

BP207

Institutional Staff Reviews

Reference: 34 CFR §602.19(b)

Adoption Date: June 2013

Last Revision Date: April 2019

When the President of TRACS determines from an institution's Annual Report, the findings of a staff visit, findings resulting from an official complaint filed against an institution, or from any other source available, that an institution may not be in compliance with one or more of the Accreditation Standards, the President of TRACS will initiate an Institutional Staff Review, if the alleged deficiencies are non-financial in nature (ISR), or an Institutional Staff Review – Financial, if the alleged deficiencies are financial in nature (ISR-F). In addition, if the Accreditation Commission determines from any sources available that an institution may not be in compliance with any Accreditation Standard, it may direct the President of TRACS to initiate an ISR / ISR-F of that institution.

The President of TRACS will send written notice of the initiation of an ISR / ISR-F to the institution within 30 days of the start of the review. This notification may be sent later than 30 days after the initiation of the ISR / ISR-F if additional information which requires further investigation becomes available during the first 30 days of the ISR / ISR-F. The notice will identify any areas with which the institution may be in non-compliance with the Accreditation Standards.

The institution must send to the TRACS office a written response to the notification of the ISR / ISR-F within 30 days of the date that the institution received the notification. At the discretion of the President of TRACS, a staff visit may be required within the 30 days allowed for the institution's response.

The institution's response must separately and fully address each area of possible non-compliance identified in the notification. The institution's response must either demonstrate compliance with the Accreditation Standard(s) in question, or if the institution is in non-compliance, supply the anticipated timeframe for coming into compliance.

After receiving and reviewing the institution's response to the notification of the ISR / ISR-F, the President of TRACS will determine whether the institution should remain on monitoring – Institutional Monitoring if the perceived deficiencies are non-financial in nature, or Financial Monitoring if the perceived deficiencies are financial in nature - until compliance is verified or to determine if other actions are merited. (See *BP211 – Commission Actions Against Institutions*)

Information Specific to the Institutional Staff Review - Financial

The specific purposes of the Institutional Staff Review – Financial (ISR-F) are to ascertain the current financial condition of the institution relative to the Accreditation Standards related to financial matters, review the institution's plan to maintain financial stability into the future, determine if the institution is able to demonstrate compliance with financial Accreditation Standards or if Financial Monitoring or other actions are merited and/or to offer such support and advice as may be helpful to the institution.

The ISR-F will be conducted whenever, after the normal on-going review of an institution's financial documents and all events which may impact the institution financially, TRACS Staff

determines that the financial stability of an institution is or may be in question. Specific events that may precipitate an ISR-F include but are not limited to:

1. An institution reporting a negative change in Unrestricted Net Assets or Total Net Assets for two out of five years.
2. A negative change in Total Net Assets.
3. An enrollment decline of 20% or more.
4. An institution receiving notification from the Department of Education that their composite score has fallen below 1.5 and they are not in compliance.
5. An institution's annual audit indicates that credit lines or other liquid reserves have been substantially depleted.
6. The recording of *Pledges* in revenue or *Pledges Receivable* in assets.
7. Notice of pending legal action and associated contingencies in the *Annual Audit Report*.
8. Any combination of 1-7 above.

The ISR-F will usually necessitate a staff visit to the institution with the understanding that a virtual "visit" may be conducted via either written or electronic communication. The staff visit and review will include all financial aspects of the institution.

After the consideration of all relevant financial information learned through the ISR-F process, the President of TRACS may recommend, any of the following actions:

1. The institution may be officially placed under Financial Monitoring when the institution reports a negative change in Unrestricted Net Assets or Total Net Assets for three out of five years. (Note: The institution is not out of compliance with applicable Accreditation Standards at this point.)

The Accreditation Commission may require any institution to be placed under Financial monitoring apart from the regular ISR-F review and recommendation process and apart from any other action imposed by the Accreditation Commission.

2. The President of TRACS may recommend that the Accreditation Commission place the institution on Warning when the institution reports a negative change in Unrestricted Net Assets or Total Net Assets for three out of five years, has not demonstrated improved Financial Stability since being placed on Financial Monitoring, and is out of compliance with any Accreditation Standard related to financial matters.
3. The President of TRACS may recommend that the Accreditation Commission place the institution on Probation when the institution reports a negative change in Unrestricted Net Assets or Total Net Assets for four out of five years, is substantially out of compliance with any Accreditation Standard related to financial matters, and / or has failed to demonstrate compliance with the applicable Accreditation Standards since being placed on Warning.
4. The President of TRACS may recommend that the Accreditation Commission place the institution on Show Cause when the institution reports a negative change in Unrestricted Net Assets or Total Net Assets for five out of five years, is significantly out of compliance with any Accreditation Standard related to financial matters, and / or has failed to demonstrate compliance with the applicable Accreditation Standards since being placed on a lesser adverse action (Warning or Probation).

BP211

Commission Actions Against Institutions

Reference: CFR § 602.20

Adoption Date: June 2000

Last Revision Date: October 2015

The Transnational Association of Christian Colleges and Schools (TRACS) requires its member institutions to remain in and demonstrate compliance with the Accreditation Standards as detailed in the TRACS *Accreditation Manual*. Additionally, member institutions must comply with TRACS policies and procedures, and must provide compliance information, as requested, by TRACS staff and / or the Accreditation Commission in order to maintain membership. When an institution fails to comply with these requirements within the maximum allowable time period, the Accreditation Commission is required to take action against the institution in one of the ways defined in this policy.

A. Investigation of Possible Non-Compliance

When the President of TRACS determines from an institution's Annual Report, the findings of a staff visit, findings resulting from an official complaint filed against an institution, or from any other source available, that an institution may not be in compliance with one or more of the Accreditation Standards, the President of TRACS will, according to TRACS policy *BP207 – Institutional Staff Reviews*, initiate an Institutional Staff Review, if the alleged deficiencies are non-financial in nature (ISR), or an Institutional Staff Review – Financial, if the alleged deficiencies are financial in nature (ISR-F). In addition, if the Accreditation Commission determines from any sources available that an institution may not be in compliance with any Accreditation Standard, it may direct the President of TRACS to initiate an ISR / ISR-F of that institution.

The President of TRACS will send written notice of the initiation of an ISR / ISR-F to the institution within 30 days of the start of the review. This notification may be sent later than 30 days after the initiation of the ISR / ISR-F if additional information which requires further investigation becomes available during the first 30 days of the ISR / ISR-F. The notice will identify any areas with which the institution may be in non-compliance with the Accreditation Standards.

The institution must send to the TRACS office a written response to the notification of the ISR / ISR-F within 30 days of the date that the institution received the notification. At the discretion of the President of TRACS, a staff visit may be required within the 30 days allowed for the institution's response.

The institution's response must separately and fully address each area of possible non-compliance identified in the notification. The institution's response must either demonstrate compliance with the Accreditation Standard(s) in question, or if the institution is in non-compliance, supply the anticipated time frame for bringing the Accreditation Standard(s) in question into compliance.

Non-compliances with Accreditation Standards, which are discovered as a result of an Evaluation Team or Focus Team visit, will normally be addressed according to the review and response processes described in *BP305 – The Accreditation Process*. However, the review

and response processes outlined in *BP305* do not prevent the Accreditation Commission from taking any of the actions detailed in this policy (*BP211*) as deemed appropriate.

B. Definitions

TRACS considers Denial, Warning, Probation, Show Cause, and Termination of Accreditation to be adverse actions. Denial and Warning are not appealable actions. Denial is a public action, while Warning is non-public. Probation, Show Cause and Termination of Accreditation are appealable, public actions according to TRACS policy *BP219 - Appeals*. TRACS considers Termination of Accreditation as synonymous with Withdrawal, Suspension, and Revocation of Accreditation.

