



February 1, 2023

Dr. Cheri St Arnauld  
President  
Aspen University  
4615 East Elwood Street, Suite 100  
Phoenix, AZ 85040

Dear Dr. St Arnauld:

The Distance Education Accrediting Commission (the Commission) met on January 20, 2023 to review and evaluate the status of Aspen University's teach-out of the Bachelor of Science in Nursing Pre-licensure (BSN) program, the institution's position with respect to the Arizona Board of Nursing (AZ-BON) and the Arizona Board of Private Post-secondary Education (AZPPSE), and the institution's ongoing compliance with DEAC accreditation standards.

In connection with this evaluation, the Commission reviewed (1) the July 25, 2022 letter delivered to Aspen University (AU) which included a number of directives to AU, including that the institution deliver monthly reports to DEAC to support the Commission's monitoring and evaluation "of the performance of the changes in curricula, faculty, exam practices, and student services implemented for AU's BSN program"; (2) DEAC's October 17, 2022 letter to AU; (3) the monthly reports that were submitted by AU on September 13, 2022, October 13, 2022, November 15, 2022, December 15, 2022, and January 16, 2023 in accordance with the Commission's July 25, 2022 letter; (4) two AZ-BON Nursing Education Program Respondent Questionnaires (RQs) delivered to AU and dated December 1, 2022 and December 20, 2022 respectively, based on complaints submitted to AZ-BON by AU BSN program students; (5) AU's written responses to the RQs; and (6) an update from DEAC staff on AU's status.

Upon review of the record of this matter, the Commission expressed grave concern that:

- AU is not fulfilling its obligations and responsibilities in conducting the teach-out of the BSN Program;
- AU did not timely notify DEAC, in writing, of actions by a licensing agency (in this case the AZ-BON) when such actions have the capacity to affect the compliance of the institution with DEAC standards and when such notice was expressly required by the Commission's July 25, 2022 letter;
- AU did not comply with the express direction in the July 25, 2022 letter regarding a notice to be provided to students regarding the institution's SARA status no later than August 2, 2022; and
- AU did not comply with the express direction in the July 25, 2022 letter that the institution be proactive, accurate, comprehensive, and current in its

communications with DEAC with respect to actions bearing on the institution's ongoing compliance with DEAC accreditation standards.

As set forth below, these different areas of concern raise serious questions as to AU's ongoing compliance with DEAC Accreditation Standards III.D., V.A., X.B., XI.E., and DEAC Procedures under Part Two, Section XVII.E. **The Commission therefore voted to direct AU to show cause as to why its accreditation should not be withdrawn and to require AU to undergo a special visit by a team of DEAC evaluators.** The reasons for and details of this decision are set forth below.

**I. Concerns Regarding AU BSN Program Quality and Integrity.**

A. Relevant Accreditation Standards (key language in bold italics).

**Standard III.D Comprehensive Curricula and Instructional Materials**

***Curricula and instructional materials are sufficiently comprehensive for students to achieve the stated program outcomes.*** Their organization and content are supported by reliable research and practice. The organization and presentation of the curricula and instructional materials reflect sound principles of learning and are grounded in distance education instructional design principles. The curricula and instructional materials reflect current knowledge and practice. Curricula and instructional materials are kept up to date, and reviews are conducted and documented on a periodic basis. Instructions and suggestions on how to study and how to use the instructional materials are made available to assist students to learn effectively and efficiently.

