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## PART TWO: PROCESSES AND PROCEDURES

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### INTRODUCTION

Part Two of the Distance Education Accrediting Commission (DEAC) *Accreditation Handbook* is intended to set forth the procedural framework institutions seeking accreditation from DEAC are required to follow. It also includes a description of the primary documents and information an institution will be expected to submit in order to demonstrate compliance with DEAC Accreditation Standards (found in Part Three of the DEAC *Accreditation Handbook*). Please note that although the process of evaluation for accreditation is comprehensive and thorough for both initial applicants and those institutions seeking a renewal of their accreditation, the process for a new applicant includes additional steps and requirements, including an initial assessment of “readiness.”

Part Two also sets forth (1) the supplemental process required for institutions seeking to be certified by DEAC as eligible to participate in Title IV programs, and (2) the primary forms of interim monitoring DEAC has established to ensure and support ongoing compliance with the Accreditation Standards. Only DEAC institutions which already hold DEAC accreditation will be evaluated by DEAC for Title IV certification.

Unless otherwise indicated below, all applicable forms and fees associated with the accreditation process, including those involved in mid-term monitoring of accredited institutions and/or supplemental processes such as an application for Title IV eligibility certification, can be found on DEAC’s website.

Application for accreditation, reaccreditation or Title IV eligibility certification is wholly voluntary. For institutions who elect to proceed along any of these paths, DEAC offers training and detailed written guidance. DEAC Staff also welcomes questions from institutions on the process, procedures and forms at any time

#### Four Important Notes on DEAC’s Accreditation Processes and Procedures

1. **The decisions to apply for accreditation and to continue through the accreditation process are voluntary.** Applicant institutions for initial accreditation or reaccreditation may at any time drop out of the accreditation process subject to their continuing obligation for the payment of any accrued fees and expenses.
2. **Scope of Accreditation.** DEAC only awards full accreditation status for accredited institutions and programs. Accredited institutions may offer distance education services that are not part of the institution’s standard degree or certification-bearing curricula. These could include, by way of example, continuing education courses, professional development courses and courses offered in partnership with individual businesses. Any distance education offerings of this nature must be clearly designated as outside of the scope of accreditation granted by DEAC on the institution’s website and in the description of the distance education being offered. DEAC does not offer pre-

accreditation or similar status.

- 3. Procedural Safeguards and Due Process.** As referenced in Part One of the Handbook, peer review lies at the core of the accreditation process for institutions of higher education in the United States. At the same time, DEAC shares with other accrediting organizations and educational regulators the recognition that peer review by its nature is susceptible to subjectivity, potential conflicts of interest, and human error or bias. The accreditation processes and procedures developed by DEAC and outlined below have been carefully designed to safeguard the integrity and quality of institutional and program reviews by incorporating four primary features: (1) transparency in requirements, standards and findings, (2) multiple layers of review by different evaluators, (3) extensive safeguards against conflicts of interest (further information on the same can be found in Part Four of the Handbook), and (4) mechanisms for due process afforded throughout the process.

With respect to due process, in particular, applicant institutions being evaluated for accreditation have the ability, for example, to (a) respond in writing and with documentation to findings of DEAC's subject matter specialists and on-site evaluation team, (b) submit objections to the selection of on-site evaluation team members, (c) request a new evaluation or curriculum review, (d) demonstrate why a show cause directive should be lifted, and (e) appeal a DEAC decision to deny or withdraw accreditation, or a refusal to approve a Substantive Change, to an independent Appeals Panel (see Section XII below). Once accredited, member institutions are also afforded the opportunity of review and comment on material substantive changes to DEAC's Accreditation Standards and Procedures. The right of due process does not mean that the Commission will agree with or accept an institution's response or recommendations. In addition, the burden of proof in demonstrating compliance with accreditation/certification standards rests with the institution at each stage of DEAC's evaluation and decision process and through any appellate process exercised by an institution. However, an institution's right to respond and be heard at key junctures in the evaluation process, as well as the institution's right to appeal Adverse Actions and refusals to approve Substantive Changes, are central to the accreditation process.

- 4. Meeting or Exceeding Government Standards and Educational Quality Leaders.** As referenced in Part One of this Handbook, the accreditation standards, processes and procedures set forth in Parts Two and Three of DEAC's *Accreditation Handbook* are in many instances required or directed by federal regulation or by other recognition or oversight organizations to which DEAC belongs or voluntarily submits, such as the Council For Higher Education Accreditation (CHEA) and the U.S. Department of Education. When regulations across these organizations conflict in the extent of their requirements, DEAC adheres to the more rigorous standards.

In addition, in certain areas, DEAC of its own accord, after review and comment by its members, has elected to implement disclosure and reporting requirements which exceed those required by governmental regulations or those required by other accrediting organizations. This is particularly the case when DEAC believes that higher levels of

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transparency benefit the public generally, and more particularly, enrolled and prospective students of DEAC accredited institutions/programs.

Institutions which elect to seek accreditation from DEAC or which have been accredited by DEAC must agree in writing to be bound by and comply with the terms of DEAC's corporate by-laws and its published policies, standards, and procedures, including those set forth in the DEAC Accreditation Handbook.

I. ACCREDITATION PROCESS FOR FIRST TIME APPLICANTS; INITIAL TRAINING

The process for institutions seeking DEAC accreditation for the first time for their institution or one or more of their programs occurs in four steps: Preparing for Accreditation, Demonstration of Eligibility, Self-Evaluation and Readiness Assessment, and Full Evaluation for Accreditation. Of these, the third and fourth steps consist of formal evaluations, with the fourth comprising the most rigorous and comprehensive evaluation of the institution. In the fourth step, a first-time applicant institution is also entitled to the rights of due process afforded to accredited institutions seeking reaccreditation. Successful completion of any one step is required before an institution can proceed to the next step; however, successful completion of a prior step does not guarantee successful completion of any subsequent step. Applying for accreditation or reaccreditation is a voluntary process. Accordingly, an institution may at any time during its pursuit of accreditation decide to withdraw from the process and end its application.

DEAC reserves the right to limit its accreditation process to the kinds of distance education institutions and types of distance programs that are within its scope of expertise and to decline to consider institutions and programs for accreditation that are outside DEAC's scope or competence or where other circumstances do not permit a meaningful evaluation. The institution assumes the burden of proof in demonstrating that its curricula, operating structure and method of delivery are within DEAC's recognized scope of authority.

- A. Step One: Preparing for Accreditation: A key person at the institution who will be leading or central to the accreditation application process must enroll in and successfully complete the *Preparing for DEAC Accreditation* tutorial to qualify as a Compliance Officer. The course is available on DEAC's website at [www.deac.org](http://www.deac.org). This tutorial must be completed within one year prior to submitting the Application for Accreditation. DEAC does not accept Applications for Accreditation without a copy of the Certificate of Completion for the tutorial from the key person who completed the course.
- B. No Promotional Use of DEAC Accreditation or Accreditation Process: An initial applicant institution may not suggest that it is accredited by or will be accredited by or otherwise carries any form of approval by DEAC unless and until accreditation has been finally granted, and then solely in accordance with the rules for referencing DEAC accreditation set forth in Standard VII.B. Without limiting the foregoing, when an institution applies for initial accreditation, it must certify on its Application for Accreditation that it "agrees to not make any promotional use of its application for accreditation status prior to receiving DEAC accreditation." If DEAC is informed that an applicant institution has violated the foregoing

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prohibition, the Executive Director will notify the institution immediately and tell them to cease and desist. If the institution continues in the unauthorized disclosure, its application for accreditation will be terminated and the institution will not be allowed to reapply for accreditation for one year.

## II. ACCREDITATION PROCESS FOR APPLICANTS FOR RENEWAL OF ACCREDITATION

Institutions applying to DEAC for renewal of their accreditation must also complete the accreditation training tutorial and submit an Application for Accreditation and non-refundable application fee pursuant to the terms set forth in Section III below. However, they are not required to undergo a readiness assessment but rather, upon written confirmation from DEAC that their application has been accepted, proceed directly with a full accreditation evaluation, to include a curriculum review, pursuant to the terms set forth in Section V below.

## III. APPLICATION FOR INITIAL ACCREDITATION OR ACCREDITATION RENEWAL; DETERMINING ELIGIBILITY

After completing the online *Preparing for DEAC Accreditation* tutorial, an institution seeking DEAC accreditation or reaccreditation must submit an Application for Accreditation and associated non-refundable fee (see DEAC website for fee schedule and Application form). The Application requires information intended to establish the applicant's eligibility (or continued eligibility in the case of institutions applying for re-accreditation) based on the standards of eligibility set forth below. DEAC makes its determination of eligibility based primarily on an institution's Application but may also request and review additional information from the applicant and/or third parties in order to reach its determination. The burden of proving eligibility is on the applicant institution. DEAC's determination of eligibility or non-eligibility is within its sole discretion, final and non-appealable. Compliance with the criteria below must be maintained throughout the accreditation evaluation process and any subsequent term of accreditation.

A determination of eligibility by DEAC is communicated by a letter, delivered within 30 days of DEAC's receipt of the Application. That letter marks the start of the formal evaluation of an applicant institution for accreditation. If an initial applicant institution is determined to be ineligible, DEAC will communicate this decision within the same timeframe and will provide the basis for its decision. Institutions whose Applications have not been accepted may reapply only after they have cured the disqualifying issue(s) to the satisfaction of DEAC. If an applicant for reaccreditation is determined to be ineligible, DEAC will initiate an inquiry into the non-compliance and, when appropriate, will issue a Show Cause Directive or take other action pursuant to the terms of Section XVII (Interim Monitoring). Institutions who elect to proceed with their application for accreditation must complete all steps of the accreditation process within 12 to 18 months after the Determination of Eligibility is communicated by DEAC.

The eligibility criteria are as follows:

A. A distance education institution or provider is defined by DEAC as an educational institution or organization whose primary purpose is providing education or training that:

1. formally enrolls students and maintains student records;
2. retains qualified faculty to service students;
3. provides educationally sound and up-to-date curricula that are supported by quality instructional materials and appropriate technology; and
4. provides continuous two-way communication on student work, e.g., evaluating students' examinations, projects, and/or answering queries, with timely feedback given to students.

Furthermore,

5. each program offered by the institution is predominantly distance education or correspondence education (51 percent or more);
6. the institution offers non-degree and/or degree programs up to the professional doctoral level pursuant to DEAC's scope of recognition; and
7. the institution uses the term "college" or "university" in its name only if it offers academic degree programs.

B. The institution is properly licensed, authorized, exempted, or approved by all applicable state education institutional authorities (or their equivalent for non-U.S. institutions). The institution is in compliance with all applicable local, state, and federal requirements. Exemptions from state law must be supported by state-issued documentation, or express statutory/regulatory language. Proper state authorization in an institution's state of domicile is a prerequisite for DEAC accreditation and required to maintain accredited status. Accordingly, should an institution lose its state licensure in its state of domicile for any reason while applying for initial accreditation or reaccreditation, that process is automatically terminated. In any such situation, the institution shall not be entitled to receive any refund of fees already paid to DEAC nor shall DEAC have any liability to the institution associated with the termination of the application/evaluation process. DEAC accreditation of an accredited institution is also automatically withdrawn as of the date of the loss of state licensure. Such a withdrawal of accreditation may be appealed by an institution pursuant to the procedures set forth in Section XII below.

C. At the time of the initial application, the institution has been enrolling students in the current programs for twelve consecutive months. The institution may not add new programs during this twelve-month period or during the initial accreditation process. In its response to this criterion, the institution must submit a Microsoft Excel spreadsheet with the names, mailing addresses, and email addresses of no more than the first 100 students consecutively enrolled within each division and degree level of the institution beginning the first day of the 12<sup>th</sup> month preceding the date of this application. If the institution has less than 100 students, an institution should submit the information for all students enrolled. Only institutions that are 100 percent

- correspondence may submit the names and addresses of students on self-adhesive mailing labels.
- D. At the time of initial application, the institution has been operating under the current legal status, form of control, and ownership for two consecutive years. The institution may not undergo changes to current legal status, form of control, or a change of ownership during the initial accreditation process.
  - E. The institution has clearly articulated outcomes for its educational offerings and has an ongoing outcomes assessment program in place designed to measure student achievement and satisfaction.
  - F. The institution maintains a permanent physical facility that supports its educational offerings and business operations in a professional setting. The facility is maintained at a fixed geographic location that is appropriately licensed or authorized as required by local and state regulatory authorities. A Post Office box is not a physical facility address.
  - G. The institution documents that it is financially sound and can meet its financial obligations to provide instruction and service to its students by submitting financial statements in accordance with Part Three, Section XI, Financial Responsibility, *DEAC Accreditation Handbook*.
  - H. The institution demonstrates that its name is free from any association with any activity that could damage the standing of DEAC or of the accrediting process, such as illegal actions, unethical conduct, or abuse of consumers.
  - I. The institution, the institution's owners, governing board members, officials, and administrators possess sound reputations and show a record of integrity and ethical conduct in their professional activities, business operations, and relations. The owners, governing board members, officials, and administrators have records free from any association with any misfeasance, including, but not limited to, owning, managing or controlling any educational institutions that have entered bankruptcy or have closed, to the detriment of the students.
  - J. The institution agrees that, as part of the application process, its owners, officers and managers may be subject to a background check by DEAC, which may include, but not be limited to, DEAC surveys of state educational oversight agencies, federal departments and agencies, and consumer protection agencies; and checks on the credit history, prior bankruptcy, criminal background, debarment from federal student aid programs, the closing of educational institutions in which they were owners, managers or principals, or the loss of accreditation or state approval to operate an educational institution. The costs of such background checks will be borne by the applicant.

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- K. An initial applicant, and its corporate affiliates, must be free from any pending or final action brought by a state agency or recognized accrediting agency to (i) suspend, revoke, withdraw or terminate any one or more of such entities' legal authority to operate or (b) deny accreditation or renewal of accreditation to one or more of such entities. An applicant for reaccreditation and its corporate affiliates must be free from any such final action by a state agency or recognized accrediting agency.

#### IV. SELF-EVALUATION AND READINESS ASSESSMENT (FIRST TIME APPLICANTS ONLY)

For initial applicants, the next step after receipt of DEAC's acceptance letter is a Readiness Assessment conducted by an independent DEAC-appointed evaluator. The Readiness Assessment provides a preliminary evaluation of the institution. It is not a comprehensive examination nor should a finding of "readiness" by the evaluator be construed as an indication that an institution is likely to be granted accreditation if it proceeds with the more extensive accreditation evaluation. Rather, it is intended to determine whether or not the institution has sufficient strength and stability to successfully undergo a full evaluation, and therefore whether a commitment of the institution's and DEAC's resources in administering such an evaluation is merited. The Assessment also provides guidance to the institution on the actions necessary for the institution to prepare for the more in-depth, rigorous and comprehensive review. **A determination of Non-Readiness by an independent evaluator or the on-site team is final and not subject to appeal or review by the Commission.**

The first step in the Readiness Assessment is the submission by the applicant institution of a completed Self-Evaluation Report (including its exhibits, "SER"), together with the non-refundable Readiness Assessment fee (see DEAC website for fee schedule, within 60 days of the date DEAC has accepted the institution's Application for Accreditation. Institutions should submit the required materials in accordance with DEAC's instructions for electronic submission.

- A. Preparation of SER: The SER is prepared by the institution's Compliance Officer and staff in accordance with the terms of the form and the DEAC guidance provided in its "Guide to Self-Evaluation." Both the SER and the SER Guide can be downloaded from DEAC's website. The SER is an extensive, demanding, and comprehensive report, and provides data on all areas of an institution's operations and performance, including its compliance with all twelve DEAC Accreditation Standards. An institution's preparation and submission of an SER is intended both to demonstrate an institution's compliance with DEAC's Accreditation Standards (see Part Three of the *Accreditation Handbook*) and to provide the institution with a useful tool of self-assessment.

Readiness Evaluation: Following receipt of the applicant's SER, DEAC's independent evaluator reviews the SER to determine whether or not the institution is likely to be able to successfully complete a full accreditation evaluation. For purposes of achieving a positive result on the Readiness Assessment, an institution is not

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required to demonstrate 100% compliance with all twelve Accreditation Standards. However, 100% compliance is required to be awarded accreditation. The DEAC evaluator's feedback on an applicant's SER is intended to help the applicant and DEAC assess where the institution is, in terms of qualifying for accreditation, how much additional work may be required for the institution to achieve 100% compliance, whether the institution has the capacity to comply with the Accreditation Standards on an ongoing basis, and whether or not it is advisable for DEAC and/or the institution to invest their respective resources in the next, more rigorous stage of evaluation.

- B. The Readiness Assessment Report is returned to the institution within 10-12 weeks following DEAC's receipt of the institution's SER. The institution is either "Deemed Ready" or "Deemed Not Ready."
- **Deemed Ready:** The institution receives a letter from DEAC indicating it is deemed ready to continue the accreditation process. The letter also provides guidance to the institution as to where its operations and SER responses need to be strengthened, expanded or revised in order to increase the likelihood of a successful accreditation evaluation and on-site visit. The letter also provides the schedule and contents for the accreditation evaluation. Institutions which receive a Deemed Ready letter must submit their curricula for review within three months of receipt of the letter (see Section V below). The institution must also submit a new SER to the on-site evaluation team at least six weeks prior to the scheduled on-site visit.
  - **Deemed Not Ready (2<sup>nd</sup> Submission):** The institution receives a letter from DEAC indicating it is not deemed ready to continue the accreditation process. The institution has six months to submit a revised SER incorporating the evaluator's comments and recommendations, together with a non-refundable 2<sup>nd</sup> Submission Readiness fee (see DEAC website for fee schedule). If the independent DEAC-appointed evaluator, based on the revised SER, deems the institution ready to continue the accreditation process, the institution will begin the curricular review process required for the full evaluation by submitting its curricula for review within three months. The institution must also submit a revised SER to the on-site evaluation team at least six weeks prior to the scheduled on-site visit.
  - **Deemed Not Ready (3<sup>rd</sup> Submission):** If the institution is not deemed ready after the second submission, the institution has another six months to revise and submit a new SER incorporating the evaluator's comments and recommendations. The third submission is reviewed and evaluated by an independent on-site evaluation team which makes its Readiness Assessment based on the revised SER and the on-site visit. If the on-site team's Chair Report following the on-site visit indicates that the institution is not ready, the institution can reapply for initial accreditation after one year. The third submission must be accompanied by the non-refundable applicable on-site visit fee (see DEAC website for fee schedule).

