NOTICES AND COMMUNICATIONS REGARDING COMMISSION ACCREDITATION ACTIONS, ACTIVITIES AND MEMBERS FOR POST SECONDARY CAREER & TECHNICAL INSTITUTIONS

Section 1: General Membership

Public Disclosure of Information About Member Institutions. Certain information pertaining to institutions that are accredited, are a candidate for accreditation ,or have sought accreditation by the Commission(s) will be made available to the public. This information shall be limited to the following regarding each institution:

a. The name of the institution and contact information;
b. The name of the institution's chief administrative officer;
c. The institution's membership and accreditation status;
d. The date of the institution's initial accreditation, the date the last accreditation action was taken, and the date on which the institution's accreditation will expire;
e. A general description of accreditation actions the Commissions may take regarding an institution;
f. The dates of on which the next accreditation maintenance activities are due; and
g. The date on which the Commission(s) will conduct the next accreditation review of the institution.

Withholding Information on Member Institutions. Upon advice of legal counsel, the Commissions retain the right to withhold public disclosure of information if potential legal action is involved.

Section 2: Postsecondary Institutions

Commission Information Available to the Public.

a. The Commission on Secondary Schools shall make available to the public, upon request, written materials describing:
    1) Each type of accreditation it grants;
    2) The procedures that institutions must follow in applying for accreditation;
    3) The standards and procedures it uses to determine whether to grant, reaffirm, reinstate, restrict, deny, revoke, terminate, or take any other action related to each type of accreditation that the agency grants;
    4) The institutions and programs that the agency currently accredits and, for each institution and program, the year the agency will next review or reconsider it for accreditation; and
    5) The names, academic and professional qualifications, and relevant employment and organizational affiliations of--
        a) The members of the agency's policy and decision-making bodies; and

b) The agency's principal administrative staff.

b. In providing public notice that an institution or program subject to its jurisdiction is being considered for accreditation, the Commission must provide an opportunity for third-party comments concerning the institution's qualifications for accreditation. [See MSA-CESS Policy: Third-Party Comments.]

Institutional Information Available to the Public.

a. If an accredited or candidate institution elects to make a public disclosure of its accreditation or candidate status, the institution shall disclose that status accurately, including the specific academic or instructional programs covered by that accredited or candidate status and the name, address, and telephone number of the Commission on Secondary Schools.

b. The Commission will provide to the public correction of incorrect or misleading information an accredited or candidate institution releases about:
   (1) The accreditation or candidate status of the institution;
   (2) The contents of reports of on-site reviews; and
   (3) The agency's accrediting or candidacy actions with respect to the institution.

Notification to the Institution of an Adverse Accreditation Action.

The Commission shall notify an institution in writing and delivered by certified mail of the institution's right to request reconsideration of, and/or to appeal an Adverse Accrediting Action in accordance with the due process procedures outlined in this policy. [See MSA-CESS Policy: Appeals from Adverse Accrediting Actions]

Notification to the Public of an Accreditation Action.

a. When the Commission takes an accreditation action regarding an Accredited Institution or a Candidate for Accreditation, it will notify the public on the Commission's website within 24 hours of its notification to the institution of the action taken by the Commission.
b. For any of the following accreditation actions, the Commission will make available to the public, no later than 60 days after the decision, a brief statement summarizing the reasons for the Commission's decision and the official comments that the affected institution may wish to make with regard to that decision, or evidence that the affected institution has been offered the opportunity to provide official comment:
   1) A final decision to deny, withdraw, suspend, revoke, or terminate the accreditation

Notification to the Public of an Adverse Accreditation Action. The Commission will notify the public within 24 hours of its notice to the institution through its website when the Commission takes one of the following accreditation actions:

a. A final decision to place an institution on probation or an equivalent status;
b. A final decision to deny, withdraw, suspend, revoke, or terminate the accreditation of an institution or program; and
c. A final decision to take any other adverse action, as defined by the Commission.

Notifications of Accreditation Decisions to the U.S. Secretary of Education and Other Governmental and Accrediting Agencies.

a. The Commission shall provide written notice of the following types of decisions to the Secretary, the appropriate State licensing or authorizing agency, the appropriate accrediting agencies, and the public no later than 30 days after it makes the decision:
    1) A decision to award initial accreditation to an institution or program, and
    2) A decision to renew an institution's or program's accreditation.
b. The Commission shall provide written notice to the Secretary, the appropriate State licensing or authorizing agency, and the appropriate accrediting agencies at the same time it notifies the institution but no later than 30 days after it takes one of the following accreditation actions:
    (1) A final decision to place an institution or program on probation or an equivalent status;
    (2) A final decision to deny, withdraw, suspend, revoke, or terminate the accreditation of an institution or program; and
    (3) A final decision to take any other adverse action, as defined by the agency, not listed in this section.
c. For any of the following accreditation actions, the Commission will provide written notice of the following types of decisions to the Secretary, the appropriate State licensing or authorizing agency, the appropriate accrediting agencies, no later than 60 days after the decision, a brief statement summarizing the reasons for the Commission's decision and the official comments that the affected institution may wish to make with regard to that decision, or evidence that the affected institution has been offered the opportunity to provide official comment:
    1) A final decision to deny, withdraw, suspend, revoke, or terminate the accreditation of an institution or program.
    2) The Commission will notify the Secretary, the appropriate State licensing or authorizing agency, the appropriate accrediting agencies, and, upon request, the public if an accredited institution:
    3) Decides to withdraw voluntarily from accreditation, within 30 days of receiving notification from the institution or program that it is withdrawing voluntarily from accreditation; or
    4) Lets its accreditation lapse, within 30 days of the date on which accreditation lapses.

