



Accrediting Commission of Career Schools and Colleges

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May 2, 2019

ELECTRONIC DELIVERY

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Center for Excellence in Higher Education, Inc.
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*System-Wide Review
Continued Probation Order*

Dear [REDACTED]:

At the February 2019 meeting, the Accrediting Commission of Career Schools and Colleges (“ACCSC” or “the Commission”) considered its previous decision to place the system of schools in the Center for Excellence in Higher Education (“CEHE”) on Probation, along with other matters (see Appendix I included as part of this letter for a list of institutions, actions, and materials considered). Upon review of the materials listed in Appendix I, the Commission voted to continue the Probation Order with a subsequent review scheduled for the August 2019 meeting. The Commission’s action is effective as of the date of this letter. The institutions covered by the Commission’s action are listed below:

- California College San Diego (“CCSD”) – San Diego, California (#M001073/SL460488-National City, California)
 - California College San Diego (“CCSD-San Marcos”)– San Marcos, California (#B072374)
- CollegeAmerica (“CA-Denver”) – Denver, Colorado (#M001507)
 - CollegeAmerica (“CA-Fort Collins”) – Fort Collins, Colorado (#B070544)
 - CollegeAmerica (“CA-Colorado Springs”) – Colorado Springs, Colorado (#B070623)
- CollegeAmerica (“CA-Flagstaff”) – Flagstaff, Arizona (#M070742)
 - CollegeAmerica (“CA-Phoenix”) – Phoenix, Arizona (#B070743)
 - Stevens-Henager College (“SHC-Idaho Falls”) – Idaho (#B072351)
- Stevens-Henager College (“SHC-West Haven”) – West Haven, Utah (#M070581)
 - Stevens-Henager College (“SHC-Orem”) – Orem, Utah (#B070582)
 - Stevens-Henager College (“SHC-Murray”) – Murray, Utah (#B070583)
 - Stevens-Henager College (“SHC-Logan”) – Logan, Utah (#B070584)
 - Stevens-Henager College (“SHC-Boise”) – Boise, Idaho (#B070764)
 - Independence University (“IU-Salt Lake City”) – Salt Lake City, Utah (#B072309)
 - Stevens-Henager College (“SHC-St. George”) – St. George, Utah (#B072360)

SUMMARY OF THE COMMISSION'S REVIEW

With the September 6, 2018 Probation Order,¹ the Commission notified CEHE that:

...the record shows that the inputs, resources, and processes of CEHE schools are designed and implemented in a manner that is not designed for student success. CEHE's advertising and recruitment tactics coupled with a poorly documented admissions process has fostered the creation of a student population that the schools are ill-prepared to educate. In addition to questions regarding the length and educational objectives of certain programs, the record before ACCSC raises significant questions about the schools' delivery of all of its program offerings. The Commission suspects that the result of the CEHE's focus on recruitment and lack of attention to educational quality is evidenced by the widespread and persistent below-benchmark rates of graduation and employment reported throughout the system of CEHE-affiliated institutions. In addition, the school's practices with regard to transferring students and employment classifications may in fact be preventing the Commission from a more fulsome opportunity to determine whether they are truly an accurate depiction of student success. Overall, the Commission found CEHE's response to be dismissive of the schools' responsibilities to the students and to the accrediting process. Of particular note is the attempt by CA-Flagstaff to blame low rates of student success on the ethnic culture of its students. The character of that response portrays an institutional disregard of the school's responsibility for addressing the needs of the students admitted by the school from the very community the school has elected to serve, which is a fundamental expectation of ACCSC accreditation.

In addition to the lack of focus on student success, the Commission also found the record to reflect CEHE's lack of engagement in a meaningful self-assessment process. A review of the compliance records shows repeated actions and system-wide actions related to questionable practices regarding advertising, recruitment, and admissions, and pervasively low student achievement outcomes that do not meet ACCSC's benchmarks. The Commission raised the question as to whether the CEHE system of schools is misaligned with ACCSC's mission and purpose to an irreparable extent. Therefore, a critical focus of review at the February 2019 meeting was on CEHE's demonstrated commitment to student success and to meaningful self-assessment and improvement processes.

The Commission found that the character of the responses under review at the February 2019 meeting portrays a significant shift in tone and toward taking the action required to achieve and demonstrate compliance with the *Standards of Accreditation*. The record reflects that CEHE has begun the process of candid self-evaluation and is working to develop realistic solutions across the array of compliance issues outlined in this and previous letters. The Commission recognized and appreciates the amount of effort CEHE and its campuses have put into developing new policies and procedures and implementing new practices. However, significant questions remain with regard to successful student achievement, reporting practices, admissions practices related to distance education students, and practices with regard to international students among others, which the Commission believes warrant further clarification and monitoring. The Commission expects that CEHE will direct the same conscientious attentiveness to these questions, and supply thorough documentation to successfully address the outstanding issues.

¹ See the September 6, 2018 Probation Order for a history of the Commission's review, which is incorporated herein by reference.

COMMISSION FINDINGS

1. CEHE must demonstrate successful student achievement, including acceptable rates of student graduation and graduate employment in the career field for which the school provided education in the schools' active programs (*Section VII (B)(1)(b), Substantive Standards, Standards of Accreditation*). The Commission expressed the following with regard to the status of the review of student achievement outcomes at CEHE-affiliated schools in the September 6, 2018 Probation Order:

Based on the foregoing, the Commission noted that the school's strategies have not been successful to this point, and advises the school that in absence of a demonstration of improving student graduation and graduate employment rates, the schools cannot demonstrate that appropriate action has been taken to improve student success.

In response, CEHE provided a description of the “issues that have led, in part, to below-benchmark rates.” The analysis is presented in three parts: historic issues and changes made, current issues, and campus-specific issues. According to CEHE, the historic issues are as follows:

- Decentralized Management and Culture: prior to 2010, the campuses were operated more as a group of independent colleges, with limited corporate oversight.
- Promotion Within: part of the previous business strategy included promotion from within, which limited incorporation of best practices or business strategies from outside the organization.
- Isolation of Leadership: in the past, the organization's campus leadership were not allowed to attend outside trainings or conferences that could have exposed them to industry practices for student achievement. This restriction on attendance at these events came about from a fear that campus leaders might be recruited from competitors.
- Campus Leadership Reluctant to Change: campus leadership was allowed to operate their campuses on an individual basis, leading to inconsistent approaches to compliance.
- Limited Understanding Regarding the Requirements for Collection of Data and Reporting of Outcomes: prior to 2012, campus staff lacked consistent understanding as to the type and detail of documentation needed to define and confirm a placement or waiver reported to the Commission in the colleges' annual reporting. Campuses were responsible for collecting and storing documentation to support graduation and employment rates. The documentation storage was inconsistent across the system, making it difficult to determine data validity.
- Limited Ability to Forecast Outcomes: prior to 2014, many of the campuses did not understand how to pull data or track the student outcomes for future reporting cohorts and therefore did not develop proactive strategies that addressed future cohorts until it was time to report.
- Lack of Audit Mechanism Process: prior to 2014, there organization did not have an auditing process in place, aside from a campus's internal process, to determine the validity of the documentation used to report the outcomes prior to reporting to the Commission.

The response includes a description of the changes that have been made to address the historic issues listed above. According to the school's response, “[o]ver the last eight years, the significant changes have been made to address system-wide issues affecting student outcomes. Here is a summary of those changes”:

- *The CEO has insisted that decisions are to be based on hard data rather than anecdotal evidence.*

- *Executive, Regional, and Campus leadership now regularly attend trainings and conferences to learn best practices.*
- *Career Services is now a main component of every annual strategic plan for each campus.*
- *Focused, regular training has informed and guided the campus leadership on regulatory interpretation and best practices. This includes monthly Graduation & Employment rate cohort tracking calls with each campus, monthly compliance training calls with campus leadership, and annual departmental training for the Academic Affairs and Career Services departments.*
- *A graduation and employment forecasting system is in place for each program at each campus and for at least four cohort years in advance of reporting, through a tracking spreadsheet which is reviewed each month by the campus with the corporate staff.*
- *A robust audit process has been implemented by the company's centralized Compliance team with feedback provided on a monthly and quarterly basis to correct and encourage compliance.*
- *Several policies and procedures have been developed or revised to provide written guidance to the campus staff, including details for documentation and verification of employment.*
- *Regular monthly monitoring of student outcomes by the Academic Affairs, Career Services and Compliance departments.*
- *Implementation of third-party verification services to ensure 100% verification, conducted on a quarterly basis.*
- *Curriculum revision activity is being tailored to specific PAC and faculty feedback.*

With regard to current issues, the response states: “CEHE has identified four key issues related to under-performance in student achievement outcomes. These include inconsistent use of metrics, lack of accountability for metrics, staffing issues, and a delay in redesigning programs or courses based on Program Advisory Committee recommendations.” The response describes the following system-wide actions that CEHE has taken to address the current issues:

- CEHE has retained Hanover Research group to identify the key obstacles to success in improving outcomes and develop an action plan. Hanover Research will also engage in ongoing monitoring and assessment of data to determine the effectiveness of strategies implemented. The Commission is interested in the results of this research and the action plan that is developed as a result.
- Consistent Metrics and Accountability: CEHE has implemented academic achievement metrics for Deans, Associate Deans, and Faculty. These metrics include “Blended standards,” attendance average, course completion average, student satisfaction average, gross drops/module, faculty observations, faculty file audits, graduation rates. In addition, the career services departments have a primary key performance indicator stated as follows: “[e]ach campus is expected to meet the employment percentages listed for each program on the date published in the chart below.” The secondary key performance indicators are defined as student contacts, graduate contacts, and employer contacts.
- Staffing: CEHE has established a written staffing model policy that campuses use to “right-size their academic leadership, oversee academic operations, and provide student support that leads to retention and graduation.” With regard to career services staff, CEHE has implemented a policy

that outlines staffing needs based on both active student populations and graduate populations. Every campus is in the process of implementing this staffing model, which ensures that each campus has a sufficient number of Career Services staff to provide assistance to students throughout the student life cycle, build relationships with active students, develop relationships with employers, and provide each graduate with job search assistance. CEHE has also evaluated the hiring process and to “ensure that future hiring decisions are successful, CEHE utilizes customized aptitude assessments for effective hiring and requires a final interview with the Corporate Director of Career Services prior to hiring a candidate.”

- Curriculum: CEHE has taken steps to standardize curriculum across all affiliated schools and the response indicates that those efforts were complete as of March 2018. In order to ensure that Program Advisory Committee feedback is considered on a system-wide level, the corporate Academic Affairs Department now reviews all Program Advisory Committee meeting notes “for recommendations that can be incorporated either at the local level, or system-wide.” In addition, the response states,

...there is a Curriculum Development Team that oversees the curriculum revision process, and schedules every CEHE course for revision at least once every three years, unless the process is accelerated based on a recommendation by the Academic Affairs department. The Curriculum Development Team has also contracted with a third party content company that is providing the subject matter experts to assist in the timely revision of course content.

The Commission recognized CEHE’s efforts to determine the root cause of poor student achievement and make some fundamental changes to the way in which the campuses are managed for the purpose of improving student achievement. The Commission found CEHE’s candor regarding the assessment of past shortfalls by leadership to be helpful in understanding performance issues at the programmatic and institutional level. The Commission noted the leadership issues that have contributed to the schools’ history of providing assessments and plans of action that eventually proved unsuccessful in demonstrating acceptable rates of student achievement. It is now incumbent on CEHE and its affiliated schools to use the information derived from this self-assessment and analysis as the accreditation process intends – to create permanent and reliable improvement in student success. As such, it is the Commission’s expectation that the schools are managed appropriately henceforth so as to ensure that the system-wide and campus-specific actions are actualized and the intended improvements are realized. While the Commission acknowledged that CEHE has acted to discontinue a number of programs in cases where there has been a lack of demonstrated viability or persistent low rates of student achievement, the Commission expects the schools to continue to take strong action when necessary to ensure that students are receiving a quality education that leads to the expected outcomes. In the September 6, 2018 Probation Order, the Commission pointed out where the schools may not have taken the unique needs of the student population into account. CEHE’s response indicates that new leadership has undertaken efforts to be more responsive to student needs, and the Commission is interested in seeing the fruits of these efforts.

A review of the student achievement data reported over the last three years of ACCSC Annual Reports, as well as that provided in the Probation response, indicates that there are mixed results in terms of the effectiveness of CEHE’s efforts. Despite the information provided in the response, it is still not yet clear whether the issues have been wholly identified and whether the strategies are appropriately targeted to address the issues. The Commission determined that to prolong the outcomes reporting process at this juncture is no longer an acceptable course of action. Over the history of Outcomes

Reporting, the Commission has afforded the CEHE schools with a significant period of time to allow the strategies to take effect but in several cases, the schools have not demonstrated acceptable levels of student achievement.

Therefore, the Commission directs the schools identified in Table 1.1 below to cease enrollment in the programs listed in the table due to a history and trends of below-benchmark rates of student graduation and/or graduate employment until the school demonstrates significant improvement in student achievement:

Table 1.1 – Institutions and Programs identified for Cease Enrollment Directive:

California College of San Diego (M001073)						
Program Title (Credential)	Graduation Rate			Employment Rate		
	2016	2017	2018	2016	2017	2018
Business Administration (BS)	36%	41%	56%	69%	67%	50%
Respiratory Therapy (AS)	52%	45%	58%	56%	47%	59%
Respiratory Therapy (BS)	62%	68%	45%	56%	33%	33%
College America-Flagstaff (M070742)						
Program Title (Credential)	Graduation Rate			Employment Rate		
	2016	2017	2018	2016	2017	2018
Business Management & Accounting (AAS)	32%	20%	36%	100%	100%	75%
Stevens-Henager College - Murray (B070583)						
Program Title (Credential)	Graduation Rate			Employment Rate		
	2016	2017	2018	2016	2017	2018
Business Administration (BS)	19%	35%	32%	100%	71%	75%
Independence University - (B072309)						
Program Title (Credential)	Graduation Rate			Employment Rate		
	2016	2017	2018	2016	2017	2018
Business-DE (AAS) formerly Business Management & Accounting-DE	13%	16%	19%	74%	53%	41%
Graphic Arts-DE (AAS)	18%	16%	18%	72%	36%	34%
Healthcare Administration-DE (MS)	75%	76%	74%	47%	51%	51%
Master of Business Administration-DE (MBA)	60%	59%	70%	50%	53%	44%
Respiratory Therapy-DE (AS)	44%	52%	53%	56%	46%	61%

The Commission directs CEHE to submit the following:

- a. CEHE must submit an attestation from the highest-ranking official at each campus as to the effective date that the campus ceased enrolling new students in the programs listed in Table 1.1 above.
- b. For the schools included in Table 1.2 below, provide updated Graduation and Employment Charts for the programs listed in the table prepared using a July 2019 Report Date.

Table 1.2 – Institutions and Programs with Below-Benchmark Rates:

California College of San Diego (M001073)								
Program Title (Credential)	Graduation Rate				Employment Rate			
	2016	2017	2018	12/2018*	2016	2017	2018	12/2018
Computer Programming (AAS)	0%	36%	74%		N/A	33%	25%	
Computer Science (BS)	55%	47%	54%	74%	68%	71%	58%	36%
Medical Assisting (AOS) - formerly Medical Specialties	48%	48%	47%	41%	62%	70%	67%	55%
College America-Flagstaff (M070742)								
Program Title (Credential)	Graduation Rate				Employment Rate			
	2016	2017	2018	12/2018	2016	2017	2018	12/2018
Medical Assisting (AOS) formerly Medical Specialties	50%	46%	38%	41%	70%	71%	66%	30%
College America-Phoenix (M070743)								
Program Title (Credential)	Graduation Rate				Employment Rate			
	2016	2017	2018	12/2018	2016	2017	2018	12/2018
Business Management & Accounting (AAS)	44%	43%	33%	37%	70%	70%	44%	26%
Computer Technology & Networking (AAS)	44%	44%	49%	44%	77%	77%	50%	37%
Medical Assisting (AOS) formerly Medical Specialties	50%	51%	43%	42%	70%	73%	65%	59%
Stevens-Henager College – Idaho Falls (B072351)								
Program Title (Credential)	Graduation Rate			Employment Rate				
	2016	2017	2018	2016	2017	2018		
Healthcare Administration (BS)	N/A	43%	17%	N/A	33%	100%		
Business Administration (BS)	N/A	33%	10%	N/A	100%	100%		
Stevens-Henager College – West Haven (M070581)								
Program Title (Credential)	Graduation Rate				Employment Rate			
	2016	2017	2018	12/2018	2016	2017	2018	12/2018
Business Administration (BS)	42%	49%	23%		53%	77%	83%	
Computer Science (BS)	42%	24%	24%		83%	82%	100%	
Medical Assisting (AOS) formerly Medical Specialties	47%	22%	29%		70%	71%	71%	
Stevens-Henager College – Murray (M070583)								
Program Title (Credential)	Graduation Rate				Employment Rate			
	2016	2017	2018	12/2018	2016	2017	2018	12/2018
Business (AAS) formerly Business Management & Accounting)	41%	50%	26%		71%	72%	80%	
Computer Science (BS)	41%	52%	38%		92%	75%	83%	
Computer Technology & Networking (AAS)	42%	46%	58%	43%	77%	77%	69%	67%
Healthcare Administration (MS)	77%	86%	77%		80%	33%	0%	
Medical Assisting (AOS) formerly Medical Specialties	43%	45%	43%	37%	69%	76%	58%	41%
Respiratory Therapy (AS)	58%	61%	71%	77%	83%	73%	44%	56%

Independence University (B072309)								
Program Title (Credential)	Graduation Rate				Employment Rate			
	2016	2017	2018	Dec 2018	2016	2017	2018	12/2018
Accounting-DE (BS)	N/A	N/A	17%	19%	NA	N/A	73%	62%
Business Administration-DE (BS)	33%	N/A	18%	17%	100%	N/A	53%	37%
Graphic Arts-DE (BS)	N/A	N/A	19%	19%	N/A	N/A	63%	51%
Health Information Management-DE (BS)	N/A	N/A	10%	8%	N/A	N/A	0%	0%
Health Services Management-DE (BS)	90%	65%	74%	45%	86%	83%	68%	60%
Information Systems-DE (MS)	50%	53%	37%		67%	75%	30%	
Master of Business Administration-DE (MBA)	60%	59%	70%		50%	53%	44%	
Medical Assisting-DE (AOS) formerly Medical Specialties	33%	21%	13%		70%	48%	27%	
Web Design-DE (Diploma)	N/A	N/A	29%	38%	N/A	N/A	N/A	0%
Stevens-Henager College – St. George (B072360)								
Program Title (Credential)	Graduation Rate				Employment Rate			
	2016	2017	2018	Dec 2018	2016	2017	2018	12/2018
Business Administration (BS)	N/A	0%	0%		N/A	N/A	N/A	
Business (AAS) formerly Business Management & Accounting	41%	53%	27%	28%	71%	86%	75%	60%
Medical Assisting (AOS) formerly Medical Specialties	39%	51%	47%		75%	52%	65%	

* A December 2018 rate is listed in cases where a campus reported below-benchmark rates in the 2018 Annual Report for a program not already under review as part of the Probation, and were given an opportunity to provide updated charts prepared with a Report Date of December 2018.