**Standard V.A Student Achievement**

The institution evaluates student achievement using indicators that it determines are appropriate relative to its mission and educational offerings. The institution evaluates student achievement by collecting data from outcomes assessment activities using direct and indirect measures. The institution maintains systematic and ongoing processes for assessing student learning and achievement, analyzes data, and documents that the results meet both internal and external benchmarks, including those comparable to courses or programs offered at peer DEAC-accredited institutions. ***The institution demonstrates and documents how the evaluation of student achievement drives quality improvement of educational offerings and support services.***

B. Background on AU BSN Program Issues.

Beginning with the first quarter in 2021 and continuing in consecutive quarters through 2022, the first-time NCLEX pass rate of AU BSN students came in consistently below the

80 percent first-time pass rate required by AZ-BON for state licensure.<sup>1</sup> Notwithstanding material changes implemented by AU with respect to the program's curriculum and testing policies and AU's efforts to strengthen its BSN faculty in the second half of 2021 and through Q3 of 2022, the AU BSN program continued to face challenges.<sup>2</sup> In addition to the concerns caused by the program's inadequate NCLEX first-time pass rates, students in AU's BSN program began filing complaints with AZ-BON which resulted in an AZ-BON RQ delivered to AU on June 4, 2021, the initiation by AZ-BON of an investigation into AU's BSN program, and AZ-BON's issuance of an Investigative Report (IR) on or about January 12, 2022, followed by a Notice of Charges (NOC) February 18, 2022. The AZ-BON IR led to an investigation by AZPPSE and a formal inquiry into the BSN program by DEAC. The AZBBPSE investigation resulted in a stipulated agreement with AU dated March 8, 2022. The DEAC inquiry led to the Commission's issuance to AU of the July 25, 2022 letter with its increased reporting obligations as well as certain other requirements. The AZ-BON NOC resulted in AU's execution of a consent agreement with AZ-BON.

By the middle of Q3 2022, it became clear that AU would be unable to achieve the 80 percent annual average first-time NCLEX pass rate required under its consent agreement with AZ-BON. Accordingly, on September 20, 2022, AU and AZ-BON entered into a second Consent Agreement of Surrender under which AU agreed to voluntarily surrender its program approval for the AU BSN program and AZ-BON agreed to allow, on a contingent basis and subject to ongoing monitoring, AU to complete a teach-out of students already enrolled in the BSN program. Unfortunately, AU's BSN program continued to struggle. The Q4 2022 average first-time NCLEX passing rate slid to 56.63 percent. In addition, BSN students began filing complaints with AZ-BON, including complaints regarding clinical rotations, mid-term HESI exams, and alleged faculty/staff intimidation of students.<sup>3</sup> AZ-BON delivered two RQs to AU in December 2022 and initiated an investigation.<sup>4</sup>

C. Findings of Commission.

The Commission determined that AU's inability to improve the quality of its BSN program over more than 18 months put it in noncompliance with the above-listed DEAC accreditation standards. The Commission recognizes that AU has expended

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<sup>1</sup> The annual average first time NCLEX passage rate for 2021 was 58.04 percent.

<sup>2</sup> According to AZ-BON, the BSN program's 2021 first-time NCLEX pass rate averaged 58.04 percent. In 2022, that average increased to 63.70 percent; however, the average fell from quarter to quarter ending at 56.63 percent for Q4 2022.

<sup>3</sup> HESI stands for Health Education Systems Inc. The mid-term HESI exam is a widely accepted predictor of student success on the NCLEX exam. The pass rate for the November cohort was less than 50 percent. Many of the complaints which resulted in the AZ-BON 2022 investigation also related to problems with testing and clinical rotations.

<sup>4</sup> That investigation led to AZ-BON's issuance of an Investigative Report on January 23, 2023. Because this report was issued after the Commission's January meeting, it was not part of the Commission's decision-making process.

substantial time and resources toward improving the BSN program, but the recent HESI exam failure rate, the student complaints, and the AZ-BON's RQs indicate that the program is not meeting expected program outcomes and that AU's efforts at intervention have been inadequate.

## II. Concerns Regarding AU Notice and Disclosure Issues

### A. Accreditation Standards and Procedures Implicated.

**Standard X.B. Reputation of Institution, Owners, Governing Board Members, Officials, and Administrators.** The institution and its owners, governing board members, officials, and administrators possess sound reputations, a record of integrity, and ethical conduct in their professional activities, business operations, and relations. The institution must promptly notify DEAC of any investigative, enforcement, legal or prosecutorial actions which may be initiated or which are current against the institution, its owners, governing board members, officials and administrators. Such notification shall include an explanation of the circumstances giving rise to such actions and the institution's response to the same as well as its explanation of why such actions should not be deemed a concern with respect to the integrity of the named persons or institutions.

