

ACCREDITATION ACTIONS FOR POST SECONDARY CAREER & TECHNICAL INSTITUTIONS

Section 1: Authority for taking Accreditation Actions

The Commissions on Elementary and Secondary Schools are the sole authorities for determining the accreditation of their member schools. The Commission on Elementary Schools and the Commission on Secondary Schools, although governed by the same policies and accreditation procedures, take accreditation actions regarding their respective member schools independently of each other.

Accreditation by the Commission on Secondary Schools (MSA-CSS). Schools Institutions with beginning grade levels 5 through grade 12 (or grade 13 where provided) are within the Commission on Secondary Schools' jurisdiction. In addition, the Commission accredits postsecondary, non-degree granting career and technology institutions for adult learners of any age. The Commission on Secondary Schools is the sole authority for taking accreditation actions for its member institutions using MSA accreditation for Title IV funding.

The Commission may not authorize the Commission's Executive Committee to take accrediting actions for post secondary career & technical institutions in its stead between regularly scheduled Commission meetings or to take retroactive accreditation actions.

The accreditation actions of the Commissions are final. However, schools for which a Commission(s) has taken an adverse accrediting action (see Section 5 of this policy) have the right to appeal such a decision under the provisions of MSA-CSS Policy: Appeals from Adverse Accrediting Actions.

Section 2: Basis for Accreditation Actions

Accreditation actions shall be based on relevant and documented information and evidence provided to the appropriate Commission(s) by schools and by the Commissions' accreditation visiting teams, advisory committees, staff, and other verifiable sources of information in accordance with the MSA-CSS Policy: Self-Study and Accreditation Process.

This information can include, but is not limited to:

- a. Evidence of the degree to which the school meets the Standards for Accreditation;
- b. Evidence of the degree to which the school meets the requirements of the accreditation protocol used for self-study and accreditation; and
- c. Evidence of the degree to which the school is making progress toward achieving its growth and improvement objectives and implementing its action plans for achieving its objectives.

Section 3: Responsibility Regarding Accreditation Actions

- School's Responsibility Regarding Accreditation Actions

It is the school's responsibility to understand or seek an understanding of what is required to receive accreditation and resolve any issues included with the accreditation action. It is the school's responsibility to submit all required documentation and resolve any issues in the timeline determined by the Commissions.

- MSA Staff's Responsibility Regarding Accreditation Actions

It is the responsibility of the Commissions' staff to ensure that all documentation submitted for accreditation action is complete and accurate. The Commissions' staff will do so in compliance with the process outlined in MSA-CESS Policy: Self-Study and Accreditation Process.

The Commissions' staff will review any evidence submitted by a school to address an adverse accreditation action and make one of the following determinations:

- 1) If the school provides acceptable evidence that the issues have been resolved satisfactorily, MSA staff will notify the school in writing and recommend to the Commissions that the adverse accreditation action should be removed or amended.
- 2) If evidence shows only partial resolution of the issues, staff will require further clarification and/or a Special Visit. The school will bear the cost of any Special Visit. Staff will notify the school in writing and make recommendations for its accreditation status at the next Commissions meeting.
- 3) If evidence submitted is unacceptable, incomplete, or delayed without good cause, staff may recommend to the Commissions that additional time be granted for the school to resolve issues or, in cases of failure to comply, recommend the removal of accreditation or candidacy status. Good cause is defined as significant progress toward compliance with an expectation of resolution within six months.

- Commissions' Responsibility Regarding Accreditation Actions

It is the responsibility of the Commissions to notify schools of the accreditation actions taken including any areas of non-compliance, the specific actions a school must take to resolve those areas of non-compliance, and the timeline for resolution. The Commissions will also provide any appropriate technical support to help the school come into compliance.

Section 4: Accreditation Actions

The Commission may grant the following accreditation actions.

- Accreditation. Accreditation is granted when the Commissions have determined that a school 1) meets all of the MSA Standards for Accreditation, 2) adheres to all applicable policies, and 3) meets the requirements of the protocol selected for self-study and accreditation.

- Accreditation with Stipulations. Accreditation with Stipulation(s) is granted when the Commissions have determined that a school meets all of the MSA Standards for Accreditation, but does not meet one or more of the Indicators, one or more applicable MSA policies, and/or one or more requirements of the protocol selected for self-study and accreditation.
- Probationary Accreditation (for Previously Accredited Schools Only). Probationary Accreditation is granted when the Commissions have determined that a school does not:
 - 1) Meet one or more of the MSA Standards for Accreditation,
 - 2) Adhere to one or more MSA policies,
 - 3) Meet multiple requirements of the protocol selected for self-study and accreditation, and/or
 - 4) Meet the Accreditation Maintenance Requirements as outlined in the Official Notice of Accreditation letter.
- Accreditation Removed. The Commissions may remove the accreditation of a previously accredited school for failure to:
 - 1) Correct the stipulations and/or issues that led to the granting of Accreditation with Stipulations or Probationary Accreditation;
 - 2) Continue to meet the MSA Standards for Accreditation;
 - 3) Adhere to the Commissions' policies;
 - 4) Adhere to timelines for self-study, accreditation maintenance, and planning expectations;
 - 5) Submit reports or to host special visits required by the Commissions; and/or
 - 6) Pay annual dues and applicable fees in a timely manner.