- c. If any reported rate in Table 1.2 falls below the ACCSC benchmark, the school must provide contemporaneous information in the form of retention data and recent employment information to show that the school is capable of demonstrating successful student achievement.
- d. A Graduation and Employment Chart for the programs listed above, using a **July 2019 Report Date**.
- e. Supporting summary information for each Graduation and Employment Chart submitted, organized according to the corresponding **cohort start date** reported on the chart (line #1), as follows:
 - i. For each student reported provide the following information:

Student ID#	Program	Start Date	Graduation Date	Withdrawal/ Termination Date

- ii. For each student classified as “Unavailable for Graduation” (line #6), provide the following information:

Student ID#	Program	Start Date	Reason Unavailable	Description of the Documentation on File

iii. For each graduate reported, provide the following information:

Graduate ID#	Program	Start Date	Employer, Address, & Phone #	Employer Point of Contact	Date of Initial Employment	Descriptive Job Title	Other Status (Unemployed, Further Ed., Unknown, Etc.)

iv. For each graduate classified as “Graduates-Further Education” (line #11) or “Graduates-Unavailable for Employment” (line #12), provide the following information:

Graduate ID#	Program	Start Date	Classification on the G&E Chart	Reason	Description of the Documentation on File

- f. For each program for which the reported rates of student graduation and graduate employment do not meet the ACCSC benchmark, an updated assessment of the factors impacting the rates of student graduation (e.g., admissions requirements and student support) and graduate employment (e.g., economic conditions), how the strategies implemented by the school are intended to target those factors, and how the school is measuring the effectiveness of those strategies.
- g. With regard to programs for which a school has not reported enrollments in the 2017 or 2018 Annual Reports, CCSD must provide additional supporting information to determine whether the school has maintained the capacity to offer the programs.

Table 1.3 – Programs with No Enrollments in the 2017 or 2018 Annual Reports

California College of San Diego (M001073)		
Program Title (Credential)	2017	2018
Networking and Information Systems Security (BS)	No students reported as enrolled for the period from July 1, 2016 through June 30, 2018 on the 2017 and 2018 Annual Reports.	
Software and Mobile Applications Development (BS)		

CEHE must submit information regarding the status of the CCSD programs included in Table 1.3 as follows:

- i. If the school intends to discontinue the program, then a Notice of Discontinued Programs (available at accsc.org), in accordance with the instructions and provide a copy of the submission with the response to this report (*Section IV (F)(2)(a), Rules of Process and Procedure, Standards of Accreditation*).
- ii. If the school intends to continue offering the program, then an explanation as to how the school had maintained the capacity to do so and has the necessary equipment, facilities, faculty, curriculum, and learning resource system necessary to deliver the program.
- h. The Commission is interested in monitoring the way in which the schools are remaining attentive to the needs of students enrolled in programs that are in the process of being taught out and CEHE must submit a list – by school - of all discontinued programs that are still active. For each, the schools must provide a description of the status of the programmatic teach-out; how the school is remaining attentive to student needs, particularly in the area of career services; and a retention chart for each using a Report Date of July 2019.

- CEHE must demonstrate that the schools report student achievement data in accordance with the instructions on the Graduation and Employment (“G&E”) Chart (*Section VII (B)(1), Substantive Standards, Standards of Accreditation*). At issue is the accuracy of CEHE’s graduation rates, due to the manner in which CEHE has reported students that transfer between programs and schools. According to the instructions to the ACCSC Graduation and Employment Chart, students reported as “transfers out” are those that “transfer out of this program and into another ACCSC-approved program *at the school* [emphasis added].” Students reported as “transfer in” are those “who transferred into this program from another ACCSC-approved program at the school and whose progress is concurrent with the students in this class start date.”

In response to the Commission’s questions regarding the way in which transfers have been reported on G&E Charts, CEHE provided information regarding the transfers reported in the 2016, 2017, and 2018 Annual Reports. The Commission focused primarily on the transfer data for the 2018 Annual Report in order to review the schools’ current practices. In the September 6, 2018 Probation Order, the Commission reminded CEHE that accurate recording of students in this category may have a significant impact on student achievement rates, particularly on graduation rates. Based on the charts provided as Exhibit 7.f., which list the students reported as “transfers out” on Graduation and Employment Charts submitted with the 2018 Annual Report, the Commission noted the following percentage of starts that transfer by campus:

Campus	Number of Starts	Number of Transfers	Percentage
Stevens-Henager College – St. George, Utah	115	25	22%
Stevens-Henager College – Logan, Utah	57	12	21%
CollegeAmerica-Denver	243	38	16%
Stevens-Henager College – West Haven, Utah	202	28	14%
Stevens-Henager College – Orem, Utah	173	25	14%
California College of San Diego – San Marcos	179	24	13%
Stevens-Henager College – Idaho Falls	69	9	13%
Stevens-Henager Boise/Nampa	163	20	12%
Stevens-Henager College – Murray, Utah	299	29	10%
California College of San Diego – National City	853	58	7%
CollegeAmerica-Fort Collins	69	4	6%
CollegeAmerica-Colorado Springs	243	13	5%
Independence University	4544	163	4%
CollegeAmerica-Phoenix	502	5	1%
CollegeAmerica-Flagstaff	82	1	1%

Based on a review of CEHE’s response, the Commission raised the question as to whether the schools are using the transfer category in certain cases where students may have dropped (or been terminated) and subsequently re-enrolled. From the policy submitted with CEHE’s response, outlined in Procedure Directive PD 321R (Exhibit 7.a.), it appears that the schools are using the “transfer” categories on the G&E Charts to report students that drop from one CEHE-affiliated school and re-enroll in another CEHE-affiliated school.

Campus Transfers

A student who transfers from one CEHE campus to another CEHE campus is included in the cohort for the original campus. A student who transfers to a school outside of CEHE is included in the cohort, but reported as a drop.

The Graduation and Employment Chart is intended to evaluate rates of student achievement at each specific campus, which is why the G&E Chart Glossary specifically states that the transfer out (and in) category is for students that transfer out of [a] program and into another ACCSC-approved program *at the school*. Therefore, when a student moves to a different school – even to another CEHE-affiliated school – that student must be reported as a “withdrawal/termination” for the first school and a new start at the school where the student subsequently enrolled. In addition, the student is to be included in the cohort for the next school where the student enrolled, not the “original campus.”

With regard to “transfers” among programs at the same campus, the Commission noted the following statement in the response:

Thus, the students described as “unaccounted for” are eventually captured in future reporting periods. For example, in the most recent three cohorts (2016-2018) for the 9 campuses listed in Item 7 of the Probation Order there were 1,247 transfer-outs reported. Of those transfer-outs, 214 transferred in for 2018, 209 transferred in for 2019, 147 transferred in for 2020, 63 transferred in for 2021, and 17 transferred in for the 2022 cohort.

The Commission noted that the movement of students from a current cohort to a cohort three years in the future is more typical of students that drop (or are terminated) and subsequently re-enroll in a different program. The Commission reviewed the charts provided as Exhibit 7.f., which list the students reported as “transfers out” on Graduation and Employment Charts submitted with the 2018 Annual Report. The Commission noted a wide variance in comparing the following two dates reported on the charts: the “date transferred out” and the “cohort start date in program transferred into” and found that of the 454 students listed in Exhibit 7f,

- 298 (66%) students entered the second program within 30 days of the date they left the first program;
- 96 (21%) students entered the second program within one year of the date they left the first program;
- 60 (13%) students entered the second program more than a year after the date they left the first program; and
- Two students at Independence University entered the second program nearly three years after the date they left the first program and one student entered the second program more than four years after having left the first program.

Based on the foregoing, it appears that CEHE must revise the policies and procedures with regards to students that leave one CEHE-affiliated school and start attending a different school. In addition, the Commission is interested in understanding CEHE’s policy for classifying a student as transferred between two programs at the same school, compared to the schools’ policy for determining a student dropped (or was terminated) from a program and is subsequently starting again in a different program. Accordingly, the Commission directs the schools to submit the following:

- a. A copy of the schools’ revised policies and procedures for reporting students that leave one CEHE-affiliated institution and subsequently start at a different CEHE-affiliated institution;
- b. An explanation of how CEHE-affiliated schools determine whether a student is considered a “transfer” between two programs at the same school and how that differs from the determination that a student has left (dropped or terminated) a program and subsequently started again in a different program;

- c. Any additional information that the school believes will be useful to the Commission in making a determination regarding the school's compliance with ACCSC's requirements.
3. CEHE must demonstrate that employment classifications are verified by the school through documentation that complies with the guidelines set forth in *Appendix VII -Guidelines for Employment Classification, Standards of Accreditation*. At issue is the schools' policy in regard to verbal verification of employment records. According to the response,

There is only one standard set of policies implemented for all schools. Regarding verbal verification, in the past, campuses had the option to use verbal verifications but it was found that some campuses did not gather all of the required documentation. CEHE has decided to change this policy, removing verbal verifications as an option, to ensure that all employment verifications have written documentation.

The response includes, as Exhibit 10.b.1, a copy of the Procedure Directive in this regard, PD 351R – Verifying Employment of Graduates. The Commission noted that the procedure directive lists “Acceptable Verification Documents” as follows:

- Signed Graduate Employment Record (GER)
- Signed Self-Employment Verification Form
- Email attestation from the graduate or employer
- Third party printed verification (The Work Number or similar work verification service)
- Verbal verifications from both graduate and employer

The final bullet in the list conflicts with CEHE's statement that the schools no longer conduct verbal verifications of employment records. In addition, there is a section in the procedural directive titled “Verbal Verifications,” which states:

If the graduate requests the institution to sign on their behalf, two signatures are required. Both the graduate and the employer must verbally verify the placement.

Verbal verifications are acceptable documentation only if diligent efforts were first made to obtain written verification. Information from verbal verifications must include:

- *Graduate name*
- *Employer name*
- *Job title*
- *Start date*
- *Supervisor name*

In addition, the blank GER forms submitted with the response include a section titled “For Verbal Verifications Only.” This section includes spaces to record date, time, and telephone number for verbal verifications with the graduate and the employer, as well as spaces to record the diligent efforts to obtain written documentation. The Commission noted that the completed GER forms submitted as evidence that the school secures written documentation do not have a “Verbal Verification” section. Therefore, it is unclear as to whether the schools do or do not accept verbal verifications in cases where diligent efforts have been made to obtain written documentation without success.

Based on the foregoing, the Commission directs CEHE to submit the following:

- a. A copy of the updated policies and procedures, clearly establishing the schools' practices regarding written and verbal verification of employment records and corresponding blank GER forms to show how the process is documented;
 - b. A list of the 20 most recent graduates from the CEHE system that were classified as employed in field;
 - c. The employment record for each graduate listed above, providing documentation of the verification of the employment position; and
 - d. Any additional information that the school believes will be useful to the Commission in making a determination regarding the school's compliance with ACCSC's requirements.
4. CEHE must demonstrate that the program name accurately aligns with program objectives for the Healthcare Administration (BS) Program (*Section II (A)(3)(c)(i), Substantive Standards, Standards of Accreditation*) and that the classification of each graduate as employed in the field meets the tests set forth in *Appendix VII-Guidelines for Employment Classification*. The Commission is considering the alignment of the program name "Healthcare Administration" with the program objectives and reported employment positions for graduates. According to CEHE's response, the program has "just undergone a full review and modification to address the concerns raised by the ACCSC team visits." The description of the program redesign in CEHE's response is stated, in part, as follows:

Over the course of a 12-month period, we ascertained that a healthcare program focused on the clinical aspect of the field was not conducive to students being fully prepared for managerial and/or administrative work. We also determined that students either needed to have field experience prior to enrollment, or be working in the field at the time of enrollment to assure satisfactory placement and success in their careers.

We discussed the rationale for the program, the developmental process, the curriculum, and benefits of the program. The rapidly changing and complex nature of the healthcare system has created a demand for managers with expertise in both business and healthcare to lead organizations in delivering high-quality, cost effective care.

Ideally, healthcare leaders have a comprehensive understanding of the core public health disciplines, as well as training in managerial skills and problem solving.

It appears that the emphasis of the Healthcare Administration (BS) program has shifted from objectives related to patient care to a focus on administration and management objectives. In addition, the admissions requirements have changed, and "applicants for this program are required to have work experience in the healthcare field at the time of enrollment." The response does not specify how the school measures the amount and type of work experience necessary to meet the requirement. Therefore, the Commission is interested in a detailed explanation regarding the schools' policies and procedures in this area and the documentation that will be collected to demonstrate adherence to the policy.

In addition, the Commission is interested in the rubric used by CEHE-affiliated schools to determine that graduates from the Healthcare Administration (BS) program are working in positions that align with a majority of skills and knowledge provided. As evidence of the current policies regarding employment classification, CEHE provided Procedure Directive 351R – Verifying Employment of Graduates (Revision). According to that directive,

A graduate is considered “employed in field” by our institutional accreditor (ACCSC) based on the following criteria

- 1. The graduate is working in a position using a majority of the skills and knowledge provided in the program completed at CEHE.*
- 2. The graduate is employed for a reasonable amount of time and the job can be considered sustainable.*
- 3. The graduate is in a paid position.*

CEHE attached copies of the Graduate Employment Record (“GER”) forms used by the schools. According to the blank GER forms, “[i]f job title is not included within the program description in the school catalog, an official job description or a detailed job duty analysis is required and must be included with this Graduate Employment Record.” The response includes a Job Duty Analysis Template that serves as the tool for determining that the position aligns with a majority of the skills and knowledge provided in the program. The form lists the course description for each course in the program in one column, and lists the job duties performed that are related to those courses in a second column. Of the five completed Job Duty Analysis forms provided in the response, the Commission took note of the following three forms for graduates from the Healthcare Administration (BS) program:

- A graduate of SHC-Nampa from the Healthcare Administration (BS) program, reported as “employed in field” as a Billing Lead;
- A graduate of CCSD from the Healthcare Administration (BS) program, reported as “employed in field” as a Patient Service Representative; and
- A graduate of CCSD-San Marcos from the Healthcare Administration (BS) program, working as an Inbound Patient Service Representative.

Although the completed Job Duty Analysis forms conclude that the position overlaps with a majority of the coursework, the Commission is not persuaded that the positions described above are at the level of administrative or managerial work as described in the “updated” program objectives of the Healthcare Administration (BS) program. The Commission is interested in the functionality of the Job Duty Analysis form for the Healthcare Administration (BS) program, in context of CEHE’s explanation regarding the “updated” program objectives. In response to the questions raised regarding the alignment of the title of the Healthcare Administration program and the program objectives, CEHE stated:

Over the course of a 12-month period, we ascertained that a healthcare program focused on the clinical aspect of the field was not conducive to students being fully prepared for managerial and/or administrative work.

Employment outcomes are the primary indicator of student achievement. According to the Bureau of Labor Statistics Standard Occupational Code, job titles for individuals who complete a degree in Healthcare Administration include Chief Medical Information Officer, Clinic Director, Clinical Informatics Director, Health Information Services Manager, Hospital Administrator, Medical Records Administrator, or Mental Health Program Manager

The response also refers to research conducted through Burning Glass Technologies,

... which indicated that job titles matching a degree in Healthcare Administration also included the following... clinical manager, assistant manager, clinic manager, operations manager,

clinical coordinator, health director, health manager, administrator, or director of surgical services.