## V. FULL ACCREDITATION EVALUATION PROCESS

A full accreditation evaluation and review are required of both new applicants for accreditation and institutions seeking renewal of their accreditation. The process begins in two parallel paths: the curriculum review and the institution's preparation and submission of its SER. It is the responsibility of the institution to initiate both processes.

### A. CURRICULAR REVIEW

As a part of the accreditation process, the Commission engages subject matter specialists to conduct comprehensive evaluations of course/program materials. The subject matter specialist is responsible for ascertaining whether the curricula and materials offered by the distance education institution are complete, accurate, and up-to-date in relation to stated educational outcomes. While only representative courses are reviewed in depth, the subsequent on-site review includes the scope and sequence of all curricula. Course materials submitted as part of an institution's application for accreditation are not returned to the institution. The institution is invoiced per subject matter specialist for each course/program review. Curricular reviews associated with full accreditation evaluations typically take between three and six months.

Curricular reviews may also occur in the context of a Substantive Change request (see Section XIII). For substantive change applications, the curricular review may take up to six months. This includes the subject specialist search as well as the review by the subject matter specialist.

### B. CURRICULAR REVIEW FOR INSTITUTIONS SEEKING INITIAL ACCREDITATION

#### 1. DEGREE PROGRAMS

- a. Once the institution is deemed "ready" to move ahead in the accreditation process, it submits a list of all programs offered at the institution. DEAC then selects a sample of courses required for review and sends the institution a letter indicating the courses required for submission and the fee.
- b. For each degree program offered, 50 percent of the courses are selected by DEAC for review. The representative courses are selected based on a broad and fair representation of the curriculum for each degree program.
- c. The institution submits an Educational Offerings Report and curriculum materials for each program, including identified courses with supporting documentation, for review off site by subject specialists.

#### 2. NON-DEGREE PROGRAMS

- a. Once the institution is deemed "ready" to move ahead in the accreditation process, it submits a list of all programs offered at the institution. The institution will receive an invoice for the off-site

subject specialist review fee.

- b. The institution submits an Educational Offerings Report and the curriculum materials, including supporting documentation, for review off-site by subject specialists.

### 3. HIGH SCHOOL PROGRAMS

- a. Once a high school diploma-awarding institution is deemed “ready” to move ahead in the accreditation process, it submits a list of the courses offered at the institution. DEAC reviews the list and selects the courses required for review. DEAC sends the institution a letter indicating the courses required for submission. The institution will receive an invoice for the review fee.
- b. For each high school program offered, 50 percent of the courses are selected for review. The representative courses are selected based on the following criterion:
  - Broadly and fairly representative of the following subject areas: mathematics, English, science, social studies, and electives.
- c. The institution submits an Educational Offerings Report and the curriculum materials, including identified courses with supporting documentation, for review off site by subject specialists.

### 4. RESPONSE TO THE SUBJECT SPECIALIST REVIEW

All institutions that undergo the curricular review process for initial accreditation must respond to any “Partially Meets” or “Does Not Meet” findings prior to the on-site evaluation. The institutional response is sent to DEAC and the DEAC on-site evaluation team at least two weeks prior to the on-site evaluation.

## C. CURRICULAR REVIEW FOR INSTITUTIONS SEEKING RENEWAL OF ACCREDITATION

### 1. DEGREE PROGRAMS

- a. An institution undergoing renewal of accreditation submits a list of all degree programs offered at the institution. DEAC reviews the list and selects the programs and courses required for review. DEAC sends the institution a letter indicating the programs and courses required for submission. The institution will receive an invoice for the off-site subject specialist review fee.
- b. The representative programs and courses are selected based on the following criteria:
  - If one program is offered, the institution will submit all of the

curricula and DEAC will select approximately 25 percent of the institution's courses for review. The selection will include the final or capstone course.

- If between two and 10 programs are offered, the institution will submit 50 percent of the programs and DEAC will select approximately 25 percent of the institution's courses for review. The selection will include the capstone/final program course.
  - If over eleven programs are offered, then the institution will submit 7 programs or approximately 25 percent of the programs (whichever is greater) and DEAC will select approximately 25 percent of the institution's courses for review. The selection will include the capstone/final program course.
- c. The institution submits an Educational Offerings Report and curriculum materials, including identified courses with supporting documentation, for review by off-site subject specialists.

## 2. NON-DEGREE PROGRAMS

- a. An institution undergoing renewal of accreditation submits a list of all programs offered at the institution. DEAC reviews the application and sends the institution a letter indicating the programs required for submission and the fee.
- b. The representative educational offerings are selected based on the following criterion:
- Approximately 25 percent of all educational offerings that are broadly representative.
- c. The institution submits an Educational Offerings Report and the curriculum materials for each selected educational offering, including supporting documentation, for review off-site by subject specialists.

## 3. HIGH SCHOOL PROGRAMS

- a. An institution undergoing renewal of accreditation submits a High School Program Application Part 1 listing all high school programs offered at the institution. DEAC reviews the application and selects the courses required for review. DEAC sends the institution a letter indicating the courses required for submission and the fee.
- b. For each high school program offered, DEAC will select approximately 25 percent of the courses for review. The representative courses are selected based on the following criterion:

- Broadly and fairly representative of the following subject areas: mathematics, English, science, social studies, and electives.
  - c. The institution submits an Educational Offerings Report and the curriculum materials, including identified courses with supporting documentation, for review off site by subject specialists.
4. RESPONSE TO THE SUBJECT SPECIALIST REVIEW  
The institution responds to any “Partially Meets” or “Does Not Meet” findings prior to the on-site evaluation. The response is sent to DEAC and the DEAC on-site evaluation team at least two weeks prior to the on-site evaluation.

#### D. SELF-EVALUATION REPORT FOR FULL ACCREDITATION EVALUATION

All applicants for accreditation must submit a completed SER as part of the evaluation process. For institutions applying for accreditation for the first time, the SER is typically a revision of the SER submitted in connection with the Readiness Assessment, expanded and updated based on the applicant’s experience of going through the Assessment and receiving feedback from the DEAC evaluator. The SER must be submitted to the on-site evaluation team at least six weeks prior to the scheduled on-site visit. The SER for the full evaluation follows the same form as the SER required for the Readiness Assessment (see Section VI.A above and DEAC website for the SER form and Guide to Self-Evaluation). However, institutions submitting SERs in connection with the full evaluation process must demonstrate that they are in compliance with all twelve DEAC Accreditation Standards (see Part Three of DEAC *Accreditation Handbook*). Partial compliance is not sufficient to be awarded accreditation.

#### VI. PETITIONS AND WAIVERS

Whether in connection with an application for accreditation or reaccreditation, or in the context of a mid-term event, an institution may submit a petition to the Commission requesting a waiver or alternative interpretation of any DEAC Accreditation Standard or procedure. Such submission must be in the format specified by DEAC, document in detail the rationale for the request, and include such supporting documentation as the institution wishes to present in support of its request. Petitions should not be requested simply because an institution does not like a standard or does not care to be subject to it. Petitions may only be submitted for a significant reason as it applies to the institution’s mission. Petitions must be submitted at least 45 days in advance of one of the Commission’s normally scheduled semi-annual meetings for consideration at that meeting or within such alternate time period as DEAC may specify from time to time by written notice. DEAC may also allow petitions to be filed at other times upon request of an institution where DEAC determines that such accommodation is appropriate given the specific circumstances. All petitions must be accompanied by full payment of the applicable petition fee (see DEAC website for fee schedule).

- A. The Commission shall review a properly submitted petition, including its supporting

documentation, and shall vote to either approve or deny the petition.

- a. The Commission will grant a waiver or alternative interpretation of its standards or procedures where an institution is able to demonstrate, as determined by the Commission in its reasonable discretion, that:
  - extenuating circumstances are present that indicate the normal application of the standard or procedure will create an undue hardship on the institution or its students, or
  - the waiver or alternative interpretation meets the underlying purpose and intent of the standard or procedure.
- b. If a Petition is denied, the institution may not resubmit a petition for the same request unless a subsequent change in relevant facts and circumstances or other material development would be likely to result in a different decision by the Commission. Petitions are granted for a period of one year for initial applicants and one accreditation cycle for accredited institutions.
- c. The Commission notifies the institution in writing of its decision within 30 days following that decision; such notice includes a summary of the rationale for the Commission's decision. A decision by the Commission not to grant a waiver or alternative interpretation is final and is not subject to appeal.

## VII. CONSIDERATION OF THIRD PARTY INFORMATION

- A. DEAC publishes notice of the institutions under review for initial or renewal of accreditation on its website and encourages interested parties to submit written comments pertaining to such review. The Commission also solicits comments from third parties such as state educational agencies, other accrediting or licensing organizations, education-focused media, and other industry groups.
- B. Any information received from the public is provided to the institution for review and response. A copy of the public comment and the institution's response to the same, if any, are included in the record to be reviewed by the Commission. Information received from governmental agencies or departments is treated in the same way as information obtained from nongovernmental sources unless the agency or department provides the information to DEAC with express requirements of confidentiality.
- C. With respect to applicants for reaccreditation, DEAC also takes into account actions by other accrediting organizations that have denied accreditation or renewal of accreditation status to the institution, have placed the institution on probation, or have withdrawn/revoked the accreditation or renewal of accreditation status of the institution. For initial applicants, any of the foregoing may be a bar to establishing eligibility.

## VIII. ON-SITE EVALUATION

On-site evaluations allow the on-site team to independently evaluate the information submitted in the institution's Self-Evaluation Report and gather additional facts for DEAC. All members of the on-site evaluation team are subject to DEAC's Conflict of Interest Policy located in the *DEAC Accreditation Handbook Appendix*.

When appropriate or required by specific circumstances as determined by the Commission in its discretion, an "on-site" visit may be conducted virtually. The Commission may rely on virtual on-site visits and treat them as equivalent to actual on-site visits in connection with any of its decision-making processes. However, where a virtual on-site visit has replaced a scheduled actual on-site visit, the latter will be rescheduled when practicable.

- A. **Selection of On-site Team:** In selecting evaluators for on-site evaluations in the context of a full accreditation evaluation, DEAC considers the nature of the institution being reviewed for compliance with DEAC Accreditation Standards, the methods of operation unique to the institution, the program(s) offered, and the expertise and past evaluation experience of the evaluator.
- The number of on-site evaluators for a full accreditation evaluation on-site team is determined by the size of the institution, but the teams generally include:
    - a Chair;
    - an education evaluator;
    - a business evaluator;
    - a subject specialist for each subject area;
    - a DEAC staff member; and
    - state or federal agency observers (invited).
- One person may serve in more than one of the above roles; however all such roles will be presented on the on-site team. On-site teams working in other contexts, such as reviews in connection with Substantive Changes (see Section XVIII below) are generally smaller and tailored to the context.
- B. Once the evaluators are selected, their names are submitted to the institution. The institution may object, with an adequate reason, to a specific evaluator and request that another evaluator be chosen. DEAC considers any objections submitted by an institution but is not required to replace evaluators to whom objections have been made.
- C. **On Site Evaluation Function and Process:** The on-site evaluation provides an opportunity for evaluators to meet with key staff members, faculty/instructors, principal managers, outside accountants, governing board members, and Advisory Council members in order to verify that the institution is meeting its mission, can

demonstrate successful student achievement, and otherwise operates in accordance with DEAC Accreditation Standards. All such institutional personnel must be present or readily available by telephone or other link during the on-site visit.

- a. Before the on-site evaluation, each evaluator develops a comprehensive picture of the institution's operations by completing a thorough review of the SER and then answers questions on the evaluation rubric provided by DEAC.
- b. The Chair of the on-site team is responsible for the completion of the on-site evaluation in accordance with the Commission's processes and procedures and assures that each evaluator completes his/her tasks during the on-site evaluation.
- c. A DEAC staff member accompanies the on-site team throughout the on-site evaluation to assure objectivity, impartiality, uniformity, consistency in the interpretation of standards, and adherence to established procedures, and to serve as a liaison between the on-site team and the Commission.

#### **D. Chair Report:**

The culmination of the on-site visit is the Chair Report. This document is created by the chair of the on-site team and sets forth the team's findings with respect to the compliance of the institution with respect to each Accreditation Standard. The Chair's Report is provided to DEAC which reviews the report for completeness and clarity before forwarding it to the institution for response, typically within six weeks following the conclusion of the on-site visit. The institution's response is due within 30 days following its receipt of the report. In its response, the institution may add new or supporting information or correct any incorrect statements made in the Chair's Report. Both the Chair's Report and the institution's response are submitted to the Commission, together with other evaluation materials including the SER, subject matter specialist reports, and third-party comments (if any) for review prior to the Commission's making a decision on the institution's application. In the event that, following the onsite visit but prior to the Commission's making its decision on the accreditation of an applicant institution, the institution undergoes a material change in its management, method of operation, enrollment, or program offerings, or has any reason to believe it is no longer in compliance with one or more of the Accreditation Standards, the institution must promptly notify DEAC in writing and include such details as are available so that the Commission can consider the same in the review of the institution's application.

#### **IX. COMMISSION ACTIONS ON INITIAL AND RENEWAL OF ACCREDITATION**

The DEAC usually meets twice a year, in January and June to review the Evaluation File for applicants for initial accreditation or renewal of accreditation. The Evaluation File consists of the applicant's Application for Accreditation, the Self-Evaluation Report submitted for the full evaluation, the Chair's Report, the institution's response to the Chair's Report, subject specialists' reports and the institution's response to the same, student surveys, any complaints filed against the institution by any person or entity, any responses to public notices and

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requests for comments to governmental and other industry entities, the institution's advertisements and catalog, substantive communications between the institution and the Commission relating to the accreditation process, and other relevant documentation which may be submitted or created by the institution, DEAC or the public in connection with the evaluation process.

Each member of the Accrediting Commission is required to complete and sign, prior to the Commission meeting at which applications for accreditation or re-accreditation are to be evaluated, a Conflicts of Interest form with respect to each institution to be considered at that meeting, and to recuse themselves from the evaluation and decision-making with respect to any institution with whom a conflict exists (see Part Four of Handbook for DEAC's Conflict of Interest Policy and associated forms).

Notice of the Commission's decision with respect to each applicant for accreditation or re-accreditation is provided to the institution within thirty (30) days following the decision and at the same time to the Secretary of Education, applicable state licensing/regulatory agencies, and other accrediting/licensing organizations as appropriate. Public notice of the same is also posted on DEAC's website within one business day following the date on which notice is sent to the institution and updated when and as applicable. If the applicant institution does not receive a full and unqualified grant of accreditation, the Action Letter will include a detailed written statement that identifies any deficiencies in the institution's compliance with DEAC's Accreditation Standards and/or the rationale behind any imposed conditions for the grant of initial or renewal of accreditation (as further described below). In the case of the denial of an application for accreditation or reaccreditation, the Action Letter also advises the institution of its right to appeal the Commission's decision.

The Commission takes one of four courses of action when evaluating a candidate for accreditation or re-accreditation. It may:

- A. **Accredit** a new applicant institution for up to three years or renew an institution's accredited status for up to five years. In either case, the Commission may, in its discretion, also require that the institution submit interim reports on specific programs or services at different points during the institution's accreditation term. These reports are separate and apart from the interim annual reporting requirements of all DEAC accredited institutions.
  1. If an institution complies in all material respects with DEAC's accreditation standards but the Commission has identified minor administrative or clerical deficiencies in the institution's documentation or operations which can be easily corrected by the institution and for which corrections can be confirmed remotely by DEAC staff, then the Commission may vote to grant accreditation or the renewal of accreditation to such institution contingent on written confirmation of the correction(s) by DEAC's Executive Director. In such event, the Staff will notify the institution of the deficiencies to be corrected and the deadline for making the corrections. If a deficiency continues beyond the stated deadline, then the accreditation decision with respect to such institution will be Deferred

until the Commission's next scheduled semi-annual meeting.

B. **Defer** a decision pending the Commission's receipt of additional information requested in the Deferral Notice, interim progress reports based on issues identified in the Deferral Notice, and/or the results of a follow-up on-site evaluation. The maximum deferral period is 12 months from the date of the Commission's decision (unless the Commission extends the period for "good cause" as defined below).

1. Deferral Notice: Within 30 days following a Commission decision to defer a decision on an institution's application for accreditation or reaccreditation, DEAC will send the institution written notice of such decision (the "Deferral Notice"). The Deferral Notice will:

- a. identify the Accreditation Standards for which the Commission requires additional information, reports, on site evaluations and/or performance data in order to fully evaluate the institution's compliance;
- b. provide the timeframes within which such additional requirements must be completed and a description of the additional information and materials which are to be provided; and
- c. inform the institution of the month in which its application for accreditation or renewal of accreditation will next be reviewed by the Commission.

The Deferral Letter may also require that the institution refrain from making or proposing any Substantive Changes (as defined in Section XVIII below) during the Deferral period; provided, however, that if a Substantive Change is required to more effectively address a concern or question expressed in the Deferral, then the institution may request approval of such change. Any such request must provide a detailed rationale to demonstrate why the requested change would most effectively respond to the identified issue.

2. Decision following Deferral: Upon review of an institution which has previously received a Deferral Notice, the Commission may:
- a. grant accreditation or renewal of accreditation if it determines that the institution's response demonstrates that the institution is compliant with the cited accreditation standards and requirements;
  - b. extend the Deferral Period;
  - c. issue a Show Cause Directive in accordance with the procedures set forth below; or
  - d. deny accreditation or re-accreditation as set forth below.

3. Status during Deferral Period. An accredited institution under a Deferral

Notice will retain its accreditation status unless and until the Commission decides to deny or withdraw its accreditation, as applicable. However, notice of the deferral will be published on DEAC's website.

C. In cases where the Commission has reason to believe that an institution is not in compliance with accreditation standards and other requirements, direct the institution to **Show Cause** as to why its application for accreditation or reaccreditation should not be denied.

- **Show Cause Directive:** Within 30 days following the Commission decision, DEAC will issue a notice to the institution requiring it to show cause why its application for accreditation or reaccreditation should not be denied (the "Show Cause Directive"). The Show Cause Directive will:
  - identify the Accreditation Standard(s) with which the institution is believed to be noncompliant;
  - set forth the reasons why the Commission believes that the institution is not in compliance with DEAC Accreditation Standards;
  - advise the institution of its obligations, reporting requirements, and/or required remedial action under the Show Cause Directive and the timeframes established for the same (the entire period of remediation, the "Show Cause Remediation Period"); and
  - require that the institution refrain from making or proposing any Substantive Changes (as defined in Section XVIII below) during the Show Cause Remediation Period.

In certain situations, where a large number of Accreditation Standards may be implicated by the Commission's identified concerns, or where the Commission identifies systemic problems, the Show Cause Directive may require the institution to submit to a comprehensive evaluation; this can include a requirement that the institution submit an updated Application for Accreditation in order to update and confirm eligibility status and an updated SER as well as a new curricular review and on-site visit.