If the Commissions act to remove the accreditation of a previously accredited school:

- 1) The school shall, within 90 days of receiving notice of the removal of accreditation action, remove all references in its public records, publications, and website that the school is an accredited member of the Middle States Association.
 - 2) Failure to remove all references may result in legal action by the Commissions.
- Accreditation Decision Deferred (for candidate schools). Accreditation Deferred is a staff action granted when it is the judgement of the Chair of a Visiting Team and the staff of the Commissions that a candidate school is not in compliance with:
 - 1) Multiple Standards for Accreditation,
 - 2) Multiple requirements of the Protocol used for self-study and accreditation, and/or
 - 3) Adhere to one or more MSA policies.

Section 5: Adverse Accrediting Actions and Monitoring Issues.

a. Definition. The following actions by the Commission are adverse accrediting actions:

- 1) Denial of Candidacy for Accreditation;
- 2) Denial of initial Accreditation;
- 3) Removal of Candidate for Accreditation status; and
- 4) Removal of Accreditation.

b. The Commission's Responsibilities Regarding an Adverse Accrediting Action.

- 1) The Commission shall, within 30 days of the Commission's action notify the institution in writing of the adverse accrediting action taken by the Commission(s), the basis for the adverse action, and the institution's right to request reconsideration or to appeal the action in accordance with MSA-CESS Policy, Appeals from Adverse Accrediting Actions.
 - 2) The Commission shall make all of the required actions when it takes an adverse accrediting action in accordance with MSA-CESS Policy, Notices and Communications Regarding Accreditation Actions and Activities.
- c. The Institution's Responsibility Regarding an Adverse Accrediting Action. If the institution wishes to request reconsideration or to appeal an adverse accrediting action, the institution shall have the burden of complying with the provisions of MSA-CESS Policy, Appeals from Adverse Accrediting Actions, within the times prescribed in that policy.
 - Institutions are required to disclose any adverse Accrediting Action within seven days of receipt to all current and prospective students
 - d. Action on the Institution's Response to the Adverse Accrediting Action. Upon receipt of the institution's notice that it intends to request reconsideration or to appeal the adverse accrediting action, the Commission will comply with the provisions and timelines prescribed in MSA-CESS Policy, Appeals from Adverse Accrediting Actions.
 - e. The Institution's Status While Appealing an Adverse Accrediting Action. In accordance with MSA-CESS Policy, Appeals from Adverse Accrediting Actions, the accreditation status of an Appellant automatically remains in effect until the expiration of the period within which Appellant may file a Request for Reconsideration, or the completion of the Commission's appeals process, whichever shall later occur.

Monitoring Issues.

- a. In the course of its review of an institution's self-study and the Report of the Visiting Team, the Commission on Secondary Schools may identify issues of concern that, although not rising to the level of a stipulation to the institution's accreditation, warrant monitoring to ensure that the institution takes the necessary actions to resolve the issues.
- b. A monitoring issue may relate to a Standard for Accreditation, one of a Standard's Indicators of Quality, or a requirement of the self-study and accreditation protocol.
- c. A monitoring issue is declared when, in the judgment of the Commission, the institution is only in partial compliance with an expectation or requirement—it is either a requirement or expectation that has been started and needs to be completed, or it is something that the institution is doing but needs to be improved.
- d. A monitoring issue does not affect the institution's accreditation initially. The institution is expected to resolve the issues noted as soon as possible but not later than the date specified in the Official Notification of Accreditation letter. If the Commission's staff determines that an issue has not been resolved satisfactorily in the time prescribed, the Commission may elect to add it as a stipulation to the institution's accreditation.

Show Cause Actions.

- a. Definition: A show cause action requires an institution to show cause why accreditation should not be removed or denied. This action offers the institution a final chance to offer evidence or explain reasons why the Commission should not remove or deny accreditation.