In addition to outlining the name of the occupations for which graduates are prepared, the response outlines the core competencies of the Healthcare Administration (BS) program as follows:

- *Critically appraise the context and quality of healthcare delivery within and outside of the United States.*
- *Apply epidemiological approaches to the study of patterns of disease and injury in populations.*
- *Evaluate study designs, methods, and strategies for data analysis used in health-related research.*
- *Analyze how changing demographics as well as key behavioral and cultural factors impact health and healthcare.*
- *Describe how technology and legal and ethical issues impact the delivery of healthcare services.*
- *Analyze the major advantages and disadvantages of an interdisciplinary approach to healthcare delivery.*
- *Articulate critical issues in acute and long-term care from the perspectives of patient and practitioner.*
- *Assess public and global health issues that transcend national borders, class, race, ethnicity and culture.*
- *Apply healthcare management concepts and theories.*
- *Analyze macro and micro factors that impact a healthcare organization's performance.*
- *Apply foundational skills relating to fiscal evaluation and financial management.*
- *Analyze effective methods for assessing quality and safety within healthcare organizations.*
- *Apply planning and evaluation methods used in strategic planning, implementation, evaluation, and marketing of healthcare organizations.*

In addition to listing the competencies, the response includes a table that provides the specific industry skill for each CEHE Program Objective listed above. The Commission noted that the current Job Duty Analysis form does not appear to measure the skills required for an employment position against the list of program objectives/competencies that CEHE has stated are provided in the program. Therefore, the Commission is interested in an updated rubric that aligns with the research conducted and conclusions reached by CEHE in its recent review of the Healthcare Administration (BS) program.

Overall, the Commission found that CEHE has not yet demonstrated that the program revisions – particularly the new admissions criteria – have been articulated in sufficient detail to show a likelihood of consistent and successful implementation. Therefore, the Commission continues the “cessation of enrollment” order until the school can demonstrate the efficacy of the initiatives, including the new admission criteria, in demonstrating a stronger connection between the program title, program objectives, and employment outcomes of the Healthcare Administration (BS) program.

Based on the foregoing, the Commission directs the school to submit the following:

- a. An updated description of the admissions requirements for the Healthcare Administration (BS), in particular the amount and type of work experience in the healthcare field;
 - b. A copy of the school’s policies and procedures for documenting each admissions requirement listed above;
 - c. An updated rubric for the Healthcare Administration (BS) program used by the schools to determine that an employment classification aligns with a majority of the educational and training objectives of the program, as outlined in CEHE’s response as the core competencies of the program;
 - d. A list of the most recent 20 graduates from the Healthcare Administration (BS) program from CEHE-affiliated schools that have been determined to be employed in field;
 - e. For each graduates listed above, provide a completed GER and a copy of a completed rubric showing that the alignment of program competencies and job skills; and
 - f. Any additional information that the school believes will be useful to the Commission in making a determination regarding the school’s compliance with ACCSC’s requirements.
5. CEHE must demonstrate that the school accurately represents the rights, responsibilities, and obligations of both the student and the school under the enrollment agreement (*Section IV (B)(1) and Section IV (C)(2)(c), Substantive Standards, Standards of Accreditation*). The Commission’s original concern stemmed from a provision found in the enrollment agreement used by CEHE schools which stated that if a student discovers any misrepresentation upon which s/he relied on to enroll, they may terminate his/her enrollment without any liability and obtain a full refund of all monies paid. The provision also stipulated that once the 90-day “verification period” has expired, the student forfeits the ability to take any further action with regard to any misrepresentation. With the September 6, 2018 Probation Order, the Commission directed CEHE to remove this provision from the enrollment agreements used by CEHE schools. The response to the Commission’s concerns states that,

...CEHE has deleted this language from all of its colleges’ enrollment agreements. CEHE has also notified all currently enrolled students, who may have previously signed enrollment agreements that included this language, that this language is no longer in effect or applicable to any student.

CEHE provided copies of the five updated agreements in use at the various schools along with samples of the most recently executed enrollment agreements at each campus for each program provided as evidence of implementation. CEHE also provided a copy of the formal notice that CEHE indicated had been e-mailed to all currently enrolled students, using the e-mail address of record in the school’s database, to show that the above-mentioned policy is no longer in effect.

Upon review of the updated enrollment agreements, the Commission found that although the provision has been removed, there is a reference to the “verification period” remaining as part of the enrollment agreement. Specifically, the signature section of each enrollment agreement includes the following acknowledgement: “I will re-read these documents before the end of the Verification Period specified herein.” As the provision establishing the verification period has been removed, CEHE must remove all references to the verification period.

In addition, the Commission questioned the inclusion of other statements in the enrollment agreements, as follows:

- The enrollment agreements (Stevens-Henager College campuses (page 2), CollegeAmerica-Flagstaff campuses (page 2), CollegeAmerica-Denver campuses (page 2), California College of San Diego campuses (page 2), and Independence University (page 3) states “[a]fter successful completion of the program and payment in full, I will be eligible for the college’s career services assistance.” It is not clear, however, that this accurately reflects the school’s practices. All four of the catalogs utilized by schools in the CEHE system (California College of San Diego campuses (page 70), CollegeAmerica campuses (page 58), Stevens-Henager College campuses (page 94), and Independence University (page 86)) indicate that “[s]tudents and graduates of the College are encouraged to utilize the assistance of the Career Services department throughout their academic and professional careers; there is no charge for the utilization of these services.” The Commission is interested in whether the schools require a student to graduate and pay in full in order to be eligible for career services, as that not only conflicts with the way in which the services are represented, it raises a question with regard to whether the school is providing services that support successful student achievement, particularly employment rates.
- As part of the evaluation of the Medical Specialties (AOS) program, the Commission directed CEHE to provide an explanation as to the statement in the catalog “in most cases additional training, cost and/or clinical experience may be required to sit for certain certification or licensure exams.” The school’s response indicates that “[t]his statement is no longer in the catalog and is no longer part of the program description.” The Commission noted that although the statement does not appear in the catalog, the following statement appears in the enrollment agreements (Stevens-Henager College campuses (page 5), CollegeAmerica-Flagstaff campuses (page 5), CollegeAmerica-Denver campuses (page 5), California College of San Diego campuses (page 5), and Independence University (page 5):

Completion of some of our programs may qualify you to sit for certain certification and license examinations. Attainment of such certifications and licenses will likely require additional study and/or cost. A third party may administer the examination and further study and a fee will be required. The college may reimburse you for the examination fee.

- The Commission noted the following statement in the enrollment agreements (Stevens-Henager College campuses (page 6), CollegeAmerica-Flagstaff campuses (page 6), CollegeAmerica Denver campuses (page 6), California College of San Diego campuses (page 7), and Independence University (page 7)): “[y]ou are entitled to graduate in any program in which you have met all of the graduation requirements, regardless of the program in which you originally enrolled. This may allow you to earn more degrees.” The Commission questioned the school’s policies for awarding a credential for a program in which the student had not enrolled.
- The enrollment agreements (Stevens-Henager College campuses (page 7), CollegeAmerica-Flagstaff campuses (page 7), CollegeAmerica Denver campuses (page 7), California College of San Diego campuses (page 7), and Independence University (page 7) includes the following statement that does not appear to align with accrediting standards.

The payment of tuition or other charges is solely to allow you to attend classes offered. The payment of tuition is in no way contingent upon satisfactory progress or placement or the provision of other services or benefits, which are provided strictly at the option of the college, and which may be modified or terminated at any time.

While the paragraph indicates that student services are provided at the option of the college, the Statement of Purpose for *Section VI, Substantive Standards, Standards of Accreditation* states that “this section requires that schools meet minimum requirements in regard to advising and

counseling, record maintenance, graduate employment assistance, and procedures for handling student complaints.” In addition, the schools’ catalogs describe the availability of student services without the caveat regarding payment (Stevens-Henager College campuses (page 94), CollegeAmerica campuses (page 58), California College of San Diego campuses (page 70), and Independence University (page 86)).

- The enrollment agreements have a section titled “Release and Waiver” (Stevens-Henager College campuses (page 7), CollegeAmerica campuses (page 7), California College of San Diego campuses (page 8), and Independence University (page 8)), which states, as follows:

*As part of the admissions and financial aid process, you are provided with a large amount of information regarding the College and its programs. It is difficult to, and unlikely that you will remember all the details of conversations you may have had with College personnel. Misunderstandings and misinformation sometimes occur. Therefore, you need to verify information presented to you. **To ensure that you remember and understand what has been covered, you should re-read the applicable portions of the catalog and this Enrollment Agreement.***

The point of the paragraph appears to be to encourage students to verify information through reading the catalog and enrollment agreement. It is not clear, therefore, why the section is titled “Release and Waiver.” In addition, the enrollment agreement for Independence University (page 8), contains the following statement:

*I certify that I have received a copy of the agreement and that I have read and understand, and agree to the terms of this agreement, including the **release and waiver** [emphasis added], which shall supersede all prior representations, statements, understandings, whether oral or written, between the university and myself.*

The enrollment agreements do not contain a section titled “release and waiver,” so it is not clear what additional terms to which the prospective student is agreeing.

- The section titled “Cancellation Prior to Starting Class” on the CollegeAmerica-Denver enrollment agreement includes the following: “[y]ou will also receive a full refund within thirty days if your educational services are discontinued (except if the college ceases operations)...” This provision raises the question as to whether CEHE schools apply a fair and equitable refund policy, if students do not receive a refund in the event the college ceases operations. The Commission noted that this same provision appears in the 2019 school catalog (page 54).
- On the enrollment agreement for the CCSD campuses, it is not clear how the schools apply the cancellation policy when a student signs the enrollment agreement after the start of class. According to the enrollment agreement: “[y]ou may cancel the enrollment agreement for any reason up until midnight of the first day of classes in the first academic year, or seven days after enrollment, whichever is the longer...” The enrollment agreement contains a date titled “Date of Cancellation” that is completed with the date seven days from the scheduled start date. Thus, for the October 15, 2018 class start, the enrollment agreement lists October 22, 2018 as the cancellation date. For a student that signs the enrollment agreement after the start date, as outlined in the table below, it appears that the calculated cancellation date does not afford seven days after enrollment.

Name or ID	Class Start Date	Date EA Signed	Cancellation Date
[REDACTED]	10/15/2018	10/23/2018	10/22/2018
[REDACTED]	10/15/2018	10/23/2018	10/22/2018
[REDACTED]	11/12/2018	11/13/2018	11/19/2018

In addition, the cancellation date for [REDACTED] and [REDACTED] occurred before the enrollment agreement was signed.

Overall, the Commission found that CEHE’s response has yet to demonstrate that the enrollment agreement a) accurately represents the rights, responsibilities, and obligations of both the student and the school under the enrollment agreement and b) aligns with practices disclosed in the catalog and in advertising. Therefore, the Commission directs CEHE to submit the following:

- a. Evidence that CEHE has removed any reference to the “verification period” from the enrollment agreement.
- b. An explanation as to whether career services assistance is offered only “[a]fter successful completion of the program and payment in full.” If this statement accurately portrays the schools’ practices, CEHE must submit a revised catalog and advertising that include the caveat that career services assistance is offered only after successful completion of the program and payment in full. If the statement is not an accurate portrayal, the enrollment agreement must be revised.
- c. Evidence that CEHE has removed the following statement from the enrollment agreement, in order to align with the removal of the same statement from the catalog.

Completion of some of our programs may qualify you to sit for certain certification and license examinations. Attainment of such certifications and licenses will likely require additional study and/or cost. A third party may administer the examination and further study and a fee will be required. The college may reimburse you for the examination fee.

- d. An explanation of the schools’ policy with regard to awarding credentials for programs in which the student has not enrolled.
 - e. An explanation as to the meaning of the following statement included in the schools’ enrollment agreements: “[t]he payment of tuition is in no way contingent upon satisfactory progress or placement or the provision of other services or benefits, which are provided strictly at the option of the college, and which may be modified or terminated at any time.” As part of the response, CEHE must explain how this apparent limitation or possible termination of student services aligns with ACCSC’s requirements to provide adequate student services.
 - f. An explanation as to whether the “Release and Waiver” section of the enrollment agreement is accurately titled, specifically if the student is actually released from any obligation or waiving any rights as a result of initially this section.
 - g. An explanation as to the schools’ refund policy in the event the schools cease operation, in context of the following statement: “[y]ou will also receive a full refund within thirty days if your educational services are discontinued (except if the college ceases operations).”
 - h. An explanation as to how the CCSD campuses afford students who sign the enrollment agreement after class starts the full cancellation period of seven days after enrollment, given that the date of cancellation is pre-printed on the enrollment agreement as seven days after class start.
6. CEHE must demonstrate that the schools are able to advertise in a truthful and accurate manner and that the schools take care to avoid creating any false, misleading, misrepresenting, or exaggerated impressions on prospective students (*Section IV (B), Substantive Standards, Standards of Accreditation*). As stated in the September 6, 2018 Probation Letter,

...in addition to scrutinizing the content of all advertising and promotional materials for CEHE-affiliated schools, the Commission intends to examine the processes that go into the creation and approval of advertising, as well as the oversight mechanisms used to ensure compliance to ascertain the likelihood that CEHE has the ability to comply with accrediting standards in this area due to the schools' own efforts, rather than as a result of Commission action.

Locus of Responsibility and Oversight Mechanisms

According to the school's response, "[t]he locus of responsibility for the content of the schools' advertising and promotional materials rests primarily with four senior CEHE executives:"

- [REDACTED], Vice President of Marketing and Advertising,
- [REDACTED], Vice President of Compliance,
- [REDACTED], General Counsel, and
- [REDACTED], Chief Executive Officer.

As noted by CEHE, "[e]ach of these senior executives has extensive experience in career college operations and accreditation compliance. The response indicates that "[o]f these four senior executives, [REDACTED], Chief Executive Officer, has the ultimate and final responsibility for the content of the schools' advertising and promotional materials. The Commission noted that despite the qualifications of these senior executives, CEHE has not yet shown the ability to represent the schools accurately in advertising and promotional materials. The Commission will consider the schools' response to the questions outlined in this letter as a measure of the executive team's commitment to ethical, fair, and honest practices and compliance with accrediting standards and applicable federal, state, and local requirements in accordance with ACCSC's requirements for management as outlined in *Section I (A)(2) of the Substantive Standards, Standards of Accreditation*.

Ensuring that Advertising is Designed to Attract Students Who Are Qualified and Capable of Benefitting from the Training

In the response, CEHE makes the point that "CEHE does not believe that all advertisements for its colleges have a singular purpose. Some advertisements are designed to simply promote a college's brand and increase market awareness of the brands. These 'branding' type ads are not designed for a direct consumer response." The Commission noted that the "purpose" of the advertising does not obviate CEHE's and the schools' obligation to make accurate representations and avoid misleading impressions.

The narrative outlines three ways in which CEHE's advertising is used to attract students who are qualified and likely to benefit. In essence, it appears that all three methods involve emphasizing the requirement of a high school diploma for admission into the schools' programs so that students who are not qualified will self-select out of the process. The first is the use of "degree program" language in advertising. In its response, CEHE stated that "this intentional design in our advertising helps prevent consumers looking for shorter non-degree programs from responding to our advertisements" and "helps minimize the volume of inquiries from students who would likely not meet entrance requirements (i.e., do not have a high school diploma or G.E.D.)" The Commission noted that the recent application for

diploma programs for certain schools will necessitate a review of the advertising to ensure that programs and credentials awarded are accurately represented.

The second way in which CEHE indicated that its advertising is designed to attract students who are qualified and likely to benefit is the inclusion of the colleges' website addresses on all advertising as a means of providing potential applicants access to complete information about the schools before engaging in the recruitment process. The Commission noted that this method requires prospective students to research admissions criteria and self-select out of the admissions process.

The third way in which CEHE's advertising is designed to attract students who are qualified and likely to benefit is the design of internet-based landing pages. CEHE described this technique as follows:

Today, the vast majority of inquiries or "leads" for CEHE's colleges come through internet-based advertising channels. These internet-based advertising channels include affiliate lead providers, internet display advertising, and search engine results (i.e., Google) for our college brands.

With respect to each of these internet-based inquiry channels, CEHE has designed and implemented landing pages. If a consumer comes in contact with our brand through one of these channels, they are presented a landing page with a form to fill in if they are interested in our college and want to receive more information.

According to the response, the form requires the prospective student to provide their "Highest Education Level" and another item requiring them to provide their "Year of High School Graduation." As with the other methods, this allows the prospective student to self-select out of the process.

CEHE asked the Commission to consider two additional points with regard to showing that its advertising is designed to attract qualified students, rather than simply obtaining enrollments. The first point is that CEHE's statistical recruitment data does not show a correlation between the schools' recruitment efforts and obtaining enrollments. According to the response narrative, of the 681,666 leads the schools received in 2018, only 25%, or 171,253, completed the interview portion of the recruitment process, and only 2%, or 14,067, actually started class. The Commission did not find this argument particularly persuasive, as there is no measurable benchmark against which to judge the percentage of class starts and interviews in context of the number of leads and no explanation as to how the conversion rate serves as an indicator that advertising is designed to attract qualified students. In addition, the data might be interpreted to show that CEHE's advertising is designed to appeal to a too broad range of prospective students and raises a question as to whether a more tailored approach would produce different conversion rates.