TRACS does not consider the monitoring and reporting processes associated with an Institutional Staff Review or an Institutional Staff Review – Financial (ISR / ISR-F) to be adverse actions, but as official compliance verification processes regarding Accreditation Standards with which the institution may be in jeopardy of falling into non-compliance if certain deficiencies are not addressed. The monitoring and reporting processes that take place while an institution is under ISR / ISR-F are not considered public actions.

C. Recommendation

After receiving and reviewing the institution's response to the notification of the ISR / ISR-F, the President of TRACS will make one of the following determinations:

1. If the President determines that the institution is in compliance with the Accreditation Standard(s) in question and that no follow-up action is required, within 30 days of this determination, the President of TRACS will send a written notice to the institution's Chief Executive Officer indicating the review has been completed and that no follow-up action is required. The President of TRACS will report on the review and determinations to the Accreditation Commission; however, the review and determinations will remain confidential.
2. If the President determines that, although the institution has demonstrated compliance with the Accreditation Standard(s) in question, the institution is or may be in jeopardy of falling into non-compliance with one or more Accreditation Standards unless certain deficiencies are addressed, the President of TRACS may require the institution to be placed under monitoring - Institutional Monitoring, for non-financial related deficiencies or Financial Monitoring, for financial related deficiencies. The institution will remain under monitoring until such time as the President of TRACS determines the institution has adequately addressed its deficiencies.

The Accreditation Commission may require any institution to be placed under Institutional Monitoring and / or Financial monitoring apart from the regular ISR / ISR-F review and recommendation process and apart from any other action imposed by the Accreditation Commission.

If it is determined that the institution will be placed under monitoring, either by the President of TRACS or by the Accreditation Commission, the President of TRACS will notify the institution within 30 days of the determination.

3. If the President determines that the institution is in non-compliance with one or more of the Accreditation Standards not associated with an Institutional Eligibility Requirement, that the institution is aware of such non-compliance, and that the institution is actively working to bring these areas into compliance, the President of TRACS may recommend

that the Accreditation Commission, at its next regularly scheduled meeting, place the institution on Warning. Warning status allows the institution time to come into compliance with the relevant Accreditation Standard(s) within an allowable time frame.

If a Warning action is recommended, the President of TRACS will notify the institution of the recommendation at least 30 days prior to the meeting where the recommended action will be considered.

If placed on Warning by the Accreditation Commission, the institution will receive notification within 30 days of the action, detailing the Accreditation Standard(s) with which the institution is in non-compliance, the process to be utilized for monitoring the institution's progress towards demonstrating compliance, and the time frame allowed for the institution to demonstrate compliance.

This provision for institutions to come into compliance within an allowable time frame is in keeping with CFR § 602.20(a), which requires an agency to take specific action whenever an institution is found not to be in compliance with any Accreditation Standard.

When such non-compliance is determined, federal regulations require that TRACS immediately take one of the following actions: (1) initiate adverse action against the institution or (2) require the institution to take appropriate action to bring itself into compliance with the agency's standards. If the Accreditation Commission selects option 2 and places the institution on Warning, it must limit the time frame for the institution to demonstrate compliance to the following:

- (i) Twelve months, if the program, or the longest program offered by the institution, is less than one year in length.
- (ii) Eighteen months, if the program, or the longest program offered by the institution, is at least one year, but less than two years, in length.
- (iii) Two years, if the program, or the longest program offered by the institution, is at least two years in length.

4. If the President determines that the institution is in substantial non-compliance with one or more of the Accreditation Standards, or with one or more Accreditation Standards associated with an Institutional Eligibility Requirement OR that an institution previously on Warning has not come into compliance with the applicable Accreditation Standard(s) within the allowable time frame, the President of TRACS must recommend that the Accreditation Commission, at its next regularly scheduled meeting, take a federally recognized adverse action (Probation, Show Cause or Termination of Accreditation) against the institution without further investigation.

If either Probation, Show Cause or Termination of Accreditation is recommended, the President of TRACS will notify the institution of the recommendation at least 30 days prior to the meeting where the recommended action will be considered. The notification will specifically identify the Accreditation Standard(s) with which the institution is not in compliance and will specify the recommended adverse action to be considered.

Under 34 CFR § 602.20(b) "[i]f the institution or program does not bring itself into compliance within the specified period, the agency must take immediate adverse action unless the agency, for good cause, extends the period for achieving compliance." This regulation means that extensions for "good cause" will not be the

normal procedure and will not be used repeatedly.

D. Degrees of Non-Compliance

The degree of institutional non-compliance will fall into one of the following categories. The determined degree of non-compliance will serve as the basis for the specific recommended adverse action to be considered by the Accreditation Commission:

1. **The institution's non-compliance with the Accreditation Standards is relatively insignificant, does not involve any of the Accreditation Standards associated with an Institutional Eligibility Requirement, and does not rise to the level where the institution's ability to fulfill its mission or to provide a quality educational experience consistent with that associated with an accredited post-secondary institution is in question.**

This determination reflects a level of non-compliance which must be corrected by the institution, and requires the imposition of an adverse action by the Accreditation Commission. It is a level of non-compliance which, in the professional judgment of the members of the Accreditation Commission, the institution will be able to correct within the time frame allowable by federal regulation and which the institution has, or can reasonably obtain, the resources needed to correct. Such a determination would normally require the Accreditation Commission to place the institution on non-public Warning.

2. **The institution's non-compliance with the Accreditation Standards is substantively significant and / or concerns one or more of the Accreditation Standards associated with an Institutional Eligibility Requirement, and rises to the level where the institution's ability to fulfill its mission or to provide a quality educational experience consistent with that associated with an accredited post-secondary institution is in question.**

This determination reflects a level of non-compliance which must be corrected by the institution, and requires the imposition of an adverse action by the Accreditation Commission. It is a level of non-compliance which, in the professional judgment of the members of the Accreditation Commission, the institution must correct immediately and which the institution has, or can reasonably obtain, the resources needed to correct. Such a determination would normally require the Accreditation Commission to place the institution on public Probation.

3. **The institution's non-compliance with the Accreditation Standards is substantively significant and / or concerns one or more of the Accreditation Standards associated with an Institutional Eligibility Requirement, and immediately threatens the institution's ability to fulfill its mission or to provide a quality educational experience consistent with that associated with an accredited post-secondary institution.**

This determination reflects a level of non-compliance which must be corrected by the institution, and requires the imposition of an adverse action by the Accreditation Commission. It is a level of non-compliance which, in the professional judgment of the members of the Accreditation Commission, the institution must correct immediately and which the institution may not have the resources needed to correct. Such a determination would normally require the Accreditation Commission to place the institution on public Show Cause or, in the case of an institution which has already been placed on Show Cause, public Termination of Accreditation.

E. Accreditation Commission Action

The Accreditation Commission may only act on a recommendation for an adverse action when the recommendation is received by the relevant institution at least 30 days prior to the

Accreditation Commission's consideration of the recommendation. An exception to this 30 day requirement may occur when (1) the President of TRACS determines that an institution's non-compliance with the Accreditation Standards is substantively significant and immediately threatens the institution's ability to fulfill its mission or to provide a quality educational experience consistent with that associated with an accredited post-secondary institution; or (2) the investigation could not be completed in time to make the recommendation at least 30 days before the Accreditation Commission's meeting; and (3) the President of TRACS notifies the institution of the possibility of such a recommendation at least 30 days before the Accreditation Commission's meeting, and the President of TRACS makes the recommendation for adverse action at least 5 days before the Accreditation Commission's meeting.