**Standard XI.E., Demonstrated Operations.** In all respects, the institution documents continuous sound and ethical operations, including the necessary resources to accommodate demand and assure that all learners receive a quality educational experience. The institution's name is free from any association with activity that could damage the reputation of the DEAC accrediting process, such as illegal actions, fraud, unethical conduct, or abuse of consumers.

**Section XVII.E., Notification Reports, Part Two, Process and Procedures** An institution must immediately notify DEAC, in writing, of any actions the institution plans to take or has taken, or of actions taken or expected to be taken against it by any accrediting, licensing or state agency if those actions have the capacity to affect the compliance of the institution with DEAC accreditation standards and/or the reputation of the institution or DEAC, either directly or indirectly (e.g., through media coverage). This includes the institution's resolution of any complaints in a forthright, prompt, amicable, and equitable manner to DEAC's satisfaction.

### B. Background on Notice and Disclosure Concerns

1. *Failure to Notify DEAC of Failing NCLEX pass rates and AZ-BON Investigation.* DEAC was first made aware, through Arizona media reports in early February 2022,<sup>5</sup> that:

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<sup>5</sup> This was more than a week after AU claimed to have received the IR and more than two weeks after AU received notification from AZ-BON on January 12, 2022 that AU would be included on the AZ-BON agenda for its

- AU's BSN program had not met AZ-BON's required first-time NCLEX pass rate in 2021;
- AZ-BON had initiated an investigation into AU's BSN program in June 2021;
- AZ-BON's investigation had led to an investigation of AU by AZPPSE; and
- AZ-BON had issued an IR with respect to the BSN program's problems on or about January 12 2022.

Even then, it was not until DEAC reached out to AU by letter dated February 15, 2022 that AU first provided a substantive recounting to DEAC regarding the AZ-BON investigation, the insufficient NCLEX first-time pass rates, and the student complaints regarding testing and clinical rotations. DEAC then initiated a formal inquiry into the BSN program.

2. *July 25, 2022 Commission Letter.* In its July 25, 2022 letter, the Commission issued a sharp rebuke to AU for the institution's failure to timely notify DEAC of the problems with its BSN program. The Commission specifically noted that the insufficient NCLEX first-time pass rates in each quarter of 2021, the AZ-BON's delivery of RQs to AU beginning in June 2021, and that board's commencement of an investigation into the AU BSN program in 2021 should each independently have caused AU to provide notice to DEAC under Standard XVII.E. The Commission went on to state:

While at this point the Commission believes that Aspen's failure to adhere to Section XVII.E, Part Two, with respect to its BSN program has been superseded by more recent events, the Commission wishes to be clear and unequivocal as to its expectations of the institution going forward: that the institution should be proactive, accurate, comprehensive and current in its communications with DEAC in the event of actions occurring at the institution or actions taken or expected to be taken by any accrediting, licensing or state agency if those actions bear on Aspen's ongoing compliance with DEAC accreditation standards and/or the reputation of Aspen or DEAC, either directly or indirectly (e.g. through media coverage or regulatory criticism).

The July 25, 2022 letter found fault with AU's disclosures in other areas as well. However, the Commission understood that the March 31, 2022 Consent Agreement entered into between AZ-BON and AU was intended "to chart a 'go forward' path pursuant to which Aspen has the opportunity to reinstate its BSN program in good standing with AZ-BON in accordance with specific terms and procedures designed to improve the processes, procedures, faculty resources and curricula of the BSN program." Believing it in the best interests of AU's student population generally, and its BSN program students more specifically, the Commission determined the best route

was to adopt a similar “go forth” approach with AU, subject to the imposition of monthly reporting requirements and certain other obligations.

