an initial or a new grant of accreditation, the institution is afforded due process in its review by the Council and, should the Council take a negative action, there is a standard procedure concerning the rights of the institution to an appeal.

COMPLIANCE WARNING

If it is determined that an institution is not in compliance with the *Accreditation Criteria*, the Council may issue a show-cause warning. The institution will be required to demonstrate corrective action on the areas of non-compliance.

SHOW-CAUSE

If the Council determines that the institution does not materially operate in accordance with the *Accreditation Criteria*, it may direct an institution to show-cause as to why it accreditation should not be withheld or withdrawn.

DENIAL OF AN APPLICATION

If a commissioner believes that an institution's failure to adequately respond to a Council decision is caused by an unwillingness or inability to come into compliance with the *Accreditation Criteria*, the Council may take a denial action.

MAXIMUM TIME FRAME

The Introduction to Title II, Chapter 3 of the *Accreditation Criteria* identifies the maximum amount of time an institution is provided to address the concerns of the Council. This is a recognition requirement of the U.S. Department of Education. These timeframes are:

- Twelve months, if the longest program is less than one year in length;
- Eighteen months, if the longest program is at least one year, but less than two years in length; and
- Two years, if the longest program is at least two years in length.



The orange sheet in the school file indicates the maximum time frame, the first meeting the institution was on the agenda, and any previous Council actions related to the areas of non-compliance currently under review.



INSTITUTIONAL REVIEWS AND HEARINGS

During most Council meetings, there will be a number of scheduled personal appearances by representatives of institutions. These appearances are the result of previous action by the Council.

A school may choose to appear before a panel of commissioners or the full Council; most institutions choose the panel format. Hearings are usually organized to provide two hours for the institution's presentation and panel discussion, including questions by the members of the panel and a closing statement from the institution. Commissioners will ask questions of the institution's representatives in order to establish the facts. Following questions by the commissioners and the closing statement, the institution representatives will be excused and the panel, with staff and general counsel, will discuss the results of the hearing to determine the consensus of the group regarding the action to be recommended. The panel's recommendation is considered by the appropriate committee prior to final action.

Prior to the hearing, staff prepares a review of the reasons for the institution's appearance, including team reports and institutional responses, which are incorporated into a hearing file. This file is sent to panel members approximately two weeks prior to the hearing. Staff also assists in the preparation of an appropriate action letter following the hearing.

The hearing is conducted in a formal manner. The prime reviewer, staff, and general counsel will brief the institution's representatives prior to the hearing so that they will know what to expect during their appearance. The proceedings are transcribed by a court reporter that produces a written transcript of the hearing.

Each commissioner is generally assigned at least one hearing per Council meeting, and rarely more than three. Hearing assignments are made by staff based on the commissioner's knowledge of the institution and general schedule requirements. Potential conflicts of interest are considered when assigning hearing panel members.



New commissioners will observe at least one hearing in preparation for serving on their first hearing panel. Observing commissioners should refrain from asking questions of the institution during the hearing and are not permitted to participate in the decision-making process.

TYPES OF HEARINGS

In response to an immediate withdrawal by suspension action or a show-cause directive, an institution is given the opportunity to appear via an institutional review (in writing) or in person (if so directed by the Council) to present its case as to why an adverse action should not be taken. The process for reviewing appeals or show-cause responses in writing is identical to reviewing a typical school file, although increased review time and additional assistance from other commissioners, staff, or the general counsel is generally required.

The information below addresses personal appearance hearings which may be triggered by a denial action or a show-cause directive.

DENIAL

An institution that objects to a Council decision to deny an application for a new grant, branch campus inclusion, or reinstatement of accreditation following a change of ownership has a right and will be given the opportunity to present its case to a panel of Commissioners at a subsequent, regularly scheduled meeting of the Council. This hearing is formal and on the record. The institution may offer new evidence which will be considered by the Council if submitted timely.