The second point is in reference to the matter of the claim brought by the Colorado Attorney General's office ("COAG") against CEHE's CollegeAmerica campuses in Colorado. The COAG alleged that CollegeAmerica's recruitment practices had violated the Colorado Consumer Protection Act ("CCPA"). As noted in the response,

As part of this litigation, the COAG initially sought 21 preliminary injunctions against CEHE's advertising and recruitment practices. A one-week hearing was held before Colorado District Court Judge Mullins on the COAG's 21 preliminary injunction demands. In summary, Judge Mullins denied all 21 of the COAG's requests for injunctions

According to the response, "[t]he Judge in the trial has yet to issue a verdict, but CEHE is confident that the judge will rule for CEHE as to all of COAG's allegations." The Commission noted Judge

Mullins' denial of the requests for injunctions; however, the ruling in this regard does not constitute assurance that the schools' advertising is focused on attracting qualified candidates and not simply obtaining enrollments. The Commission is the authority regarding the *Standards of Accreditation* and will make determinations in that regard independent of the decisions of other governing bodies that are responsible for enforcing other laws, rules, and regulations.

Mechanisms to Safeguard Prospective Students from Forming Misleading or Exaggerated Impressions

The response describes seven mechanisms as they occur in sequential order through the recruitment process, as follows:

(1) Recruiting and Hiring Employees

CEHE's efforts to safeguard against misleading or exaggerated impressions begins with the information and messaging we include when recruiting new or replacement employees. Whenever CEHE posts a new or replacement job opening, we intentionally include information in the job posting(s) to communicate, explain and emphasize CEHE's commitment to its values and virtues. We state clearly that the ethical conduct of our employees is of "supreme" importance. And for an employee to be ethical, they must apply, work by, and live CEHE's values and virtues.

(2) Code of Ethics: "[f]or those employees who interact with inquiries and prospective students, CEHE requires these employees to review, understand, and agree to adhere to CEHE's Code of Ethics."

(3) Onboarding and Training

Inquiries and prospective students engage almost exclusively with CEHE employees who work in recruitment functions. These positions include contact center agents, admissions consultants, assistant directors of admissions, and directors of admissions. As part of its efforts to safeguard against recruitment employees potentially contributing to a prospective student receiving false, misleading, or exaggerated information, CEHE has implemented a robust and comprehensive training program for all recruitment employees (new hires and existing employees)

(4) Call Recording System, which the response refers to as "[p]erhaps the most effective mechanism that CEHE has implemented to safeguard against providing potentially misleading or exaggerated information."

Within CEHE's recruitment structure, all initial calls and conversations with inquiries or prospective students are handled by CEHE's contact center agents. The roll of the contact center agent is to provide basic information, screen inquiries, and arrange/schedule interviews for inquiries with one of CEHE's ACs. All inbound and outbound phone calls for the contact center agents are managed and run through CEHE's Five9 telephony dialer system. The Five9 dialer system has been configured so that all inbound and outbound phone calls through the contact center are recorded and archived. By having a mechanism in place that records all conversations with inquiries or prospective students, CEHE is able to monitor, review, and use these recordings for compliance, oversight, and training purposes. Moreover, the system has been configured so that contact center supervisors have the ability to "live listen" to the calls being conducted by the contact center agents. The live listen function is used primarily with new contact center agents as a training tool. By having the ability to live listen to a new agent's calls and conversations with inquiries

or prospective students, the supervisor can provide instantaneous feedback and coaching, monitor a new employee's adherence to policies and procedures, identify areas for corrective action, and verify that the new employee is not providing any false, misleading, exaggerated, or inaccurate information. Furthermore, by storing and archiving all call recordings, if there is ever a concern or problem identified "downstream" in the recruitment process (i.e., when interviewing with an AC), CEHE has the ability to retrieve the call recording to verify or determine what was communicated to the prospective student. In other words, if a prospective student ever indicates that they may have received misleading, exaggerated, or false information, or if CEHE ever believes that a prospective student may have received misleading information or an exaggerated impression, we have the ability to pull the original call and conversation to identify if any errors were made.

(5) Quality Assurance Team

While implementing the call recording system was a beneficial and important mechanism to help CEHE ensure that prospective students do not receive any misleading or exaggerated impressions, CEHE decided to leverage this system one step further by creating an internal quality assurance ("QA") team. Beginning in 2016 CEHE began building a separate team of employees whose sole purpose was to listen to the call recordings for all contact center agents and ACs and to monitor or "score" those calls for compliance with CEHE's policies and procedures. Presently, CEHE's QA team is comprised of 28 employees.

(6) Clear Written Documents

Another mechanism to safeguard against prospective students forming a misleading or exaggerated impression is the company's policy of providing prospective students with clear, official documents, specifically, the college catalog and enrollment agreement. Each of these documents are written in clear, easy to understand language. Both of these official documents are designed to provide a prospective student with important and accurate information about virtually every aspect of the colleges, the programs, tuition, obligations, and expectations.

(7) Third Party Analysis of Recruitment Activities

A final mechanism that CEHE has implemented to help safeguard against prospective students forming false, misleading, or exaggerated impressions about our colleges or programs is the use of a third-party, independent firm to "secret shop" CEHE's recruitment process and recruitment personnel.

On a cycle of every three years, CEHE engages one of its outside legal advisors to hire an independent third party firm to conduct a system-wide secret shopping review of CEHE's recruitment process and engagement with prospective students. None of CEHE's employees or personnel are aware of or alerted to when the secret shopping activities take place. The only person in the organization who is aware of when the secret shopping activities take place are CEHE's Chief Executive Officer and CEHE's General Counsel.

The response includes a copy of the invoices and payments made to the third-party review firm, Norton and Norris, contracted by CEHE's legal advisor, Armstrong Teasdale, for the most recent CEHE secret shopping review. The invoices were dated July 31, 2016 and December 20, 2016 and list the work completed in the second and third quarters of 2016. The Commission noted, however, that the response does not include the results of the third-party review.

Copies of All Advertising and Promotional Materials in Current Use by Each CEHE-Affiliated School

The Commission reviewed the 77 pages of advertising presented in Exhibit 2.d.1, viewed the websites for CEHE-affiliated schools, as well as other affiliated addresses identified in the school's response:

www.stevenshenager.edu

www.collegeamerica.edu

www.independence.edu

www.cc-sd.edu

4U.cc.-sd.edu (redirects to <https://www.cc-sd.edu/?source=MDMWEBMKGO05994>)

IUCareerPrograms.com (redirects to <https://www.independence.edu/?source=MDMWEBMKGO07367>)

Independence.edu/ACP (redirects to <https://www3.independence.edu/campaign/91>)

IUMilitary.org (redirects to <https://www3.independence.edu/campaign/82>)

The Commission also reviewed the listings for CEHE schools on the following “affiliated” websites, as provided in the response:

TrueDegree.com

DegreeMatch.com

LearntoAdvance.com

MyDegreeMap.com

EdegreeUSA.com

LaunchYourCareer.com

YourSchoolMatch.com

In addition, the Commission noted that the schools create a “personal website” for prospective students that have visited CCSD. The sample ad included one example, as follows: [http://\[REDACTED\]/FastFlex.info](http://[REDACTED]/FastFlex.info), code 98TRNY, which does not appear to be an active link. Therefore, the Commission was unable to review the representation of the schools to prospective students on these “personal websites.”

Upon review of the advertising materials listed above, the Commission noted the following with regard to compliance with accrediting standards:

- Accrediting standards require that all advertising, promotional materials, statements, and claims are truthful and accurate and avoid leaving any false, misleading, misrepresenting, or exaggerated impressions with respect to the school, its location, its name, its personnel, its training, its services, or its accredited status (*Section IV (B)(1), Substantive Standards, Standards of Accreditation*). The Commission found the following do not appear to accurately represent the school's training:

- At the time of the Commission’s review, the schools’ website pages for the Medical Specialties program (example: <https://www.cc-sd.edu/healthcare/associates/medical-specialties>), clearly stated that the schools are “not currently accepting applications.” However, below that statement was an indication that the “next start date” is March 18, 2019, and a button labeled “apply now” that takes prospective students to an application form. The Commission found that the advertising of the “next start date” for a program which the Commission had directed a cessation of enrollment does not create an accurate impression with regard to the availability of this program.²
- **The Commission noted the following phrase on the “affiliated website”³ pages:** “[o]ur Associate’s degrees can be completed in as little as 20 months and Bachelor’s degrees in as little as 30 months under an accelerated schedule. The regularly scheduled completion time for Associate’s and Bachelor’s degrees is 20 and 36 months, respectively. Completing programs at an accelerated pace will require an increased course load and could affect the amount of funding available.” The Commission found that the normal duration of the associate’s degree program is the same during as the “accelerated pace” schedule, which does not appear to meet the definition of the term “accelerated.”
- The Commission noted the following claim on TrueDegree.com, DegreeMatch.com, LearntoAdvance.com, MyDegreeMap.com, edegreeusa.com, and LaunchYourDegree.com, “[e]ach year we award *millions of dollars* [emphasis added] in grants, scholarships, and other financial aid to deserving students – **just like YOU** [emphasis added]!” The Commission is interested in the supporting documentation that proves the accuracy of these claims (e.g., “just like you” implies that the reader is eligible regardless and undermines any eligibility qualification).
- On the page found at <https://www.independence.edu/about-us/iu-advantage>, the school claims that “we’ve partnered with over 430 businesses and healthcare organizations across the nation to make sure our students gain the knowledge, skills, and experience they need to propel their careers forward after graduation.” The Commission is interested in understanding the nature of the partnerships and how these partnerships support successful student achievement as described on the website.
- Accrediting standards require that advertising and promotional materials clearly indicate that education, and not employment, is being offered. No overt or implied claim or guarantee of individual employment is made at any time (*Section IV (B)(2), Substantive Standards, Standards of Accreditation*). The Commission found that the section at the following address: <https://www.cc-sd.edu/admissions/military> aimed at recruiting military members is titled “Military College,” which does not accurately represent the colleges’ programs or affiliation with the US Armed Forces. In addition, the Commission found the statement “[t]he deployment is over. The time for employment has arrived” to emphasize employment over education. In other print advertising, the Commission questioned the use of the phrase: “[b]e out working before others even graduate,” which may be construed as an implied guarantee of employment. Encouraging prospective students to contact the school for a “complimentary career assessment” appears to emphasize employment over education.

² The Medical Specialties program is no longer available, as the Commission subsequently approved a modification changing it to the Medical Assisting (AOS) program.

³ TrueDegree.com, DegreeMatch.com, LearntoAdvance.com, MyDegreeMap.com, edegreeusa.com, YourSchoolMatch.com, LaunchYourDegree.com

- Accrediting standards require that a school may only use the term “accredited” if it indicates by what agency or organization it is accredited. In addition, publication of accreditation must comply with the Instructions for Disclosure and Advertising of Accredited Status form (*Section IV (B)(6), Substantive Standards, Standards of Accreditation*). The Commission found the following descriptions of accreditation that do not conform to the disclosure requirements.
 - The first page for the link <https://www.independence.edu/> features the following title: “[a]ccredited degrees online at Independence University.”
 - The “Explore Our Programs” page states, “[w]ith accredited degree programs online...”

First, there is no indication of the agency or organization to which this statement refers. Second, ACCSC’s accreditation is institutional in nature, therefore to refer to the degree programs as “accredited” does not conform to the Instructions for the Advertising of Accredited Status form. Similar advertising is found on <https://www.cc-sd.edu/programs>: “Accredited Degree Programs at California College San Diego.”

- Accrediting standards require that schools may only use endorsements in school catalogs, literature, or advertising with the written consent of the authors, which is kept on file and subject to inspection. Any such endorsement is to be a bona fide expression of the author’s opinions, strictly factual (*Section IV (B)(4), Substantive Standards, Standards of Accreditation*). The Commission noted that prominent use of graduate testimonials in CEHE’s advertising and is interested in reviewing the written consent of the authors.

The Commission also carefully considered the following remarks that introduced CEHE’s response to this issue:

CEHE acknowledges that its advertising and recruitment practices have been subject to ongoing and intense scrutiny by the Commission over the past 5 years. Further, we acknowledge that, at times, CEHE has disagreed with, and openly challenged, some of the Commission’s positions that CEHE’s advertising and recruitment practices failed to comply with the Substantive Standards.

Specifically, CEHE has questioned whether the Commission’s intense scrutiny and determinations of noncompliance have resulted from a fair, consistent, and objective application of the Substantive Standards. We recognize the environment in which ACCSC is (and all recognized accreditors are) operating in subjects them to increased scrutiny when member institutions are targets of lawsuits as CEHE is in Colorado. Our hope is that ACCSC’s process with respect to CEHE is not unduly influenced by the environmental pressures being exerted on accreditors.

Notwithstanding the foregoing, CEHE recognizes, accepts, and supports the fundamental tenet that compliance with the Standards of Accreditation and improvements within a school should be due primarily to the school’s internal efforts rather than due to an on-site evaluation by an outside team or Commission action. Moreover, we acknowledge and support that the burden rests with CEHE and its colleges to establish and demonstrate that we are meeting all requirements of the Standards of Accreditation.

As outlined in the Preamble to the *Standards of Accreditation*, “[t]he primary purpose of the Commission is to establish and maintain high educational standards and **ethical business practices** [emphasis added] among its accredited institutions, to evaluate each institution’s compliance with the *Standards of Accreditation*, and to ensure appropriate accountability for such compliance.” Further, the

Statement of Purpose for *Section IV-Student Recruitment, Advertising, And Disclosures* is “...to require schools to describe themselves to *prospective students* [emphasis added] fully and accurately and to follow practices that permit *prospective students* [emphasis added] to make informed and considered enrollment decisions without undue pressure.” The scrutiny brought to bear on CEHE’s advertising has its genesis in concern for every prospective student affected by CEHE’s advertising and recruitment tactics and to ensure that CEHE is able to fulfill each claim and statement made. ACCSC’s “scrutiny” is predicated solely on its care for students and commitment to best practices and not on some nebulous “environmental pressure.” To that end, ACCSC will continue to review and assess CEHE’s advertising and recruiting tactics until the group has shown the capability to advertise the schools accurately to prospective students and is able to sustain that compliance over time.

Overall, the Commission found that the response describes processes that go into the creation and approval of advertising, as well as oversight mechanisms that are designed to ensure compliance with accrediting standards. However, it is not clear to the Commission that the processes have been effective. The Commission determined that there is insufficient evidence at present to ascertain the likelihood that CEHE has the ability to comply with accrediting standards in this area due to the schools’ own efforts, rather than as a result of Commission action.

Accordingly, the Commission directs CEHE to submit the following:

- a. A description of the actions taken to ensure that each advertisement connected with the findings of this letter complies with accrediting standards;
 - b. A sample of the “personal website” created for prospective students, as represented by the following example in CEHE’s response: [http://\[REDACTED\]/FastFlex.info](http://[REDACTED]/FastFlex.info), code 98TRNY;
 - c. Documentation to support the claim that the schools award “millions of dollars” each year in grants, scholarships, and other financial aid” that appears in the landing page at the various websites such as TrueDegree.com, DegreeMatch.com, LearntoAdvance.com, MyDegreeMap.com, edegreeusa.com, and LaunchYourDegree.com;
 - d. A list of the graduate testimonials used in advertising, and copies of the corresponding written consent of the authors for each;
 - e. The results of the 2019 independent system-wide review of CEHE’s recruitment process and engagement with prospective students;⁴ and
 - f. Copies of all advertising and promotional materials in current use by each CEHE-affiliated school, including - but not limited to - Internet advertising, the URL for the school’s websites, radio or television (scripts are acceptable), flyers, direct mail, surveys, newsprint, and Yellow Pages.
7. CEHE must demonstrate that the schools have established admissions processes for distance education programs and courses of study that include an assessment prior to enrollment of the student’s technical skills, competencies, and access to technology necessary to succeed in a distance education environment as well as an assessment of the student’s capability to benefit from enrolling in a distance education program and to determine if the student’s learning style is conducive to online learning (*Section IX (F)(2 & 3), Substantive Standards, Standards of Accreditation*). In addition, CEHE must

⁴ According to the response, “[o]n a cycle of every three years, CEHE engages one of its outside legal advisors to hire an independent third party firm to conduct a system-wide secret shopping review of CEHE’s recruitment process and engagement with prospective students.” Although the response provides documentation that the third party was engaged in 2016, the response does not include the results of that review.

demonstrate the validity and reliability of the assessment tools used to assess a student's readiness for distance education online learning minimally using engagement surveys, academic progress, and student achievement data (*Section IX (F)(2 & 3), Substantive Standards, Standards of Accreditation*).

In the September 6, 2018 Probation Order the Commission noted that the schools are not consistently obtaining the appropriate assessments prior to enrollment and questioned the validity of the schools' assessment tools. With regard to the Computer Literacy Assessment ("CLA"), the Probation order stated, in part:

The response does not include any information with regard to the course and how it was determined that understanding the fundamentals of a computer translates into readiness for and success in the distance education environment.