- **Show Cause Remediation Period.** The maximum Show Cause Remediation Period may not exceed two years (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.
- **Decision following Show Cause Remediation Period:** Upon review of the application for accreditation or reaccreditation of an institution which has previously received a Show Cause Directive, a decision is made on the institution's compliance with the accreditation standards or requirements

noted in the directive. The Commission may:

- vacate the Show Cause Directive and either Defer a final accreditation decision or grant accreditation or reaccreditation if it is determined that the grant is warranted;
  - continue the Show Cause Directive and require the submission of additional information or further reports from the institution and/or a special visit in accordance with Section X.A below; or
  - deny accreditation or reaccreditation.
- **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. However, 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.

D. **Deny** accreditation to an applicant subject provided, however, that:

1. Prior to making a Final Decision to deny accreditation to an institution where the denial would be based solely upon the institution's failure to meet DEAC Standard XI: Financial Responsibility, the Commission will notify the institution of the identified deficiencies and afford the institution a one-time opportunity to provide the Commission with financial information that (a) would bear materially on the Commission's evaluation of the identified deficiencies, and (b) was not available to the institution prior to the Commission's scheduled meeting to evaluate the institution's application. If the Commission determines, in its sole and exclusive judgment, that the new information does not satisfy the foregoing criteria, the Commission will so notify the institution and the institution's application for accreditation or reaccreditation will be denied. If the Commission determines that the new information does satisfy the listed criteria, the Commission will consider the new information prior to making any Final Decision on the institution's application for accreditation or re-accreditation. Although the Commission's consequent denial of accreditation is an appealable decision, the determination by the Commission that the new information is insufficient to justify a re-evaluation of the institution's compliance with Accreditation Standard XI is not.
2. An institution that is denied a renewal of its accreditation will retain its accredited status unless and until the earlier of (a) the period to appeal the decision lapses without the institution filing a notice of appeal, or (b) the Commission's decision is upheld in its original form or as amended by the Appeals Panel. However, notice of the Commission's decision to deny accreditation and the status of any appeal will be published on DEAC's website and must be included by the institution in its description of its

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accreditation status, in each case in accordance with the terms of Section XV.C. Institutions appealing a denial of accreditation must refrain from making or proposing any Substantive Changes.

- E. **Good Cause:** The Commission may, in its sole discretion and upon written request of an institution providing detailed grounds for its request, agree to extend the Deferral Period or Show Cause Remediation Period, as applicable, for good cause shown. An institution requesting an extension must provide evidence, in its request, that it has made substantial, good faith progress toward compliance with the requirements of the Deferral Notice or Show Cause Directive **and** that granting the extension will not impose an unreasonable burden on or otherwise cause harm to students. A “good cause” extension may be allowed, by way of example, when an institution needs additional time to more fully document the scope and permanence of its compliance with DEAC Accreditation Standards or to establish an extended history of such compliance. A decision to grant a “good cause” extension may be made contingent on the institution’s submission of interim reports on progress and related data. When the Commission grants a “good cause” extension, the time allowed for institutional compliance may exceed the permissible compliance times published in Federal Regulations. If the result of a “good cause” extension results in a Show Cause Remediation Period longer than that authorized by federal regulation, the Commission notifies the U.S. Secretary of Education of its decision and the reason for the same. A decision by the Commission not to grant a ‘good cause’ extension is not appealable.

X. ACTIONS AVAILABLE TO COMMISSION DURING AN ACCREDITATION TERM

The Commission may take any of the following cautionary or Adverse Actions (defined in Section XI below) with respect to an accredited institution during its accreditation term:

- 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 the Commission. The Commission’s requirement for a special visit may be triggered because of:

- a serious or an unusually large number of student or other complaints e.g., “whistle-blower” 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;
- another accrediting or licensing agency’s decision to withdraw accreditation from the institution or to take steps toward such withdrawal; or

- similar serious concerns.

Commission-ordered Special Visits are conducted in a timely fashion. In no case will the time frame for reporting and conducting 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, and observe the timelines specified by the Commission for executing the special visit as directed, it will be reported to the Commission for action, including withdrawing accreditation.

**D. Mid-Term Show Cause Directive.** A Show Cause Directive may be issued by the Commission to an accredited institution or program 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 or that of one or more programs should not be withdrawn. The mid-term issuance of a Show Cause Directive shall follow the same terms as are set forth in Section XI(C) above. However, the decision by the Commission at the end of the Show Cause Remediation Period is whether or not to Withdraw the institution's or program'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.

**F. The Commission may take immediate Adverse Action, without prior notice or issuance of a Show Cause Directive, to Withdraw accreditation from an institution or program if it determines, in its reasonable discretion, that an institution's or program's violations of DEAC standards and/or policies warrant such immediate action.**

## XI. DEFINITIONS RELATING TO COMMISSION ACTIONS

- a. **Definition of Adverse Action.** Two actions available to be taken by the Commission are considered "Adverse Actions" and therefore subject to appeal by an institution. These are:
- a. The Commission's Denial of an institution's application for accreditation or reaccreditation; and
  - b. the Commission's Withdrawal of the existing accreditation of an institution for cause.

As further described below, an Adverse Action is disclosed to the institution, applicable state and federal regulatory agencies, other accrediting organizations as appropriate, and the public. However, the action does not become effective until the affected institution has had an opportunity to appeal the decision to an independent Appeals Panel or has allowed the time period for filing such an appeal to lapse.

- b. **Definition of Final Decision.** A “Final Decision” is a decision made by the Commission at the end of a formal deliberation process which marks the end of a full evaluation for accreditation or an interim more limited evaluation engaged in during a institution’s accreditation term. Examples of the latter are certain evaluations triggered by Substantive Changes (see Section XIII) or when the Commission directs a Special Site Visit or issues a Show Cause Directive to an institution during its accreditation term. A Final Decision may be a decision by the Commission to take any of the actions listed in Section IX or Section X. Only decisions not to approve a Substantive Change and Final Decisions constituting Adverse Actions are appealable by an institution.
- c. **Effective Date of Final Decision.** A Final Decision is effective as of the date on which it is made unless (1) another effective date is specified in the Commission’s written decision, or (2) in the case of a Final Decision which is also an Adverse Action. In the latter case, the decision does not become effective until (a) an institution’s appeal of the decision to an independent Appeals Panel under the appellate process set forth in Section XII has been completed (including the completion of any remanded proceedings) and the decision has been upheld by the Appeals Panel in its original or an amended form, or (b) the period in which such an appeal may be taken has lapsed with no appeal filed.
- d. **Record.** The term “Record” refers to the entire body of materials submitted to the Commission and on which the Commission bases its review and decision. In the context of applications for accreditation or reaccreditation, the Record consists of the Evaluation File. In the case of mid-accreditation reviews, the scope of the Record will be determined by the nature of the matter(s) giving rise to the review. In any decision-making process, the following are automatically deemed a part of the Record, whether or not independently submitted as such: (1) applicable state and federal regulations and guidelines, (2) applicable licensing requirements, (3) relevant rules, guidelines and requirements of other accrediting organizations and educational standards organizations, and (4) DEAC’s Accreditation Standards and published policies, procedures, forms and website content.

## XII. APPEALING A COMMISSION’S ADVERSE DECISION

Only Adverse Actions and decisions by the Commission not to approve a Substantive Change can be appealed by an institution. The appeal is limited to a claim of material error in the decision attributable to (a) a failure of the Record to support the decision, or (b) a material misapplication of DEAC’s Accreditation Standards or published procedures or policies which materially affected the outcome of the Commission’s decision-making process. For avoidance of doubt, the fact that the Record considered by the Commission could have also supported a different decision is not sufficient grounds for the Appeals Panel to remand the matter if the Commission’s actual decision is also supported by the record.

The institution is entitled to be represented by counsel in connection with all or any portion of its appeal.

An institution must first appeal an appealable Commission decision to an independent Appeals Panel as set forth in this Section before challenging that decision in any other forum.

A. **Nature of Appeals Process.** DEAC is committed to fairly evaluating each institution before deciding to deny or withdraw accreditation or before denying a proposal for Substantive Change. Accordingly, DEAC does not consider or approach a review of an appealable decision by the Appeals Panel to be an adversarial procedure. Rather, the goal of the appeals process is to ensure that Adverse Actions and refusals to approve Substantive Changes were properly considered and were supported by the Record. DEAC's participation in the review process is therefore limited primarily to ensuring that information provided to the Appeals Panel is accurate, not misleading, and supported by the Record.

B. **Appeal Process**

1. **Application for Appeal.** An institution appealing an appealable decision by the Commission must submit the Application for Appeal form (available from DEAC's website) together with the applicable appeals fee (see Fees page on DEAC website) to the Executive Director of the Commission within 10 days of the receipt of the Commission's letter advising the institution of the decision which is being appealed. The Application for Appeal shall state generally the basis on which the appeal is being made. An institution's failure to submit the Application for Appeal and associated fee within the 10 day period will waive its right of appeal and the Commission's decision automatically goes into full force and effect.
2. **Statement of Appeal.** An institution which has timely filed an Application for Appeal must then submit a written statement setting forth all of the reasons the institution believes that the Commission's decision was in clear error and the part or parts of the Record which support its positions. The institution may provide alternative bases for a determination of error but evidence in support of each basis is limited to the materials and information included in the Record; no evidence or information not included in the Record will be considered by the Appeals Panel. The institution's Statement must be delivered to the DEAC Executive Director within thirty (30) days of receiving the notification of the Commission's decision being appealed.
3. **Burden of Proof.** The institution has the burden to show that the Commission's decision resulted from errors or omissions in the execution of Commission policies and procedures, or that the decision was not based on substantial evidence on the Record. One or more specific procedural errors or unsupported findings by the Commission will not result in a remand if the balance of the Record independently supports the decision taken by the Commission. No new materials may be presented for the Appeals Panel's

consideration on appeal.

4. **DEAC Response.** DEAC may, in its discretion, submit a written Response to the appellant's Statement within 30 days following its receipt of the appellant institution's Statement.
5. **Request for Oral Argument.** In its written statement, the appellant institution must state whether or not it wants the Appeals Panel to hear oral argument. The names and affiliations of those appearing to make the oral presentation should be included with the request when available; if not available at the time of the request, and in the absence of extenuating circumstances justifying a later disclosure, the institution shall provide the same no later than seven days prior to the scheduled hearing date. If the appellant institution does not request oral argument, then the Appeals Panel will make its decision based on the Record, the Commission's written findings and reasons related to the decision being appealed, the appellant's Statement, and DEAC's response to that Statement (if any) (the "Record for Appeal").
6. **Materials Provided to Appeals Panel.** DEAC is responsible for providing to the Appeals Panel, within forty-five days following the appellant institution's submission of its Statement, a copy of the Record for Appeal. A copy of DEAC's response will be provided to the institution on the same date.

### C. Hearing Procedure

1. A hearing before the Appeals Panel shall be scheduled within 60 days following the delivery of the Record for Appeal to Appeals Panel members. The hearing will be held virtually unless the Appeals Panel determines, in its sole discretion, that the physical presence of the panel and the parties is reasonably required. The appellant institution shall have 30 minutes in which to argue its case in front of the Appeals Panel. The 30 minutes does not include the time attributable to questions from the Appeals Panel and the institution's response to the same. The time period may also be extended by the Appeals Panel in its discretion. Oral argument by the institution may not include arguments not previously made in its Statement. The Commission shall have at least one representative present at the hearing. The Commission representative shall participate in the proceeding solely for the purpose of correcting errors or misleading statements made in the process. The institution shall have the opportunity to respond to any such correction by indicating the part(s) of the Record supporting the perceived error or misleading statement. Depending on the nature of the hearing (e.g., whether virtual or not) the Commission will indicate to the Appeals Panel its interest in speaking and the Appeals Panel will afford it an opportunity to do so in its discretion. Any Commission correction and institutional response shall not be included within the 30-minute time limitation.
2. The appeal hearing will be recorded by stenographic or electronic means and a

copy of the same will be provided to the institution upon request.

3. The Appeals Panel will render its decision within thirty days following the hearing date, if a hearing is held, or within thirty days following the submission of the Record for Appeal, the appellant institution's Statement and any DEAC response to the same, if no hearing is requested. The decision shall provide a summary of the Appeals Panel rationale for its decision. The decision will be delivered to the DEAC Executive Director who shall provide it to the Commission and the institution within one business day.

### C. Appeals Panel

1. The institution's appeal is heard by an independent Appeals Panel that is separate from the Commission and serves as an additional level of due process for the institution. It can affirm, amend or remand the prior decision of the Commission as set forth below.
2. The Appeals Panel does not have authority to evaluate or rule on the reasonableness of eligibility criteria, procedures, or accreditation standards. Its role is to determine whether the Commission's action was clearly erroneous in that it was not supported by any reasonable evaluation of the Record and/or attributable to a material error in applying DEAC's Accreditation Standards and procedures.
3. The Appeals Panel consists of three people appointed by the Commission: a public member, an academic, and an administrator. Potential members of an Appeals Panel are selected by DEAC's Executive Director from the ranks of former members of the Commission, the corps of Commission evaluators, and active staff of DEAC accredited institutions who have completed DEAC's evaluator training program. In order to ensure a prompt hearing of appeals, DEAC maintains a pool of potential Appeals Panel candidates who have agreed to serve if requested. These candidates receive annual training on DEAC's Accreditation Standards, evaluation processes and procedures, conflicts of interest policy, and the Appeals Panel process, scope and responsibility.
4. Candidates selected for the Appeals Panel must possess knowledge of DEAC's accreditation mission, standards, and procedures. The candidates cannot include any current member of the Commission or any person involved in an evaluation of the appellant institution completed within the previous five years and cannot have a conflict of interest as defined in DEAC's Conflict of Interest Policy (see Part Four of DEAC *Accreditation Handbook*). The Executive Director submits a list of proposed Appeal Panel members to the appellant institution prior to presenting the list to the Commission for final selection. Within 10 calendar days of receiving the list of proposed panel members, the appellant institution may request, in writing, that any person or

persons be removed from the list on the basis of potential conflict of interest as defined in DEAC's Conflict of Interest Policy. If the Commission determines that the request is reasonable, the candidate will be replaced.

#### D. Decisions Available to the Appeals Panel

1. **Affirm:** If the Appeals Panel determines the institution has failed to meet its burden of proof in showing that the Commission's action was not supported by the record or was attributable to a material error in its application of DEAC's published policies and procedures, it must affirm the decision of the Commission.
2. **Remand:** The Appeals Panel may remand a decision to the Commission for reconsideration when it finds that the Record on Appeal (and, as applicable, the Hearing transcript) did not support the Commission's decision. In its decision to remand, the Appeals Panel must identify those material facts that it finds the Commission failed to consider or where the Commission otherwise committed one or more materials error in its deliberations and decision-making process, and the Commission must act in a manner consistent with the Appeals Panel's decisions and/or instructions.
3. **Affirm and Amend:** If the Appeals Panel determines that, although it agrees with the Commission's decision based on the entirety of the record, one or more elements of the Commission's stated reasoning or procedural actions was nevertheless clearly in error, the Appeals Panel may amend the decision. An Appeals Panel decision to amend a Commission decision remands the matter to the Commission in order that the Commission modify the bases for its decision in accordance with the specific direction of the Appeals Panel.
4. **Communication of Decision:** the Appeals Panel will communicate its decision to the Commission in a written Report setting forth the basis for its decision. The Commission will then notify the institution of the decision in writing.
5. ~~**Reverse:** The Appeals Panel may reverse a decision of the Commission if it finds that the Commission's decision, in light of the entire record, was not supported by the record or was clearly erroneous. A decision to reverse an action of the Commission will state the specific bases for the decision to reverse. A decision to reverse a withdrawal of accreditation will direct the Commission to set aside its decision to withdraw and to reinstate the accreditation of the institution as it was before the withdrawal decision. A decision to reverse an action to deny accreditation directs the Commission to award a specific grant of accreditation for a term determined by the Appeals Panel.~~

#### D. Commission Receipt and Implementation of Appeals Panel Decisions

**Note:** Revisions made to clarify and refine existing DEAC procedures are indicated in **blue font**. Changes to procedures are indicated in **red, underlined font**.

If the Commission's decision to take an Adverse Action or to deny a request for Substantive Change is upheld by the Appeals Panel in its original or in an amended form:

- a. the Commission's decision becomes effective pursuant to the terms of Section XII.D;
- b. the Commission will so notify the institution and provide the institution with a period of sixty days in which to file a response to the decision;
- c. and the institution is not eligible to re-apply for accreditation or for the applicable Substantive Change for a period of one year from the date of the Appeals Panel decision.

If the Appeals Panel remands the matter to the Commission for further evaluation and decision-making pursuant to the Appeals Panel's instructions, the Commission will undertake such re-evaluation and decision-making at its next regularly scheduled meeting. If the Commission again hands down an Adverse Decision or refusal to approve a Substantive Change on remand, the institution is entitled to a right of appeal with respect to that decision.

- E. **Confidentiality of Proceedings.** The Record for Appeal, the transcript of the Hearing (if applicable), and the Appeals Panel report to the Commission (collectively, the Appellate Record) shall be treated as DEAC Proprietary Information and shall not be disclosed to any third party except as required in connection with any arbitration proceedings initiated by an institution.

### XIII. BINDING ARBITRATION

If an institution elects to dispute an Adverse Action or Commission decision not to approve a Substantive Change beyond the appeals process administered by DEAC, its dispute shall be resolved exclusively through binding arbitration. To initiate such arbitration, the institution must submit a request for a de novo review by an arbitrator within 5 business days of its receipt of written notice from the Commission of its Final Decision together with the applicable arbitration fee. Such arbitration shall be conducted under the auspices of the American Arbitration Association (AAA) and must be initiated by the institution with the AAA within 30 days period following the institution's receipt of the Commission Final Decision. The sole and exclusive venue for the arbitration shall be the District of Columbia.

Arbitration under this section shall be conducted by a single arbitrator who must have familiarity and experience with the field of higher education and the federal rules governing accrediting organizations. The AAA will provide a list of qualified arbitrator candidates. The institution and DEAC will use good faith efforts to select an arbitrator from the AAA list; if they are unable to do so, the AAA will select the arbitrator. The question(s) to be resolved by the arbitrator are limited to whether the Commission's decision was clearly erroneous because either (i) not reasonably supported by the Record and/or (ii) solely attributable to a misapplication of the Commission's Accreditation Standards or published policies and procedures. The fact that the Record considered by the Commission could have

also supported a different decision is not sufficient grounds for an arbitrator to reverse the decision if the Commission's actual decision is also supported by the record.