When recommending that an adverse action be taken, the President of TRACS will provide all relevant information on the institution to the Accreditation Commission at least 30 days in advance of the Commission meeting where the adverse action is to be considered. The Commissioners will review the information related to the recommended action to determine if the recommendation of the President of TRACS is appropriate. The President of TRACS may require a staff visit to the institution to gather additional information which may be needed to prepare the report for the Accreditation Commission's review.

In all instances where the Accreditation Commission will consider taking an adverse action against an institution, the institution will be given an opportunity to respond in writing to the President of TRACS's recommendation and to appear before the Accreditation Commission to answer questions or to provide any information which became available only after the President of TRACS prepared the recommendation to the Accreditation Commission. The opportunity to appear applies to all meetings where the Accreditation Commission is scheduled to consider taking an adverse action against the institution. During the institution's appearance, the Accreditation Commission will allow the institution an appropriate amount of time for the presentation of relevant information and to answer questions posed by the Commissioners. The Accreditation Commission will determine if an adverse action is warranted after the institutional representatives have been excused from the meeting.

If no institutional representative is present to provide information or answer questions from the Accreditation Commission and hear the Commission's final decision regarding the adverse action, the President of TRACS will communicate the decision of the Accreditation Commission to the institution following the conclusion of the meeting. In all cases, the President of TRACS will send written notice of the decision of the Accreditation Commission to the institution within 30 days of the decision. This notification will specify the Accreditation Standard(s) with which the institution is not in compliance.

The various adverse actions are not necessarily sequential. Where circumstances warrant, the President of TRACS may recommend that the Accreditation Commission consider any appropriate adverse action as the first action taken against an institution.

The Accreditation Commission can only take an adverse action against a member institution when at least fifty-one percent of the members present at the meeting affirmatively vote to take the action.

The Accreditation Commission or the President of TRACS may require staff, Focus Team, or Evaluation Team visits to any institution against which the Accreditation Commission has taken an adverse action.

At each regular meeting of the Accreditation Commission, the President of TRACS will report on each institution against which the Accreditation Commission has previously taken adverse action in cases where that adverse action has not been removed. The report will include a summary of any actions the institution has taken to correct its deficiencies and

come into compliance with the Accreditation Standards. The President of TRACS may include any other relevant information, including a recommendation that the Accreditation Commission remove the adverse action against the institution. If the Accreditation Commission determines, at any time, that an institution is in compliance with the Accreditation Standards, the Accreditation Commission, on its own initiative and without a recommendation from the President of TRACS, may remove the institution from adverse action.

F. Institutions Seeking Accreditation or Reaffirmation of Accreditation

Candidate institutions seeking accreditation or accredited institutions seeking reaffirmation of accreditation that are determined by the Accreditation Commission to be in non-compliance with one or more Institutional Eligibility Requirements, or in significant non-compliance with any other Accreditation Standard(s) at the time of their appearance before the Commission will be denied accreditation or reaffirmation of accreditation. If the institution is already accredited, the institution will not only be denied reaffirmation, but will be placed under a public adverse action (Probation or Show Cause) as deemed appropriate by the Commission.

Institutional accreditation may not be granted or reaffirmed while an institution is under adverse action, but the institution's current status of recognition will be maintained. Denial of accreditation or reaffirmation of accreditation is non-appealable and will not affect the normal accreditation review cycle for that institution. Denial is a public action.

G. Implications of Adverse Action

1. Warning

- a. Warning is imposed when an institution's non-compliance with the Accreditation Standards is not significant, does not involve any of the Accreditation Standards associated with an Institutional Eligibility Requirement, and does not rise to the level where the institution's ability to fulfill its mission or to provide a quality educational experience consistent with that associated with an accredited postsecondary institution is in question.
- b. Warning is a non-appealable, non-public action and serves as an indication that the institution is in jeopardy of further adverse action if the specified Accreditation Standards with which the institution is in non-compliance are not brought into compliance within the time frame allowed.
- c. In addition to its Annual Report, an institution on Warning must submit regular reports to TRACS specifically detailing its progress toward demonstrating compliance with the specified Accreditation Standard(s), including the anticipated time frame for bringing deficient area into compliance.
- d. If the institution demonstrates compliance with the Accreditation Standard(s) within the time frame allowed, the Accreditation Commission will remove the institution from Warning.
- e. If the institution does not demonstrated compliance with the Accreditation Standard(s) within the time frame allowed, the Accreditation Commission will impose a further adverse action. Normally the adverse action to be imposed will be Probation.

2. Probation

- a. Probation is imposed when:
 - i. An institution did not remove its Warning within the original time frame allowed;
 - ii. An institution's non-compliance with the Accreditation Standards is substantively significant, and / or involves one or more of the Accreditation Standards

associated with an Institutional Eligibility Requirement, and rises to the level where the institution's ability to fulfill its mission or to provide a quality educational experience consistent with that associated with an accredited post-secondary institution is in question.

- b. Probation is an appropriate first adverse action for an institution which has had a sudden or dramatic negative change such as loss of financial resources.
 - c. Probation is an appealable, public action. An institution placed on Probation will be so identified on the TRACS website. In addition, any person inquiring about the accreditation status of an institution on Probation will be informed of the status. Additionally, the institution must accurately present this status in all publications and communications including the institution's website. Such institutional notification must occur no more than 30 days after the action becomes final.
 - d. In addition to its Annual Report, an institution on Probation must submit regular reports to TRACS specifically detailing its progress toward demonstrating compliance with the specified Accreditation Standard(s), including the anticipated time frame for bringing deficient area into compliance.
 - e. Institutions placed on Probation may be granted up to one year from the date of the meeting at which the institution was placed on Probation to demonstrate compliance with the Accreditation Standards.
 - f. If the institution demonstrates compliance with the Accreditation Standards within the time frame allowed, the Accreditation Commission will remove the institution from Probation.
 - g. If the institution has not corrected its deficiencies and demonstrated compliance with the Accreditation Standards within the period allowed, the Accreditation Commission will either:
 - i. Grant an extension of Probation for no more than six months. An extension may only be granted one time and is not granted as a matter of right; or
 - ii. Require the institution to Show Cause why its accreditation should not be terminated.
3. Show Cause
- a. The requirement to Show Cause why an institution's accreditation should not be terminated will be required when:
 - i. An institution did not remove its Probation in the initial period allowed of no more than one year;
 - ii. An institution did not remove its Probation in any additional time frame allowed, if the Accreditation Commission granted the institution an extension of Probation of not more than six months;
 - iii. An institution fails to provide, in a timely manner, the reports required of an institution against which an adverse action has been taken;
 - iv. An institution's non-compliance with the Accreditation Standards is substantively significant, and / or involves one or more of the Accreditation Standards associated with an Institutional Eligibility Requirement, and immediately threatens the institution's ability to fulfill its mission or to provide a quality educational experience consistent with that associated with an accredited postsecondary institution; or
 - v. An institution's non-compliance with any Accreditation Standard has not been corrected within two years (or less if the institution's longest program is less than two years).
 - b. Show Cause is an appropriate first adverse action for an institution in those limited circumstances where:
 - i. An institution has had a sudden or dramatic negative change which threatens its