The response to the September 6, 2018 Probation Order describes the schools' processes for assessment prior to enrollment, of a student's technical skills, competencies, access to technology, capability to benefit, and learning style in context of the online learning environment. The following are excerpts from school's narrative:

All students are required to complete a Computer Literacy Assessment (CLA) during the admissions process and must achieve a passing score of 14 or higher; students may retake the CLA two times prior to enrollment in order to obtain the minimum passing score. If the student does not pass after two attempts, the student may enroll and reattempt the CLA by the end of the third week of the first course (CSS 101) with the approval of the Dean.

Students are also required to participate in an orientation session prior to the first day of class to achieve a basic understanding of the distance-learning methods.

Additionally, the first course taken by all students is CSS 101 (Psychology of Motivation), which is a college study skills course delivered face to face and addresses issues that are relevant for online learning, such as learning styles, time management strategies, an introduction to learning online, and access to online Learning Resources

All of the aspects of learning online, including how to submit assignments, how to access your syllabi, how to post to a discussion, how to view a live lecture, how to participate in a Zoom session, view grades, communicate with instructors, et al, are taught and practiced in this first course. If by the end of the third week of this first course, a student does not show the ability to navigate through the online environment, the student is withdrawn from the program without incurring any debt.

The Computer Literacy Assessment appears to be the mechanism that CEHE schools use to assess the students' technical skills and competencies necessary to succeed in a distance education environment. However, it is not clear that this assessment consistently occurs prior to enrollment. In addition, the CLA appears to be test of fundamental computer knowledge and the response does not show how it was determined that understanding the fundamentals of a computer translates into readiness for and success in the distance education environment. As stated in the response, there is a policy that allows students who have failed the assessment twice to enroll in school and retest after three weeks in the first course. In addition, the Commission noted that the response does not describe how the schools assess the prospective student's access to technology, capability to benefit from enrolling in a distance education program and whether the student's learning style is conducive to online learning. The orientation class, which appears to provide information regarding navigating the online learning environment, is not an assessment and does not occur prior to enrollment. Finally, the Commission is

interested in the validity of the distance education assessments, particularly as it relates to student achievement.

Based on the foregoing, the Commission directs CEHE to submit the following:

- a. The admissions requirements for enrollment into each distance education program or course of study;
 - b. An explanation as to how – as part of the admissions process and prior to enrollment – the schools determine if a student has the technical skills, competencies, and access to technology necessary to succeed in a distance education environment;
 - c. An explanation as to how – as part of the admissions process and prior to enrollment – the schools determine if a student has the capability to benefit from enrolling in a distance education program and whether the student’s learning style is conducive to online learning;
 - d. A list of the ten most recent applicants to all programs for all schools that are delivered in a hybrid format or fully distance education format and copies of admissions documentation, distance education readiness assessments, and enrollment agreements for the applicants listed;
 - e. An explanation as to how the schools use engagement surveys, academic progress, and student achievement data to determine the validity and reliability of the assessment tools described above;
 - f. The results of the most recent study of the validity and reliability of the assessment tools, and a description of CEHE’s findings and any resultant changes made to the admissions process and admissions tools for students enrolling in either a hybrid format or fully distance education format.
8. CEHE must demonstrate that, for international (non-US citizens) students, the school complies with the following:
- Applicants who have not visited the school prior to enrollment have the opportunity to withdraw without penalty within three business days following either the regularly scheduled orientation procedures or following a tour of the school facilities and inspection of equipment where training and services are provided (*Section I (D)(4)(b), Substantive Standards, Standards of Accreditation*).
 - All monies paid by an applicant is refunded if requested within three days after signing an enrollment agreement and making an initial payment. (*Section I (D)(4)(b), Substantive Standards, Standards of Accreditation*).
 - The tuition charges disclosed on fully executed enrollment agreements do not appear to align with tuition charged (*Section IV (C)(2)(a), Substantive Standards, Standards of Accreditation*).
 - A school must be in compliance with all applicable federal, state, and local government requirements (*Section I (D)(3), Rules of Process and Procedure, Standards of Accreditation*).

This issue first arose as a question regarding SHC-West Haven’s policy to collect a \$3,500 non-refundable fee for international students who have been accepted in the school unless the student is denied a student visa. In response to the questions in this regard, SHC-West Haven revised the school’s policy to make the \$3,500 “fee” refundable. The Commission requested additional information to ensure the application fee and cancellation policies are clearly disclosed and documentation that the policy has been implemented.

In response, CEHE supplied a copy of the catalog, a list of the CEHE schools that accept international students and the programs into which international students may enroll, a list of international students at each campus with copies of their enrollment agreements and account ledgers. In reviewing this material, the Commission noted the following:

- Although the catalog identifies the down payment as refundable, the enrollment agreement (Exhibit 1.a.1) states “[i]nternational students who have been accepted have a \$3,500 non-refundable fee...”
- Although the catalog identifies the down payment as refundable, the catalog includes references to other non-refundable fees for international students, as follows:

Applicants to an undergraduate program who have not yet arrived in the United States must pay a non-refundable Registration fee of US \$500 (in cash or money order).

Applicants to an undergraduate program who are already in the United States must pay a non-refundable Registration fee of US \$150 (in cash or money order).

The enrollment agreement also discloses non-refundable fees, as follows:

International Students who have been accepted into the college have made a tuition deposit of \$3,500 prior to enrollment and a non-refundable application fee of \$150 for Master's students or \$500 for Bachelor's students. Unless the student is denied a visa, tuition deposits are non-refundable due to the time and efforts spent on behalf of the college and its affiliates in providing visa counseling and a mode of entrance into the United States.

The practice of charging “non-refundable” fees does not appear to comply with ACCSC’s requirements that applicants receive a full refund of all monies paid if (1) requested within three days after signing the enrollment agreement and making an initial payment, or (2) within three business days following either the regularly scheduled orientation procedures or following a tour of the school facilities and inspection of equipment for applicants who have not visited the school prior to enrollment. Because the school is required to return all monies paid in these circumstances, referring to the fees as “non-refundable” is an inaccurate portrayal. In addition, in review of the ledgers provided in the response the Commission noted that there were 4 of 54 students charged a \$150 application fee and no instances of a charge for the \$500 registration fee.

- According to the catalog, “[a]pplicants to an undergraduate program must also make a refundable down payment of \$3,500, paid prior to the first day of class” and “[a]pplicants to a master’s program must make a refundable tuition deposit of \$3,500 prior to enrollment.” The ledgers and enrollment agreements provided in the response do not show that the \$3,500 down payment is consistently collected. Of the 54 students listed in the response, only 28 of the enrollment agreements reflect a required down payment of \$3,500.

Student ID#	Program	Start Date	Tuition on EA	Down Payment on EA
██████████	MBA	11/27/2017	\$29,280	\$0
██████████	MBA	7/23/2018	\$29,280	\$0
██████████	Healthcare Administration (MS)	8/20/2018	\$29,210	\$0
██████████	Healthcare Administration (MS)	8/20/2018	\$29,210	\$0
██████████	Information Systems (MS)	9/17/2018	\$29,280	\$0
██████████	Information Systems (MS)	1/23/2017	\$29,280	\$0

Student ID#	Program	Start Date	Tuition on EA	Down Payment on EA
██████████	Information Systems (MS)	9/17/2018	\$29,280	\$0
██████████	MBA	9/17/2018	\$29,280	\$0
██████████	MBA	5/28/2018	\$29,280	\$0
██████████	Information Systems (MS)	6/25/2018	\$29,280	\$0
██████████	MBA	2/5/2018	\$29,280	\$0
██████████	Information Systems (MS)	7/23/2018	\$29,280	\$0
██████████	Information Systems (MS)	9/17/2018	\$29,280	\$0
██████████	Information Systems (MS)	5/28/2018	\$29,280	\$0
██████████	MBA	2/5/2018	\$29,280	\$0
██████████	MBA	8/20/2018	\$29,280	\$0
██████████	MBA	9/17/2018	\$29,280	\$0
██████████	Information Systems (MS)	6/12/2017	\$29,280	\$0
██████████	Healthcare Administration (MS)	8/20/2018	\$29,210	\$0
██████████	Information Systems (MS)	12/12/2016	\$29,280	\$0
██████████	Business Administration (BS)	9/4/2017	\$74,620	\$0
██████████	Information Systems (MS)	4/30/2018	\$29,280	\$3,500
██████████	Information Systems (MS)	10/2/2017	\$29,280	\$3,500
██████████	MBA	1/8/2018	\$29,280	\$3,500
██████████	Information Systems (MS)	4/2/2018	\$29,280	\$3,500
██████████	MBA	10/2/2017	\$29,280	\$3,500
██████████	Information Systems (MS)	4/2/2018	\$29,280	\$3,500
██████████	Information Systems (MS)	11/27/2017	\$29,280	\$3,500
██████████	MBA	6/25/2018	\$29,280	\$3,500
██████████	MBA	4/30/2018	\$29,280	\$3,500
██████████	Information Systems (MS)	4/30/2018	\$29,280	\$3,500
██████████	MBA	11/27/2017	\$29,280	\$3,500
██████████	Information Systems (MS)	10/30/2017	\$29,280	\$3,500
██████████	MBA	1/8/2018	\$29,280	\$3,500
██████████	MBA	3/5/2018	\$29,280	\$3,500
██████████	MBA	10/2/2017	\$29,280	\$3,500
██████████	Information Systems (MS)	2/5/2018	\$29,280	\$3,500
██████████	MBA	10/30/2017	\$29,280	\$3,500
██████████	Information Systems (MS)	1/23/2017	\$29,280	\$3,500
██████████	MBA	7/10/2017	\$29,280	\$3,500
██████████	Information Systems (MS)	11/27/2017	\$29,280	\$3,500
██████████	Information Systems (MS)	9/4/2017	\$29,280	\$3,500
██████████	MBA	1/8/2018	\$29,280	\$3,500

Student ID#	Program	Start Date	Tuition on EA	Down Payment on EA
██████████	MBA	4/30/2018	\$29,280	\$3,500
██████████	Information Systems (MS)	10/2/2017	\$29,280	\$3,500
██████████	MBA	3/5/2018	\$29,280	\$3,500
██████████	Healthcare Administration (MS)	9/4/2017	\$29,210	\$3,500
██████████	MBA	6/25/2018	\$29,280	\$3,500
██████████	Healthcare Administration (MS)	11/27/2017	\$29,210	\$3,500
██████████	Information Systems (MS)	10/2/2017	\$29,280	\$3,650
██████████	Information Systems (MS)	10/2/2017	\$29,280	\$9,750
██████████	Healthcare Administration (MS)	11/27/2017	\$29,210	\$26,349.32
██████████	MBA	11/27/2017	\$29,280	\$26,349.32
██████████	Information Systems (MS)	8/20/2018	\$29,280	\$29,280

According to the catalog, tuition for the Healthcare Administration (MS) program totals \$29,210. From the ledgers, it appears that students are charged \$8,382 per term for three terms and the remainder of \$4,064 for the fourth term. Tuition for the Information Systems (BS) and Masters of Business Administration (MBA) programs total \$29,280. From the ledgers, it appears that students are charged \$7,808 per term for three terms and the remainder of \$5,856 for the fourth term. Therefore the total tuition charged at each interval generally followed the following pattern.

Program	First Term Tuition Charged	Total Tuition Charged by Second Term	Total Tuition Charged by Third Term	Total Program Tuition
Healthcare Administration	\$8,382	\$16,764	\$25,146	\$29,210
Information Systems (MS)	\$7,808	\$15,616	\$23,424	\$29,280
MBA	\$7,808	\$15,616	\$23,424	\$29,280

The ledgers for the following 17 students show tuition charges that do not align with the way tuition was charged to the other 37 students. The Commission is interested in reviewing additional documentation to explain the deviations from what appears to be the schools' common practice.

Student ID#	Program	Start Date	Terms Enrolled	Tuition for # Terms	Charges on Ledger
██████████	Healthcare Administration (MS)	11/27/2017	5	\$29,210	\$29,764
	Date	Charge/Credit		Description	
	November 30, 2017	\$8,382		Tuition	
	March 26, 2018	\$8,382		Tuition	
	May 7, 2018	(\$6,286.50)		Tuition	
	May 7, 2018	\$150		Administration Fee	
	June 15, 2018	\$3,094		Tuition	
	August 30, 2018	\$8,382		Tuition	
	October 17, 2018	\$4,064		Tuition	

Student ID#	Program	Start Date	Terms Enrolled	Tuition for # Terms	Charges on Ledger
	October 24, 2018	(\$2,095.50)		Tuition	
	October 24, 2018	\$150		Administration Fee	
██████████	Healthcare Administration (MS)	8/20/2018	3	\$25,146	\$18,946
	Date	Charge/Credit		Description	
	February 13, 2018	\$8,382		Tuition	
	May 21, 2018	\$8,128		Tuition	
	July 5, 2018	(\$6,096)		Tuition	
	July 5, 2018	\$125		Administration Fee	
	August 30, 2018	\$2,032		Tuition	
	September 10, 2018	\$6,350		Tuition	
██████████	Healthcare Administration (MS)	11/27/2017	3 terms	\$25,146	\$22,860
	Date	Charge/Credit		Description	
	November 30, 2017	\$8,382		Tuition	
	March 26, 2018	\$14,478		Tuition	
	April 12, 2018	(\$4,064)		Tuition	
	July 16, 2018	\$6,096		Tuition	
██████████	Information Systems (MS)	4/2/2018	3 terms	\$23,424	\$25,376
	Date	Charge/Credit		Description	
	April 12, 2018	\$7,808		Tuition	
	July 16, 2018	\$7,808		Tuition	
	November 5, 2018	\$9,760		Tuition	
██████████	Information Systems (MS)	4/2/2018	3 terms	\$23,424	\$23,574
	Date	Charge/Credit		Description	
	January 19, 2018	\$150		Application Fee	
	April 12, 2018	\$7,808		Tuition	
	July 16, 2018	\$7,808		Tuition	
	November 5, 2018	\$7,808		Tuition	
██████████	Information Systems (MS)	1/23/2017	6 terms	\$46,848	\$50,752
	Date	Charge/Credit		Description	
	February 2, 2017	\$7,808		Tuition	
	May 15, 2017	\$7,808		Tuition	
	August 28, 2017	\$7,808		Tuition	
	January 2, 2018	\$7,808		Tuition	
	April 25, 2018	\$3,904		Tuition	

It appears the student was charged \$35,126 for the Information Systems (MS) program, which was disclosed as \$29,280. With the term starting in June 2018, the student appears to have re-enrolled in the Business

Student ID#	Program	Start Date	Terms Enrolled	Tuition for # Terms	Charges on Ledger
Administration (MS) program. The response does not include the enrollment agreement for the second program. Subsequent tuition charges are as follows:					
	June 25, 2018	\$7,808			Tuition
	October 8, 2018	\$7,808			Tuition
██████████	Information Systems (MS)	9/17/2018	5 terms	\$39,040	\$35,799
	Date	Charge/Credit	Description		
	April 6, 2016	\$7,808	Tuition		
	July 18, 2016	\$7,808	Tuition		
	July 22, 2016	(\$1,289)	Auto pay Discount		
	November 9, 2016	\$7,808	Tuition		
	March 13, 2017	\$5,856	Tuition		
At this point, it appears the student was charged \$27,991 for enrollment in the Business Administration (MS) program (no enrollment agreement for this program provided in the response). This program is advertised as costing \$29,280 in the catalog. With the term starting in September 2017, the student appears to have enrolled in the Information Systems (MS) program. Subsequent tuition charges are as follows:					
	September 21, 2018	\$7,808			Tuition
██████████	Information Systems (MS)	10/30/2017	4 terms	\$29,280	\$29,430
	Date	Charge/Credit	Description		
	October 25, 2017	\$150	Application Fee		
	November 8, 2017	\$7,808	Tuition		
	February 26, 2018	\$7,808	Tuition		
	June 18, 2018	\$7,808	Tuition		
	October 8, 2018	\$5856	Tuition		
██████████	Information Systems (MS)	10/2/2017	4 terms	\$29,280	\$29,435
	Date	Charge/Credit	Description		
	September 25, 2017	\$7,808	Tuition		
	September 26, 2017	\$150	Application Fee		
	January 29, 2018	\$7,808	Tuition		
	May 21, 2018	\$7,808	Tuition		
	September 10, 2018	\$5,856	Tuition		
██████████	Information Systems (MS)	7/23/2018	3 terms	\$23,424	\$27,328
	Date	Charge/Credit	Description		
	July 23, 2018	\$15,616	Tuition		
	November 5, 2018	\$11,712	Tuition		
██████████	Information Systems (MS)	6/12/2017	5 terms	\$29,280	\$35,136
	Date	Charge/Credit	Description		
	June 19, 2017	\$7,808	Tuition		
	September 25, 2017	\$7,808	Tuition		