The arbitration shall be held on the first Tuesday at least ninety days following selection of the arbitrator. The institution may submit a brief of no longer than 20 pages at least thirty days prior to the hearing date. DEAC may respond to the institution's brief with a brief of no more than 20 pages. No discovery shall be authorized nor may evidence in addition to that in the Appellate Record, be introduced in either party's briefs or oral argument. At the arbitration hearing, each party shall be entitled to 20 minutes of oral argument, including questions from the arbitrator. A party may reserve up to five minutes for use in a closing statement. A transcript of the hearing shall be made and provided in electronic form to the arbitrator and each of the parties. The arbitrator shall make their decision based on the Appellate Record, the briefs of the parties, and the arbitration hearing (the "Arbitral Record").

The arbitrator may affirm, affirm in an amended form, or remand the Commission decision at issue. The decision of the arbitrator shall include a summary of the reasoning supporting the decision and shall be delivered to the institution and DEAC within 60 days following the arbitration hearing. The decision of the arbitrator is binding on the parties and may be reviewed by the federal courts only for abuse of discretion. It is enforceable by all courts of competent jurisdiction. The arbitration proceedings and Arbitral Record shall be treated as confidential by the parties except as may be required to enforce their respective rights. The Arbitrator's decision shall not be deemed confidential.

The expense of the AAA, the arbitrator and the hearing transcription shall be shared equally by the parties. Otherwise, each party shall bear its own costs in connection with the arbitration.

#### XIV. RECORD KEEPING AND CONFIDENTIALITY

A. **Records Maintained.** DEAC maintains in electronic form complete and accurate records of:

1. its last full accreditation reviews of each institution, including the application, on-site evaluation team reports, the institution's responses to on-site reports, periodic review reports, any reports of special reviews conducted between regular reviews, and a copy of the institution's most recent Self-Evaluation Report;
2. all decisions made throughout each institution's affiliations with DEAC regarding its accreditation and any substantive change, including all correspondence that is significantly related to those decisions;
3. all materials associated with any appeal or arbitration which may be initiated by an institution; and

4. minutes of all Accrediting Commission meetings.

**B. Confidentiality of Records:**

1. Institution's Obligations with respect to Information Related to a Commission Action or Proceeding. Reports, evaluations (including curriculum evaluations), internal rubrics, analyses, third party comments (whether or not solicited and including communications from federal and/or state entities or other accrediting or licensing organizations), financial data and analyses, investigative findings, professional advice, and other materials related to or created in connection with a Commission Final Action or DEAC business matter (individually and collectively, and in each case to the extent not made publicly available by the Commission, "DEAC Proprietary Information") should be treated as confidential to DEAC and may not be disclosed by an institution to any third party, directly or indirectly, without (a) the prior written authorization of DEAC, (b) as required in connection with federal or state regulatory proceedings or pursuant to judicial process, (c) in the context of any Appeals Panel or arbitration proceeding pursued by an institution, provided that such disclosures shall be made under provisions of confidentiality equivalent or more stringent than those set forth in this paragraph, (d), to the extent consisting solely of third party materials, if such materials have also been made available to the public by such third parties, and (e) to the extent reasonably required by an institution's governing body and professional advisors provided that any such persons or entities to whom information is disclosed must be bound by written agreement or professional code of ethics to not further disclose the information. The foregoing restrictions on disclosure do not apply to DEAC Proprietary Information which DEAC makes generally available to the public on its website or through other public disclosures. However, DEAC's disclosure of DEAC Proprietary Information to any state or federal governmental entity or regulatory body or in the context of Appeals Panel or arbitration processes, does not impair or modify the restrictions on disclosure set forth above. Nothing in the foregoing shall be construed as converting institution information and data into DEAC Proprietary Information when not incorporated in materials, reports, analyses or similar submissions or communications with DEAC.
2. DEAC's Obligations with respect to Information Provided by Institutions. DEAC does not disclose information provided by an institution in connection with DEAC accreditation evaluations or other matters which may be associated with Commission decision-making specific to that institution except (i) to the extent such information is made generally available to the public by the institution or another third party, (ii) as provided under DEAC's then current policies and procedures including, without limitation, those set forth in the DEAC *Accreditation Handbook*, (iii) when requested, required or directed by a state or federal governmental entity or regulation, law enforcement entity, judicial or administrative process, or a state, federal, or industry accrediting or licensing body, (iv) in connection with legal requirements or proceedings, whether or not DEAC is a direct party to such proceedings, and (v) in situations where, in DEAC's reasonable discretion, the Commission determines that disclosure is

Note: Revisions made to clarify and refine existing DEAC procedures are indicated in **blue font**. Changes to procedures are indicated in **red, underlined font**.

appropriate to maintain the integrity of the accreditation process and/or agency. In addition, information relating to non-US locations or institutions may also be shared with and at the request or direction of applicable foreign authorities, licensing bodies, legal requirements, and judicial or administrative proceedings.

XV. NOTIFICATION AND INFORMATION SHARING BY DEAC

- A. **Initial and Renewal of Accreditation:** DEAC 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 its decision to grant accreditation or accreditation renewal, of such grant.
- B. **Action Notwithstanding Third Party Action:** If DEAC grants initial accreditation or renewal of accreditation to an institution notwithstanding the threatened interim or final adverse actions taken against the institution by another recognized accrediting agency or state agency, DEAC will provide the Secretary of the U.S. Department of Education, within 30 days of its action, a thorough explanation regarding why the previous action by the accrediting agency or state does not preclude DEAC's action.
- C. **Denial or Withdrawal of Accreditation:** 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 Final Decision to deny or withdraw accreditation. The Commission requires the institution to disclose an Adverse Action to all current and prospective students within seven business days of receipt of the written notice of the final adverse decision. Such notice must at minimum meet the requirements of Section XVI.A.4 below.
- D. **Notice of Deferral.** The Commission publishes a notice of Deferral on its website within 30 days after the Commission makes a decision to defer a final decision on an institution's application for accreditation or accreditation renewal.
- E. **Show Cause Directive:** 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. 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 directive. Such notice must at minimum meet the requirements of Section XVI.A.2 below.
- F. **Public Notice.** The Commission publishes on its website, including on its directory of institution page, notice of any of the decisions listed above within one business day of its notice to the institution; the notice provides a summary of the reasons for the decision and the date, if any, on which the institution is next subject to a review.

- G. **Additional Information Regarding Adverse Actions.** For any decisions to deny or withdraw accreditation, no later than 60 days after the final decision, the Commission makes available to the U.S. Secretary of Education, the appropriate state licensing agencies, the appropriate accrediting organizations, and the public a brief statement summarizing the reasons for the Commission's decision and the official comments, if any, that the affected institution makes regarding the Commission's decision. If no official comments by the institution are provided within 14 days of notification, the Commission will document that the affected institution was offered the opportunity to provide an official comment.
- H. **Resigning or Voluntarily Withdrawing Accreditation:** Within 10 business days of receiving notification from an institution of its decision to resign or voluntarily withdraw from accreditation, the Commission posts a notice of the institution's resignation or voluntary withdraw of accreditation on its website and provides written notice to the U.S. Secretary of Education, appropriate state licensing agencies or authorizing agency, and the appropriate accrediting organizations.
- I. **Accreditation Lapses:** If an institution elects not to renew its accreditation, the Commission posts notice on its website within 10 business days of the date upon which the institution's accreditation lapses and provides written notice to the U.S. Secretary of Education, appropriate state licensing agencies or authorizing agency, and the appropriate accrediting organizations.
- J. **Potential Institutional Malfeasance.** The Commission submits to the U.S. Secretary of Education the name of any institution it accredits which the Commission has reason to believe is failing to meet its FSA Title IV responsibilities or is engaging in fraud or abuse, along with the Commission's reasons for concern about the institution's activities. In addition, the Commission informs the U.S. Secretary of Education whenever it finds significant or systemic deficiencies in the institution's assignment of credit hours.
- K. **Scope of Public Information:** The Commission will make available to the public and in certain official DEAC publications, including its website and published *DEAC Directory of Accredited Institutions*, the following information:
- The name, address, phone number, and website address of an accredited institution;
  - The month and year accredited and month and year accreditation expires;
  - A summary list of programs offered by the institution;
  - A summary of information pertaining to a deferral of accreditation;
  - A summary of information pertaining to a show cause directive;
  - A summary of information pertaining to an adverse action;
  - A summary of information pertaining to an action subject to appeal; and
  - The date of an institution's voluntary withdrawal of accreditation.

- L. **Sharing Information with Government Entities and Other Accrediting Organizations:** DEAC grants all reasonable special requests for accreditation information made by other accrediting organizations and government entities.
- M. **Institutional Release of DEAC Regarding Sharing of Information.** Institutions accredited by or seeking accreditation from DEAC provide, as part of their Application for Accreditation, a release from liability of DEAC with respect to all actions taken by DEAC to elicit, receive, review and share information from state licensing agencies, other government entities, third party accrediting and licensing organizations, employers, businesses, students and other third parties in connection with and for the purposes of evaluating the institution.
- N. **Authorized Disclosure of Information:** When an institution requests specific confidential accreditation information to be released to third parties, the President/CEO of the institution or an institution-designated official must provide a written release on official letterhead to the Executive Director stating the precise information to be released and the party or parties to whom the information is to be provided. DEAC will release such information, (1) subject to any qualifications or restrictions it may elect to provide with respect to the disclosure, and (2) to the extent release of the information can be effected with minimal cost and effort and does not disclose confidential DEAC or third party information.
- O. **Routine Disclosures to USDOE:** DEAC provides the following information to the U.S. Department of Education as a matter of course:
- A list, updated annually, of its accredited institutions and programs, which may be provided electronically
  - A copy of the *DEAC Directory of Accredited Institutions* (updated annually)
  - A summary of DEAC’s major accrediting activities during the previous year (an annual data summary), if requested by the U.S. Secretary
  - Any proposed change in DEAC’s procedures or accreditation standards that might alter its—
    - Scope of recognition, or
    - Compliance with the federal criteria for recognition
  - The name of any institution that DEAC accredits that has been “certified” by DEAC as being eligible for participation in Federal Student Assistance (FSA) Title IV programs under DEAC’s FSA Title IV Programs substantive change procedure; and
  - If the U.S. Secretary of Education requests, information that may bear upon an accredited institution’s compliance with its FSA Title IV responsibilities, including the eligibility of the institution to participate in Federal Student Assistance Title IV programs or a significant or systematic noncompliance in the assignment of credit hours.
- P. **Specific Disclosures to Institutions.** DEAC reviews on a case-by-case basis, whether or not to notify an institution when the Commission has provided information or

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Changes to procedures are indicated in **red, underlined font**.

materials to or otherwise has had contact with the U.S. Department of Education relating to potential malfeasance and/or an institution's eligibility for participation in FSA Title IV programs or compliance with the terms of such programs. Notwithstanding the foregoing, DEAC treats a contact or request from the U.S. Department of Education for information concerning an institution as being confidential, upon the specific request of the Department.

## XVI. PUBLIC DISCLOSURES BY INSTITUTION

A. **Disclosures of Accreditation Status.** Institutions may only refer to their accreditation status as set forth below based on the specific scope of their accreditation.

1. Accredited. An institution which has been fully accredited by DEAC may refer to its accredited status as follows:
  - Accredited by the Distance Education Accrediting Commission
  - DEAC Accredited
  
2. Accredited but Operating Under Show Cause Directive. If an institution which has been accredited by DEAC is operating under a Show Cause Directive on an institution-wide basis or with respect to one or more programs, the institution must amend any public notice of its accreditation status by adding clear and conspicuous language stating that the institution is operating under the Show Cause Directive and the scope of that Directive. Within seven business days following its receipt of the Show Cause Directive from DEAC, the institution must also notify its students and prospective students that it is operating under a Show Cause Directive (and the scope of the directive) by publication on its website and by individual written notice to enrolled students, which notice may be via email if the institution believes that its email address for the student is current or by first class mail if the institution has no current email address for the student.
  
3. Notice to Students of Adverse Actions. Within seven business days following its receipt of notice of an Adverse Action from DEAC, the institution must promptly notify its students and prospective students of the withdrawal of its institution-wide and/or denial of its application for reaccreditation by publication on its website and by individual written notice to enrolled students, which notice may be via email if the institution believes that its email address for the student is current or by first class mail if the institution has no current email address for the student. The institution may also, in that notice, indicate whether the institution plans to appeal the Commission's decision or whether an appeal is pending, as applicable, and that the institution's accreditation remains in place during such appeals proceedings; and may update that notice as applicable.

- Q. **Additional Disclosure Requirements.** Institutions must disclose to the public, including on its website in a clear, conspicuous and readily accessible manner, certain additional information as required by state/federal regulation or DEAC requirement, including, without limitation disclosures required under the Accreditation Standards and DEAC's Website Checklist (see DEAC website).
- R. **Correction of Misleading or Inaccurate Information:** DEAC requires that an accredited institution correct any misleading or inaccurate information it provides to third parties relating to (a) the institution's accreditation status, DEAC, or the DEAC accreditation process, or (b) other information which an institution may be required to disclose under DEAC policies, DEAC Accreditation Standards, or federal/state regulations. DEAC will notify the institution of any misleading or inaccurate information which comes to DEAC's attention and request that the institution immediately make the correction, post a notice of the correction, and document to DEAC that the correction has been made. Failure to do so within 10 days may result in an order of a Special Visit or other disciplinary review action including but not limited to the issuance of a Show Cause Directive.

## XVII. INTERIM MONITORING OF ACCREDITED INSTITUTIONS

An institution maintains its accreditation by remaining in continuous and timely compliance with (A) all DEAC Accreditation Standards and eligibility requirements, (B) all DEAC reporting requirements, (C) all applicable local, state, and federal requirements, and (D) its payment obligations to DEAC. DEAC monitors and evaluates an institution's ongoing compliance with DEAC's Accreditation Standards through both formal and informal processes, including, without limitation, those set forth below in this Section, the self-reporting obligations of the institution set forth within Section XVII and of the procedural requirements relating to Substantive Changes (see Section XVIII).

The Commission reserves the right to order a comprehensive or focused review of an institution whenever it has reason to believe that the institution may not be in compliance with DEAC Accreditation Standards and/or procedures. In all cases, DEAC affords the institution an opportunity to respond within a reasonable timeframe to any findings that the evaluation team may make based on such review before the Commission makes a Final Decision regarding the institution's accredited status.

- A. **Annual Reports:** Each year, DEAC requires the submission of an Annual Report by each institution holding accreditation status as of December 31 of any given year (see Section XVII.A.8 below). The Annual Report and all accompanying documentation are due to DEAC in accordance with formats and timelines published or otherwise provided by DEAC. To the extent that the Annual Report reflects a significant change in any metric, including, by way of example, enrollment figures or number of program numbers, the institution must address, within the Annual Report, the reasons, impact and internal response to the change. Without limiting the foregoing, DEAC provides

the following guidelines to institutions with respect to the threshold changes in enrollments, program numbers, and student satisfaction percentages which automatically trigger a requirement for a more extended response and explanation.

1. **Significant Growth or Decline in Enrollments:** DEAC defines significant growth in enrollments as the following:

If in a calendar year an institution with:

- Fewer than 300 new students, reports more than 100 percent increase;
  - Between 300-1,000 new students, reports more than 75 percent increase;
  - Between 1,000-9,000 new students, reports more than 50 percent increase; and
  - More than 9,000 new students, reports more than 25 percent increase.
2. If an institution reports “significant growth in enrollments,” it must: (a) explain in detail in the Annual Report the reason(s) for the growth and what additional staff, faculty, administrators, educational and student support services, financial resources, and marketing plans were employed to meet the needs of the increased number of students being served; (b) identify the programs experiencing the most growth by indicating the percentage of growth since the last Annual Report, listing the reasons for the growth in the identified programs and explaining the institution’s plans for accommodating the enrollment growth; and (c) describe any strategic plan or other response the institution is considering to implement or has implemented to address the increase in enrollment numbers.
  3. If an institution reports “significant decline in enrollments,” it must explain in detail in the Annual Report the reason(s) for the decline, the impact on staff, faculty, administrators, educational and student support services, financial resources, and marketing plans, and any strategic plan or other response the institution is considering to implement or has implemented to address the decline. A “significant decline in enrollments” is defined as an enrollment decline of 25 percent or more since the last Annual Report.
  4. **Significant Growth or Decline in the Number of Programs:** DEAC defines growth in the number of programs as significant if in a calendar year,
    - an institution offering 1-3 programs adds more than two new programs;
    - an institution offering 4-10 programs adds more than three new programs;
    - an institution offering 11-20 programs adds more than four new programs;
    - an institution offering 21 or more programs adds more than six new programs.

5. If an institution reports “significant growth in the number of programs,” it must explain in detail in the Annual Report the reason(s) for the growth and what additional staff, faculty, administrators, educational and student support services, financial resources, and marketing plans were employed to meet the needs of the increased number of programs being offered as well as what strategic plans are being considered or have been implemented to support, continue or limit the growth in programs.
6. If an institution reports “significant decrease in the number of programs,” it must explain in detail in the Annual Report the reason(s) for discontinuing programs, the impact on staff, faculty, administrators, educational and student support services, financial resources, and marketing plans as well as what strategic plans are being considered or have been implemented to address the decline in program numbers. A “significant decline in the number of programs” is defined as discontinuing 25 percent or more of its programs since the last Annual Report.
7. A “program” is a non-degree vocational or certificate program (e.g., medical billing and coding) or a degree program (e.g., Bachelor of Science in Criminal Justice).
8. **Significant Changes in Financial Condition:** The Annual Report requires the submission of audited financial statements and additional financial information.
  - a. An institution participating in Federal Student Assistance Title IV programs reports additional information describing its participation and submits audited comparative financial statements, including its compliance audit for its most recent fiscal year within 180 days following the end of the fiscal year.
  - b. An institution submits audited or reviewed comparative financial statements in accordance with Section XI, Financial Responsibility standards. The Commission reviews the financial statements and determines whether further reporting is required or other appropriate action is necessary.
  - c. All institutions are required to address and explain any significant change in its financial condition since the previous year’s Annual Report.
9. **Student Satisfaction Benchmarks.** If an institution’s student satisfaction rate falls below 75 percent, or if completion and graduation rates are not within the benchmark range for student satisfaction established by DEAC, the institution must explain the reasons for not meeting established benchmarks and document corrective actions taken and planned.