- very survival;
 - ii. An institution ignores or refuses to respond to the President of TRACS or the Accreditation Commission;
 - iii. An institution fails to provide, in a timely manner, the reports required of an institution against which an adverse action has been taken;
 - iv. The President of TRACS determines from the totality of information available that an institution's circumstances warrant such an action; or
 - v. An institution's non-compliance with any Accreditation Standard has not been corrected within two years (or less if the institution's longest program is less than two years).
- c. Show Cause is an appealable, public action. An institution required to Show Cause will be so identified on the TRACS website. In addition, any person inquiring about the accreditation status of an institution required to Show Cause will be informed of the status. Additionally, the institution must accurately present this status in all publications and communications including the institution's website. Such institutional notification must occur no more than 30 days after the action becomes final.
- d. Institution's required to Show Cause must submit a written report to the TRACS office which provides all of the institution's reasons that the Accreditation Commission should not terminate its accreditation. This report is required in addition to any other report(s) specifically required by the Accreditation Commission. The Accreditation Commission may interpret a failure to submit this report on time as an indication that the institution acknowledges its non-compliance with the Accreditation Standards. The report must:
- i. Address all of the actions it has taken to remedy its deficiencies and demonstrate compliance with the Accreditation Standards;
 - ii. Include a Teach-Out Plan; and
 - iii. Be received within 60 days of the day the official notice of the Show Cause action is received by the institution.
- e. If, after staff review of the report and supporting documentation, it is determined that the institution has demonstrated compliance with the Accreditation Standards before the first regular meeting of the Accreditation Commission following the meeting where the Accreditation Commission voted to require the institution to Show Cause, the Accreditation Commission shall remove all adverse action against the institution.
- f. If, after staff review of the report and supporting documentation, it is determined that the institution has not demonstrated compliance with the Accreditation Standards before the first regular meeting of the Accreditation Commission following the meeting where the Accreditation Commission voted to require the institution to Show Cause, the Accreditation Commission will either:
- i. Terminate the institution's accreditation; or
 - ii. Place the institution on Probation in extenuating cases where significant progress has been made toward correcting the identified deficiencies.
 - 1) This can only be granted one time.
 - 2) This cannot be extended for an additional year.
 - 3) The total amount of time granted to the institution for demonstrating compliance may not exceed the amount of time allowable by federal regulation.

H. Notification of Commission Action

No more than 30 days after a decision of the Accreditation Commission to impose an adverse action occurs, the President of TRACS shall notify the institution of that decision. If the adverse action imposed is Probation, Show Cause, or Termination of Accreditation, in

In addition to notifying the institution of the decision, TRACS will also notify the U.S. Secretary of Education, appropriate state agencies, the appropriate accrediting agencies, and the public, all within the 30-day notification period. The public notice will be accompanied by a statement that the action will not take effect until the time period for filing an appeal of the action has expired or, if an appeal is filed, until the final decision of an Appeal Committee has been made concerning the appeal.

In all notifications, TRACS will specify the basis for the decision to impose the adverse action.

I. Appeals

Probation, Show Cause and / or Termination of Accreditation are appealable adverse actions. Institutional appeals must follow the guidelines specified in TRACS policy *BP219 – Appeals*.

J. Final Disposition

If an institution does not appeal a decision of the Accreditation Commission to impose an adverse action, the decision of the Accreditation Commission becomes final one day after the last day allowed for filing an appeal. If an institution files a timely appeal, the disposition of the institution relative to the adverse action will be determined by the processes outlined in *BP219 - Appeals*.

K. Final Notification of Disposition

If no appeal to an adverse action is filed by the institution, the original notification of adverse action shall serve as the final notification.

If a decision of the Accreditation Commission is appealed by the institution and after the appeal process has been completed, the President of TRACS shall notify the institution, the U.S. Secretary of Education, appropriate state agencies, the appropriate accrediting agencies, and the public of the final decision of the Appeal Committee.

In all notifications, TRACS will specify the basis for the final disposition.

L. Institutional Comments Regarding an Adverse Action

An institution which has been the subject of a public adverse action may provide the President of TRACS with any official written comments it wishes to make with regard to the action. The President of TRACS must receive these comments no later than 30 days after the adverse action has become final. TRACS will provide these comments to the U.S. Secretary of Education, the appropriate state agencies, the appropriate accrediting agencies, and the public no later than 30 days after receipt of the comments.

M. Time Allowed for Notifications and / or Responses

If the last day allowed for a notification by TRACS and / or responses or comments by the institution is a Saturday, Sunday, or legal holiday, the next business day will be deemed the last day.

N. Means of Notification, Responses, and Comments

The President of TRACS may notify an institution on any matter noted in this policy by either electronic or hard copy means. Any hard copy notice that the President of TRACS sends to

an institution shall be sent by any service which requires a signature at the time of delivery. The earlier of the dates of the electronic notification or when any representative of the institution signs accepting delivery of the written notice is deemed to be the date of notification.

The institution may submit responses and / or comments by either electronic or hard copy means. Any hard copy notice that the institution sends to TRACS shall be sent by any service which requires a signature at the time of delivery. The earlier of the dates of the electronic notification or when any representative of TRACS signs accepting delivery of the written notice is deemed to be the date of submission.

O. Summary of Timelines for Notifications, Responses, and Comments

The following chart presents a summary of the timelines for the submission of notifications, responses, and comments related to the ISR / ISR-F processes and potential subsequent adverse actions. The parties responsible for such submissions are noted. This chart may be used by the institution and by TRACS to ensure that all timelines prescribed in this policy are met.

Action Item	Activity/Date	Deadline	Completed
TRACS – Within 30 days of initiating an ISR / ISR-F regarding an institution for possible non-compliance with Accreditation Standards, TRACS will notify the institution that an ISR / ISR-F has been initiated.			
Institution – Within 30 days of receiving notification that TRACS has initiated an ISR / ISR-F, the institution must respond to the noted areas of possible non-compliance.			
<p>TRACS – After the completion of the review of the institution’s responses, TRACS will notify the institution regarding the disposition of the ISR / ISR-F.</p> <p>If it is determined that the institution is in compliance and that no further investigation or action is required, the President of TRACS shall notify the institution within 30 days of making the determination.</p> <p>If it is determined that the institution is in non-compliance with one or more Accreditation Standards, and an adverse action is recommended, the institution must receive notification of the recommendation at least 30 days before the Accreditation Commission meeting where the recommendation for adverse action is to be considered.</p>			
TRACS – If an adverse action is			

<p>recommended, the President of TRACS shall supply all relevant information regarding the recommended action to the Accreditation Commission at least 30 days before the Accreditation Commission meeting where the recommendation for adverse action is to be considered.</p>			
<p>TRACS – Within 30 days of the Accreditation Commission’s decision regarding the recommendation for adverse action, TRACS will officially notify the institution of the decision.</p> <p>If the decision is to impose an adverse action, notification will be sent to the institution, and to the U.S. Secretary of Education, appropriate state agencies, appropriate accrediting agencies and the public as appropriate</p>			
<p>Institution – If an appealable adverse action is imposed by the Accreditation Commission, within 14 days of receiving the official notification of the decision, the institution may file an appeal of the decision.</p> <p>If no appeal is received within this time frame, the decision of the Accreditation Commission will become final on the day after the appeal period ends. (see <i>BP219 - Appeals</i>)</p>			
<p>Institution – Within 30 days of the date a public adverse action becomes final, either by the fact that the institution does not appeal the action, or by final decision of an Appeal Committee, the institution must accurately present their status with TRACS, including a statement regarding the adverse action, in all appropriate publications and communications including on the institution’s website.</p>			
<p>Institution – Within 30 days of the date a public adverse action becomes final, the institution may submit comments to TRACS regarding the action.</p>			