3. *SARA Background; SARA Management and Disclosure Issues.* On February 23, 2022, the Colorado Department of Education, Colorado’s State Authorization Reciprocity Agreement (SARA) state portal authority, informed AU that, due to the Arizona regulatory boards’ investigations and AU’s relocation of administrative functions and academic oversight from Colorado to Arizona, AU’s SARA participation was being placed in a provisional status. It ordered AU to cease new enrollments in all states where it was authorized on the basis of its participation in SARA unless it obtained individualized independent authorization from the state. On March 29, 2022, the Colorado SARA portal authority determined that AU was no longer eligible to participate in SARA.

On June 17, 2022, following the loss of its appeal of the Colorado SARA portal decision, AU informed DEAC that its SARA tail coverage for students enrolled as of its loss of SARA participation status from Colorado would expire September 6, 2022, two days prior to the scheduled AZ-SARA council meeting. The Commission’s July 25, 2022 letter, in addition to imposing monthly reporting obligations on AU, included an express requirement that AU send out a notice promptly, and in any event no later than August 2, 2022, to AU students enrolled in states for which AU did not have individual state authorization that there would be a lapse in AU’s authorization as of September 6, 2022 and the consequences of the lapse. A copy of that notice was to be provided to DEAC.

AU did not comply with the Commission’s requirement to send notices to students by August 2, 2022 regarding the lapsing of AU’s SARA coverage on September 6, 2022. Rather, AU delivered to those students between August 13 and August 15, 2022 a notice indicating that AU state authorization lapsed as of August 15 and the students’ ability to continue in their programs was suspended effective August 16. A copy of the first notice was provided to DEAC after the fact and was the first notice from AU to DEAC communicating how the lapsing of AU’s SARA coverage would impact Aspen students. The absence of meaningful prior notice to students of that impact was precisely the injurious result that DEAC had intended to forestall with its July 25, 2022 requirement.

DEAC’s immediate focus following AU’s notice of the unanticipated immediate suspension in programs for certain students was work with AU, AZPPSE, and other state regulatory/licensing authorities to authorize continued operations by AU and/or an orderly teach-out of Aspen students in states where AU did not have individualized state authorization. These efforts on the part of DEAC intensified after the decision by the

Arizona SARA authority on September 8, 2022 to defer a decision as to AU's participation in SARA until January 2023.<sup>6</sup>

Although DEAC's commitment to the interests of students was unwavering, DEAC staff became increasingly concerned with respect to representations made and data submitted to different state authorities. In a letter dated October 17, 2022, DEAC's Executive Director stated those concerns explicitly:

Lastly, we believe it is important to make you aware that as part of DEAC's monitoring activities and discussions with state officials regarding AU, we have received reports from states of incomplete, inaccurate or outdated information which appear to have harmed the institution's credibility with the applicable state oversight agency and, in some instances, have delayed pending applications and work on finalizing teach-out and transfer agreements. It appears that Aspen's communication with and submissions to Arizona authorities may have contributed to challenges that AU faces there. To date, DEAC has accepted AU's explanations of misunderstandings, and unintentional miscommunications. Together with the states, DEAC expects a continued commitment from Aspen's senior management to a culture of candor and effective accreditation and regulatory compliance. DEAC's primary obligation is to AU's students and regulatory partners, all of whom rely upon accurate information from the institution in formulating decisions in their interest. Accreditation Standard I (Institutional Mission) requires that an institution's educational offerings and administrative practices must be of sufficient scope and quality to achieve the institution's mission. Accreditation Standard X (Institutional Governance) requires institutional governance and management to be characterized by integrity, capability, and commitment to the institution's educational mission. Standard XI (Financial Responsibility) requires the institution to demonstrate the financial capability, stability, and resources to meet its mission and values while delivering high quality educational offerings. As part of its ongoing monitoring efforts through financial reporting and teach-out reporting, DEAC will continue to assess AU's compliance with these standards.