Student ID#	Program	Start Date	Terms Enrolled	Tuition for # Terms	Charges on Ledger
	January 29, 2018	\$7,808			Tuition
	May 21, 2018	\$5,856			Tuition
	June 7, 2018	\$1,952			Tuition
	June 28, 2018	\$1,952			Tuition
	September 10, 2018	\$3,904			Tuition
	November 9, 2018	(\$1,952)			Write-off Administrative
The student made a payment on November 16, 2018 that was credited to the Business Administration (MS) program. All other charges were credited to the Information Systems (MS) program.					
██████████	Information Systems (MS)	12/12/2016	5 terms	\$29,280	\$27,628
	Date	Charge/Credit		Description	
	December 19, 2016	\$7,808		Tuition	
	April 10, 2017	\$7,808		Tuition	
	July 28, 2017	(\$1,952)		Tuition Refund	
	July 28, 2017	\$150		Administration Fee	
	January 11, 2018	\$7,808		Tuition	
	March 13, 2018	\$3,904		Tuition Refund	
	March 13, 2018	\$150		Administration Fee	
	July 31, 2018	\$1,952		Tuition	
	August 13, 2018	\$7,808		Tuition	
██████████	MBA	4/30/2018	2 terms	\$15,616	\$17,568
	Date	Charge/Credit		Description	
	April 30, 2018	\$7,808		Tuition	
	August 13, 2018	\$7,808		Tuition	
	August 30, 2018	\$1,952		Tuition	
██████████	MBA	11/27/2017	4 terms	\$29,280	\$31,382
	Date	Charge/Credit		Description	
	October 24, 2017	\$150		Application Fee	
	November 30, 2017	\$7,808		Tuition	
	March 9, 2018	(\$1,952)		Tuition	
	March 9, 2018	\$1,952		Tuition	
	April 12, 2018	\$7,808		Tuition	
	July 16, 2018	\$7,808		Tuition	
	November 5, 2018	\$7,808		Tuition	
██████████	MBA	7/10/2017	6 terms	\$46,044	\$42,140
	Date	Charge/Credit		Description	
	July 19, 2017	\$7,808		Tuition	
	October 23, 2017	\$7,808		Tuition	

Student ID#	Program	Start Date	Terms Enrolled	Tuition for # Terms	Charges on Ledger
	February 26, 2018			\$7,808	Tuition
	June 19, 2018			\$1,952	Tuition
The student was charged \$25,376 for the MBA program, tuition is disclosed on the enrollment agreement as \$29,280. Subsequent transactions are charged to the Healthcare Administration program					
	July 31, 2018			\$8,382	Tuition
	November 5, 2018			\$8,382	Tuition
	MBA	11/27/2017	4 terms	\$29,280	\$31,232
	Date	Charge/Credit		Description	
	November 30, 2017	\$7,808		Tuition	
	March 26, 2018	\$7,808		Tuition	
	July 16, 2018	\$7,808		Tuition	
	August 24, 2018	\$1,952		Tuition	
	November 13, 2018	(\$1,952)		Tuition	
	Business Administration	9/4/2017	unknown	\$30,980	\$57,036
	January 31, 2016	\$7,790		Tuition	
	February 9, 2016	(\$5,842)		Tuition Refund	
	February 9, 2016	\$150		Administration Fee	
	February 9, 2016	\$1,402.50		Administration Fee/ Non-refundable Down	
	March 16, 2016	\$1,700		Advanced English for Academic Purposes	
	September 29, 2016	\$8,815		Tuition	
	October 18, 2016	(\$8,815)		Tuition	
	November 17, 2016	\$7,995		Tuition	
	March 13, 2017	\$7,995		Tuition	
	June 16, 2017	(\$1,998.75)		Tuition Refund	
	June 16, 2017	\$850		Laptop Fee	
	June 16, 2017	\$150		Administration Fee	
	September 12, 2017	\$7,995		Tuition	
	January 2, 2018	\$8,200		Tuition	
	February 21, 2018	\$1,640		Tuition	
	March 21, 2018	(\$1,640)		Tuition	
	May 3, 2018	\$150		Administration Fee	
	April 25, 2018	\$7,995		Tuition	
	May 2, 2018	(\$7,995)		Tuition	
	July 23, 2018	\$8,200		Tuition	
	November 5, 2018	\$12,300		Tuition	
In addition, this student paid \$77,960 on charges of \$57,036					

- According to the schools' 2019 catalog (page 17), [t]he Murray (Salt Lake City) and the California College San Diego main and San Marcos campuses are SEVIS-certified to accept international students into their *undergraduate* [emphasis added] programs.” According to the listing of international students currently enrolled, out of 54 students only one is in an undergraduate program. The rest are enrolled in the schools' master's degree programs. The Commission also took note of the disclosure of “International Admissions Requirements – Master's Degree” in the catalog and information regarding enrollment in Master's degree programs in the Stevens-Henager website specifically for international students: <http://shcinternational.com/>. CEHE must explain how international students are enrolled in graduate level programs if the campuses are certified for undergraduate programs only.
- With regard to Curricular Practical Training the school's response indicates the following:
*Additionally, international students are **required by SEVIS** [emphasis added] to participate in a work experience course (Curricular Practical Training (CPT)) concurrent with their enrollment. This course requires the school to set up and monitor externships for each international student. The down payment helps to ensure that the student is earnest in their interest in this program before the college incurs the costs required to run the externship program and engage instructors prior to the first course.*

This contrasts with the following statement from the U.S. Immigration and Customs Enforcement website:⁵

*If you are an F student, you have the **option** [emphasis added] of training in the United States by engaging in practical training during your program or after it ends. Practical training can provide valuable work experience by sharpening and adding to the skills you are learning in school. There are two types of practical training available for F-1 students: curricular practical training (CPT) and optional practical training (OPT).*

It appears that the requirement to complete CPT is a policy of the school, rather than required by SEVIS. The Commission noted that according to Stevens-Henager College's 2019 catalog,

Students enrolled in the... master's degree programs are required to immediately participate in Curricular Practical Training (CPT). Students participating in CPT are required as part of their curriculum to work in a position related to their field of study with one of the College's approved CPT employment partners.

The statement reinforces the impression that practical training is a requirement of the program; however, it is not clear that the program content is the same for all students, as it is not clear that US Citizens are required to participate in an equivalent practical training experience while enrolled.

- With regard to online/distance learning, the Department of Homeland Security's website⁶ states the following,
Online or distance learning received at a location other than the SEVP-certified school where the F-1 academic or professional student is enrolled is limited to three credits per session toward a full course of study in each academic term.

⁵ <https://www.ice.gov/sevis/practical-training>

⁶ <https://studyinthestates.dhs.gov/glossary/o> and <https://studyinthestates.dhs.gov/2017/01/reminders-about-online-and-distance-learning-courses>

An F-1 student enrolled in an English language course of study is prohibited from receiving any online or distance learning and crediting it toward the full course of study.

For a student inclined to take more than a full course of study, any additional online courses taken would be “incident to status” and would not count towards full course of study requirements. Please note that F-1 students must enroll in at least one course that requires physical attendance in their final academic term.

M-1 students may not count any online or distance learning courses toward their full course of study requirement if physical presence is not monitored to the same extent as traditional classes.

The Commission noted that the students listed in Exhibit 6.c. are enrolled in programs that may be delivered, in part, via distance education. As noted in the schools’ catalogs: “[a]ll students can expect to take courses or portions of courses via distance.” The Commission is interested in reviewing documentation that shows how the school ensures that international students do not exceed the restrictions regarding online or distance education as outlined above.

The Commission found that CEHE’s response did not provide adequate documentation to show that the schools returns all monies paid when a student cancels in accordance with ACCSC’s requirements. In addition, the response raised a series of significant questions about fair and consistent tuition practices and whether tuition is charged in accordance with the disclosures in the enrollment agreement. The response also raised significant questions about whether the delivery of education to international students is administered in accordance with federal requirements. Accordingly, the Commission determined that additional information is required to ensure compliance with accrediting standards and federal requirements.

Based on the foregoing, the Commission directs CEHE to submit the following:

- a. A revised enrollment agreement that accurately identifies the \$3,500 charge as a “down payment” rather than a “fee,” and removing the description of this charge as “non-refundable.”
- b. Evidence that the schools follow the cancellation policy published in the catalog and enrollment agreement:⁷
 - i. A list of the ten most recent international students that cancelled enrollment agreements within three business days of signing the enrollment agreement or having visited the college;
 - ii. A copy of the accounts for those students showing return of all monies paid; and
 - iii. A revised catalog and enrollment agreement removing the description of the registration fees as non-refundable, as there are circumstances under which the school is required to refund the monies.
- c. Documentation that the policy requiring a down payment is consistently implemented as follows:
 - i. An explanation for the deviations from the required down payment in the sample of 54 students as outlined above;

⁷ You may cancel this enrollment agreement within three business days and receive a full refund of all money paid within 30 days. If you have not visited the college prior to enrollment, you may withdraw without penalty within three business days following a tour of the college facilities and inspection of equipment where your educational services will be provided.

- ii. An explanation as to the practice of requiring a down payment, as the documentation of student accounts provided in the response shows inconsistencies in the amount required on the enrollment agreement;
 - iii. Documentation that the policies are fairly implemented, including enrollment agreements for the 10 most recent international students admitted to CEHE schools, and corresponding student account documentation; and
 - iv. An explanation for every case in which the amount disclosed on the enrollment agreement and/or charged to the student account differs from the amount required in the published policies.
- d. Documentation that tuition and fees are charged consistently as follows:
- i. An explanation about how the school charges registration fees and tuition, and how those charges are posted to the students' accounts;
 - ii. For the sample of students identified above, explain how tuition and fee charges conform to the schools' practices; and
 - iii. An explanation for every case in which the amount disclosed on the enrollment agreement and/or charged to the student account differs from the published tuition and fees.
- e. Clarification regarding the schools' status with the Student and Exchange Visitor Program of the US Immigrations and Customs Enforcement division of the Department of Homeland Security. Specifically, an explanation of whether the schools' certification status is for undergraduate education only, as indicated in the schools' catalog, or for graduate degrees also, as indicated by the enrollment status of the students listed in the response.
- f. Clarification regarding the Curricular Practical Training component of the program as follows:
- i. A revised catalog, accurately describing Curricular Practical Training as a requirement of the school, rather than as a requirement of the SEVIS program and
 - ii. An explanation as to how required program components are equitable, regardless of the students' citizenship status.
- g. Clarification regarding the schools' compliance with federal requirements regarding distance education and international students as follows:
- i. An explanation of the school's policies and procedures regarding monitoring the limit on distance education/online learning for international students and
 - ii. Documentation for ten international students, showing the application of the policies and procedures. This documentation can take the form of transcripts, if transcripts show the delivery method of each course.
- h. Any additional information that the school believes will be useful to the Commission in making a determination regarding the school's compliance with ACCSC's requirements.
9. CEHE must demonstrate that the schools adhere to the requirements set forth in *Section II (A)(11), Substantive Standards, Standards of Accreditation* with regard to transfers of credit. In addition, CEHE did not demonstrate that the schools maintain an accurate transcript for all students (*Section VI (B)(2), Substantive Standards, Standards of Accreditation*). At issue is how the schools document educational delivery for students that complete educational units at affiliated schools, whether it is via transfers of

credit or consortium agreements and whether each school maintains an official transcript that accurately represents the educational process. The September 6, 2018 System-wide Probation Order noted that the schools did not demonstrate a process to document how educational units are accumulated and credentials conferred. In addition, the transcript did not differentiate the locations at which credits were awarded and does not demonstrate the sequential movement through the programs.

With regard to transfers of credit, CEHE's response states the following:

After conversations with ACCSC staff, CEHE now believes it understands that the lack of a clear transcript and the misuse of the word "consortium" has caused confusion. To address the issue of the consortium agreement, CEHE is separating the distance education consortium and the on ground transfer of credit agreement. CEHE is submitting in this response an updated distance education consortium agreement between Independence University and all the other CEHE campuses and a separate articulation agreement between each campus to accept transfer of credits for identical courses. The articulation agreement outlines the electronic documentation of equivalent courses taken at one location that are also offered at another location and which are assigned as transfer credits in our student information system, CampusVue. A revised Transfer of Credit policy has been implemented and a custom transcript has been developed so that all transfer of credits identifies the origin of each course taken.

In response to the Commission's directive to submit a description of how the CEHE-affiliated schools document the transfers of credits among the affiliated schools the school stated:

All of CEHE's schools offer the same courses using the same course codes. For instance, when a student takes a course (MED 101) at one campus, that course has the same course objectives, uses the same syllabi, uses the same textbook, and has the same number of hours as the course taught at other campuses.

Each of the courses taught by CEHE schools is set up in CampusVue with the same number of hours and the same number of credits. All campuses share this student information system, and, therefore, when a student takes that course at one campus, it can be recognized at another campus as the same course if the student transfers. The equivalency is built into the way the courses are shared and offered at each campus. There is no need to evaluate the course when a student attends a different CEHE campus since the course is the same from campus to campus.

The response includes a copy of the *Consortium Agreement* between all schools and Independence University and a copy of the *Transfer Articulation Agreement* between Stevens-Henager Colleges, CollegeAmerica campuses, and California College San Diego campuses. The Consortium Agreement indicates that the Home College is defined as the campus at which the student is enrolled and which grants the degree and the Host College is Independence University, where the student is taking part of his/her program requirements through distance education courses. Students under this consortium arrangement are enrolled under the Home College's enrollment agreement, and the Home College will be responsible for monitoring student eligibility, collecting tuition, providing student services, and granting the degree.

The Transfer Articulation Agreement indicates that the schools offer identical courses and that the agreement is to facilitate degree attainment for students transferring between CEHE-affiliated schools in all approved programs. All schools agree to accept course credits for students who have completed

any courses for any programs offered at the accepting location as listed in the most current CEHE catalog. The response includes CEHE’s internal policy on Transfer of Credit. The policy indicates:

When a student requests transfer credits, the attached Transfer Credit Form must be completed. Students transferring from an affiliated campus, may transfer any course that if offered at both locations as describe in the articulation agreement and do not need a transfer of credit form.

Maximum Transfer Credits...*A student may transfer in credits up to 75% of his/her program.*

Transcripts

Grades from transferred courses are recorded as a “T” grade and do not factor into the student’s cumulative GPA. If a student transfers through the CEHE articulation agreement from one of our campuses, then grades, grade point average (GPA), and satisfactory academic progress (SAP) status transfer with the student.

The Commission recognized that the school has implemented a consortium agreement for distance education and articulation agreements for residential courses between campuses and that all campuses offer the same courses. However, while the school has established agreements so that there is no need to evaluate a course when one school accepts a transfer student from another school, the schools must have a process and a transcript that identifies the **accepting** campus and the campus granting the degree even among affiliated schools. In addition, the procedures do not make clear whether the accepting campus executes an enrollment agreement for each CEHE-affiliated school or how the student is accepted and enrolled from one CEHE school into another.

With regard to the accuracy and clarity of the way in which credits earned via the consortia and articulation agreements on schools’ transcripts, CEHE stated:

Based on ACCSC’s feedback, CEHE added functionality to CampusVue to enable CEHE to develop customized transcripts that would make clear which courses were taken at what location and which courses were transferred, along with the dates each course was taken.

The response includes a copy of the policies and procedures for issuing official transcripts, as directed. “PD 360 – Pulling transcripts from CampusVue,” indicates that the schools issue two types of transcripts, Student-Based Transcripts and Program-Based Transcripts. The policy explains this as follows:

Student-Based Transcripts

Transcripts are most commonly generated as Student-Based. A Student-Based transcript provides a list of all courses that a student has attempted and completed. Any transfer credit awarded from an outside institution [emphasis added] is listed at the top of the transcript. All other courses are listed in chronological order.

Program-Based Transcripts

Transcripts may also be generated as Program-Based. A Program-Based transcript is for a single program attempted or completed by a student. A program-based transcript is sometimes generated for students who have enrolled in multiple programs throughout their time as a student. For these, a particular program is selected when generating the transcript and it will only show courses the student has completed that are required for that specific program. The most common scenario for which this is done is for students who have completed both

undergraduate and graduate programs and wish to have a transcript that shows only one or the other. As with the student based transcript, the program-based transcript lists any transfer credit awarded from an outside institution at the top of the transcript and all other courses are listed in chronological order.

The transcripts samples provided in the response are not specific to any school, rather listing all CEHE brands across the top and then courses at various locations in the body of the transcript. While CEHE has revised the transcripts to identify the campus location where each course was taken, there is no clear identification of the transfer from/to campuses - the **accepting** campus and the campus granting the degree. The absence of this information prevents the schools from demonstrating adherence to internal policies and compliance with accrediting standards. The following are examples of the Commission’s findings and concerns.

- The response includes an exhibit for a “Custom transcript sample,” for [REDACTED]. The transcript lists all CEHE brands at the top (IU,SHC, CA and CCSD) and lists courses completed at each campus showing:

Enrollment Dates: 11/27/2017 - 7/21/2018

Campus: CollegeAmerica Colorado Springs Campus

Program: Associate of Applied Science in Business Management and Accounting

Credits Attempted: 41.50

Credits Earned: 41.50

Enrollment Dates: 7/23/2018 - 11/21/2018

Campus: CollegeAmerica Denver Campus

Program: Associate of Applied Science in Business Management and Accounting

Credits Attempted: 13.50

Credits Earned: 6.00

At the end of the transcript, there is a *Total Credits Earned and Attempted by Program*, 47.50 and 55.00 respectively, and *Credentials Awarded* [none listed]. Based on the enrollment dates it would appear that the student started at CA-Colorado Springs and then transferred to CA-Denver, making CA-Denver the accepting school and the school that would have granted a credential if earned, but the transcript does not make this clear.