10. **Commission Review and Follow-Up Action:** DEAC staff acknowledge the receipt of all Annual Reports and request additional supporting documentation as necessary. All Annual Reports are reviewed and summarized, and significant changes are reported and presented to the Commission. Annually, at its mid-year meeting, the Commission considers any significant, salient items reported by institutions and initiates further follow-up actions as necessary. These may include:

- Placing limits on an institution’s future enrollment or program growth if ongoing compliance with DEAC accreditation standards or procedures is a concern;
- requesting an institution to provide additional supporting documentation regarding significant growth or decline in enrollments or programs; and/or
- requesting additional information on any part or parts of an institution’s Annual Report.

B. **Title IV Program Compliance.** The Commission reviews information provided by an institution participating in Federal Student Assistance Title IV programs to verify continued compliance with its federal student assistance program responsibilities based on the most recent “official cohort default rates” published by the U.S. Department of Education, results of its audited comparative financial statements, and its compliance audit, program review information, and any other information provided to DEAC by the U.S. Department of Education. The Commission takes action if any information suggests that the institution is failing to meet DEAC accreditation standards and reserves the right to investigate the allegations. The Commission is obligated under federal regulations [CFR 602.27(a)(6)] to report to the U.S. Secretary of Education an institution it has reason to believe is failing to meet its Federal Student Assistance Title IV program responsibilities or is engaged in fraud or abuse.

C. **Actions by Other Accrediting Agencies.** If another accrediting agency places an institution on probation or withdraws/revokes the accreditation of the institution or program, DEAC will promptly review the accreditation status it has previously granted to that institution to determine whether there is cause to change that status.

E. **Actions by State Agencies.** DEAC reviews and takes appropriate action regarding the accreditation status of any institution for which DEAC has received information from the appropriate state agency that the institution is subject to any of the following actions:

1. An action by a state agency potentially leading to the suspension, withdrawal/revocation, or termination of the institution’s legal authority to

provide postsecondary education.

2. An action by a state agency to suspend, withdraw/revoke, or terminate the institution's legal authority to provide postsecondary education subject to appeal. If a DEAC accredited institution's loses its licensure/authorization in its state of domicile, its accreditation of an accredited institution is automatically withdrawn as of the date of the loss of state licensure/authorization. Such a withdrawal of accreditation may be appealed by an institution pursuant to the procedures set forth in Section XII.

- F. **Notification Reports:** An institution must immediately notify the Commission, 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, in either case 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 the Commission, 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 the Commission's satisfaction.

## XVIII. SUBSTANTIVE CHANGES

A. **Scope and Definition.** A Substantive Change is one that may significantly affect an institution's quality, mission, scope, operations including primary methods of delivering programs, or control. Substantive Changes are reviewed to assure that changes in educational offerings, teaching modalities, locations, scope of offerings, and control of the institution are or will be made in compliance with DEAC accreditation standards. With one exception, a Substantive Change must be approved by the Commission, as applicable, before the change can be included in the institution's previously granted scope of accreditation; the exception is for changes in ownership for which approval can be granted within thirty days following the effective date of the same. Institutions operating under a Show Cause Directive may not implement a Substantive Change during the Show Cause Remediation Period. Similar restrictions may be included in Deferral Letters as determined on a case-by-case basis.

The following are substantive changes which require DEAC approval:

- Any substantive change in the established mission or objectives of the institution;
- Any change in the institution's name;
- Any change in the institution's legal status, form of control, or ownership;
- Any change in the institution's location of the main facility, headquarters or administrative site or any addition of a facility geographically apart from the main facility;
- Any addition of a direct assessment program whether or not direct assessment is already offered in connection with other programs;
- Any addition of a new program in a field related to a field of study already within the

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- scope of the institution's accreditation;
- Any addition of programs that represent a significant departure from the existing offerings or educational programs, or method of delivery, from those that were offered or used when the agency last evaluated the institution for accreditation;
- A contract with unaccredited organizations or organization not certified to participate in the title IV HEA programs to provide more than 25% of one or more of the institution's educational programs;
- Any addition of a program at a degree or credential level different from the educational offerings currently included in the institution's scope of accreditation;
- A change in the way an institution measures student progress, including whether the institution measures progress in clock hours or credit-hours, semesters, trimesters, or quarters, or uses time-based or non-time-based methods;
- A substantial increase or decrease in the number of clock or credit hours awarded for successful completion of a program or a change from clock hours to credit hours to measure student progress in one or more programs;
- Any addition of an in-residence program component;
- Any addition of a new division;
- The acquisition of any other institution or any program or location of another institution by the institution, an affiliate of the institution, or the institution's holding company;
- Entering into a written arrangement with another accredited organization or an unaccredited organization to provide more than 25 and up to 50 percent of one or more of the institution's educational programs;
- An institution seeking certification to participate in Federal Student Assistance (FSA) Title IV programs;
- Any new engagement in international activities beyond that included in the institution's existing grant of accreditation; and
- Any other change which may significantly affect an institution's quality, mission, scope, operations including primary methods of delivering programs, or control.

If an institution is participating in an FSA Title IV program enters into a written arrangement under 34 CFR 668.5 where an institution or organization not certified to participate in the Title IV, HEA programs offers more than 25 and up to 50 percent of one or more of the Title IV participating institution's educational programs, such an arrangement is considered a substantive change

## **B. Process for Seeking Approval of Substantive Changes.**

1. Filing of Applicable Form and Review Process. The process for seeking approval of Substantive Changes is set forth below.
2. With respect to applications for approval of a written arrangement with another accredited organization or an unaccredited organization to provide more than 25 and up to 50 percent of one or more of the institution's educational programs, DEAC will

- make a final decision within 90 days of receipt of a materially complete application, unless it determines that significant circumstances related to the substantive change require further review to occur within 180 days.
3. Approvals with Follow-On Site Visits. With respect to those substantive changes for which an on-site review is required six to twelve months following DEAC's initial approval of the change, the decision to approve may be withdrawn as a result of adverse findings from the onsite review. An approval for a Substantive Change will not be withdrawn until the institution has had a reasonable opportunity to respond to the on-site findings and the DEAC Staff or Commission, as applicable, has the opportunity to review both the on-site team findings and the institutional response to the same.
  4. Notification of Decision. After evaluating the review file for the proposed substantive change, the Commission (or DEAC Staff) determines whether or not and the extent to which the change, when implemented, will affect the compliance of the institution with DEAC Accreditation Standards, and on that basis determines whether to approve or refuse to approve the change or require additional review. DEAC notifies the institution in writing within 30 days of such determination. The notice includes a summary of the reasons for the DEAC's decision, and if further review is required, the parameters of that review including, without limitation, the information and other materials to be provided by the institution and the timeframe for the same. DEAC also notifies the USDOE and other third parties of a decision to approve or deny a substantive change when required to do so by applicable regulations or when otherwise deemed appropriate by the Commission in its sole and exclusive discretion.
  5. In the event of a denial by the Commission of a proposed substantive change, an institution can take actions designed to address the Commission's identified concerns and resubmit the proposal for substantive change as supported by the revised record. Denial of substantive changes are not considered adverse actions but are subject to appeal procedures.

C. **Cumulative Changes.** Proposed changes or an accumulation of changes implemented or proposed during an institution's accreditation term, may be so significant as to effectively transform the institution, requiring a comprehensive re-evaluation of the institution. In such event, the Commission will so notify the institution and offer the institution an opportunity to provide, within a reasonable timeframe, additional information and/or material to demonstrate that the impact of the changes, singly or cumulatively, is not so extensive as to alter its essential mission, character, operations, or performance. Only after reviewing the institution's response will the Commission make a Final Decision as to whether or not to order a comprehensive or more limited review of the institution.

## XIX. PROCESS WITH RESPECT TO EACH SUBSTANTIVE CHANGE

### A. **Change of Core Mission or Objectives**

1. An institution seeking to substantively depart from its core mission or

objectives requires prior approval because the institution's accreditation is predicated on its core mission.

2. A significant alteration in the institution's core mission or objectives signals a change throughout the institution

These are the steps in obtaining Commission approval for this substantive change:

- a. Submit a Change of Core Mission or Objectives Application Part 1, including required documentation, 30 days prior to implementation. The completed application and documentation are presented to the Commission for initial approval.
- b. Once the change of core mission or objectives is fully implemented, the institution submits a Change of Core Mission Application Part 2, including required documentation.
- c. The institution receives an on-site visit six months after implementation of the revised core mission or objectives is complete. The institution receives a Chair's Report and has 30 days to respond with any additional information or documentation necessary to support the substantive change.
- d. The Commission reviews all documentation submitted to date and affirms the substantive change, in accordance with accreditation standards. DEAC notifies the institution in writing within 30 days of the Commission's action and notifies the U.S. Department of Education and other relevant constituencies in accordance with Section X, Notification and Information Sharing.

## **B. Change of Name**

An institution seeking to change its name is required to obtain approval from the Commission before implementing the new name. The Commission determines whether the proposed new name will have an adverse or misleading effect on public perception of the institution or the institution's capacity to meet DEAC accreditation standards. Institutions seeking a change of name to include "university" or "college" must have DEAC approval as a degree-granting institution.

These are the steps in obtaining Commission approval for this substantive change:

- a. Submit a Change of Name Application including required documentation for review prior to implementation. The completed application and documentation are presented to the Commission for approval.
- b. The Commission reviews all documentation and approves or denies

the substantive change, in accordance with accreditation standards. DEAC notifies the institution in writing within 30 days of the Commission's action and notifies the U.S. Department of Education and other relevant constituencies in accordance with Section X, Notification and Information Sharing.

**C. Change in Legal Status, Form of Control, or Ownership of Institution:**

Accreditation does not automatically transfer to an institution when all or a majority share of its interests are sold or when an institution is sold or changes its legal status. If the new ownership desires to continue the institution's accreditation, it must notify the Commission before the change is made. Failure to obtain approval results in withdrawal of institutional accreditation as of the date the change of legal status, control, or ownership occurs.

1. Change in Legal Status Definition: A “**change in legal status**” is defined as a change in the legal definition of the company or corporation, which is typically defined by the state or United States government, such as changing from a for-profit to a nonprofit or from an S Corporation to an LLC.
2. Control Definition: “**Control**” is the ability to direct or cause the direction of the actions of an institution. Examples of change of “form of control” are: the sale of all or majority interest of the institution's assets; sale or assignment of the controlling interest of the voting stock of a corporation that owns the institution or that controls the institution through one or more subsidiaries; merger or consolidation of the institution with other institutions; or an independent corporation owning an institution that becomes a subsidiary of another corporation with a different ownership. When an institution changes its form of control as defined as the ability to direct or cause the direction of the actions of an institution, it is essentially changing ownership.
3. Change of Ownership Definition: A “**change of ownership**” is any transaction or combination of transactions that would result in a change in the control of an accredited institution.
4. A proposed transfer of ownership is approved based on the new owners, governing board members, and administrators possessing the capacity to own and operate a DEAC accredited institution. The new ownership's financial condition includes sufficient resources to continue sound institutional operations in fulfillment of all commitments to enrolled students. The financial stability allows the institution to remain in compliance with DEAC accreditation standards.
5. The institution's proposed new owners, governing board members, and administrators possess sound reputations and show a record of integrity and ethical conduct in their professional activities, business operations, and relations. The proposed new owners, board members, officials, and executive

staff are free from any association with misfeasance, including owning, managing, or controlling any educational institutions that entered into bankruptcy or closed, to the detriment of the students.

6. An institution authorized for and participating in Federal Student Assistance Title IV programs assumes the responsibility of assuring timely notification and submission of reports to DEAC to facilitate a seamless transfer of ownership and continuation of institutional eligibility. The Change of Legal Status, Control, or Ownership Application Part 2 requires that copies of filings and submissions to the U.S. Department of Education be included, along with any correspondence received from the Department. The U.S. Department of Education has time-sensitive regulations regarding change of legal status, control, or ownership for institutions participating in federal student aid programs.

These are the steps in obtaining Commission approval for this substantive change:

- a. Submit a Change of Legal Status, Control, or Ownership Application Part 1, including required documentation, 30 days prior to the proposed change. The completed application and documentation are presented to the Commission for initial approval.
- b. Once the change of legal status, control, or ownership is closed, the institution notifies DEAC within 10 days after the closing.
- c. Post-closing, the institution submits the Change of Legal Status, Control or Ownership Application Part 2, including required documentation, five weeks prior to the on-site visit.
- d. Within six months of the closing date, the institution receives an on-site visit. The institution receives a Chair's Report and has 30 days to respond with any additional information or documentation necessary to support the substantive change.
- e. The Commission reviews all documentation submitted to date and affirms the substantive change in accordance with accreditation standards. DEAC notifies the institution in writing within 30 days of the Commission's action and notifies the U.S. Department of Education and other relevant constituencies in accordance with Section X, Notification and Information Sharing.

#### D. CHANGE OF LOCATION

1. An institution seeking a change of location (however close to the original site) is required to obtain prior approval from Commission staff.

2. The institution provides evidence that it is approved in the state for the activity that it conducts at the new location.

These are the steps in obtaining approval for this substantive change:

- a. Submit a Change in Location Application Part 1, including required documentation, prior to the proposed change. The completed application and documentation are presented to the staff for approval.
- b. Once the change of location is implemented, the institution submits a Change of Location Application Part 2, including required documentation.
- c. The institution receives an on-site visit within six months of changing its location. The institution receives a Chair's Report and has 30 days to respond with any additional information or documentation necessary to support the substantive change.
- d. The Commission reviews all documentation submitted to date and affirms the substantive change in accordance with accreditation standards. DEAC notifies the institution in writing within 30 days of the Commission's action and notifies the U.S. Department of Education and other relevant constituencies in accordance with Section X, Notification and Information Sharing.

E. NEW ADMINISTRATIVE SITE

1. **Administrative Site Definition:** An "administrative site" is a separate physical facility located geographically apart from the main headquarters location where the institution maintains managerial and support activities in areas such as budget and finance, information technology, human resources, marketing or legal counsel. Neither educational programs nor instructional services to students are offered from an administrative site. Administrative sites are not listed in DEAC's Directory of Accredited Institutions. The institution provides evidence that it is approved in the state for all the activities that it conducts at the administrative site.
2. These are the steps in obtaining Commission approval for this substantive change:
  - a. Submit a New Administrative Site Application Part 1, including required documentation 30 days prior to the change.
  - b. Once the new administrative site is in operation, the institution submits a New Administrative Site Application Part 2, including required

documentation.

- c. The institution receives an on-site visit within six months of implementing the new administrative site. The institution receives a Chair's Report and has 30 days to respond with any additional information or documentation necessary to support the substantive change.
- d. The Commission reviews all documentation submitted to date and affirms the substantive change in accordance with accreditation standards. DEAC notifies the institution in writing within 30 days of the Commission's action and notifies the U.S. Department of Education and other relevant constituencies in accordance with Section X, Notification and Information Sharing.

A. CHANGE IN EDUCATIONAL OFFERINGS

The following are considered substantive changes to educational offerings. If an in-residence component is included in the instructional design of a new program, the institution must follow the Addition of an In-Residence Training Component substantive change.

1. **Addition of a New Degree Program in a Related Field:** This involves any addition of a new degree program in a related field of study consistent with the educational offerings reviewed when the institution was last evaluated. This substantive change also includes the addition of a concentration or major to an existing program when unique program outcomes are distinctly related to the additional field of study.

These are the steps in obtaining Commission approval for the addition of a new degree program in a related field of study:

- a. Submit a Change in Educational Offerings Application. DEAC reviews the application and selects the courses required for review based on the selection criteria under Part Two, Section III.B.1. DEAC sends the institution a letter indicating the courses required for submission. The institution must submit the courses within 60 days. The institution will receive an invoice for the review fee.
- b. Submit a Degree Program Educational Offerings Report, including the identified courses for off-site subject specialist review. The institution receives the off-site subject specialist report and has 90 days to respond to any determination of partially met or unmet standards.
- c. The Commission reviews all documentation submitted to date and approves or denies the substantive change in accordance with accreditation standards. DEAC notifies the institution in writing within 30 days of the Commission's action and notifies the U.S. Department

of Education and other relevant constituencies in accordance with Section X, Notification and Information Sharing.

2. **Addition of a New Related-Field Non-Degree Program or Vocational Program:** This involves any addition of a new non-degree program or vocational program in a related field of study consistent with the educational offerings reviewed when the institution was last evaluated.

These are the steps in obtaining Commission approval for the addition of a new non-degree program or vocational program in a related field:

- a. Submit a Change in Educational Offerings Application. The institution will receive an invoice for the off-site specialist review fee.
- b. Submit a Non-Degree Educational Offerings Report. The institution receives the off-site subject specialist report and has 90 days to respond to any determination of partially met or unmet standards.
- c. The Commission reviews all documentation submitted to date and approves or denies the substantive change in accordance with accreditation standards. DEAC notifies the institution in writing within 30 days of the Commission's action and notifies the U.S. Department of Education and other relevant constituencies in accordance with Section X, Notification and Information Sharing.

3. **Change in Method of Delivery:** This involves any change in method of delivery from when the institution was last evaluated.

These are the steps in obtaining Commission approval for a change in method of delivery:

- a. Submit a Change in Educational Offerings Application. The institution will receive an invoice for the review fee.
- b. Submit a Degree or Non-Degree Educational Offerings Report and access to one completed program for off-site subject specialist review. The institution receives the off-site subject specialist report and has 90 days to respond to any determination of partially met or unmet standards.
- c. The Commission reviews all documentation submitted to date and approves or denies the substantive change in accordance with accreditation standards. DEAC notifies the institution in writing within 30 days of the Commission's action and notifies the U.S. Department of Education and other relevant constituencies in accordance with Section X, Notification and Information Sharing.

4. **Contracting for Educational Delivery:** Substantive change requirements for an institution that contracts with an unaccredited organization or organization not certified to participate in the title IV HEA programs to provide more than 25% of one or more of the institution's educational programs are applicable to:

- An accredited institution that enters into a contract with another accredited organization or unaccredited entity to provide more than 25% up to 50% of one or more of the institution's educational programs, or
- An institution certified to participate in title IV, HEA programs that enters into a contract with an institution or organization not certified to participate in title IV, HEA programs to provide more than 25% up to 50% of one or more of the institution's educational programs

These are the steps in obtaining Commission approval for contracting for educational delivery:

- a. Submit a Change in Educational Offerings Application and a Contracting for Educational Delivery Application. DEAC reviews the applications and selects the courses required for review. DEAC sends the institution a letter indicating the courses required for submission based on the selection criteria in accordance with Section III above. The institution will receive an invoice for the review fee.
- b. The Commission reviews all documentation submitted to date and approves or denies the proposal to contract for educational delivery. DEAC notifies the institution in writing within 30 days of the Commission's action.
- c. Submit a Degree or Non-Degree Educational Offerings Report including courses for off-site subject specialist review. The institution receives the off-site subject specialist report and has 90 days to respond to any determination of partially met or unmet standards.
- d. The Commission reviews all documentation submitted to date and approves or denies the substantive change in accordance with accreditation standards. DEAC notifies the institution in writing within 30 days of the Commission's action.