An institution that objects to a commission decision to deny an application for a new program or branch campus-to-freestanding, may appeal this action. Such a hearing will be informal and not on the record. The institution may offer new evidence which will be considered by the commission if timely submitted.

SHOW-CAUSE DIRECTIVES

Institutions may be directed to show cause why accreditation should not be suspended, revoked, or otherwise conditioned for a number of reasons. In most cases, a show-cause is issued for financial reasons or when it has been alleged that serious violations of the Council's criteria have



occurred at an institution which is not scheduled for a regular review in the near future. A show-cause also may be issued when an institution has failed to follow established Council procedures regarding the submission of certain information (e.g., annual report(s)) or has undergone a recent visit which identified serious and/or numerous violations of ACICS standards. A show-cause is not considered a negative action.

A show-cause may be issued by the Council at a regular meeting or may be issued based on a facsimile or mail vote when the Council is not in session. A show-cause directive does not necessarily mean that the institution is in violation of the criteria, but that the Council is raising an issue with the institution and providing the institution an opportunity to respond before any action is taken.

PRE-HEARING VISITS

Based on staff's review of the institution's response, a pre-hearing visit may be directed. A pre-hearing visit is usually not necessary in the case of a financial show-cause in which educational quality and administrative effectiveness is not of concern.

A pre-hearing visit is directed to confirm the institution's hearing submission, especially when its validity is questioned. As an example, when an institution has been denied or directed to show-cause based on serious concerns not easily remedied quickly, yet submits a response that appears to correct those concerns, it is best to conduct a pre-hearing visit. Conversely, should an institution respond inappropriately to the Council motion, there is usually no need to conduct a pre-hearing visit since the validity of the response does not need to be verified.

Commissioners assigned to a hearing panel should be prepared to be asked by staff to conduct a one/two-day pre-hearing visit one or two weeks prior to the Council meeting. Usually a pre-hearing visit consists of one or two commissioners, a staff member, and, at times, in lieu of two commissioners, a seasoned evaluator.

PANEL MEMBER / STAFF / CONSULTANT ROLES

PRESIDER



A presider will be appointed to handle procedural aspects of the hearing. The presider will call the hearing to order, identify the issues in controversy, and review the appropriate procedures concerning the hearing. The presider also will call upon the commissioners for questions. The presider will keep track of the time to ensure that the allotted time is not exceeded, will adjourn the hearing at the appropriate time, and will maintain decorum throughout the hearing. The presider is an equal member of the hearing panel and, thus, may take part in the questioning process and will participate in the vote. At the conclusion of the questioning, the institution will be provided an opportunity to present information not covered during the hearing as well as to make a closing statement.

PRIMARY REVIEWER

The primary reviewer is responsible for presenting to the panel the institution's reasons for appearing before the commission. The primary reviewer should be most familiar with the institution's files and should be prepared to review thoroughly all submissions made by the institution and to ask appropriate questions to clarify the issues. Staff is responsible for contacting the primary reviewer prior to the hearing so that the specifics of the case may be discussed. The primary reviewer, in most cases, is responsible for assigning panel members specific areas of the hearing file to review and draft questions. At the conclusion of the hearing, the primary reviewer is charged with the responsibility of determining the consensus of the panel and developing an appropriate recommendation for the panel to adopt.

PANEL MEMBERS

All commissioners on a panel are considered panel members, although the primary reviewer and presider have additional duties. Panel members should ask questions developed prior to the hearing based on their assigned areas, should be attentive to the institution's presentation, and be prepared to ask questions, as pertinent, based on the institution's presentation or responses to questions. It is important to pay attention and not ask questions previously asked by other panel members or the primary reviewer. As in the review of institutions, a commissioner having any interest in an institution appearing before the Council or who for other reasons feels it would not be proper to participate on a particular panel will be excused from the hearing. In most cases, conflicts



will be made known to staff following distribution of hearing assignments and exclusion from the panel will be made in advance of the hearing.

GENERAL COUNSEL

The general counsel reviews all hearing files prior to the Council meeting and is generally present during all personal appearance hearings. The general counsel serves as a legal resource and assists in resolving technical questions concerning procedures, the appropriateness of questions, and the actions available following a hearing.