- The transcript for [REDACTED] also lists all CEHE-brands at the top and lists courses completed at each campus, showing:

Enrollment Dates: 11/14/2016 - 9/29/2017

Campus: CollegeAmerica Colorado Springs Campus

Program: Associate of Occupational Studies in Medical Specialties

Credits Attempted: 56.5

Credits Earned: 49.50

Enrollment Dates: 2/5/2018 - 4/30/2018

Campus: CollegeAmerica Denver Campus

Program: Associate of Occupational Studies in Medical Specialties

Credits Attempted: 20.00

Credits Earned: 13.00

Based on the enrollment dates it would appear that [REDACTED] started at CA-Colorado Springs and then transferred to CA-Denver, making CA-Denver the accepting school and the school that would ultimately grant the credential but the transcript does not make this clear.

- The transcript for [REDACTED] lists 20 transfer credits which appear to be credits by examination, labeled as “Pass by Exam;” however, the transcript does not indicate which CEHE-affiliated school accepted the credits. The next section lists Stevens Henagar Online, as listed below, which may be the accepting school; however, the transcript does not make that clear. Subsequent sections of the transcript list the following:

Enrollment Dates: 9/19/2016 - 5/13/2017

Campus: Stevens Henager College Online

Program: Bachelor of Science in Computer Science with an Emphasis in Software and Mobile Applications Development

Credits Attempted: 36.50

Credits Earned 36.50

Enrollment Dates: 9/17/2018 - 11/18/2018

Campus: California College San Diego

Program: Associate of Science in Respiratory Therapy

Credits Attempted: 8.00

Credits Earned: 8.00

In addition, with regard to the *Total Credits Earned and Attempted by Program* it is not clear how the distribution of credits was determined. The transcript lists the following:

Total Credits Earned and Attempted by Program

Program: Bachelor of Science in Computer Science with an Emphasis in Software and Mobile Applications Development

Credits Earned: 44.50

Credits Attempted: 44.50

Program: Associate of Science in Respiratory Therapy

Credits Earned: 36.00

Credits Attempted: 16.00

Credentials Awarded [none listed]

Overall, these examples show that the transcript appears to be a CEHE corporate transcript, rather than a transcript issued by an individual campus. The transcript does not identify the school in which the student is enrolled in at any given time. The transcript is not set up to make clear, in cases where more than one CEHE-school is listed, which CEHE campus is granting the degree therefore does not make clear that 25% of the education was received at that school. The Commission realizes that there is no evaluation of the course for affiliated schools; however, the schools must document the transfers to/from affiliated schools. Also, in cases where credits were accepted from a non-CEHE school, the transcript does not indicate which CEHE school is accepting the credits. The transcript lists all credits and names of the non-CEHE schools at the top of the transcript but since the transcript is not specific to any school, there is no way to determine which CEHE-school accepted those outside credits. Accordingly, CEHE has yet to demonstrate that transfers of credit are appropriately documented and that the schools provide a clear record of educational delivery for the student.

Therefore, the Commission directs CEHE to revise the policies and procedures for accepting and documenting transfers of credit on transcripts and enrollment agreements, if applicable, among its schools as well as the acceptance of outside credits to a specific CEHE campus. Operationalizing this will be important for item #2 of this letter as well which focuses on the transfers of students among campuses as reported on the G&E Chart.

Based on the foregoing, the Commission directs CEHE to submit the following:

- a. A detailed description and revised internal policy for how the schools document acceptance and transfers of credits from non-CEHE schools and among the affiliated schools including the enrollment agreement and credentialing process. The policy should also detail how the schools ensure that 25% of the credits required are completed at the specific CEHE campus awarding the degree;
 - b. A list of the five most recent withdrawals or transfers to other institutions and five most recent graduates (including students that transfer to other CEHE-affiliated institutions); and
 - c. A copy of the official transcript for each formerly enrolled student listed above and a copy of the degree credential for each graduate.
10. CEHE must demonstrate that the number of credit hours attempted in each 16-week term conforms with standard academic practice and supports achievement of program objectives (*Section II (A)(3)(e)(ii), Substantive Standards and Appendix III, Standards of Accreditation*). At issue is the number of credits students are expected to complete in a term. Specifically, in the September 6, 2018 Probation Order the Commission noted that attempting 30 quarter credits in a 16-week term requires the student to engage in schoolwork a minimum of 54 hours a week, and attempting 40 quarter credits in a 16-week term requires the student to engage in a minimum of 75 hours of schoolwork each week. The Commission was not persuaded that these extraordinary requirements of student engagement over the course of a 16-week term is feasible.

CEHE's response states that "[w]e are pleased to respond to this item as this was not brought up in any of the team summary reports. We will address the above information and will also make changes to our policies and processes to address concerns the Commission may have." According to the response: "[w]e found that some campuses were in fact overscheduling students for certain programs and in certain situations. Once this issue was uncovered a detailed analysis was conducted to determine the causes and the solution to this issue." CEHE noted that the seven students identified in the System-Wide Probation Order were all students at California College San Diego as follows:

- Five students enrolled in the Respiratory Therapy (BS) program had undergone a revision in 2016 based on suggestions from the programmatic accreditor (CoARC) that added additional credits to the program with the length of the program remaining unchanged.
- Two students were receiving benefits through the Veterans Administration. The response states that "[v]eteran students often request to increase their course load to maximize their veteran education benefits." One student "chose to take courses at an accelerated pace" and the other student "was required to take at least 4 credits per module to keep his VA benefits."

According to the school's summary, the students for whom the school provided transcripts have all now graduated. CEHE noted, in summary, that "[a]lthough the assessment indicates that the overload did not affect these students, CEHE believes that changes need to be made and the processes outlined

above will help increase student retention in general.” The response describes the following three solutions that CEHE has implemented:

1. Extended the length of the Respiratory Therapy programs to 24 months for the AS program and 40 months for the BS program.
2. Formalized the process allowing students to “fast track.” Students wishing to adjust their course schedule and take fewer than 18, or more than 22, credits per term may request either the Slow Track or the Fast Track option, respectively. Students must formally request the option they want, meet the specified criteria, and receive Academic and Financial approval prior to implementation.
3. Redesigned all courses so they are 5 quarter credits each. Under the new model, students will take a total of 20 credits during each 16-week term (four courses of four weeks duration). The School of Business degree programs have been redesigned and approved by the Commission. The school of Graphic Arts programs are currently being revised, and are expected to be available in April 2019. The School of Healthcare programs are being revised and are expected to be available in Fall 2019. All other programs are expected to be available by Spring 2020.

It appears that CEHE has designed a plan of action that will address the Commission’s questions regarding the requirements of student engagement over the course of a 16-week term. The Commission is interested in documentation regarding the formalized process to approve the “Slow and Fast Track” options and evidence that the schools’ decisions in these areas support student success. In addition, the Commission is interested in monitoring the ongoing conversion of the remaining programs to the 5-credit course model.

Based on the foregoing, the Commission directs CEHE to submit the following:

- a. Documentation regarding the formalized process to approve the “Slow and Fast Track” options, as follows:
 - i. A list of the 20 students from across all schools that made the most recent requests for either the “Slow Track” or “Fast Track” option;
 - ii. A copy of the formal request for the “Slow Track” or “Fast Track” option from each student listed above;
 - iii. Documentation to show that each student listed above meets the specified criteria to engage in the “Slow Track” or “Fast Track” option;
 - iv. A copy of the Academic and Financial approval of the “Slow Track” or “Fast Track” option; and
 - v. An analysis of the academic progress of each student listed above that was approved for the “Fast Track” option; and
 - b. A narrative regarding the status of the implementation of 5-credit course model as outlined in the response, and an updated plan of action, if the plans have changed.
11. CCSD-San Marcos must demonstrate that the school adheres to the course prerequisite requirements as stated in the catalog and that any exceptions made in accordance with CEHE policy must be documented (*Section IV (C)(1)(a), Catalog Checklist Item #14, Substantive Standards, Standards of Accreditation*). In the October 17, 2018 Team Summary Report (“TSR”), the on-site evaluation team noted that with regard to course sequencing, the catalog states “all colleges reserve the right to vary the

order in which courses are offered within each program.” According to CCSD, students can progress through the programs in different sequences as long as they adhere to the prerequisites denoted in the course descriptions. Students may complete an advanced course without a stated prerequisite with documented approval of the Dean. However, in review of 15 student transcripts, the team found two students that took an advanced course before completing the prerequisite without documented approval from the Dean.

In response to the TSR, CCSD stated that the Associate Dean spoke with the students cited in the TSR and provided approval for an advanced course to be taken before completing the prerequisite; however, the paper approval form was not saved in the students’ file as required by the school’s policy. The school stated that there was not a standardized procedure for approving requests for exceptions to the prerequisite requirements and therefore CEHE created a new Procedure Directive regarding appropriate reasons for approving an exception. The response includes the December 28, 2018 Procedure Directive for the Pre-requisite Exception Process which states:

A student may request an exception to a prerequisite course from the Associate Dean of the program or from the campus Dean. When requesting an exception, the student must complete the attached Prerequisite Exception Form and include supporting documentation, as necessary, to support the exception request.

Acceptable reasons for a prerequisite exception may include:

- *Prior work experience in the subject area*
- *Previous courses with similar subject matter, even if the previous course did not warrant transfer credit*
- *Certifications in that subject*
- *Military training in that subject*

The response includes a blank Prerequisite Exception Request form that is used to document the student’s request and the approval by the Associate Dean and Dean. The Commission is interested in how often the CEHE-affiliated schools grant exceptions to course prerequisite requirements, evidence that the process is documented, and an assessment of the impact of these exceptions on students’ academic progress through the program.

Based on the foregoing, the Commission directs CCSD-San Marcos to submit the following:

- a. A list of students granted an exception to the required course prerequisite, by school, in the first six months of 2019;
 - b. Documentation of the approval process, including transcripts, for each student listed above;
 - c. An assessment of the number of exceptions granted in context of the entire student population; and
 - d. An assessment of the impact of taking coursework out of the recommended sequence on the ability of each student to satisfactorily progress through the program.
12. CCSD-San Marcos must demonstrate that the school has and enforces consistent policies and procedures with regard to independent study (*Section I (A)(1)(d), Substantive Standards, Standards of Accreditation*). In the October 17, 2018 TSR, the on-site evaluation team noted that the school has a “directed study” policy that was defined in different ways to the on-site evaluation team during the on-site evaluation. In response to the TSR, the school provided a revised Procedure Directive for “Directed

or Independent Study.” The policy begins with the following statement: “[d]irected or Independent Study can be offered when a course is not available at the time a student needs that particular course to stay on track for graduation or to meet a pre-requisite requirement.” In a subsequent section, the policy states that “Directed study is ONLY used for two reasons:” as follows:

1. *The student must be temporarily but unavoidably absent due to such things as accident, illness, maternity or disability.*
2. *The student needs to repeat or complete a course, which is not regularly scheduled, in order to graduate, and the course cannot be taken at any other date.*
3. *Students may only take directed study for 10% of the total program. Externships, Capstones and Practicums are not considered directed study and are not included in the 10% calculation.*
4. *Directed study is not to be used for courses with enrollment of more than two students. A regular courses schedule is required for courses with three or more students.*

The Commission found, that in one section of the policy, the schools allow students to engage in independent/directed study in only one circumstance and in another section, there is an allowance for two circumstances. In addition, upon review the catalog presentation of the policy as compared to the Procedure Directive mentioned above, the Commission noted that although the catalog policy states that “[d]irected Study is offered when a course is not available at the time a student needs that particular course to stay on track for graduation or to meet a pre-requisite requirement,” the catalog does not include the provision that students that are “temporarily but unavoidably absent due to such things as accident, illness, maternity or disability” are also allowed to engage in independent/directed study.

In addition, the on-site evaluation team found that CCSO did not demonstrate that students engaged in independent study have acquired the knowledge, skills, and/or competencies that are at least equivalent to those acquired by the students enrolled in traditional courses (*Section II (A)(10)(b), Substantive Standards, Standards of Accreditation*). In response to the October 17, 2018 TSR, the school stated:

Upon review of this situation, the campus realized that these courses were not taught in a way that allowed the students to have enough practice to fulfill the course objectives for both lab courses. Because of the hybrid nature of the course delivery the instructor was able to provide the 40 hours of didactic instruction through the Learning Management System (LMS) Canvas. This provides enough knowledge but the practice needed during the lab portions should have been more robust even though the smaller class size allows each student to have a greater amount of personal attention from the instructor while practicing each procedure.

The implementation of the revised Procedure Directive (PD54R) corrects the issue of multiple students in a directed study. The Campus has been retrained regarding lab hours in a directed study format and the Compliance department will be conducting audits to ensure that all of the lab hours are completed.

Although the response indicates that the new policy allows each student to receive more personal attention from the instructor, the Commission is interested in ensuring that faculty are qualified to administer courses via Independent Study. The response above indicates that the school intends to conduct internal audits and therefore the Commission is interested in reviewing the results of those audits to ensure compliance and understanding of the new policy.

Based on the foregoing, the Commission directs CCSD-San Marcos to submit the following

- a. A revised Independent Study policy which makes clear when this method of instruction is used by the school and a copy of the Internal Procedure Directive and the policy as listed in the catalog and
 - b. An update on the implementation of the new procedures and a copy of the internal audit results conducted since implementation.
13. SHC-St. George did not demonstrate that the school has and enforces an acceptable policy of student attendance that promotes sufficient levels of student attendance such that the required knowledge, skills, and competencies can be reasonably achieved (*Section VII (A)(3)(b), Substantive Standards, Standards of Accreditation*). In the October 17, 2018 TSR, the on-site evaluation team noted that SHC-St. George’s catalog provides a detailed description of attendance requirements for the online portions of the school’s blended-delivery courses, but does not provide sufficient detail regarding attendance requirements for the on-ground components of the courses. The catalog states that “[s]tudents should be present and on time for all classes,” and “excessive absenteeism or tardiness will result in administrative action.” However, the policy does not define what levels of absence are considered excessive, or what actions will be taken in response to student absences, except for the specific case of automatic dismissal if a student is absent for 14 consecutive days.

In response to the TSR, the school stated that “the attendance policy has been revised to include levels of attendance and detail regarding attendance requirements and actions taken for the blended delivery courses.” The Commission found that the new policy still does not provide sufficient detail regarding required attendance levels for the residential courses. Specifically, the response includes a revised catalog attendance policy and a revised Procedure Directive.

The revised Catalog states, in part, the following:

Should a student not attend any classes during the first week of their first module, the Institution will take administrative action, which may include termination from the course or program. Students who are absent during the first week of any subsequent module must communicate with their instructor and discuss any issues they may have that will impede his/her success. Students who are absent more than three days in any module will meet with their instructor to discuss any academic or outside issues causing the absences. Students who are absent more than 50% of any module will be sent a warning from the Dean that they are in jeopardy of failing the course. If a student does not post any attendance for 14 consecutive days, he/she will be dropped from school.

The Procedure Directive provides for the most part the same attendance policies, however, the Procedure Directive also indicates in part that,

Students who are absent during the first week of the first module may be cancelled from the program unless extenuating circumstances exist.

Certain courses may have more strict attendance policies if required by the state or programmatic accreditation. These policies supersede the general attendance policy and are available through the Associate Dean of the specific program.

The Commission noted that the attendance policy disclosed in the catalog includes four provisions: The first is for students in the first week of the first module and the policy indicates that administrative action “may” include termination from the course or the program if the student does not attend any

classes in the first week of the module. The Commission found that this statement does not make clear the circumstances in which the school terminates a student. The consequences for an absence in the first week of any subsequent module or more than three days in any module is that the student must communicate with the instructor to discuss issues. Students who are absent from 50% of a module are sent a warning notice, however, the policy does not define the terms and conditions of the warning period and consequences if the student does not meet those conditions. In addition, the Commission found that the response does not explain how the school's policy of requiring a 50% attendance rate promotes sufficient levels of student attendance such that the required knowledge, skills, and competencies can be reasonably achieved. Lastly, the Procedure Directive indicates that there are other "more strict" policies for some programs that must be obtained from the Associate Dean of a specific program. The Commission found that the response does not make clear that all attendance policies are disclosed to students prior to enrollment (ACCSC Catalog Checklist, Item #15).⁸

Based on the foregoing the Commission directs SHC-St. George to submit the following:

- a. A revised attendance policy and procedure directive that clearly define what levels of absence are considered excessive, the actions that the school will take at each level including advisement, warning, probation if applicable, and termination;
 - b. An explanation as to how the revised policy promotes sufficient levels of student attendance such that the required knowledge, skills, and competencies can be reasonably achieved; and
 - c. Documentation demonstrating that the full attendance policy is disclosed to students in the catalog.
14. CCSD-San Diego must demonstrate that instructional materials and equipment are sufficiently comprehensive and reflect current occupational knowledge and practice (*Section II (A)(5)(a), Substantive Standards, Standards of Accreditation*). In the September 6, 2018 Probation Order, the Commission directed the school to provide information regarding the Computer Technology and Networking, Computer Programming and the Computer Science programs including review and commentary by the Program Advisory Committee ("PAC") and CCSD's own assessment of equipment and plan for ongoing improvement.