<p>TRACS – If the institution submits comments, TRACS shall provide these comments to the U.S. Secretary of Education, appropriate state agencies, appropriate accrediting agencies and the public within 30 days of receipt of the comments.</p>			
<p>If the Adverse Action is Show Cause</p>			
<p>Institution – Within 60 days of receiving official notification that a Show Cause action has been imposed, the institution must submit to the TRACS office a written report which provides all of the institution’s reasons that the Accreditation Commission should not terminate its accreditation.</p>			
<p>Institution – Within 60 days of receiving official notification that a Show Cause action has been imposed, the institution must submit a Teach Out Plan to the TRACS office.</p>			

PROPOSED

BP219

Appeals

Reference: None
Adoption Date: June 2000
Last Revision Date: April 2019

An appeal is defined as a request for an independent reconsideration of an action of the Accreditation Commission which results in a specific adverse action as defined by TRACS Policy BP211. Any institution holding Applicant, Candidate, or Accredited status with TRACS may appeal a decision of the Accreditation Commission which results in either Probation, Show Cause, or Termination of Accreditation. An institution may make only one appeal to such adverse actions. Actions to place an institution on Warning or to Defer a vote of the Accreditation Commission are not appealable. When the Accreditation Commission takes an appealable adverse action against an institution, the President of TRACS shall include a copy of this policy with the written notification of the Accreditation Commission's action. Throughout the appeal process, the institution filing the appeal bears the burden of proof.

A. Grounds for an Appeal

1. An institution may base its appeal on grounds that the action of the Accreditation Commission was:
 - a. Based on misinformation;
 - b. Based on factual error;
 - c. Based on bias;
 - d. Arbitrary;
 - e. The result of the Accreditation Commission's failure to follow its published procedures;
or
 - f. Based solely on financial information and the institution is able to produce verified information that the financial problems which led to the adverse action have been corrected
2. An appeal based on a ground not identified under item 1 above will not be considered.

B. Filing an Appeal

1. An institution's appeal must be authorized by its governing board as demonstrated in board minutes.
2. The request must be received by the President of TRACS within fourteen days of the date the institution received official notification of the adverse action.
3. The request for an appeal must include payment in full for all outstanding fees and reimbursements due to TRACS and a deposit of \$15,000 to cover TRACS expense for the appeal.
 - a. A request for an appeal without payment in full for all outstanding fees and reimbursements due to TRACS and a check for \$15,000 will be considered insufficient and will not be processed unless such payment is received within the fourteen-day deadline.
 - b. If payment in full for all outstanding fees and reimbursements due to TRACS and a check for \$15,000 is not received within the fourteen-day deadline, the institution will

be deemed to have waived its right to an appeal and the adverse action taken by the Accreditation Commission will become final.

4. The request for an appeal must state specifically the action which is being appealed (A., 1. a. - f.) and the specific grounds for the appeal. The request for an appeal may not be amended after the deadline for its receipt by TRACS.
5. The institution must identify any dates when its Chief Executive Officer or his/her designee would not be available to appear before an Appeal Committee.

The appeal process will follow the steps outlined below (C. through M.).

C. The Appeal Committee

Upon the receipt of an appropriately filed appeal, the President of TRACS shall assemble an Appeal Committee to hear and render a decision regarding the appeal. An Appeal Committee shall consist of five members. Appeal Committee members shall either be full-time administrators of an institution accredited by TRACS, faculty members from either member or non-member institutions, or public representatives. At least one member of the Appeal Committee shall represent the public and at least one member of the Appeal Committee shall be a faculty member. Current members of the Accreditation Commission may not serve on an Appeal Committee. Appeal Committee members must be free from Conflicts of Interest, as defined by the TRACS Conflict of Interest Policy (BP113), in order to qualify for service on an Appeal Committee.

1. Within fourteen days of the date TRACS receives a notice of appeal, the President of TRACS shall provide to the institution the names and affiliations of nine potential Appeal Committee members (including two public representatives and two who are faculty members).
2. If the institution has reason to believe that any of the proposed members of the Appeal Committee would be unable to render an unbiased decision, the institution will have seven days from the date it receives the names of the potential Appeal Committee members to request that any of the potential members be excluded from the Appeal Committee. The request for exclusion must state the specific reason(s) for the belief that the identified individual(s) would be unable to render an unbiased decision and must meet the criteria detailed in the TRACS Conflict of Interest Policy. (BP113)
3. Once chosen to serve on an Appeal Committee, the members shall receive detailed training specific to the appeal before the appeal process begins. This training includes information regarding TRACS appeals policies, procedures, Accreditation Standards, conflicts of interest, and the role of a member of an Appeal Committee. All members of an Appeal Committee will sign a "Conflict of Interest Form" before hearing the appeal. Conflicts of Interest for Appeal Committee members are defined in the TRACS Conflict of Interest Policy. (BP113)
4. The President of TRACS shall review any request to exclude a proposed member of the Appeal Committee and evaluate that request against the TRACS conflict of interest policy, *BP113 - Conflicts of Interest*.
 - a. If the President of TRACS accepts the institution's request to exclude a potential member, that person will not serve on the Appeal Committee.
 - b. If at least five potential members remain, the President of TRACS shall select the five who will serve on the Appeal Committee and appoint a Chair from among those members.
 - c. If fewer than five potential members remain, the President of TRACS shall identify additional potential members of the Appeal Committee and present those potential members to the institution for consideration.
 - d. The procedures detailed above will be used with additional potential members of the Appeal Committee

- e. The President of TRACS shall follow the procedures in this section until there are five members of the Appeal Committee, including at least one member who represents the public and one member who is a faculty member.
- f. If the President of TRACS does not honor an institution's request to exclude a potential member of the Appeal Committee, the President of TRACS shall provide a written explanation for that decision to the institution. Such a decision is not appealable.

D. Institutional Documentation

1. All supporting documentation which the institution wishes to have considered by the Appeal Committee must be submitted within sixty days of the date the institution received notice from the President of TRACS of the adverse action. The documentation must clearly show its relevance to the specific grounds for the appeal.
2. Only documentation of actions completed by this deadline will be presented for consideration in the appeal. Actions which are proposed to occur or will be completed after this deadline will not be considered in the appeal.
3. The documentation for each action completed must clearly state whether the institution's actions occurred before or after the adverse action was imposed.

E. Time and Location of Meeting with the Appeal Committee

1. The President of TRACS will select a date for the meeting that is at least thirty days, but no more than sixty days from the last day the institution has to submit its documentation.
2. The date selected for the meeting shall not be a date identified in the notice of appeal as one when the Chief Executive Officer of the institution or his/her designee cannot be present, unless there is no alternative available within the required timeframe.
3. The meeting will be scheduled for one day, with the members scheduled to arrive the day before the meeting and leave the day after the meeting.
4. The President of TRACS shall select a venue for the meeting which minimizes the institution's expenses.

F. Procedures of Appeal Committees

1. The Chair of the Appeal Committee shall preside at the meeting of the Appeal Committee and make rulings regarding time limits; admissibility of evidence, and procedural matters.
2. Appeal Committee meetings are closed to the public.
3. The institution may have no more than six individuals present, one of whom is the Chief Executive Officer or his/her designee, and all who are present must be able to speak to the grounds for appeal. No consultants may be present.
4. The institution may be represented by counsel and counsel may participate in the institution's presentation.
5. TRACS may have no more than six individuals present, other than the members of the Appeal Committee, and all who are present must be able to speak to the grounds for the adverse action.
6. TRACS may be represented by counsel and counsel may participate in TRACS presentation.
7. Presentations:
 - a. The institution will make a presentation of no more than one hour and will be heard first followed by questions from the Appeal Committee.
 - b. TRACS will make a presentation of no more than one hour followed by questions from the Appeal Committee.
 - c. Counsel for the institution or TRACS may present or assist in the presentations.
 - d. Only the representatives of the institution are to be present in the hearing during the institution's presentation and only TRACS representatives are to be present in the hearing during the presentation by TRACS.