4. *December 2022 – January 2023 Disclosure Issues.* On December 1, 2022, AZ-BON delivered to AU an RQ covering student complaints filed with AZ-BON by AU BSN students in November 2022 regarding the BSN program. A second AZ-BON RQ was

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<sup>6</sup> At its January 2023 meeting, Arizona's SARA portal authority again deferred a decision on AU's ability to participate in SARA until September 2023. However, this decision did not occur until after the Commission's January 2023 meeting and so was not considered by the Commission.

delivered to AU on December 20, 2022 with respect to additional complaints filed in November/December 2022 regarding the BSN program. The complaints set forth a range of issues but seemed primarily focused on alleged deficiencies in the clinical rotations, problems with the midterm HESI examinations, and AU statements to BSN students allegedly made to deter students from filing complaints with AZ-BON. AU delivered its written responses to the two AZ-BON RQs on December 11, 2022 (with a supplemental response on December 16) and January 3, 2023, respectively. DEAC did not learn about either the student complaints or AZ-BON's interest in the same until after DEAC reached out to AU on January 5, 2023 with respect to potential new concerns with AU from AZPPSE. And it was only after an express request by DEAC to AU for documentation relating to the student complaints and AZ-BON concerns that AU provided copies of the AZ-BON RQs and AU's responses to the same. In its January 9, 2023 communication to which the complaint record was attached, AU indicated that "These [RQs] would have been coming to you in the monthly report on Jan 15 for December 2022."

AU did not disclose that AZ-BON had initiated a new investigation into the BSN program or that, in December 2022, AZ-BON interviewed multiple AU administrators with respect to the allegations in the students' complaints.<sup>7</sup>

C. Findings of Commission.

AU did not promptly disclose to DEAC that students enrolled in a teach-out of the BSN program were failing to pass the mid-term HESI exam and that this could potentially trigger action by the AZ-BON. Furthermore, AU did not timely disclose the institution's receipt of the two AZ-BON RQs. The Commission's July 25, 2022 letter to AU unequivocally identified falling exam rates or the AZ-BON's issuance of an RQ as events which would independently trigger notification obligations under Section XVII.E., Part Two, *DEAC Accreditation Handbook*.

To be clear, there is nothing in DEAC's rules, standards, policies, or communications which would suggest that DEAC's July 25, 2022 implementation of monthly monitoring of Aspen somehow relieved Aspen of its ongoing obligation to promptly notify DEAC of any new investigation initiated by AZ-BON or another regulatory/licensing authority. The Commission found that AU's suggestion, in its January 9, 2023 cover email for the AZ-BON RQs, that AU was justified in not disclosing the RQs until January 15, 2023 because of its monthly reporting requirements, has no reasonable foundation, is not

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<sup>7</sup> Nor did AU disclose at that time, or previously, that AZ-BON had taken witness statements from AU's BSN Program Director, RN, Assistant Program Director, and Clinical Practice Manager regarding the AU BSN program Bootcamp on 10/25/22 at which the intimidating statements intended to deter students filing complaints from AZ-BON were allegedly made. While it is possible that such statements were taken without the knowledge of AU, AU also did not disclose the December 2022 investigatory interviews of AU staff by AZ-BON interviews of which AU was aware.

credible, and underscores the Commission's concern with respect to AU's management leadership and capacity.

The lack of disclosure to DEAC by AU regarding the significant developments in AU's BSN program and in the institution's relationship with AZ-BON in December 2022 and January 2023 continued a pattern of unreliable disclosures dating back to at least 2021.<sup>8</sup> This pattern, together with the lack of effective management of AU's relocation to Arizona and its SARA status, as well as the questions identified by AZPPSE with respect to its financial stability, have raised serious concerns with respect to the institution's capacity for sound, ethical, and responsible operations consistent with the DEAC accreditation standards identified above. The deficiencies in AU's notices and disclosures have also presented risk to

- a) AU's existing student body to serious disruptions in their education, additional costs, and other injury;
- b) the reputation of DEAC with state and federal regulators as well as other accrediting/licensing organizations; and
- c) the integrity and effectiveness of DEAC's regulatory oversight of AU.