STAFF

One staff member is normally responsible for the development of each hearing file with one additional staff member responsible for general hearing assignments and procedures. The staff member assigned to develop the hearing file is the primary resource to the panel members for the institution in question. All questions relative to the institution, including current status and background, should be directed to the assigned staff member. Staff does not take an active role in hearings, although the assigned staff member responsible for the hearing as well as other staff are present and available to assist throughout the hearing. Staff is responsible for reviewing the institution's response and assisting panel members in the development of questions, as needed.

HELPFUL HINTS ON QUESTIONING

- Ask questions in an orderly fashion (from the previous motion and/or team report) so that concerns are not overlooked.
- If suggested questions have been prepared by staff, do not rely on those questions alone, presume they are appropriate, or assume that they must be asked; they are only suggestions. Panel members must understand why the question is being suggested and then make a decision whether to ask the question.
- Questions should be asked "with cause." That is, asking questions related to issues to which you believe the institution has responded appropriately in writing is unnecessary. Commenting on those areas corrected for the record (e.g., "The institution has submitted receipts for periodicals purchased, which appears to resolve the concern.") may be more appropriate and less time



consuming than rehashing the issue. (An example of asking a question "with cause" for the above example may be, "The institution submitted purchase orders for periodicals, but there is nothing that indicates that you actually have received them. Do you have evidence of the receipt of the periodicals identified in your response?")

- Be direct and thorough with questions, allowing little room for deviation from the issue. Be persistent if the institution appears to be avoiding the questions.
- If the institution's answer does not completely satisfy you, rephrase the question and ask it again. Dropping the issue without further inquiry may appear on the record as though you were satisfied with the answer and that the issue was resolved.
- If a response to a question identifies an area of noncompliance or concern, restate the reply as appropriate to ensure the record identifies this concern.
- Feel free to ask for assistance from or questions of staff, General Counsel, and other commissioners during the hearing; this may be done through written notes or by calling a short break.



LOSS OF ACCREDITATION

Institutions may lose their accreditation in several ways.

DENIAL

An institution denied an initial grant of accreditation, a new grant of accreditation, inclusion of a branch campus, or permanent reinstatement of accreditation following a change of ownership or control has the right and will be given an opportunity to present a final appeal to the Review Board following the completion of its appeal to the Council.

Institutions undergoing a change of ownership or control automatically have their grants of accreditation temporarily discontinued. The institution under the new ownership then may petition the Council for a reinstatement of the grant of accreditation by submitting a change of ownership application. Should the institution fail to demonstrate to the satisfaction of the Council that reinstatement should be granted, the previous grant of accreditation remains discontinued and the institution may pursue appropriate appeals.

In the above illustration the loss of accreditation is the result of the Council's failure to grant the institution either a grant of accreditation or a reinstatement of a grant of accreditation and is not a withdrawal of accreditation as defined by the Council. It is important that commissioners keep in mind the differences between the loss of accreditation and action to withdraw accreditation.

An institution that is granted temporary reinstatement of accreditation must also receive permanent reinstatement from the full Council. If this permanent reinstatement is denied, the institution has the opportunity to appeal to the Council as described above.

WITHDRAWAL OF ACCREDITATION BY WAY OF REVOCATION

The withdrawal of accreditation by way of revocation is a complete withdrawal of the institution's accreditation for any of the following reasons:

- a. An institution whose accreditation has been summarily suspended does not challenge the suspension within 10 days of notice (see Section 2-2-301);or
- b. An institution notifies the Council that it has ceased operations; or



- c. The institution fails to file an annual report as required by the Council; or
- d. The institution fails to pay its annual fees, application fees, or evaluation expenses.

A judgment of revocation requires an institution to start anew and undergo the entire accreditation process to regain accreditation. Revocation is not appealable to the Review Board.