8. Appeals are administrative hearings and thus not subject to the rules of evidence and procedure.
9. The institution may not challenge the competency of members of the Appeal Committee.
10. Only members of the Appeal Committee may ask questions.
11. The Appeal Committee will record the proceedings when the institution is present, but not during its consideration and discussions regarding evidence and not when voting. The institution may request a transcript of the proceedings, with the cost of the transcript included in its costs for filing the appeal.

G. Decision of the Appeal Committee

1. The Appeal Committee shall consider the evidence presented after the representatives of the institution and TRACS have been excused.
2. The Appeal Committee shall review the evidence of the institution's compliance with TRACS Standards as of the time the Accreditation Commission imposed the adverse action and any evidence that the institution has come into compliance TRACS Standards up to the deadline for submission of institutional documentation.
3. The Appeal Committee shall give no weight to evidence which demonstrates partial compliance with TRACS Standards or which indicates that compliance may occur after the deadline for submission of institutional documentation.
4. All decisions made by the Appeal Committee shall be reached by majority vote of its members.
5. The Appeal Committee shall affirm the decision of the Accreditation Commission if it finds the institution has not demonstrated, as appropriate to the appeal that the action of the Accreditation Commission was:
 - a. Based on misinformation;
 - b. Based on factual error;
 - c. Based on bias;
 - d. Arbitrary;
 - e. The result of the Accreditation Commission's failure to follow its published procedures;
 - or
 - f. Based solely on financial information and the institution is able to produce verified information that the financial problems which led to the adverse action have been corrected.
6. If the Appeal Committee finds the institution has demonstrated, as appropriate to the appeal, that the action of the Accreditation Commission was based on one of the factors noted in G, 5, a-f above, and in the case of a decision based solely on financial information (f), the Accreditation Commission would not have issued an adverse action if the subsequently produced information had been available to the Accreditation Commission; the Appeal Committee shall amend or reverse the decision of the Accreditation Commission. In such cases, an applicant institution which was denied Candide status by the Accreditation Commission must be found to be in compliance with all Institutional Eligibility Requirements (IERs) if the Appeals Committee chooses to amend or reverse the decision of the Accreditation Commission.
7. If the Appeal Committee, based on the information available, determines that it is unable to affirm, amend, or reverse the decision of the Accreditation Commission or that an Applicant institution is not in compliance with all IERs, it shall remand the decision to the Accreditation Commission for further consideration. In doing so, the Appeal Committee shall identify specific issues that the Accreditation Commission must address.
8. The Appeal Committee shall forward its findings and final decision regarding the appeal to the President of TRACS, the institution's Chief Executive Officer, and the Chair of the institution's governing board within fourteen days of the date of the hearing. This notice shall be sent by electronic means, Express Mail or its equivalent.

H. Effect of the Appeal Committee's Decision

1. The decision of the Appeal Committee is final and not subject to further appeal.
2. The Accreditation Commission shall act in a manner which is consistent with the decision of the Appeal Committee.
3. If the Appeal Committee affirms the decision of the Accreditation Commission, the adverse action imposed by the Accreditation Commission is in effect as of the date of the Appeal Committee's notice to the institution.
4. If the Appeal Committee reverses the decision of the Accreditation Commission, the institution shall maintain the accreditation status held by the institution before the adverse action was imposed by the Accreditation Commission.
5. If the Appeal Committee amends the decision of the Accreditation Commission, the Accreditation Commission shall act on the decision at its first meeting following the notice of amendment and apply the amended adverse action as of the date of that meeting.
6. If the Appeal Committee remands the decision of the Accreditation Commission for further consideration, the Accreditation Commission shall give consideration to the specific issues identified by the Appeal Committee at its first meeting following the notice of remand. The Accreditation Commission shall provide the Appeal Committee and the institution with its findings within fourteen days of the date of the meeting at which it was considered. The institution may provide the Appeal Committee with any written response to the Accreditation Commission's findings it determines appropriate within thirty days of the date it received the findings.

I. Costs of an Appeal

1. If TRACS costs of the appeal exceed the \$15,000 deposit paid by the institution, TRACS shall provide the institution with a statement of the amount of the additional costs. The institution is to pay these costs within thirty days of receiving the statement.
2. If TRACS costs of the appeal are less than the \$15,000 deposit paid by the institution, TRACS shall provide a refund of the unused amount to the institution. This refund shall be sent to the institution within 30 days of determining TRACS final costs of the appeal.
3. The institution shall be responsible for its own costs associated with the appeal.

J. Withdrawal of Appeal.

1. An institution may withdraw its request for an appeal at any time up to the start of the hearing.
2. The institution's governing board must authorize such a request.
3. If the institution withdraws its request after the fourteen-day limit for filing an appeal has passed, the institution will not be able to refile the appeal and the adverse action being appealed will continue in force as a final decision with the effective date being the date of the written notice withdrawing the appeal.
4. If the institution withdraws its appeal it will be liable for any expenses already incurred by TRACS for the process to that point.

K. Computation of Time

1. The counting of days begins on the day after the triggering event.
2. If the last day allowed for a response is a Saturday, Sunday, or legal holiday, the next business day will be deemed to be the last day.

L. Notifications

1. Any notice that the TRACS President sends to an institution regarding an appeal shall be sent either electronically with response requested or by any delivery method that requires a signature upon delivery.
2. The date any representative of the institution signs accepting delivery of the notice is deemed to be the date of notification.
3. Institutional replies should be sent either electronically with response requested or by any delivery method that requires a signature upon delivery.
4. The date a representative of TRACS signs the return receipt shall be deemed the date of notification.

M. Institutional Status During Appeal and Public Notice

1. During the appeal an institution shall maintain the status it held with TRACS prior to the adverse action.
2. Inquiries regarding the accreditation status of an institution which is being appealed shall be answered by explaining the adverse action the Accreditation Commission took against the institution and that the institution is appealing that action.
3. Public notice of an adverse action in accord with TRACS policy shall be made once an appeal is withdrawn or the Appeal Committee has issued its decision.

PROPOSED

BP223

Dual Enrollment

Reference: None

Adoption Date: TBD

Last Revision Date: TBD

For TRACS purposes, "Dual Enrollment" refers to courses taught to high school students for which the students receive both high school credit and college credit, regardless of location or mode of delivery. This would include courses and programs that may be offered under different names such as "Early College," "Dual Credit," or "Concurrent Enrollment."

The academic rigor of such coursework must match the quality of other institutional coursework, regardless of location or mode of delivery. Institutions must ensure that their dual enrollment courses and programs comply with TRACS Accreditation Standards. This expectation applies to all such educational programs and services, wherever located or however delivered. Institutions offering dual enrollment courses and programs must demonstrate clear institutional control over these courses and programs.

With the understanding that the TRACS Accreditation Standards apply to all courses and programs of the institution, regardless of mode of delivery, institutions, peer evaluators, TRACS staff and the Accreditation Commission should consider the following expectations when implementing, reporting on, evaluating, and / or approving of dual enrollment courses and programs.

1. Institutional Changes

Institutions not previously approved to offer dual enrollment courses and programs that desire to add dual enrollment course and programs to its scope of recognition with TRACS must seek and obtain approval from TRACS utilizing the TRACS supplied Institutional Change Form. Such approval may be granted by the President of TRACS and may require a review of off-campus instructional sites where dual enrollment courses and programs are offered and may also include a review of the use of a cooperative academic arrangement to deliver courses.