5. **Contracting for Educational Delivery with an Approved AQC Provider:** Upon Commission approval, an institution seeking to improve or expand its educational offerings to students can enter into an agreement to incorporate or contract for educational delivery up to 50 percent of its curriculum with an approved AQC provider.

An institution seeking to contract 26 percent to 50 percent of its curriculum for educational delivery with an approved AQC provider follows the steps below.

These are the steps in obtaining Commission approval for contracting for educational delivery:

- a. Submit a Contracting for Educational Delivery Application Part 1 indicating the contracted courses selected and additional supporting documentation. The institution will receive an invoice for the review fee.
- b. The Commission reviews all documentation submitted to date and approves or denies the substantive change in accordance with accreditation standards. DEAC notifies the institution in writing within 30 days of the Commission's action and notifies the U.S. Department of Education and other relevant constituencies in accordance with Section X, Notification and Information Sharing.

6. **Addition of a New Unrelated-Field Degree Program:** This involves any addition of a new degree program in an unrelated field of study not currently approved within the institution's scope of accreditation.

These are the steps in obtaining Commission approval for the addition of a new degree program in an unrelated field of study:

- a. Submit a New Unrelated-Field Degree Program Application Part 1. DEAC reviews the application and selects the courses required for review based on the selection criteria under Section III above. DEAC sends the institution a letter indicating the courses required for submission. The institution will receive an invoice for the review fee.
- b. Submit a New Unrelated Field Degree Program Application Part 2, including the identified courses for off-site subject specialist review. The institution receives the off-site subject specialist report and has 90 days to respond to any determination of partly met or unmet standards. The Commission reviews the report and, upon approval, provides notification to the institution within 30 days, permitting enrollment into the degree program.
- c. The institution receives an on-site visit six months to one year after implementing the new degree program and enrolling students. The institution receives a Chair's Report and has 30 days to respond with any additional information or documentation necessary to support the substantive change.

- d. The Commission reviews all documentation submitted to date and approves or denies the substantive change in accordance with accreditation standards. DEAC notifies the institution in writing within 30 days of the Commission's action and notifies the U.S. Department of Education and other relevant constituencies in accordance with Section X, Notification and Information Sharing.

7. **Addition of a New Unrelated-Field Non-Degree Program or Vocational Program:** This involves any addition of a new non-degree program or vocational program in an unrelated field of study not currently approved within the institution's scope of accreditation.

These are the steps in obtaining Commission approval for the addition of a new non-degree program or vocational program in an unrelated field of study:

- a. Submit a New Unrelated-Field Non-Degree Program Application Part 1. DEAC sends the institution a letter indicating the courses required for submission. The institution will receive an invoice for the subject specialist review fee.
- b. Submit a New Unrelated-Field Non-Degree Program Application Part 2. The institution receives the off-site subject specialist report and has 90 days to respond to any determination of partly met or unmet standards. The Commission reviews the report and, upon approval, provides notification to the institution within 30 days, permitting enrollment into the non-degree program or vocational course.
- c. At the discretion of the Commission, the institution may receive an on-site visit six months to one year after implementing the new non-degree program or vocational program and enrolling students. If the Commission requires the visit, the institution receives a Chair's Report and has 30 days to respond with any additional information or documentation necessary to support the substantive change.
- d. The Commission reviews all documentation submitted to date and approves or denies the substantive change in accordance with accreditation standards. DEAC notifies the institution in writing within 30 days of the Commission's action and notifies the U.S. Department of Education and other relevant constituencies in accordance with Section X, Notification and Information Sharing.

8. **Addition of a Program at a Different Degree or Credential Level:** This involves any addition of a program at a degree or credential level different from the educational offerings currently included in the institution's scope of accreditation.

These are the steps in obtaining Commission approval for the addition of a program at a degree or credential level different:

- a. Submit a New Degree/Credential Level Application Part 1. DEAC reviews the application and selects the courses required for review based on the selection criteria under Section III above. DEAC sends the institution a letter indicating the courses required for submission. The institution will receive an invoice for the review fee.
- b. Submit a New Degree/Credential Level Application Part 2, including the identified courses for off-site subject specialist review. The institution receives the off-site subject specialist report and has 90 days to respond to any determination of partly met or unmet standards. The Commission reviews the report and, upon approval, provides notification to the institution within 30 days, permitting enrollment into the program.
- c. The institution receives an on-site visit six months to one year after implementing the new program and enrolling students. The institution receives a Chair's Report and has 30 days to respond with any additional information or documentation necessary to support the substantive change.
- d. The Commission reviews all documentation submitted to date and affirms the substantive change in accordance with accreditation standards. DEAC notifies the institution in writing within 30 days of the Commission's action and notifies the U.S. Department of Education and other relevant constituencies in accordance with Section X, Notification and Information Sharing.

#### B. ACADEMIC UNITS OF MEASUREMENT

1. Institutions may define their programs in terms of credit hours or clock hours and thereby adopt a common classification system that is understood and recognized by the higher education community.
2. **Significant Increase or Decrease in Clock or Credit Hours:** The alteration of a course or program that represents significant modification in the objectives or content of an approved course or program is considered a substantive change. As a general rule, this means any increase or decrease in clock or credit hours of an existing course/program, from the original date of course/program approval, the date of approval of a previous substantive change to the course/program, or the most recent grant of accreditation.
3. **Changing from Clock to Credit Hours:** An institution changing an educational offering from clock to credit hours is a substantive change.

These are the steps in obtaining Commission approval for this substantive change:

- a. Submit Change in Educational Offerings Application.  
DEAC reviews the application and selects approximately 25% of the educational content that the institution has selected to convert from clock hours to credit hours.
- b. The institution's Change of Academic Units of Measurement Application and course/program documentation are submitted to an off-site subject specialist for review. The institution will receive an invoice for the review fee. The institution receives an off-site subject specialist report and has 90 days to respond to any determination of partly met or unmet standards.
- c. The Commission reviews all documentation submitted to date and approves or denies the substantive change in accordance with accreditation standards.

C. ADDITION OF AN IN-RESIDENCE PROGRAM COMPONENT

1. Adding an in-residence program component is a substantive change.
2. This substantive change applies when the fulfillment of the learning outcomes of a course/program requires in-person delivery of curriculum, learning of certain manual skills, familiarity with specialized equipment, access to learning resources, or the application of certain techniques under professional supervision.

These are the steps in obtaining Commission approval for an addition of an in-residence program component:

- a. Submit an In-Residence Component Application Part 1. DEAC reviews the application, evaluates how the residential component complements, enhances, and applies the knowledge acquired from the approved courses for the program. DEAC sends the institution a letter identifying any questions for clarification.
- b. The Commission reviews the submission and, upon approval, provides notification within 30 days to the institution, permitting enrollment in the in-residence portion of the program.
- c. Within 30 days of students attending the in-residence program site, the institution submits an In-Residence Component Application Part 2. The institution receives an on-site visit within six months after the first students begin attending the in-residence program site. The institution receives a Chair's Report and has 30 days to respond with any

additional information or documentation necessary to support the substantive change.

- d. The Commission reviews all documentation submitted to date and affirms the substantive change in accordance with accreditation standards.

#### D. ADDITION OF A NEW DIVISION

1. Adding a new division under a parent institution that establishes an identity and program offerings in a subject area or a number of related subject areas that are different from those offered by the parent institution is a substantive change.
2. These are the steps in obtaining Commission approval for this substantive change:
  - a. Submit an Application for a New Division Part 1, including required documentation, 30 days prior to the proposed change. The completed application and documentation are presented to the Commission for approval.
  - b. Identify the programs that are proposed for the new division by submitting the Change in Educational Offerings (see Section XIII(F) above).
  - c. Once the new division and program(s) are implemented, the institution submits an Application for a New Division Part 2, including required documentation.
  - d. The institution receives an on-site visit within six months to one year after implementing the new division and enrolling students. The institution receives a Chair's Report and has 30 days to respond with any additional information or documentation necessary to support the substantive change.
  - e. The Commission reviews all documentation submitted to date and affirms the substantive change in accordance with accreditation standards. DEAC notifies the institution in writing within 30 days of the Commission's action and notifies the U.S. Department of Education and other relevant constituencies in accordance with Section X, Notification and Information Sharing.

#### E. ENGAGING IN FEDERAL STUDENT ASSISTANCE TITLE IV PROGRAMS

1. To protect future distance education students and to provide direction to institutions as they seek to participate in Federal Student Assistance (FSA)

Title IV programs, DEAC believes it is prudent to provide its member institutions with additional procedures and guidance that are aligned with the published federal requirements for participation in Federal Student Assistance (FSA) Title IV programs.

2. DEAC limits the percentage of revenue received from federal student assistance programs in the first year of authorized participation, and requires the adoption of FSA default reduction methods at inception of participating in Title IV programs. DEAC implements additional oversight of student loan default levels of any institution that in any published cohort year has a cohort default rate greater than 30 percent. The position of DEAC regarding these additional areas of oversight provides a level of preventive action, where the requirements are more stringent than the published Federal policies and provides the DEAC with additional control over institutions it accredits that elect to participate in Federal Student Assistance (FSA) Title IV programs.
3. It is DEAC's expectation that any accredited institution electing to participate in FSA Title IV programs will comply with all federal program responsibilities under Title IV of the Higher Education Act, as amended, without exception. In cases where DEAC standards and federal regulations differ, the more stringent rules apply.
4. For each institution that elects to participate in Federal Student Assistance Title IV programs, DEAC examines the record of the institution's compliance with its federal program responsibilities under Federal Student Assistance Title IV regulations, based on the most recent "official cohort default rates" published by the U.S. Department of Education; the results of its audited financial statements; and its compliance audits, any program reviews conducted, and any other information that the U.S. Department of Education may provide to DEAC. The Commission takes action, as appropriate, when any of the information suggests that the institution may be failing to meet DEAC's standards.
5. An institution jeopardizes its accredited status with DEAC if it is found by DEAC or the appropriate federal authorities or a relevant state authority to be in significant noncompliance with its FSA Title IV program responsibilities or requirements.
6. **Scope of Activity:** The institution may elect to become an FSA Title IV program eligible institution and not participate in any Federal Student Assistance Title IV programs. Any programs selected for FSA Title IV program participation must meet the Federal minimum requirements for program eligibility as well as meeting DEAC's requirements. (Note: The U.S. Department of Education considers an eligible institution to be the "sum of its eligible programs.")

- 7. Eligibility:** The institution that uses, or seeks to use, accreditation by DEAC to establish eligibility to participate in FSA Title IV programs must first offer “distance education” courses as defined under the formal definition established by the U.S. Department of Education.

Any programs the institution selects to be FSA Title IV program eligible must have been offered in substantially the same length covering substantially the same subject matter, during the 24 months prior to the date the institution applies for eligibility with the U.S. Department of Education.

For the purposes of qualifying institutions to participate in FSA Title IV programs, any DEAC institution that intends to apply must meet all eligibility requirements, including the minimum program length requirements, expressed in weeks and academic credits, as set forth in the law and regulations for FSA Title IV program participation.

- 8. Academic Units of Measurement:** DEAC reviews the institution’s policies and procedures for determining the credit hours as defined in 34 CFR 600.2 DEAC evaluates the process an institution uses to award credits for courses and programs and makes a reasonable determination whether the institution’s assignment of credit hours conforms to commonly accepted practices in higher education.
- 9. Licensure:** The institution that uses, or seeks to use, accreditation by DEAC to establish eligibility to participate in FSA Title IV programs must have a charter, license, or formal authority from all appropriate governmental bodies to offer its programs or courses, when such authority is available or required. The loss of state licensure or required authority to operate results in the simultaneous loss of DEAC accreditation and federal aid eligibility.
- 10. Limit on Participation and Significant Growth Triggers:** Revenue from all FSA Title IV programs by eligible institutions may not account for more than 50 percent of an institution’s total revenue during its first 12 months of eligibility for FSA Title IV program participation, and not more than 75 percent of its revenue for all subsequent years of participation until such time that the institution (a) receives renewal of accreditation while participating in Title IV programs, and (b) demonstrates that its three-year cohort default rate and financial statement composite score fall within acceptable ranges as prescribed by the U.S. Department of Education. Once the institution successfully meets the aforementioned requirements, the Commission will approve the institution to draw the maximum revenue from FSA Title IV programs allowed under applicable Title IV regulations. “Revenue” is defined as total receipts from all of the institution’s distance education students for tuition, books, fees, and all institutional charges, excluding refunds made, regardless of whether they received FSA Title IV programs funds.

Students who enrolled in an institution's programs prior to the date in which FSA Title IV program eligibility is granted and who subsequently elect to receive FSA Title IV funds will not be included in the institution's FSA Title IV program revenues.

An institution that, due to its participation in FSA Title IV programs, experiences annual growth of more than a 50 percent increase in student enrollments and/or has more than a 50 percent increase in annual tuition receipts in any calendar year may be directed to undergo an on-site evaluation, at the discretion of the DEAC.

- 11. Certification of the Institution by DEAC:** Those institutions that use their accreditation with DEAC as a basis to establish eligibility for FSA Title IV programs must apply to the Commission for approval of all the distance education programs offered by the institution.

Before an accredited institution files an application to the U.S. Department of Education to be either a participating institution or a deferment institution in FSA Title IV programs, it must inform DEAC of its intention to be evaluated and "certified" by DEAC and must be found in compliance with all requirements.

These are the steps in obtaining Commission approval to participate in FSA Title IV programs:

- a. A key person from the institution attends the DEAC *Title IV Financial Aid Seminar*. Submit an Eligibility for Federal Student Assistance Title IV Program Application Part 1.

An institution seeking to participate in FSA Title IV programs is required to be certified by DEAC prior to applying to the U.S. Department of Education. Violation of any provisions of these procedures, including applying to the U.S. Department of Education without first seeking and receiving DEAC certification, may subject an institution to corrective action, special visit, or loss of accreditation.

- b. Submit an Eligibility for Federal Student Assistance Title IV Program Application Part 2 that identifies programs intended for participation in FSA Title IV programs.
- c. The institution receives an on-site visit to verify its compliance with federal minimum requirements and DEAC procedures. The institution receives a Chair's Report and has 30 days to respond with any additional information or documentation necessary to support the substantive change.

- d. The Commission reviews all documentation submitted to date and affirms the substantive change in accordance with accreditation standards. DEAC notifies the institution in writing within 30 days of the Commission's action and notifies the U.S. Department of Education and other relevant constituencies in accordance with Section X, Notification and Information Sharing.
12. An institution participating in FSA Title IV programs pays particular attention to documenting and demonstrating compliance with the following requirements, in addition to the DEAC Accreditation Standards.
- a. **Mission:** The institution's educational offerings are in a field of study in which the institution demonstrates competence and strength.
  - b. **Satisfactory Academic Progress:** The institution implements and publishes a satisfactory academic progress policy that complies with all Federal Student Assistance Title IV program requirements as stated in current federal regulations.
  - c. **Regular and Substantive Interaction:** The institution implements policies and procedures that assure regular and substantive interaction between students and faculty. The institution maintains records that document that appropriate interactions occur throughout the student's enrollment.
  - d. **Competency-Based or Direct Assessment Programs:** The institution must seek prior DEAC approval for every direct assessment program and/or competency-based program, as well as for every concentration of each competency-based or direct assessment program that it intends to initiate (for example, within MBA, a concentration in finance, a concentration in accounting, or a concentration in marketing). Such programs are subject to federal definitions related to distance education and institutions should understand the significance of the interaction between students and faculty in these programs. Expectations for student work and the means for assessing student learning and competencies acquired through that work are clearly defined. The competencies required for the program build a unified body of knowledge that is consistent with a discipline or profession. Institutions applying for prior approval using the relevant Change in Educational Offerings application form.
  - e. **Career and Financial Aid Advising:** The institution makes available to students, upon request, career advising related to their program of study. The institution makes available financial aid advising to all students in need of financial assistance, students that are applying for financial assistance, and other persons seeking additional information

regarding the process for applying and receiving Federal Student Assistance. Such advising may take place via a variety of media sources and communication methods. Upon request of the student, the institution provides personal assistance on questions related to the application and delivery of financial aid.

- f. **Entrance and Exit Loan Advising:** The institution conducts entrance and exit loan advising that encourages loan repayment. The institution, through the financial aid office and the use of available media, encourages repayment of any Federal Student Assistance student loan funds that were obtained for payment of the tuition and other costs associated with the student's attendance and enrollment in the institution's educational offerings.
- g. **Disclosures:** Any statements the institution makes in any advertising, promotional literature, or other materials are complete and accurate about (1) its eligibility for or participation in FSA Title IV programs, (2) its efforts to become certified to participate in such programs, and/or (3) the availability of FSA Title IV benefits to students who enroll at the institution. The institution will not use the availability of FSA Title IV funds to students as the primary inducement or rationale for students to enroll in a program.

All promotional literature, catalogs, websites, or other materials that describe the financial assistance available to students, including any FSA Title IV funds that might be available must state that the assistance is available only to those students who qualify and must include the federal and institutional requirements that students must meet in order to qualify and maintain eligibility for such assistance.

The institution discloses accurate course material information, including ISBN and retail prices. The institution's textbook pricing policy for new or used textbooks is fair to students.

- h. **Recruitment Personnel:** Institutional personnel involved in the recruitment of students as their principal activity do not have final decision-making authority in the approval or awarding of FSA Title IV. An institution that participates in FSA Title IV programs is aware of, and complies with, all U.S. Department of Education regulations and restrictions on methods of compensation that pertain directly or indirectly to success in student recruiting or admissions activities or in making financial aid decisions.
- i. **Refund Policy:** The institution has and implements a fair and equitable refund policy in compliance with state requirements or, in the absence of such requirements, in accordance with DEAC's refund

policy standards under III.IX.C. The institution discloses the date from which refunds are calculated (e.g., the date of determination of withdrawal or termination). The institution complies first with the Return of Title IV requirements when a student who is a FSA Title IV recipient withdraws from an institution.

- j. **Federal Student Assistance Administrator:** The institution employs a capable individual(s) responsible for administering all FSA Title IV programs in which it participates and for coordinating those programs with the institution's other financial assistance programs. The institution employs other individuals, as needed, to assist in the administration of FSA Title IV programs.
- k. **Default Management Plan:** The institution's default management plan addresses student loan information (borrower's rights and responsibilities, information regarding repayment and consolidation of student loan debt, communications with lenders and loan servicing agents, and the consequences of default), advising and monitoring, cooperation with lenders, and collecting information to facilitate location of borrowers. The institution documents implementation of the default management program and regularly conducts an evaluation of the effectiveness of its efforts as part of its self-study program.