WITHDRAWAL OF ACCREDITATION BY WAY OF SUSPENSION

An institution may have its accreditation suspended following a show-cause directive when, in the judgment of the Council, the institution no longer complies with the criteria. When an institution's accreditation is suspended, it has the right to appeal that action to the Review Board. Section 2-3-402 provides examples of possible reasons for suspension.



REVIEW BOARD

The Review Board is a separate, independent appeals body established by the Council for the purpose of hearing appeals by institutions for denial and suspension actions specified in Sections 2-3-301 and 2-3-402 of the *Accreditation Criteria*.

The Review Board consists of 15 persons, all of who have had experience in accreditation. Members shall be appointed to staggered terms of three years so that one-third of the terms expires each year. Persons appointed shall not have been a commissioner within one year prior to appointment. Three of the review board members must be public members and three must be academic representatives. At least one member of the review board panel must be a public member and one must be an academic member. The other members of the review board and a review panel may be administrative representatives.

The Review Board has the authority to:

- (a) affirm the decision of the Council;
- (b) amend the decision of the Council;
- (c) reverse the decision of the Council; or
- (d) remand the case to the Council with recommendations for further consideration because it finds the decision was:
 - (1) arbitrary, capricious, or otherwise in substantial disregard of the *Accreditation Criteria*, or
 - (2) not supported by the substantial evidence in the record on which the Council took the negative action.

Review Board panels will not consider any evidence that was not in the record before the Council at the time the decision was made, although the Council can be asked to reconsider a negative decision based upon financial issues if new financial information deemed by the FRC to be significant and material is provided by the institution.



The Review Board currently hears appeals for the denial of an initial grant of accreditation, a new grant of accreditation, inclusion of an branch campus, or permanent reinstatement of accreditation following a change of ownership or control.



REVISIONS TO PROCEDURES AND CRITERIA

The Council, in discussing matters of policy, may find that a procedure or a criterion is in need of review and possible revision. Procedures may be altered by a resolution of the Council, providing the procedures do not affect the meaning or intent of the criteria. There are administrative procedures followed by the Council staff in handling the day-to-day workload, and these procedures may be reviewed and modified by the Council so long as it is in keeping with the intent of the criteria.

CRITERIA REVISION

The U.S. Secretary of Education has developed criteria for organizations seeking listing as nationally recognized accrediting agencies. These criterion state that "The accrediting agency provides advance public notice of proposed new or revised criteria, giving interested parties adequate opportunity to comment on these proposals prior to their adoption." In keeping with that requirement and with the procedures of the Council, a change in the criteria is a major undertaking.

PROCEDURES FOR CHANGE

Generally, when an area has been identified for potential modification, a committee will be appointed to review the area to determine if, in fact, changes are necessary and, if so, what changes would be appropriate. The committee, working with one or more members of the Council staff, will develop a report which may include a proposed criteria revision. At a Council meeting this report will be presented for discussion purposes and the Council at that time determines that there is no need for a change in the criteria or perhaps may make a procedural change which resolves the issue. If the Council determines there is a reason to alter the existing criteria or to add additional standards, it will prepare a proposed criteria amendment which, if passed by the Council, will be included in a *Memo to the Field* and supplied to all member institutions and other interested parties for their review and comment. Usually this process is initiated at the standing committee level, unless the topic is one of general interest to the Council, in which cast it may be initiated by the Full Council. The proposal of criteria revision by the committee is only a proposal, and not the adoption of



criteria. After the Council has received comments from the field, the proposal will be reviewed again at a subsequent meeting and be adopted, modified, or rejected by the Council. Several weeks after publication of the Memo to the Field, ACICS will also hold an AWARE webinar (ACICS Webinar to Announce, Relate and Educate) to review the Memo to the Field and answer questions from participants.

It is only after the Council has prepared a proposed standards change, submitted it to the field for review and comment, and reconsidered the proposal that a revision to the criteria can take place. Under the Council procedures, it is not possible for an amendment to the criteria to be proposed, adopted, and put into effect at a single meeting. A vote of the membership for criteria revision is not required.