2. Faculty

The institution must ensure appropriate faculty qualifications for those who provide instruction for dual enrollment courses. These faculty members must possess the same academic credentials and/or documented professional experience required by the institution of all of its faculty. Graduate teaching assistants, if they are the instructor of record and providing direct instruction, should meet the same academic and/or professional criteria. In all cases, the institution bears responsibility for documenting and justifying the qualifications of its dual enrollment instructors, and these faculty members should be included on the institution's Instructional Staff Listing.

3. Curriculum and Instruction

For all dual enrollment courses offered, the institution must employ sound and acceptable practices for determining the amount and level of credit awarded. Course content and rigor of dual enrollment courses must be comparable to that of the same courses taught to the

institution's other students. Dual enrolment courses that are delivered via Distance Education, as defined by TRACS, may only be offered by institutions already approved to offer Distance Education courses / programs by TRACS or by another accrediting agency recognized by the U.S. Department of Education.

4. Institutional Effectiveness

Dual enrollment students must be included in all applicable assessment processes used to ensure the effectiveness of campus-based courses and programs.

5. Library and Learning Resources

Dual enrollment students must have access to appropriate library / learning resources, and the institution must demonstrate that students are able to use such resources effectively. If the high school is the provider of these resources, the institution must determine the appropriateness of the collections for the courses and programs offered. The institution must ensure that its students have access to regular and timely instruction in the use of library / learning resources.

6. Academic and Student Support Services

Academic support services must prove appropriate for the courses and programs offered. Institutions must ensure that dual enrollment students are appropriately advised regarding the collegiate curriculum. Student support services must be appropriate for dual enrollment students.

Institutions must have an adequate and published procedure for resolving written student complaints, and the institution must follow its policies and procedures. The institution must ensure that its dual enrolled students are appropriately oriented regarding their rights and responsibilities. Documented procedures assure that security of personal information is protected.

7. Admissions and Transparency

The institution must implement appropriate eligibility and placement procedures to ensure that potential dual enrollment students are prepared for college-level courses. Dual enrollment students are usually admitted under exceptions to an institution's published admissions policies, and the institution must follow commonly accepted practices in making such exceptions.

Advertising, recruiting, and admissions information must adequately and accurately represent the programs, requirements, and services available to students. Statements and other representations regarding the ability to transfer credit earned in dual enrollment programs and courses must be accurate and complete. The institution must ensure that its registration and transcription practices for dual enrollment students are consistent with those in effect for all other students.

8. Facilities

Dual enrollment courses must be offered in adequate physical facilities, whether under the control of the institution or under the control of the high school where dual enrolment course are taken.

NOTE: High schools partnering with institutions for dual enrollment courses are not considered Teaching Sites (as defined in *BP228 - Teaching Site*), however the physical location of such high schools is to be reported to TRACS as a part of the reporting and compliance requirements for items 1-8 above.

PROPOSED

BP305

The Accreditation Process

Reference: §602.15(a), §602.18, §602.22(b)

Adoption Date: June 2000

Last Revision Date: February 2019

Accreditation in the United States (US) is voluntary and non-governmental in nature. TRACS provides accreditation for Christian liberal arts colleges, universities, graduate schools, seminaries, Bible colleges and institutes that offer certificates, diplomas, associate degrees, bachelor degrees, and/or graduate degrees. TRACS provides *Institutional Accreditation* which means the institution as a whole is accredited rather than just the programs offered by the institution. TRACS geographic scope is international.

Compliance with TRACS Standards and the accreditation status associated with this compliance is based on peer review. Evaluation Teams conduct on-site visits to institutions seeking candidacy, accreditation or reaffirmation.

Institutions located outside of the US or its territories will comply with US norms and TRACS Standards, unless there is a legal requirement for a variation, national norms in the country in which the institution is located requiring a variation, or if to do so would jeopardize the health or safety of the employees.

There are four major steps included in the process of seeking accreditation at its various levels:

1. Self-Study and Self-Study Report

A comprehensive institutional Self-Study serves as a basis for the Evaluation Team Visit. The institution conducts their Self-Study following the procedures detailed in the TRACS publications *Self-Study Guidelines*, *Resource Manual*, and *Steps Toward Accreditation*. The institution's Self-Study Report addresses the level of compliance with each of the TRACS Standards. The Self-Study serves as the basis of the on-site Evaluation Team's review.

The TRACS Standards as presented in the *Accreditation Manual* are the basis of the Self-Study and the analysis of the Evaluation Team.

2. Evaluation Team Visit and Evaluation Team Report

The goals of the Evaluation Team are to determine if the institution is in compliance with the TRACS Standards, to identify areas in need of improvement, to validate the Self-Study Report, and to make a recommendation concerning the institution's accreditation status to the Accreditation Commission.

The Evaluation Team members evaluate the adequacy and accuracy of the Self-Study Report and serve as collegial consultants to the institution by presenting Findings, Recommendations and Suggestions for improving its operations and programs. These Findings, Recommendations and Suggestions are found within the Evaluation Team Report that is prepared during the visit and provided to the institution at the conclusion of the visit.

Complete information concerning the activities and processes involved in Evaluation Team Visits and the writing of Evaluation Team Reports is found in the TRACS publication, *Evaluation Team Procedures Manual*.

3. Accreditation Commission Review and Action

At its next meeting, the Accreditation Commission will review the following documents when considering and determining the status of the institution: the institution's Self-Study Report, the Evaluation Team Report, the Evaluation Team's recommendation concerning the status sought, the institution's Institutional Response Matrix, and the recommendation of TRACS staff concerning the status sought.

Two Commissioners are assigned as readers for each institution being considered. These readers review all relevant materials in detail and prepare questions to ask the institutional representative during the institution's appearance before the Commission. All Commissioners certify by signature that they have reviewed the relevant documents for each of the institutions under consideration. The assigned Commission readers lead the discussion with the institution during the Commission's deliberations. The institution is invited to have representatives present for the Accreditation Commission's decision-making meeting. These representatives are allowed five to ten minutes, or as much time as may be needed, to address the Accreditation Commission and answer questions prior to the Accreditation Commission making a determination on the institution.

The Accreditation Commission is the sole determining body as to whether the institution is in compliance with TRACS Standards and whether that compliance is sufficient for the status being sought.

The various categories of recognition in the accreditation process are:

- **Corresponding Institution:** an institution which has made initial contact with TRACS and is actively pursuing the process toward accreditation. This status does not require Commission consideration and action.
- **Applicant Status:** an institution which has submitted an Application to TRACS which has been approved by the Applicant Review Committee (ARC). This status does not require Commission consideration and action.
- **Candidate (Pre-Accredited) Status:** this status is granted by the Accreditation Commission when an institution has demonstrated compliance with all of the TRACS Standards related to the Institutional Eligibility Requirements (IERs), has completed a comprehensive institutional Self-Study, and has been evaluated by an Evaluation Team, and when, in the professional judgment of the Evaluation Team and the Accreditation Commission, the institution provides the basic level of quality in instruction and student services required of a pre-accredited institution of higher education. The maximum time period allowed for an institution to progress from Candidate Status to Accredited Status is five years.
- **Accredited Status:** this status is granted by the Accreditation Commission when an institution has demonstrated that it is in compliance with all the IER related Standards, has completed a comprehensive institutional Self-Study, and has been evaluated by an Evaluation Team, and when, in the professional judgment of the Evaluation Team and the Accreditation Commission, the institution demonstrates financial stability and provides the level of quality in instruction and student services required of an accredited institution of higher education. Initial accreditation may be granted for a period of up to five years.