The published cohort rate for the institution for any cohort year—where 30 or more borrowers enter repayment—cannot exceed the allowable rate as prescribed by the U.S. Department of Education. Institutions that receive a published rate greater than 25 percent are required to implement and adhere to a default reduction plan that specifically outlines the means by which the institution will provide services and contacts to the borrowers in an attempt to reduce the cohort default rate.

- l. **Financial Responsibility:** The institution meets the financial responsibility and administrative capability rules for federal financial aid participation, including the annual submission of audited comparative financial statements for the two most recent fiscal years, auditor opinion and management letters, and composite score calculation.
- m. **Program Reviews:** The institution notifies DEAC in writing within 10 days of having undergone any program reviews, inspections, or other reviews of its participation in Federal Student Assistance Title IV programs by the U.S. Department of Education. The institution also provides complete copies of any reports (both preliminary and final) of these reviews and provides any available compliance audits within 10 days of its receipt of these documents.

- n. **Bankruptcy:** An institution that files for federal bankruptcy protection, simultaneously and immediately forfeits its DEAC accredited status and Federal Student Assistance Title IV program eligibility.
- o. **Renewal of Accreditation:** Since the length of the FSA Title IV programs certification extends only through the institution's current term of accreditation, the institution must renew its compliance with FSA Title IV programs as part of its renewal of accreditation. The institution must readdress the FSA Title IV statements in its Self-Evaluation Report. During the on-site evaluation, an evaluator with expertise in FSA Title IV programs verifies the information provided in the Self-Evaluation Report.
- p. Institutions certified by DEAC to participate in FSA Title IV programs that have been subject to a Show Cause directive by the Commission over the prior three academic years, or are under a provisional certification, as provided in 34 CFR 668.13, must receive prior approval for the following substantive changes. Other institutions certified by DEAC to participate in FSA Title IV programs must report these changes within 30 days to their accrediting agency):
  - (1) A change in an existing program's method of delivery.
  - (2) An aggregate change of 25 percent or more of the clock hours, credit hours, or content of a program since the agency's most recent accreditation review.
  - (3) The development of customized pathways or abbreviated or modified courses or programs to:
    - (i) Accommodate and recognize a student's existing knowledge, such as knowledge attained through employment or military service; and
    - (ii) Close competency gaps between demonstrated prior knowledge or competency and the full requirements of a particular course or program.
  - (4) Entering into a written arrangement under 34 CFR 668.5 under which an institution or organization not certified to participate in the title IV, HEA programs offers up to 25 percent of one or more of the accredited institution's educational programs.

All applications are available on DEAC's website ([www.deac.org](http://www.deac.org)).

#### F. ENGAGING IN INTERNATIONAL ACTIVITIES

- 1. An institution seeking to add active international functions (e.g., training sites, recruiting, instruction, marketing, business) outside the United States, coordinating offices in another country, or contract with foreign agents or educational entities is required to obtain prior approval from the Commission.

2. An accredited institution offering educational programs outside of its home country obtains all appropriate external approvals where required, including higher education system administration, government bodies, and DEAC. The institution documents the accepted legal basis for its operation in the host country and meets legal requirements of the host country.

These are the steps in obtaining Commission approval for this substantive change:

- a. Submit International Activities Application Part 1, including required documentation, and receive prior approval a minimum of 30 days before engaging in international activities. The completed application and documentation are presented to the Commission for initial approval.
- b. Once engagement in international activities is established, the institution submits an International Activities Application Part 2, including required documentation.
- c. The institution receives an on-site visit in the host country within one year after engaging in international activities. An on-site visit is required in each of the countries where an institution offers programs or provides instruction or tutorial services and where student recruitment and other services for these programs are either conducted by an agency or an individual either formally contracted by the institution or through an articulation agreement with an institution or entity in that country. The institution receives a Chair's Report and has 30 days to respond with any additional information or documentation necessary to support the substantive change.
- d. The Commission reviews all documentation submitted to date and affirms the substantive change in accordance with accreditation standards. DEAC notifies the institution 30 days after the Commission decision.

All applications are available on DEAC's website ([www.deac.org](http://www.deac.org)).

## XX. NON-SUBSTANTIVE CHANGES

Non-substantive changes are those changes that require confirmation by DEAC prior to implementation but do not require prior approval by the Commission as is the case for substantive changes. Upon review of the notification of the non-substantive change, DEAC may require the submission of a substantive change application or other documentation to demonstrate that the change conforms with the standards of accreditation. The following are non-substantive changes:

- A. **Change of President/Chief Executive Officer:** When an institution makes a change in its president/CEO, defined as the replacement of the senior level executive of the institution since the last accreditation evaluation, it must notify the Commission as soon as possible. The institution must submit a Letter of Notice to the Director of Accreditation. The letter must provide a full explanation of when the change of president/CEO is being made, why it is being made, and how the change will affect the institution's capacity to continue to meet all DEAC Accreditation Standards.

The institution provides documentation on the qualifications of the new president/CEO and a summary of the job description. The institution agrees that, as part of the Change of President/CEO, the new president/CEO may be subject to a background check by DEAC, which may include, but not be limited to, DEAC surveys of state educational oversight agencies, federal departments and agencies, and consumer protection agencies; and checks the credit history, prior bankruptcy, criminal background, debarment from Federal Student Assistance Title IV Programs, closing of educational institutions in which they were managers or principals, or loss of accreditation or state approval to operate an educational institution.

Additional consideration may be required if the background of the proposed new management raises questions concerning compliance with DEAC Standard X as to his/her qualifications.

- B. **Degree Program or Non-Degree Course Name or Title Revision:** Institutions submit a letter to the Director of Accreditation and provide the reason for the change under either of the following circumstances:

1. A degree-granting institution that changes the name of a degree program or course without substantively changing the instructional content of the program.
2. A non-degree-granting institution that changes the name of a program without substantively changing the instructional content.

The institution certifies that these are the only revisions to the degree program or non-degree program.

- C. **Certificate Program Containing Courses Already Approved:** Degree-granting and non-degree-granting institutions may determine that it is appropriate to create a certificate program containing courses already approved to meet a specific marketplace need. Institutions may create certificate programs containing already approved courses that are exactly the same (e.g., require proctored exams, the same assignments, the same exams) as those offered in an already approved program and which would allow students to apply earned credits towards another program. The institution submits a letter to the Director of Accreditation that provides:

1. the rationale for the implementation;
2. a curriculum map outlining the scope and sequence of the courses for the certificate-level credential;
3. description of program outcomes;
4. evidence that offering the certificate-level credential is aligned with industry requirements for entering or advancing in a profession; and
5. a statement certifying that the courses used to create the certificate program are the same courses approved by DEAC as part of the approved program.

DEAC reserves the right to direct the institution to the substantive change process when it appears that the change notification represents a significant departure from its accredited scope.

**D. Changing General Education Requirements or Eliminating a Major Thesis**

**Requirement:** An institution changing general education requirements or eliminating a major thesis requirement submits a letter to the Director of Accreditation outlining the change and the reason for the change and certifying that these are the only revisions to the course or program.

**E. Contracting for Educational Delivery with an Approved AQC Provider or Other Accredited Institution:**

An institution can enter into an agreement to incorporate or contract for educational delivery of up to 25 percent of its curriculum with an Approved Quality Curriculum (AQC) provider or other appropriately accredited institution recognized by the U.S. Department of Education or the Council for Higher Education Accreditation (CHEA) by submitting a letter to the Director of Accreditation listing the acquired courses, the courses that will be replaced, the reason for the change and the faculty responsible for reviewing and providing instruction and certifying that these are the only revisions to the course or program.

DEAC reserves the right to direct the institution to the substantive change process when it appears that the contracting for educational delivery is not with an appropriately accredited institution.

**F. Adding Courses:** If an institution adds courses similar to its existing educational offerings within its DEAC-accredited scope, it submits a letter to the Director of Accreditation, including the following information for each course:

- name and number of the course;
- number of credits awarded;
- core/elective designation;
- course description;

Note: Revisions made to clarify and refine existing DEAC procedures are indicated in blue font. Changes to procedures are indicated in red, underlined font.

- faculty and their qualifications to teach the course (submit resume or curriculum vitae); and
- a rationale for the addition that explains the alignment with existing programs and institutional mission.

Any proposed courses are developed and ready for implementation at the time of the request. DEAC reserves the right to direct the institution to the substantive change process when it appears that the change notification represents a significant departure from its accredited scope.

- G. Discontinuing Courses or Programs:** If an institution decides to discontinue a course or program, it submits a letter to the Director of Accreditation explaining the reasons for the change. Programs being discontinued require the inclusion of a program teach-out plan and information on the number of currently enrolled students.
- H. Division Identity:** Institutions seeking to organize existing programs into a division that clearly delineates the relationship to the parent institution must notify the Commission in writing and provide a complete description of how the institution will disclose the division as part of the broader educational offerings. Institutions seeking to add a division under a parent institution that establishes a discrete identity from the parent institution must apply for prior approval of a substantive change and submit the Application for a Division – Part I.

DEAC requires that any separately advertised division be listed in the DEAC Directory of Accredited Institutions.

- I. Closure of an Administrative Site:** When an institution decides to close an administrative site, it submits a letter to the Director of Accreditation at least 30 days prior to the closure. The letter provides the following information:
1. Name, address, and telephone number of the site.
  2. The date and reason(s) for closing the administrative site.
  3. Personnel names, titles, and job descriptions affected by the closing.
  4. Information explaining what duties were carried out at the administrative site and where those duties will be carried out in the future.
  5. Information on any significant changes in courses/programs or educational services, student support services, etc., resulting from the closure of the administrative site.
  6. Information on changes to any advertising and promotional materials (including website) resulting from the closure of the administrative site.
  7. If any official documents were kept at the administrative site, explain when and where the records will be transferred.
  8. Evidence that the institution has properly notified the appropriate licensing, authorizing, or approving state educational agency concerning the closure of the administrative site.

## XXI. TEACH-OUT PLANS

A. Institutions must submit to DEAC for its approval a comprehensive, written teach-out plan, and if practicable, teach-out agreements (as defined in 34 CFR 600.2) for its enrolled students when any of the events listed below occur:

1. The U.S. Department of Education has notified the Commission of an action against the institution pursuant to Federal Regulations, Section 487 (f) [20 USC 1099 b], to include placing the institution on the reimbursement payment method under 34 CFR 668.162(c) or the heightened cash monitoring payment method requiring a review of the institution's supporting documentation under 34 CFR 668.162(d)(2).
2. The U.S. Department of Education has initiated an emergency action against an institution, in accordance with section 487(c)(1)(G) of the HEA, or an action to limit, suspend or terminate an institution participating in any title IV, HEA program.
3. The Secretary notifies the agency that the institution is participating in title IV, HEA programs under a provisional program participation agreement and the Secretary has required a teach-out plan as a condition of participation;
4. The U.S. Department of Education notifies DEAC of a determination by the institution's independent auditor expressing doubt about the institution's ability to operate as a going concern or indicating an adverse opinion or a finding of material weakness related to financial stability or the Commission has independently made a determination that the institution appears to lack sufficient financial health/stability/robustness to sustain effective operation in meeting obligations to students or the institution enters bankruptcy.
5. The Commission has withdrawn accreditation from the institution.
6. The Commission has directed the institution to Show Cause as to why its accreditation should not be withdrawn.
7. A state licensing or authorizing agency notifies DEAC that the institution's license or legal authorization has been or will be revoked or that the state agency has sanctioned the institution for reasons relevant to the institution's continued compliance with DEAC Accreditation Standards.
8. The institution has notified the Commission that it intends to cease operations.

B. **Teach-Out Plan:** At a minimum, the proposed teach-out plan must assure that all students who enrolled at the institution receive all of the training or education under the terms of their contracts, including receiving all learning materials and student services on a timely basis.

1. There are two approaches to teach-out plans:
  - a. The institution plans to teach-out its own students.

- b. An executed teach-out agreement is in place with one or more appropriately accredited institutions currently offering programs similar to those offered at the closing institution.
2. Minimum components for any teach-out plan include:
    - a. A listing, by name, student number, email address, and telephone number of all students in each program, the program requirements each student has completed, their estimated completion/graduation dates;
    - b. the institution's financial obligations to each student, including without limitation, unearned tuition, all current refunds due, and account balances.
    - c. Arrangements made for the secure safekeeping of all student records, including educational, accounting, and financial aid records, in a location that can be readily accessed by students (with respect to their own records), by DEAC and state and federal regulators, and otherwise in accordance with applicable legal requirements in the event the institution closes.
    - d. Without limiting the foregoing, the arrangement with a third party repository for student transcripts from which students can obtain copies of their transcripts for a minimal fee.
    - e. Instructions on how curricula and learning management software may be accessed by students if the institution is conducting its own teach-out.
    - f. An explanation, accompanied by appropriate supporting documentation and timelines, of how the closing institution will notify students in the event of closure and, as applicable, how the closing institution will notify the students of their teach-out options and ability to transfer credits.
    - g. A copy of all notifications described in the foregoing paragraph;
    - h. For institutions offering hybrid programs (distance study and required face-to-face instruction), an explanation and evidence of how the teach-out institution has the capacity to provide the students with instruction and services without requiring the students to move or travel substantial distances from the closing institution, and evidence of the adequacy of the teach-out institution's facilities and equipment.
    - i. A statement showing evidence that state regulations regarding any student protection funds and/or bonds are followed, if applicable.
    - j. A statement that describes any additional charges/fees and notification to students about the charges/fees.
    - k. A description of what financial resources will be used to make student refunds or fund the teach-out;
    - l. A plan to provide all potentially eligible students with information about how to obtain a closed school discharge and, if applicable, information on State refund policies;

- m. (iii) A record retention plan to be provided to all enrolled students that delineates the final disposition of teach-out records (e.g., student transcripts, billing, financial aid records);
  - n. (iv) Information on the number and types of credits the teach-out institution is willing to accept prior to the student's enrollment; and
  - o. (v) A clear statement to students of the tuition and fees of the educational program and the number and types of credits that will be accepted by the teach-out institution.
  - p. The name, title, email address, telephone number, office address and other relevant contact information for the person or persons who will act as the primary liaison(s) between the institution and DEAC throughout the period of the teach-out; such information to be updated as necessary through the teach-out period.
3. DEAC reviews any teach-out plan that includes a program accredited by another recognized accrediting agency and will notify that accrediting agency of any approval or rejection.

C. **Teach-Out Agreement:** When a DEAC institution is required to submit a teach-out plan and enters into a teach-out agreement voluntarily or at the DEAC's direction, the agreement must be approved by DEAC prior to implementation. DEAC approves teach-out agreements only if the agreement offers educational services consistent with DEAC Accreditation Standards, satisfies the requirements of 34 CFR 600.2 and other state and federal regulations, and provides for the equitable treatment of students being served. Without limiting the foregoing, the teach-out institution must

(i) have the necessary experience, resources, and support services to provide an educational program that is of acceptable quality and reasonably similar in content, delivery modality, and scheduling to that provided by the institution that is ceasing operations either entirely or at one of its locations; however, while an option via an alternate method of delivery may be made available to students, such an option is not sufficient unless an option via the same method of delivery as the original educational program is also provided;

(ii) have the capacity to carry out its mission and meet all obligations to existing students; and

(iii) demonstrate that it—

(A) can provide students access to the program and services without requiring them to move or travel for substantial distances or durations; and

(B) will provide students with information about additional charges, if any.

Without limiting the foregoing, the teach-out institution may not be an institution that itself has been or is required to submit a teach-out plan under section A above or is under

investigation, subject to an action, or being prosecuted for an issue related to academic quality, misrepresentation, fraud, or other severe matters by a law enforcement agency.

The following elements are also considered in approving teach-out agreements:

1. The agreement is with one or more institutions accredited by an agency that is recognized by the U.S. Department of Education and/or the Council for Higher Education Accreditation (CHEA). The institution is state licensed and currently offers programs similar to those at the closing institution.
2. The agreement states that the student will be provided access to all the programs of instruction, without additional cost, that the student originally contracted and paid for but did not receive, due to the [pending] closure of the institution. For hybrid programs, the teach-out institution must be near the closing institution so the students are not required to move or travel substantial distances.
3. The agreement clarifies the financial responsibilities of all parties, including the assumption of any liabilities for tuition refunds and appropriate notification to students in a timely manner of additional charges/fees, if any.
4. The agreement states whether, upon completion of the program, the student will receive a diploma, certificate, or degree from the teach-out institution, or whether the diploma or certificate will be awarded by the closing institution.
5. The agreement indicates whether students who (a) had already enrolled but had not yet started their program of study at the closing institution or (b) were on a leave of absence from the closing institution will be entitled to begin training or re-enroll at the teach-out institution.
6. The agreement states that the closing institution will provide the teach-out institution with copies of the following records for the students being taught out:
  - Enrollment agreements
  - Financial aid transcripts
  - Study/progress records
  - Academic transcripts
  - Student account records
  - Any relevant curricular materials
7. The agreement requires that the teach-out institution maintain records and documents for the students being taught out and that the teach-out institution will report to DEAC on a periodic basis on the status of the teach-out.
8. The agreement provides for appropriate notification to the Commission,

federal, and state authorities.

- D. **Closure Without Teach-Out Plan/Agreement:** If a DEAC-accredited institution closes without a teach-out plan/agreement or an institution refuses to provide a teach-out plan, DEAC will work with the U.S. Department of Education and the appropriate state agency, to the extent feasible, to assist students in finding reasonable opportunities to complete their education without additional charges.

## XXII. COMPLAINTS (ACCREDITED INSTITUTIONS, ACTIVE APPLICANTS, AND DEAC)

- A. **DEAC Complaints:** Complaints that reasonably allege instances of noncompliance with DEAC accreditation standards by accredited institutions, active applicants, DEAC evaluators, Commissioners, or staff are investigated in a fair and timely manner.

DEAC's Online Complaint System enables individuals to file a complaint directly using the DEAC website. The complaint form is found at [www.deac.org/Student-Center/Complaint-Process.aspx](http://www.deac.org/Student-Center/Complaint-Process.aspx). All complaints should be submitted using this form. For those who cannot access the Internet, written complaints will be accepted provided they include the complainant's name and contact information and a release from the complainant(s) to DEAC. Where circumstances warrant, the complainant may remain anonymous to the institution, but all identifying information must be given to DEAC.