PARTICIPATION IN THE ACCREDITATION PROCESS AND OTHER RESPONSIBILITIES

INTRODUCTION

To minimize possible conflicts of interest, ACICS policy limits the frequency and nature of Commissioner involvement in any but the final stage of the accreditation process. However, on occasion, Commissioners will be asked to serve as team members on a visit, and in ACICS workshops. Commissioners may also be invited by the President to serve as observers on visits. Of course, when Commissioners participate in institutional visits, they should recuse themselves from later Council action resulting from such visits.

Team members are chosen by accreditation coordinators assigned to specific visits. They are chosen based on the unique requirements of each visit, using a variety of variables including availability, expertise, past involvement, corporate affiliation, geography, etc. Commissioners undergo the same vetting process as other evaluators if they are invited to fulfill a specific role as a member of an evaluation team.

PARTICIPATION ON VISIT TEAMS

Commissioners may be invited, on a limited basis, to serve as a team chair, program specialist, or as an expert in student relations, distance education, or educational activities on an evaluation visit. Commissioners' qualifications will be vetted to the team evaluation role they serve according to the same standards as other evaluation team members.

Commissioners may not participate as an evaluator on more than two evaluation visits during any one visit cycle. An exception to this limit is allowed for Commissioners invited by Council or the President to serve on a special or unannounced visit.

Commissioners will not participate in Committee discussions during file review of any institution in which they served on the evaluation team, excluding special, fact finding and unannounced visits. Council expects appropriate input during Committee file review and full Council from Commissioners who served on special or unannounced visits.



Commissioners are expected to adopt the evaluator role to which they are assigned and not to impose their powers as Commissioner during an evaluation visit, including, but not limited to, respecting the authority and instructions delivered by the team chair and ACICS staff.

Commissioners are expected to adhere to the same guidelines and standards as other evaluators when seeking to assume the evaluator role. These guidelines and standards can be found in the Volunteer Evaluator Program section of the ACICS Policy and Procedures Manual.

OTHER RESPONSIBILITIES

When the full Council is not in session, commissioners may be requested to review information about time-sensitive institutional issues and take action. These issues include requests for temporary reinstatement of accreditation following a change of ownership or control, special requests, and show-cause directives following evaluation visits which raise significant concerns. These requests will be sent by electronic mail, facsimile, mail, or overnight delivery. Conference calls are conducted, when needed, to discuss more significant issues that may require discussion.



GLOSSARY

CAMPUS ACCOUNTABILITY REPORT

Each accredited institution is required to file no later than November 1st, a report covering the previous year beginning July 1 and ending June 30.

ANNUAL FINANCIAL REPORT

A financial statement is required of all institutions 180 days following the end of their fiscal year. This statement is not required to be audited and certified. Separate audited financial statements must be submitted with certain types of applications. The annual sustaining fees are based on the total educational revenue reported on the income statement.

CHANGE OF OWNERSHIP / CONTROL

An institution is judged to have undergone a change of ownership or control when controlling interest of the institution has changed hands through the sale of stock, either totally or partially, or when an institution, through contract or other means, has altered control of the institution.

As a result of a change of ownership or control, the institution's grant of accreditation is automatically discontinued and the institution must make application for reinstatement.

DEFERRAL

Actions on an institution's application may be deferred when further information is needed by the Council or further guidance to the institution concerning deficiencies is in order. A deferral is not a negative action or a final decision and is not appealable.

DENIAL

Denial of accreditation is a final Council decision, but the institution is entitled to an opportunity to present its appeal of the denial in a fair and impartial hearing before the Review Board.



GRANT OF ACCREDITATION

A grant of accreditation is extended to an institution for a specific period of time. In order for an institution to continue in accredited status, the previous grant must be extended again by special action of the Council or the Council must confer a new grant. A grant of accreditation may not exceed eight years in length.

HEARING

A hearing is a formal process in which an institution under a negative or potentially negative action presents its appeal to the Council. This may be done in person or in writing.