Other Information the Commission Must Provide the Department. The Commission must submit to the U.S. Department of Education:

a. A copy of any annual report it prepares;
b. A copy, updated annually, of its directory of accredited institutions and programs;
c. A summary of the agency's major accrediting activities during the previous year (an annual data summary), if requested by the Secretary to carry out the Secretary's responsibilities;
d. Any proposed change in the agency's policies, procedures, or accreditation standards that might alter its—
    1) Scope of recognition, except as provided in paragraph (a)(5) of 34 CFR §602.27; or
    2) Compliance with the criteria for recognition;
e. Notification that the Commission has expanded its scope of recognition to include distance education or correspondence education as provided in section §496(a)(4)(B)(i)(I) of the HEA. Such an expansion of scope is effective on the date the Department receives the notification;
f. The name of any institution or program it accredits that the agency has reason to believe is failing to meet its Title IV, HEA program responsibilities or is engaged in fraud or abuse, along with the agency's reasons for concern about the institution or program; and

g. If the Secretary requests, information that may bear upon an accredited institution's compliance with its Title IV, HEA program responsibilities, including the eligibility of the institution or program to participate in Title IV, HEA programs.
h. The Commission shall notify an institution of any contact with the Department in accordance with paragraph (f) and (g) of this section.
    1) The Commission shall provide for a case by case review of the circumstances surrounding the contact, and the need for the confidentiality of that contact.
    2) Upon a specific request by the Department, the Commission must consider that contact confidential.

Regard for Decisions of States and Other Accrediting Agencies.

a. The Commission shall not accredit institutions the Commission knows, or has reasonable cause to know are the subject of:
    1) A pending or final action brought by a State agency to suspend, revoke, withdraw, or terminate the institution's legal authority to provide postsecondary education in the State;
    2) A decision by a recognized agency to deny accreditation;
    3) A pending or final action brought by a recognized accrediting agency to suspend, revoke, withdraw, or terminate the institution's accreditation; or
    4) Probation or an equivalent status imposed by a recognized agency
b. The Commission may grant accreditation to an institution or program described in paragraph (a) of this section only if it provides to the Secretary, within 30 days of its action, a thorough and reasonable explanation, consistent with its standards, why the action of the other body does not preclude the Commission's grant of accreditation.
c. If the Commission learns that an institution it accredits, or an institution that offers a program it accredits, is the subject of an adverse action by another recognized accrediting agency or has been placed on probation or an equivalent status by another recognized agency, the Commission must promptly review its accreditation of the institution or program to determine if it should also take adverse action or place the institution or program on probation or show cause.
d. The Commission must, upon request, share with other appropriate recognized accrediting agencies and recognized State approval agencies information about the accreditation status of an institution or program and any adverse actions it has taken against an accredited institution or program.

Sharing Information on Title IV Institutions. By virtue of signing a Title IV Participation Agreement, Title IV-recognized institutions give permission to the United States Department of Education, the Commission on Secondary Schools of Middle States Association, and the institution's state licensing/authorizing agency to share information regarding the institution's accreditation status and all information pertinent to that status.

Notice of Accreditation Actions.

a. The Commission shall provide an institution with written notice of an accreditation action taken by the Commission within 30 days after it makes the decision.
b. The Commission shall provide written notice of the following types of decisions to the Secretary, the appropriate State licensing or authorizing agency, the appropriate accrediting agencies, and the public no later than 30 days after it makes the decision:

(1) A decision to award initial accreditation to an institution or program.
(2) A decision to renew an institution's or program's accreditation;

c. The Commission shall provide written notice of the following types of decisions to the Secretary, the appropriate State licensing or authorizing agency, and the appropriate accrediting agencies at the same time it notifies the institution or program of the decision, but no later than 30 days after it reaches the decision:
   (1) A final decision to place an institution or program on probation or an equivalent status.
   (2) A final decision to deny, withdraw, suspend, revoke, or terminate the accreditation of an institution or program.
   (3) A final decision to take any other adverse action, as defined by the agency, not listed in paragraph (b)(2) of this section;
d. The Commission shall provide written notice to the public of the decisions listed in paragraphs (b)(1-2) and (c)(1-3) of this section within 24 hours of its notice to the institution or program;
e. For any decision listed in paragraph (c)(2) of this section, makes available to the Secretary, the appropriate State licensing or authorizing agency, and the public, no later than 60 days after the decision, a brief statement summarizing the reasons for the agency's decision and the official comments that the affected institution or program may wish to make with regard to that decision, or evidence that the affected institution has been offered the opportunity to provide official comment; and
f. The Commission shall notify the Secretary, the appropriate State licensing or authorizing agency, the appropriate accrediting agencies, and, upon request, the public if an accredited institution—
   (1) Decides to withdraw voluntarily from accreditation, within 30 days of receiving notification from the institution that it is withdrawing voluntarily from accreditation; or
   (2) Lets its accreditation lapse, within 30 days of the date on which accreditation lapses.