- Reaffirmation Status: this status is granted by the Accreditation Commission when an institution has demonstrated that it remains in substantive compliance since the last review for Accredited Status, has completed a comprehensive institutional Self-Study, and has been evaluated by an Evaluation Team, and when, in the professional judgment of the Evaluation Team and the Accreditation Commission, the institution maintains financial stability and continues to provide the level of quality in instruction and student services required of an accredited institution of higher education. Beginning with the institution's first Reaffirmation (Reaffirmation I), accreditation will be granted for a maximum of ten years with a required Interim Fifth-Year Review (IFYR) to be conducted in the fifth year of the period of recognition. This Reaffirmation process will be repeated every tenth year.

Applicant institutions holding Accredited status with another U.S. Department of Education recognized accrediting agency may obtain Accredited status with TRACS without having first obtained Candidate status. Factors to be considered in such cases may include but may not be limited to the following:

- Determinations of the other agency regarding the institution's compliance with the standards of that agency that are comparable to TRACS Accreditation Standards. Such standards will include, but may not be limited to, those related to financial stability and sustainability.
- The institution's compliance with the Accreditation Standards that are unique to TRACS and are thus not required by the other agency.
- A Focus Team and / or Evaluation Team visit to the institution will be required to verify the institution's compliance with TRACS Accreditation Standards.
- The institution will have the opportunity to respond to the determinations detailed in the report that is generated as a part of the visit, prior to the consideration by the Accreditation Commission.
- At a minimum, after a complete application is submitted, the Application Review Committee must approve any request by the institution to seek immediate Accredited status prior to the applicant institution's appearing before the Accreditation Commission for consideration. The Commission may grant the request for Accredited status with or without requirements as it would any other accreditation request, grant Candidate status, or Defer the institution. The granting of Candidate status shall not work as an appealable "denial of accreditation".
- If Accredited status is granted to an institution under this provision, the status would be considered initial accreditation and would be for a period of up to five years. Reaffirmations of accredited status granted in this manner would follow the normal procedures for reaffirmation of accredited institutions.

Institutions that are deferred in their bid for Candidate status, after having made an initial appearance before the Accreditation Commission, may make one subsequent appearance before the Commission for consideration of Candidate status. The subsequent appearance before the Commission must take place within twelve (12) months of the Commission's original deferral.

After having appeared before the Accreditation Commission, institutions that are denied their bid for Candidate status and that wish to continue their pursuit of membership with TRACS may submit new application materials no sooner than twelve (12) months from the date of the Commission's denial.

Regarding the effective date for accreditation actions by the Accreditation Commission, per July 25, 2018 US Department of Education guidelines:

The Department will now permit agencies to establish a retroactive accreditation date that goes back no farther than the beginning of the initial accreditation review process to ensure that credits and credentials awarded to students who were enrolled or completed a program during the formal initial accreditation review, or a review following a change in ownership or control, are from an accredited program.

The initial accreditation review process begins on the date on which the accreditor completes its review of the program's initial application for accreditation or change of ownership or control review and places the program on the pathway for accreditation or reinstatement of accreditation. Some accreditors use the term applicant status, candidacy status or pre-accreditation status to describe the point at which the program is officially recognized as being on the pathway to accreditation, but this terminology is not required as long as the accreditor has a process in place to receive, review and approve initial or change of ownership or control applications, and upon an affirmative application review decision (which can be made by agency staff, an agency decision body or a subcommittee of an agency decision body), consider the program to be in the process of seeking accreditation or reinstatement of accreditation. The initial accreditation review process does not begin the day an application is submitted by the program or the date on which the application was received by the accreditor, but instead on the date on which the application was approved and the program was permitted to pursue accredited status, or on the date on which ownership or control changed.

In the event that the initial application review is extended by the accreditor, including to provide additional time for the program to graduate an initial cohort or come into full compliance based on a good cause determination by the accreditor, then the initial review period extends to the date agreed to by the program and the accreditor. All students enrolled during that time period, including the extension, may be considered to have enrolled in or graduated from an accredited program. However, if the initial application results in denial and a new application must be submitted to initiate a new review process, the students who enrolled in or completed the program during the initial application process would not be eligible to benefit from a retroactive effective date based on an affirmative award resulting from the second initial application for accreditation, except that if accreditation was granted prior to that student's graduation, the student would then be considered to have graduated from an accredited program.

Accreditors that utilize retroactive establishment dates to serve students enrolled in programs that receive an affirmative accreditation decision may elect to establish the effective date based on their standards and criteria and the approval of the agency's appropriate decision-making body.

Our original guidance suggested that the date of accreditation had to coincide with an affirmative decision of the agency's relevant body. However, none of the regulations cited in our prior guidance specify that accreditation can only be granted on a prospective basis. See 34 C.F.R. §§ 602.15, 602.18, 602.22. Indeed, the fact that one of the regulations contains an express prohibition on retroactive accreditation in one specific context (when there has been a substantive change) strongly suggests that there is not a general rule prohibiting retroactive accreditation, since such a general rule would make a specific prohibition unnecessary. See 34 C.F.R. § 602.22(b). And although it is true that the decision-making body is distinct from the evaluation body, and that the evaluation body that conducts the on-site review does not have decision-making authority, it does not follow that the decision-making body is prohibited from giving retroactive effect to an accreditation decision, either specifically back to the date of on-site review or back to any other prior date. We now recognize that the agency's decision-making body, though potentially not involved directly in an event that establishes the

retroactive date, will be making a decision about the program's accreditation status and should be able to determine a retroactive date of accreditation based on the agency's standards and criteria and the program's demonstrated ability to meet certain milestones. The effective date may go back as far as, but cannot be prior to, the date on which the agency completed the review of the program's application and officially recognized the program as being in the accreditation review process.

This means, in most cases:

If an institution is granted status (Candidacy, Accreditation or Reaffirmation) at the spring meeting of the Accreditation Commission, the institution's status is retroactive to the beginning of the term (semester or quarter) in which the status is granted. For most of our schools on the semester system, this would mean that their status would be retroactive to the beginning of the spring semester.

If an institution is granted status at the fall meeting of the Accreditation Commission, the institution's status is retroactive to the beginning of the term (semester or quarter) in which the status is granted. For most of our schools on the semester system, this would mean that their status would be retroactive to the beginning of the fall semester.

The Accreditation Commission may determine to set a specific retroactive date for the status granted (Candidacy, Accreditation or Reaffirmation). The effective date may go back as far as, but cannot be prior to, the date on which the agency completed the review of the program's application and officially recognized the program as being in the accreditation review process.

4. Follow-up to the Action of the Accreditation Commission

In accordance with Federal regulations, the Accreditation Commission establishes the deadline by which an institution must demonstrate compliance with all TRACS Standards. Following the meeting of the Accreditation Commission wherein a decision regarding an institution's accreditation status is made, a letter is sent from the TRACS office to the institution. This letter contains (1) the Accreditation Commission decision, (2) the deadline by which an institution must demonstrate compliance with all TRACS Standards and any outstanding Findings, Recommendations and/or Suggestions contained in the Evaluation Team Report, and (3) a Progress Report matrix for monitoring the institution's progress toward full compliance with Findings, Recommendations and/or Suggestions. The institution is required to submit regular Progress Reports utilizing the matrix. These Progress Reports are submitted to the Accreditation Commission for review at each subsequent meeting until the institution demonstrates compliance with all TRACS Standards.

PROPOSED