Written complaints must contain the following: (1) the basis of any allegation of noncompliance with DEAC standards and procedures; (2) all relevant names and dates and a brief description of the actions forming the basis of the complaint; (3) copies of any available documents or materials that support the allegations; and (4) a release authorizing DEAC to forward a copy of the complaint, including identification of the complaint(s) to the institution. In cases of anonymous complaints or where the complainant requests his/her name to be kept confidential, DEAC considers how to proceed and whether the anonymous complaint sets forth reasonable and credible information that an institution may be in violation of DEAC's standards and whether the complainant's identity is necessary to investigate the complaint.

- B. **Definition of Complaint:** A complaint is defined as notification to DEAC by any person or entity (including, but not limited to, any student, faculty member, or staff member of an accredited institution; any member of the general public; any representative of a federal, state, or local government; and any member of any other institution or organization) that sets forth reasonable and credible information that:
- an accredited institution;
  - an applicant institution; or

- the evaluators, commissioners, or DEAC staff are not in compliance with one or more of DEAC's accreditation standards.

Where issues of educational services, student services, or tuition are concerned, a student complainant must have exhausted all efforts to resolve his/her complaint with the institution before considering filing a complaint with DEAC. Where issues of educational quality or compliance with DEAC standards or procedures are not central to the complaint, the DEAC will refer the complaint and/or the complainant to the appropriate federal or state agency or private entity with jurisdiction over the subject matter of the complaint and may provide a copy to the institution.

DEAC will not intervene on behalf of individuals in cases of a personnel action, nor will it review an institution's internal administrative decisions in such matters as admissions decisions, academic honesty, assignment of grades, and similar matters unless the context of an allegation suggests that unethical or unprofessional conduct or action may have occurred that might call into question the institution's compliance with a DEAC standard or policy.

Further, DEAC will not intervene on behalf of individuals in cases where the situation giving rise to the complaint had occurred so long ago that investigating and ascertaining the facts might prove to be problematic. The Executive Director will exercise professional judgment in determining which cases meet these criteria. In addition, if, for any reason, DEAC suspects any type of unethical behavior, including fraud and abuse, by an applicant or accredited institution, DEAC reserves the right to investigate the allegations. DEAC is obligated under Federal regulations [CFR 602.27(a)(6)] to report to the U.S. Secretary of Education any institution it has reason to believe is failing to meet its Federal Student Assistance Title IV program responsibilities or is engaged in fraud and/or abuse.

- C. **Records of Complaints:** DEAC maintains records of all complaints. Complaints received against accredited institutions and the manner of their resolution are kept for two accreditation cycles (8 to 10 years). Complaints received against initial applicants are kept for a period of three years. DEAC provides summaries of these files to visiting examining committees when they conduct on-site visits. DEAC also considers these summary files when it acts on an institution's application for initial accreditation or renewal of accreditation. The complaints are analyzed according to how the institution handled them or how they were resolved.

In addition, all other complaint files are tabulated and summarized and presented at each meeting of the DEAC Commission. The summary provides an analysis of any unresolved complaints, categories of complaints by nature and source, and any other information the Commission desires regarding the record of complaints received by DEAC.

- D. **Complaints Against Accredited Institutions:** When DEAC accredits an institution, it expects the institution to remain in compliance with all DEAC standards for

accreditation throughout the accreditation period granted. Therefore, one of DEAC's principal concerns when it receives a complaint about an accredited institution is whether the institution is in compliance with the published standards and procedures. The burden of proof rests with the institution to prove that it is meeting DEAC's published standards and procedures at all times, including proving compliance after accreditation is awarded. Another concern of DEAC involves the methods, policies, philosophy, and procedures of the institution for handling complaints on an ongoing basis. DEAC expects its accredited institutions to have operational procedures in place for fairly and promptly resolving complaints so that they do *not* become a matter for concern for outside agencies. DEAC will consider a complaint even if the institution is involved in litigation with DEAC or other third parties. Therefore, in investigating a specific complaint against an accredited institution, DEAC also examines whether or not the institution has effective methods for handling student problems on a routine basis. In so doing, DEAC looks to see if the institution's procedures are equitable, consistently applied, and effective in resolving problems.

Finally, DEAC is concerned about the frequency and pattern of complaints about an accredited institution. DEAC expects the institution to monitor all complaints it receives and expects the institution to take steps to assure that similar complaints do not become repetitive or routine.

- E. **Action:** When DEAC receives a complaint against an applicant or accredited institution, the DEAC's procedure for handling the complaint consists of the following steps:
1. After receipt of the complaint, the Commission staff will send a letter or e-mail to the complainant acknowledging receipt of the complaint and explaining the process the DEAC will follow in investigating the complaint.
  2. DEAC staff will conduct an initial review of the complaint to determine whether it sets forth information or allegations that reasonably suggest that an institution may not be in compliance with DEAC's standards and procedures. If additional information or clarification is required, the Executive Director (acting on behalf of the Commission) will send a request to the complainant. If the requested information is not received within **15 days**, the complaint may be considered abandoned and may not be investigated by DEAC.
  3. If the Executive Director determines after the initial review of the complaint that the information or allegations do not reasonably demonstrate that an institution is out of compliance with DEAC standards or procedures, the complaint may be considered closed and will not be investigated by DEAC.
  4. If the Executive Director determines after the initial review of the complaint that the information or allegations reasonably suggest but do not provide enough information to ascertain that an institution may not be in compliance with DEAC standards and procedures, the Executive Director will notify the

institution that a complaint has been filed. The notice will summarize the allegations, identify the DEAC standards or procedures that were allegedly violated, and provide a copy of the original complaint to the institution. The institution will be given **30 days** to provide a response, with the following exceptions:

- a. In cases of advertising violations, DEAC staff forwards a copy of the advertisement to the institution, citing the standard that might have been violated. The institution is required to respond within **15 days**.
  - b. If a news article or media broadcast carries a negative report on a DEAC-accredited institution, the institution is required to respond to the statement(s) within **15 days**.
  - c. In cases when the complaints are from students concerning administrative services, student services, educational services, or tuition, the institution will be required to respond directly to the student within **15 days** to address his/her concerns.
5. The Executive Director will review the complaint and the institution's response for compliance with the accrediting standards and procedures.
  6. If the Executive Director concludes that the allegations do not establish that there has been a violation of standards or procedures, he/she will consider the complaint closed, and no further action is required.
  7. If the Executive Director concludes that the allegations may establish a that there has been a violation of DEAC standards and/or procedures, he/she may take one of the following actions:
    - a. Postpone the final action on the complaint for a period not to exceed 60 days if there is evidence that the institution is making progress in rectifying the situation. In the case of postponement of action, the complainant will be kept informed of the status of the complaint and its final action.

**Note:** The failure of the institution to rectify the situation by the end of the 60-day period will be referred to the Commission for consideration and action.

- b. Notify the institution that, based on the information provided, the DEAC has determined that the institution is failing to meet the DEAC standards and that the DEAC is taking appropriate action. Such action may include requiring the institution to take specific corrective action and report back to the Commission and/or conducting a Special Visit to the institution on an announced or unannounced basis. If

circumstances warrant, the Commission may initiate action, including a show cause proceeding, that may result in the termination of the institution's accreditation. If appropriate, Commission actions may also include referring the matter to federal, state, or local agencies for review and possible action.

8. In all instances, the Executive Director will send a letter to the complainant and the institution regarding the final disposition of the complaint, and a record of the complaint will be kept on file at the DEAC office subject to DEAC's document retention policies.

**Note:** The failure of the institution to provide either a response to the complaint or any additional information as requested by the Executive Director within the specified time frames will be considered a violation of the DEAC's policy on complaints and will be referred to DEAC for consideration and action.

9. An adverse action against an institution arising from a complaint will not be taken until the institution has had an opportunity to respond to the complaint within the time frames set forth by DEAC.

**F. Complaints about Applicant Institutions:** DEAC posts on its website and publishes a list of applicant institutions and encourages third-party comments. DEAC's processes and procedures on third-party comments address receiving, processing, reviewing, and acting on third-party comments. If a complaint (as defined above) is received about an applicant institution, the procedures followed for handling the complaint are the same as for handling a complaint about an accredited institution (see above).

**G. Complaints About DEAC Evaluators, Commissioners, and Staff:**

The DEAC promptly reviews any complaint it receives against DEAC evaluators, Commissioners, and/or staff. Because of the seriousness with which it regards complaints of this type, the DEAC requests that such complaints be in writing and filed through DEAC's Online Complaint form on its website (see above). If a complaint is received orally, the complainant will be asked to submit the complaint in writing. Anonymity will be honored only for good cause and at DEAC's discretion in these cases. The person against whom the complaint is lodged will not participate in making the final decision. As described below, the Chair or Vice Chair of the Commission or the Executive Committee will review in a fair and equitable manner, and apply unbiased judgment to, any complaint against itself and take follow-up action, as appropriate, based on the results of the review.

The procedures for handling complaints against DEAC evaluators, Commissioners, and/or staff for alleged violations of DEAC's standards, policies, or code of conduct

are as follows:

1. After the receipt of the complaint by DEAC, all materials related to the complaint are forwarded to the Chair of the Accrediting Commission (unless the complaint is about him or her). If the complaint is about the Chair, the complaint and all materials are forwarded to the Vice Chair.
2. After the receipt of the complaint, the Chair or Vice Chair sends a letter to the complainant acknowledging receipt of the complaint and explaining the process the DEAC will follow in investigating the complaint.
3. Also after the receipt of the complaint, the Chair or Vice Chair reviews the complaint and decides whether any additional information is needed from the complainant, the DEAC Evaluator, Commissioner, and/or DEAC staff before the complaint can be considered. If so, the Chair or Vice Chair requests that the information be provided to the Chair within **30** days. If the requested information is not received within the specified timeframe, the complaint may be considered abandoned and may not be investigated by DEAC.
4. Within **30** days of receipt of all the information pertaining to the complaint, including the original complaint and any additional information, the Chair or Vice Chair convenes a conference call of the Executive Committee of the Commission to review the complaint. The Executive Committee will not complete its review and make a decision regarding the complaint unless it ensures that the evaluator, Commissioner or staff member has had sufficient opportunity to provide a response to the complaint.
5. After review of the complaint and the response by the person named in the complaint, the Executive Committee summarizes its findings and presents them to the full Commission at its next regularly scheduled meeting, at which time the Commission reviews the matter and reaches a final decision. If, however, the Executive Committee determines that the matter is of such urgency that it must be discussed and decided immediately rather than await the next Commission meeting, the Chair will schedule a conference call of the full Commission as soon as possible so that the Commission can review the matter and reach a final decision.
6. The Commission can make a decision using its best judgment on what action it wishes to take in cases where it has determined that there has been a violation of DEAC standards, policies or code of conduct. The action may include personal admonishment, letter of reprimand, or termination.
7. The Chair or Vice Chair notifies the person named in the complaint of the Commission's final decision within **30** days of the close of the Commission meeting (or conference call) and if any follow-up is required.

8. The Chair or Vice Chair notifies the complainant in writing of the Commission's decision within **30** days of the close of the Commission meeting (or conference call) during which the complaint was reviewed.

A record of the complaint, all documenting materials, and the action letter are kept on file at the DEAC offices in accordance with document retention policies and procedures.

### XXIII. UNETHICAL BEHAVIOR

- A. If, for any reason, DEAC suspects any type of unethical behavior, including fraud and abuse, by an applicant or accredited institution, DEAC reserves the right to investigate the allegations.
- B. DEAC is obligated under federal regulations [CFR 602.27(a)(6)] to report to the U.S. Secretary of Education any institution it has reason to believe is failing to meet its Federal Student Assistance Title IV program responsibilities or is engaged in fraud and abuse.

### XXIV. REVIEWING, ADOPTING, AND CIRCULATING CHANGES TO THE ACCREDITATION HANDBOOK

- A. The Commission has the power and responsibility to review, establish, and circulate its standards and procedures for evaluation and accreditation of distance education institutions.
- B. **Origin of Accreditation Standards and Procedures:** The Commission considers recommendations from any source and in any manner or form when reviewing its accreditation standards and procedures. The following is a list of some sources of recommendations for new or amended accreditation standards and procedures:
  1. **Commission:** The Commission reviews its accreditation standards and procedures and any comments received at every meeting.
  2. **DEAC Staff:** The DEAC staff make recommendations and suggestions to the Commission regarding any accreditation standards or procedures that need to be strengthened.
  3. **DEAC Committee:** The Standards Committee makes recommendations to the Commission to continuously refine and revise standards to assure that they continue to meet the needs of students and member institutions.
  4. **DEAC Evaluators and Subject Specialists:** All DEAC evaluators and subject specialists are surveyed after each review and on-site visit to seek recommendations for clarifying accreditation standards and improving procedures.

5. **State Regulators:** DEAC invites a representative from the state regulator's office where the institution is located to observe on-site visits and provide feedback on DEAC accreditation standards and procedures.
  6. **Government and Nongovernmental Agencies:** Input and changes from the U.S. Department of Education and the Council for Higher Education Accreditation (CHEA) inform revisions to DEAC accreditation standards and procedures.
  7. **Educators, Faculty, and Administrators:** Education industry professionals provide recommendations for revisions to DEAC accreditation standards and improvements to procedures based on best practices.
  8. **Consumer Groups:** DEAC surveys consumer protection groups (e.g., Better Business Bureaus, Chambers of Commerce, etc.) to seek suggestions for improvement of accreditation standards and procedures.
  9. **Applicant and Accredited Institutions:** Each applicant and member institution is encouraged to provide thoughtful feedback and suggestions for clarification and revision of DEAC accreditation standards and procedures for continuous improvement.
  10. **Third-Party Review:** DEAC periodically retains an independent organization to review its accreditation standards and procedures and to conduct rigorous validity and reliability surveys.
  11. **Students and the General Public:** DEAC seeks input and feedback from students through surveys. Student complaints and correspondence are responded to by DEAC staff and used during reviews of accreditation standards and procedures.
  12. **Industry Representatives and Employers:** DEAC surveys the employers of graduates of its member-institutions.
- C. **Systematic Program Review:** DEAC seeks input and collects data from its communities of interest, including internal and external constituencies. DEAC uses these data when evaluating and drafting changes to its accreditation standards and procedures. DEAC performs a systematic review of its accreditation standards and procedures using comments, recommendations, and data collected from various sources. Elements of the systematic review process include the following:
1. Every five years, DEAC engages an independent, third party organization to survey accredited institutions, DEAC evaluators (e.g., faculty from appropriately accredited institutions recognized by the U.S. Department of Education), subject specialists, and students (e.g., active, graduates, inactive, and withdrawn) on the validity and reliability of DEAC's accreditation

standards and procedures. These surveys focus on the adequacy and relevance of the accreditation standards and their effectiveness in enabling DEAC to evaluate the quality of distance education. The third-party organization evaluates DEAC's accreditation standards and procedures individually and as a whole.

2. The DEAC Standards Committee collects feedback from member institutions and other interested constituencies as part of the review process. The Committee creates special task forces to address the evaluation of the information and determine whether current accreditation standards or procedures need revision. The DEAC Standards Committee meets twice a year at the DEAC Annual Conference and Fall Workshop.
3. DEAC staff propose revisions to accreditation standards and procedures to assure continued compliance with recognition criteria from the U.S. Secretary of Education and the Council for Higher Education Accreditation (CHEA).
4. Interested constituencies, institutions, and organizations are continuously encouraged to submit comments and recommendations for revision of current accreditation standards and procedures. Comments and recommendations are sent to DEAC's Executive Director.

**D. Processes and Procedures for Adoption:** The following process is followed for adopting revisions to DEAC's accreditation standards and procedures.

1. All recommendations for revision to current accreditation standards and procedures are collected by DEAC staff and submitted to the DEAC Standards Committee for initial review. The DEAC Standards Committee proposes revised language or develops new accreditation standards or procedures based on the feedback received. Once the DEAC Standards Committee reviews the proposed language, it is forwarded to the Commission for review. The Commission considers the recommendations and reviews the proposed language and either approves the changes as proposed or makes revisions and then approves the revised language. Not all proposed changes are reviewed by the DEAC Standards Committee. The Commission collaborates with DEAC staff to revise accreditation standards and procedures as necessary to assure continued compliance with federal regulations.
2. Upon Commission approval of the revised accreditation standards or procedures, the proposed language is sent to member institutions, the public, and other stakeholders for comment. The proposed language is sent to DEAC's mailing list (e.g., member institutions, non-member institutions, government agencies, other accrediting agencies, and other constituencies) and sent via DEAC publications. Comments are solicited within an established timeframe (usually 30 days). A notice is posted on DEAC's website to allow the general public to review and comment on the proposed

changes. DEAC encourages all internal and external communities of interest, including those that have made their interest known, to comment on any proposed changes.

3. The Commission requests and receives comments on recommendations or proposed language at least 30 days prior to its next scheduled meeting to allow time for the Commission to review feedback before formally adopting the proposed language. The Commission reviews and carefully considers all comments before making a final decision.
  4. If exigent circumstances exist that necessitate a material change to DEAC accreditation standards or procedures to become final and effective immediately, the Commission publishes the change in final form without regard to the notice and comment procedures state in II.6. Interested parties are provided an opportunity to comment on the change as soon as practicable after publication.
  5. The Commission can adopt accreditation standards and procedures as proposed, adopt with changes or modifications, defer action until further study and consideration is given, or reject the proposed changes outright. Once final accreditation standards or procedures are adopted, the Commission establishes the effective date providing a reasonable time for compliance by member institutions. The entire process typically takes six months. The Commission makes necessary changes within 12 months after determining changes to accreditation standards or procedures are needed.
- E. Circulation of Accreditation Standards and Procedures:** Upon final adoption by the Commission, the DEAC Executive Director announces the new or revised accreditation standards or procedures and any actions necessary for implementation to the public and relevant stakeholders. Effective dates for the new or revised accreditation standards or procedures are included in the announcement, along with the date when institutions are required to come into full compliance. DEAC circulates the new or revised accreditation standards or procedures following the processes below:
1. New or revised accreditation standards or procedures are posted on DEAC's website and published in DEAC publications that are sent to all internal and external constituencies.
  2. The following DEAC publications are updated to include the new or revised accreditation standards or procedures.
    - a. The Accreditation Handbook is made available on the DEAC website. Printed copies are made available upon request.

Note: Revisions made to clarify and refine existing DEAC procedures are indicated in **blue font**. Changes to procedures are indicated in red, underlined font.

- b. DEAC updates its online training manuals and courses with new or revised accreditation standards or procedures.
- c. DEAC staff review the new or revised accreditation standards or procedures with on-site evaluators before each on-site visit.