### **III. Show Cause Directive**

This show cause directive flows directly from (i) DEAC's commitment to monitor and assess the quality of its institutions' educational offerings and (ii) the agency's commitment to safeguard the integrity of the accreditation process. Both commitments rely on the good faith of and reliable communications between the accrediting agency and the accredited institution. Pursuant to this directive,<sup>9</sup> AU must demonstrate, by written narrative and supporting documentation and data, that:

- 1) AU is providing programs consistent with and capable of providing the expected outcomes from those programs;
- 2) AU is integrating feedback from those programs to remediate shortcomings to those programs and to continually improve and strengthen those programs and student outcomes; and

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<sup>8</sup> The institution's pattern of unreliable disclosures was expressly called out by the Commission in its July 25, 2022 letter. The Commission at that point, and in light of the 'go forward' approach taken by AZ-BON in its March 2022 consent agreement with AU, limited its response to a stern warning and heightened monitoring. When the pattern re-emerged in the context of Aspen's communications with state regulatory authorities as the institution sought to put into place authorized teach-outs, DEAC again called out the problem in its letter of October 17, 2022; that letter also put AU on notice that the integrity of its disclosures would be the subject of ongoing review by the Commission.

<sup>9</sup> The principal provisions in Part Two of the DEAC *Accreditation Handbook* addressing show cause directives are set forth in Exhibit A. Due to the issuance of this show cause directive, DEAC's current evaluation of AU's outstanding request for a substantive change has been put on hold pending resolution of the directive.

- 3) AU's owners, governing board members, officials, and administrators have the capacity to operate the institution capably and with transparency and integrity.

Such demonstration shall be delivered to DEAC 30 days in advance of the special visit also required by this directive, as further described below.

In addition to the foregoing:

1. With respect to the AU's Teach-out Plan and Agreement requirements, the Commission is now requiring AU to submit executed teach-out agreements with one or more accredited institutions consistent with the terms of Section XXI.C. the DEAC *Accreditation Handbook*, Part Two: Processes and Procedures. These executed teach-out agreements are to be delivered to DEAC by February 16, 2023.
2. The Commission will continue to monitor AU's required monthly financial reports in order to assess AU's compliance with Standard XI (Financial Responsibility).
3. The Commission is requiring AU to undergo a special visit due to the concerns expressed in this show cause directive with respect to (a) the quality, integrity, and sufficiency of the BSN program curriculum, faculty, and testing policies; (b) the failures by AU to comply with the notification and disclosure requirements set forth in DEAC accreditation standards; and (c) the capacity of AU to remedy the issues identified by DEAC in this show cause directive and to effectively manage and lead a post-secondary education institution in compliance with DEAC accreditation standards, and (d) the institution's financial stability.<sup>10</sup> The specific parameters for the special visit, the scheduling of the visit, and the special visit template will be provided by DEAC under separate cover. The provisions addressing special visits are set forth in Exhibit B.

Should you have any questions, please direct them to my attention.

Sincerely,



Leah K. Matthews  
Executive Director

cc: Dr. Wanda Nitsch, Chair of the Commission  
Kevin LaMountain, AZPPSE  
U.S. Department of Education  
Shannon Bitza, Arizona State Board of Nursing  
Jennifer Butlin, Commission on Collegiate Nursing Education

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<sup>10</sup> Although the BSN program has been a primary focus of the Commission's review, its concerns encompass the academic and administrative operations of the entire institution. The scope of the special visit will likewise include review of AU's ongoing compliance with DEAC standards on an institution-wide basis.

### **Exhibit A: Primary Accreditation Handbook Provisions Relating to Show Cause Directive**

**Mid-Term Show Cause Directive.** A show cause directive may be issued by the Commission to an accredited institution which the Commission has reason to believe is no longer in compliance with DEAC accreditation standards during an accreditation term. In such event, the institution is directed to show cause why its accreditation should not be withdrawn. The mid-term issuance of a show cause directive shall follow the same terms as are set forth in Section IX.C., Process and Procedures, *DEAC Accreditation Handbook*. However, the decision by the Commission at the end of the Show Cause Remediation Period is whether or not to withdraw the institution's accreditation, extend the Show Cause Remediation Period for good cause, or vacate the show cause directive if warranted by the remedial actions implemented by the institution.