NEGATIVE ACTION

A negative action is the withdrawal of accreditation (either by revocation of accreditation or suspension of accreditation) or the withholding of accreditation. Normally, negative actions are appealable, except in instances of revocation.

NONMAIN CAMPUS

A nonmain campus educational activity is any educational activity offered at any time at any location away from the main campus facility. These are classified either as branch campus or as learning sites.

REEVALUATION

The process of an institution's being considered for a new grant of accreditation is referred to as a reevaluation.

REMAND

Remand is an action by the Review Board to send a case back to the Council for further consideration.



REVIEW BOARD

The Review Board is comprised of fifteen members appointed by the Council who are responsible to hear appeals of withdrawal or denial actions (except for revocation arising out of a summary suspension order).

REVOCAATION

Revocation of accreditation is a final action by the Council to withdraw accreditation. Revocation actions are not appealable.

SUSPENSION

All suspensions except summary suspensions must be preceded by show-cause directives and are appealable to the Review Board. Summary suspensions are issued when institutions cease or are believed to have ceased operations and can be challenged before the Council. Suspension is the result of an institution's being found in noncompliance of the criteria. Suspension is a negative action; after passage of the specified time, a suspension will become a revocation.

SUSTAINING FEE

Sustaining fees are collected from member institutions to support the activities of Council. These are due on October 31 of each year and are based on the total educational revenue as reported on the institution's Annual Financial Report.

USER FEE

User fees are paid by institutions requesting approvals from the Council including new programs, change of ownership, new nonmain campuses, and change of name or location.

WITHDRAWAL

Withdrawal of accreditation is the result of the Council's suspension or revocation of an institution's accreditation. This should not be confused with the withholding of accreditation. The



withdrawal of accreditation by suspension is appealable to the Review Board. The withdrawal of accreditation by revocation is not appealable.

WITHHOLDING OF ACCREDITATION

The withholding of accreditation is the refusal of the Council to grant an initial or new grant of accreditation or reinstatement of accreditation in a change of ownership control or reclassification of an institution's accreditation. This is a negative action and is appealable to the Review Board.



EXHIBIT

ACICS POLICY ON DISCRIMINATION AND HARASSMENT

- A. **ACICS does not condone sexual harassment**, which includes the promise or threat, explicit or implicit, that an employee's job status will be affected favorably or unfavorably unless the employee agrees to demands of a sexual nature; unwelcome physical contact or verbal comments; or other activities that create a hostile environment in the workplace. If you believe that you have been subject to sexual harassment, you should report the incident according to the complaint procedures outlined below. No retaliatory action will be taken against any employee who files a complaint.
- B. **ACICS is committed to providing a work environment that is free of discrimination and harassment**. Actions, words, jokes, pictures, or comments that are based on an individual's sex, race, ethnicity, age, religion, or any other legally protected characteristic or that are obscene will not be tolerated. Sexual harassment, whether overt or subtle, is a form of misconduct that is demeaning to another person, undermines the integrity of the employment relationship, and is strictly prohibited.
- C. **Any employee who wants to report an incident** of sexual or other harassment should report the matter to his or her supervisor promptly. If the supervisor is unavailable, or if the employee believes that it would be inappropriate to report the matter to the supervisor, the employee should contact the President immediately. Employees can raise concerns and make reports without fear of reprisal.
- D. **Any employee who becomes aware** of possible sexual or other harassment of another employee should advise the President promptly. The President will handle the matter in a timely and confidential manner.
- E. **The President or his designee** will investigate the complaint promptly. The investigation will include interviews with persons identified by the complainant as having direct knowledge of the harassment. The alleged harasser also will be interviewed. After a thorough investigation, the President will prepare a written determination regarding the allegations, and copies of the determination will be provided to the complainant and the alleged harasser. Either party may appeal either the decision or the disciplinary action or both to the President, who will have the final authority.
- F. **Any individual found to have engaged in harassment** is subject to disciplinary action, including discharge where appropriate.