- b. A show cause action may also be taken when one or more of the Expectations for Accredited Institutions outlined in MSA-CESS Policy, Expectation for Accredited Institutions is/are not met.
- c. The Commission's Responsibilities Regarding Show Cause Action. The Commissions shall notify the institution in writing, within 30 calendar days of the Commission's action the basis for the show cause action.
 - 1) If, in the judgment of the Commission's staff the institution presents acceptable evidence that it has resolved the show cause issue(s) satisfactorily, the staff shall notify the institution, in writing, that it will recommend to the Commission at its next regularly scheduled meeting that the show cause action is removed.
 - 2) If, in the judgment of the Commission's staff, the documentation presented by the institution is only partially acceptable evidence that it has resolved the show cause issue(s) satisfactorily, the institution shall be asked to submit further clarification and/or receive a Special Visit. The costs associated with a Special Visit shall be borne by the institution.
 - 3) If, in the judgment of the Commission's staff the institution has not submitted acceptable documentation and evidence that it has taken action to resolve the show cause issue(s) within the designated time period, the staff may recommend to the Commission that the institution is 1) granted additional time to resolve the issues satisfactorily, or 2) the institution's accreditation is changed to Probationary Accreditation or Accreditation Removed.
 - 4) If the Commission's action is to remove or deny accreditation, the institution shall be informed that it has the right to request reconsideration of the Commission's action or to appeal this adverse accrediting action under the provisions of MSA-CESS Policy, Appeals from Adverse Accrediting Actions.
- d. The Institution's Responsibility Regarding Show Cause Action.
 - 1) The institution shall have the burden of proving that it has met the show cause requirements and that it has remedied the conditions that prompted the show cause action.
 - 2) It is the responsibility of the institution to seek clarification on what is required, to take advantage of Commission's resources such as workshops, documents, staff technical support, and/or networking with other member schools, and to take the necessary corrective action.
 - 3) The head of the institution may request to appear alone or with counsel or other representative before the Commission to make a personal presentation of the institution's stance prior to final actions being taken by the Commission.
- e. Action on the Institution's Response to the Show Cause Action. Upon receipt of the institution's response to the show cause action, the Commission may take one of the following actions:
 - 1) If the institution demonstrates that it has satisfied the requirements of the show cause action, the institution shall act to remove the show cause action.
 - 2) If the response of the institution is insufficient to make a determination of whether the requirements of the show cause action have been met, the institution shall be asked to submit further clarification and/or receive a Special Visit. Costs of any visit shall be borne by the institution.
 - 3) If the institution fails to satisfy the requirements set forth in the show cause action, the Commission shall act to remove/deny the institution's accreditation. If removal of

accreditation is recommended, the institution may invoke the appeals procedures established by the Commissions.

- f. The Institution's Status While Addressing the Show Cause Action. Institutions that have received a show cause letter shall be considered to be accredited during the time that the show cause action is being addressed. The institution retains the right to advertise itself as an accredited member. However, the Commission shall report the show cause action to public inquiries.

Section 6: Terms of Accreditation

Terms of accreditation for schools using an MSA protocol may be granted for seven years. Terms of accreditation for schools seeking accreditation with a cooperative partner agency may be as short as 2 years or as long as 10 years. Schools located in Egypt may be granted for five years.

The Commissions shall grant terms of accreditation based on the following criteria:

- a. The term prescribed by the protocol used for self-study and accreditation;
- b. The recommendations of the visiting team, the MSA-CESS staff, the appropriate advisory committee, and the Membership and Accreditation Committee(s).

Section 7: Effective Date of Accreditation

A school's term of accreditation shall be effective on the date the Commissions took action and end on January 1 of the year designated for expiration of accreditation (for actions taken at the Commissions' fall meetings) and July 1 of the year designated for expiration of the accreditation (for actions taken at the Commissions' spring meetings).

The Commission does not offer retroactive accreditation for postsecondary, non-degree granting career and technical institutions that declare their intention to use their MSA-CSS accreditation to establish eligibility to participate in federal Title IV student loan programs.

Section 8: Status of School During Reaccreditation Activities

The accreditation status of a school seeking reaccreditation shall not change following the visit of an Accreditation Visiting Team until the Commission takes an accreditation action for the school. The school's accreditation status during the period provided to resolve any adverse accreditation actions or monitoring actions will be based on the specific action taken by the Commissions.

Section 9: Regard for Accreditation Actions or Decisions by Other Agencies and States. While the Commissions act independently of other organizations in taking accreditation actions, it shall not knowingly grant candidacy or accreditation to any institution that is on probation or has had its accreditation removed by another recognized accrediting agency or state agency, until such time that the Commission(s) are assured and satisfied that the reasons for suspension, revocation, or probation

have either been corrected or the reasons for suspension, revocation, or probation are not requirements of MSA-CESS's Standards for Accreditation, policies, and/or requirements of the protocol selected for self-study and accreditation.

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.

- a. The Commission may not accredit institutions that lack legal authorization under applicable State law to provide a program of education beyond the secondary level.
- b. Except as provided in paragraph (c) of this section, the Commission may not grant initial or renewed accreditation or to an institution, if the Commission knows, or has reasonable cause to know, that the institution is 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.
- c. The Commission may grant accreditation to an institution described in paragraph (b) 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.
- 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 and any adverse actions it has taken against an accredited institution or program.