**Show Cause Remediation Period.** The maximum Show Cause Remediation Period may not exceed the shorter of (a) two years, or (b) 150 percent of the length of the institution's longest program (unless the Commission extends the period for "good cause" as defined below). The burden of proof rests with the institution to demonstrate, within the Show Cause Remediation Period (as that may be extended for good cause shown) and consistent with the terms of the show cause directive, that it is meeting DEAC's accreditation standards. In no event will a Show Cause Remediation Period, including any good faith extensions which may be granted, exceed three years.

**Status During Pendency of Show Cause Directive.** An institution under a show cause directive will retain its accreditation status unless and until the Commission decides to deny or withdraw its accreditation, as applicable. Notice of the show cause directive will be published on DEAC's website and must be included by the institution in its description of its accreditation status, in accordance with the terms of Section XV.E., Processes and Procedures.

**Substantive Changes.** The Commission is deferring any further consideration of the institution's applications for substantive changes until such time as AU demonstrates corrective actions in response to the items of concern relative to this directive to show cause.

**DEAC Notification Procedure.** In accordance with its procedure for Notification and Information Sharing, *DEAC Accreditation Handbook*, Part Two, Processes and Procedures Section XV.E.) and 34 Code of Federal Regulations §602.26(b)(1), the Commission provides written notice to the U.S. Secretary of Education, the appropriate state licensing or authorizing agencies, and the appropriate accrediting organizations at the same time it notifies the institution of the decision, but no later than 30 days after the Commission makes a decision to place an institution on Show Cause.

**Disclosures to Students and Prospective Students.** The Commission requires the institution that is subject to the show cause directive to disclose the action to all current and prospective

students within seven business days of receipt of the written notice of the show cause order. Such notice must, at minimum, meet the requirements of Section XVI.A.2., Processes and Procedures.

**Exhibit B: Section X.A, Part Two, Accreditation Handbook Provisions Addressing Special Visits; Special Visit Template**

The Commission may . . . :

A. Direct the institution to undergo a special visit. The Commission may require a special visit due to unusual circumstances or failure by the institution to meet its obligations to DEAC. The Commission's requirement for a special visit may be triggered by:

- a serious or an unusually large number of student or other complaints e.g., "whistleblower" complaints;
- state or federal investigations or legal action taken against an institution;
- an institution's failure to continue to comply with a condition of accreditation;
- reported negative financial conditions or events;
- a show cause directive issued by the Commission;
- governmental complaints against the institution; or
- similar serious concerns.

The procedure for special visits is as follows:

1. the institution is directed to submit a self-evaluation report with respect to the specific area(s) of concern;
2. the on-site visit is scheduled for 1-2 days depending upon the scope of the issue (which is determined by the concerns giving rise to the special visit);
3. the on-site team includes evaluators selected for their expertise in the area(s) of concern;
4. during the on-site visit, the on-site team reviews documents and interviews relevant institution personnel and/or students;
5. the on-site team's review culminates in a Chair's Report summarizing the team's findings;
6. the institution is invited to respond to the Chair's Report; and
7. a record is provided to the Commission consisting of the materials giving rise to the on-site visit, the institution's self-evaluation report, the Chair's Report, and the institution's response to the same.

Commission-ordered special visits are conducted in a timely fashion. In no case will the time frame for conducting and reporting the on-site evaluation extend beyond 12 months

from the date the Commission is first made aware of any condition requiring a special visit.

If an institution refuses to agree to undergo a special visit, pay the fees for the visit in a timely manner, or observe the timelines specified by the Commission, it will be reported to the Commission for action, including withdrawing accreditation.