CCSD-San Diego provided a grid that includes program objectives, a list of instructional materials and equipment needed to accomplish each objective, equipment present in the CCSD labs, and notes regarding the PAC review and assessment of equipment. The school's plan for ongoing improvement in this area, is stated as follows:

California College San Diego (CCSD) is in the process of becoming a Cisco Network academy before the end of the first quarter in 2019. Becoming a Cisco Network Academy will improve the overall quality of the Computer Science Degree program with Networking Information Systems Security emphases. Requirements to become an associate of Cisco Academy includes having current required equipment, having qualified staff, and implementing and offering Cisco's Net Academy Canned online classes.

CCSD has acquired 8 sets of equipment, fulfilling Cisco's requirements for hardware. Preliminary stages of staffing qualified instructors are in process. When qualified instructors

⁸ The Catalog Checklist states: *If any item is not included [in the catalog], the catalog must refer to the supplement/addendum which contains the item and the supplement/addendum must refer to the catalog. The supplement/addendum must contain the school's name and location and the effective date of the supplement/addendum.*

are on-boarded, the school will apply for Cisco's NET Academy. After completing hardware, staffing, and final application requirements, CCSD will become a Cisco Network Academy.

The Commission noted that while the narrative response refers to improvements for the Computer Science Degree program, the Commission is interested in specific assessment and plans that relate to the Computer Programming and Computer Technology and Networking programs. In addition, the Commission has interest in reviewing evidence of the school's progression toward becoming a Cisco Network Academy and how this step is improving the Computer Science program through a review by the PAC.

Accordingly, the Commission directs CCSD-San Diego to submit the following:

- a. A description of CCSD's most recent assessment of equipment and instructional materials for the Computer Programming and Computer Technology and Networking programs;
 - b. An updated on the process of becoming a Cisco Network Academy including proof of this achievement if completed; and
 - c. Minutes of a PAC meeting for the Computer Programming and Computer Technology and Networking programs that include the titles and affiliations of the PAC members, a detailed description of the specific review and commentary of the PAC regarding the implementation of the Cisco Network Academy and how this approach is improving the program.
15. CCSD-San Marcos must demonstrate that the school is in compliance with all applicable state requirements (*Section I (B)(2)(a)(ii), Rules of Process and Procedure, Standards of Accreditation*). In the October 17, 2018 Team Summary Report ("TSR"), the on-site evaluation team noted that the school's enrollment agreement is not in compliance with Section 94907 of the California Private Postsecondary Education Act of 2009, which states that "[a]n enrollment agreement shall not contain a provision that requires a student to invoke an internal institutional dispute procedure before enforcing any contractual or other legal rights or remedies." In response to the TSR the school stated,

In order to become compliant with all applicable state requirements the campus has reviewed the CCSD Enrollment Agreement with in-house counsel. There are no provisions in the Agreement that expressly require a student to participate in the internal institutional dispute procedure, the language merely suggests that the student should follow the arbitration agreement. (See Exhibit 13.b – Revised CCSD Enrollment Agreement)

The Commission found that while the response refers to a revised enrollment agreement, it is not clear if any changes have been made. In addition, although the school's in-house counsel has reviewed the policy, the response does not demonstrate that the policy meets the requirements of the California Bureau for Private Postsecondary Education ("BPPE"). Therefore, the Commission directs CCSD-San Marcos as well as its main school which is also in California, CCSD-San Diego (#M001073), to submit evidence that the BPPE has reviewed and approved of the Dispute Resolution/Arbitration Agreement provision in the schools' Enrollment Agreement.

16. CEHE must demonstrate that the schools are in compliance with all applicable state requirements (*Section I (B)(2)(a)(ii), Rules of Process and Procedure, Standards of Accreditation*). In addition, CEHE must demonstrate that the schools notify ACCSC of any material event or circumstance that will or could affect the school's operations, policies, staff, curricula, reputation, approval status, or authority to operate as a legal entity, or financial status. Such notification must be in writing, made within 10

calendar days of the event's occurrence, and is in addition to disclosures that are required in the applications for initial or renewal of accreditation or any substantive change report. Material events include any grant of accreditation by another accrediting agency or any issued Warning, Show Cause Order, imposition of Probationary status, or denial or withdrawal/revocation of accreditation by another accrediting agency; and voluntary withdrawal/relinquishment of accreditation from another accrediting agency. Notification reports required by this section of the *Rules* will be supplemental to, and not in lieu of, any other report or filing that may be required by these *Rules* (*Section V (E) Rules of Process and Procedure, Standards of Accreditation*).

At issue is that there have been actions taken by the Commission on Accreditation for Respiratory Care (CoARC) regarding Respiratory Therapy programs offered at some CEHE schools. The schools have not appropriately informed the Commission of such actions, and the Commission requires more information regarding the impact of these actions on students as set forth below.

Independence University

Although the school mentioned in its 2018 Annual Report that the Respiratory Therapy program is on Probationary status with CoARC, this is considered a material event that requires a separate notification in addition to the Annual Report. The Commission also noticed the status of the program is not consistently reported on the school's 2018 Annual Report, the school's website, and the CoARC website as set forth below.

- In the 2018 Annual Report the school stated:

The Respiratory Therapy program is on Probationary status due the 80% exam participation requirement. The University is due to report our progress in January for a March assessment by CoARC. A seven part plan has been implemented to increase participation including entry requirements through Licensure workshops.

- The COARC website states:

*At its November 2016 meeting, the Commission on Accreditation for Respiratory Care (CoARC) initially conferred **Probationary Accreditation** for the AS Degree Entry into Respiratory Care Professional Practice Program sponsored by Independence University. Probation is a public status and, therefore, the information provided below is in accord with the Commission's policy on release of information (see CoARC Policy 11.05D). **The Program has been granted an additional one (1) year probation period which will expire at the CoARC November 2018 meeting. Please keep in mind, Probationary Accreditation cannot exceed a period of two (2) years.***

- The school's website states the following with regard to CoARC accreditation: "[t]he Associate of Science in Respiratory Therapy program has been placed on Probationary Accreditation as of November 2013."

Stevens Henager - Murray

The status of the Respiratory Therapy program is not clear or consistent based on the 2018 Annual Report, the CoARC website, and the school's website as set forth below.

- With the 2018 Annual Report, there is no mention of an adverse CoARC action.
- There is no Probation action listed on the CoARC website.

- The school’s website indicates the program is on Probation, as follows: “[t]he Associate of Science in Respiratory Therapy program at the Murray campus has been placed on Probationary Accreditation as of November 2013. <https://www.stevenshenager.edu/about-us/accreditation>

CCSD-San Marcos

In a letter dated February 5, 2019, CoARC accepted CCSD-San Marcos’ voluntary withdrawal of accreditation and sent ACCSC a copy of that letter. The letter states the following:

*The Commission on Accreditation for Respiratory Care (CoARC) has received your letter requesting the voluntary withdrawal of the AS Degree Respiratory Care program at California College San Diego-Satellite in San Marcos, CA. As requested, your program will be considered a **voluntary withdraw** effective **January 30, 2019**.*

Please note that all students who were matriculating in the program at any time during the program’s accreditation are considered graduates of a CoARC accredited program.

There is no record of a notice from CCSD-San Marcos to ACCSC regarding this decision. In addition, the Commission requires that schools provide information as to the impact of this action on students and the program. Specifically, although it appears that current students will graduate from a CoARC-accredited program, the school has not submitted any notice to discontinue this program with ACCSC or informed ACCSC whether the school intends to continue offering this program and if so, the impact on the employability of graduates.

Based on the foregoing, the Commission directs CEHE to submit the following:

- a. An update as to the current CoARC-accredited status of the Respiratory Therapy programs offered at the above schools and documentation from CoARC of that status;
 - b. An explanation regarding the impact of CoARC Probationary status on current and future students;
 - c. Evidence that the schools informed ACCSC of any actions taken regarding CoARC accreditation or an explanation as to why the school did not inform ACCSC as required; and
 - d. An update on the AS Degree Respiratory Care program at CCSD-San Marcos including an ACCSC Programmatic Teach-Out Plan to discontinue the program or if the school intends to continue offering the program, demonstrate how students can benefit and gain employment in the field upon graduation without CoARC accreditation.
17. CEHE must demonstrate that the schools are in compliance with all applicable federal, state, and local government requirements (*Section I (B)(1)(e)(iii), Rules of Process and Procedure, Standards of Accreditation*). At the November 2018 meeting, the Commission reviewed the October 1, 2018 Litigation and Advertising Report submitted by CEHE regarding the complaints filed by the U.S. Department of Justice (“DOJ”) and Colorado Attorney General’s Office (“COAG”). As the matters were still pending final resolution, the Commission decided to consider any further updates at the next review. On January 8, 2019, CEHE provided another update which indicated that there have been no new developments since the October 1, 2018 Report. Subsequently, on January 23, 2019 CEHE provided an update on the DOJ matters which the Commission reviewed at the February 2019 meeting. CEHE’s January 23, 2019 letter indicates that with regard to the False Claims Act complaint filed against CEHE by the DOJ, the district court judge issued a new opinion and that the scope of the claims against CEHE have been “dramatically reduced and narrowed in scope... [a]dditionally, the ability of

the Relators to pursue claims beyond the limited claims that the Government intervened upon has been denied.” The letter lists the following details:

On January 14, 2019, the court ordered the following:

- 1. CEHE’s Motion for Leave to Take Judicial Notice was granted.*
- 2. CEHE’s Motion to Dismiss the Government’s Amended Complaint in Intervention was granted in part and denied in part. The court dismissed with prejudice the Government’s claims under the False Claims Act to the extent they are based upon its G5 certification theory of liability. The court denied the remainder of the motion to dismiss.*
- 3. CEHE’s Motion to Dismiss Relators’ Fourth Amended Complaint was granted in part and denied in part. The court dismissed with prejudice the Relators’ second cause of action based upon G5 certifications and the third cause of action based upon required management assertions in CEHE’s annual audits. The court also dismissed portions of the Relators’ first cause of action based upon the Colleges’ Program Participation Agreements (“PPAs”) with the Department of Education.*
- 4. Perhaps most importantly, the court found that the Government’s Complaint in Intervention superseded the Relators’ amended complaint and that any pleadings subsequently filed by the Relators lacked legal effect. Therefore, the court ordered that Relators’ Second Amended Complaint, Third Amended Complaint, and Fourth Amended Complaint be stricken.*

As a final action, the court ordered that if there are further amendments to the complaint, the Government must file a motion to amend no later than February 4, 2019. The Commission noted the court’s ruling, however, given the open status of the aforementioned legal matters, the Commission determined that further monitoring is warranted. Therefore, the Commission directs CEHE to submit the following:

- a. An update and final determination, if available, regarding the complaint filed by the U.S. Department of Justice;
- b. An update and final determination, if available, regarding the complaint filed by the COAG; and
- c. Any other information or documentation regarding any pending or final litigation matters with respect to any CEHE-affiliated school.

PROBATION REQUIREMENTS:

In cases where the Commission has reason to believe that a school is not in compliance with accreditation standards and other requirements, the Commission may, at its discretion, place a school on Probation. A school subject to a Probation Order must demonstrate corrective action and compliance with accrediting standards. **Failure of the school to demonstrate compliance with accrediting standards or other accrediting requirements by the due date set forth herein may result in a revocation of accreditation action.**

The Commission will not consider substantive changes, a change of location/relocation, or additions (i.e., separate facilities, new programs) to a school or its separate facilities while the school is on Probation. However, a school that is subject to Probation may seek the Commission’s approval for the transfer of

accreditation that would result from a change of ownership as described in *Section IV, Rules of Process and Procedure, Standards of Accreditation*.

In accordance with *Section X, Rules of Process and Procedure, Standards of Accreditation*, a summary of the Probation Order is made public and provided to the U.S. Department of Education, appropriate State agencies, and appropriate accrediting agencies. Moreover, in accordance with *Section X (C)(6), Rules of Process and Procedure, Standards of Accreditation*, the Commission has notified the U.S. Department of Education of this action pertaining to the findings related to the school's federal financial aid responsibilities.

In accordance with *Section VII (L)(8), Rules of Process and Procedure, Standards of Accreditation*, a school subject to a Probation Order must inform current and prospective students that the school has been placed on Probation and that additional information regarding that action can be obtained from the Commission's website.

MAXIMUM TIMEFRAME TO ACHIEVE COMPLIANCE:

Based on *Section VII (M), Rules of Process and Procedures, Standards of Accreditation* and the schools' longest program of more than two years, the maximum timeframe allowed for the CEHE-affiliated schools, to achieve and demonstrate compliance with the *Standards of Accreditation* is two years. The timeframe to achieve compliance began as of September 6, 2018 and ends on **September 7, 2020**. Please also be advised that the Commission is under no obligation to wait for the maximum timeframe to expire and may take an adverse action prior to the expiration of the maximum allowable timeframe.

NOTIFICATION TO STUDENTS:

CEHE schools must inform current and prospective students in writing that the school has been placed on Probation and that additional information regarding that action can be obtained from the Commission's website (*Section VII (L)(7) Rules of Process and Procedure, Standards of Accreditation*).

TEACH-OUT PLAN REQUIREMENT:

Given the serious nature of the issues outlined herein, the Commission directs CEHE to provide an updated [ACCSC Institutional Teach-Out Plan Approval Form](#) for each school which must be submitted as part of the response for the items listed above.

RESPONSE REQUIREMENTS:

By applying for accreditation, a school accepts the obligation to demonstrate continuous compliance with the *Standards of Accreditation*. While the Commission employs its own methods to determine a school's compliance with accrediting standards, the burden rests with the school to establish that it is meeting the standards. The Commission's deliberations and decisions are made on the basis of the written record and thus a school must supply the Commission with complete documentation of the school's compliance with accrediting standards.

CEHE must provide a response to the items expressed above that provides the information requested along with any additional information that the school believes supports a demonstration of compliance with accrediting standards.⁹ If the school's response contains documentation that includes personal or

⁹ ACCSC has issued two modules of the **Blueprints for Success Series** – [Organizing an Effective Electronic Submission](#) and [Preparing a Comprehensive Response for Commission Consideration](#) – which provide a framework for submitting a well-

confidential student or staff information that is not required for the Commission’s review (e.g., social security numbers, dates of birth, etc.), please remove or redact that information.

CEHE must upload the school’s electronic response directly to ACCSC’s College 360 Database for each campus. The ACCSC College 360 database can be accessed by [clicking here](#). Please note that the password utilized by the institution to access the Annual Report Portal is the same to access the School Submission section of the College 360 database. The Instructions for College 360 DMS Submissions can be found [here](#). A detailed overview on how to upload a school submission can be found [here](#).

Keep in mind, the school’s response must be prepared in accordance with ACCSC’s Instructions for Electronic Submission (e.g., prepared as one Portable Document Format (“PDF”) file that has been prepared using Adobe Acrobat software (version 8.0 or higher) and which has a .pdf extension as part of the file name). The school will receive an e-mail confirmation that the file has been received within 24 hours of the submission.

The school’s response must also include a signed certification attesting to the accuracy of the information and be received in the Commission’s office **on or before July 1, 2019**. If a response, the required fee,¹⁰ and the certificate of attesting to the accuracy of the information is not received in the Commission’s office **on or before July 1, 2019**, the Commission will consider further appropriate action.

For assistance with the password or for any other questions regarding the electronic submission requirements, please contact [REDACTED]. Please note that any password requests to access College 360 must be made by the school director, or designated member of the school’s management team, via e-mail.

For assistance or additional information, feel free to contact me at [REDACTED].

Sincerely,

[REDACTED]

Michale S. McComis, Ed.D.
Executive Director

Encl: Appendix I

documented, organized, electronic response for Commission consideration. ACCSC encourages the school to review these modules when formulating its response to this letter. More information is available in the [Resources section](#) at www.accsc.org.

¹⁰ ACCSC assesses a \$1,000 processing fee to a school placed on Probation.

**APPENDIX I
 ACCREDITATION ACTIONS CONSIDERED**

School	Accreditation Actions Considered	Materials Considered
California College San Diego (#M001073) San Diego, California	<ul style="list-style-type: none"> • Probation/Renewal of Accreditation /Change of Location • 2018 Annual Report Rates 	<ul style="list-style-type: none"> • September 6, 2018 System-wide Probation Order and the school’s response • November 20, 2018 ACCSC letter and the school’s response
College America (#M070742) Flagstaff, Arizona	<ul style="list-style-type: none"> • Probation/Renewal of Accreditation • 2018 Annual Report Rates 	<ul style="list-style-type: none"> • September 6, 2018 System-wide Probation Order and the school’s response • November 20, 2018 ACCSC letter and the school’s response
CollegeAmerica (#B070743) Phoenix, Arizona	<ul style="list-style-type: none"> • Probation/Renewal of Accreditation • 2018 Annual Report Rates 	<ul style="list-style-type: none"> • September 6, 2018 System-wide Probation Order and the school’s response • November 20, 2018 ACCSC letter and the school’s response
Independence University (#B072309) Salt Lake City, Utah	<ul style="list-style-type: none"> • Probation/Renewal of Accreditation • 2018 Annual Report Rates 	<ul style="list-style-type: none"> • September 6, 2018 System-wide Probation Order and the school’s response • November 20, 2018 ACCSC letter and the school’s response
Stevens-Henager College (#B070581) West Haven, Utah	<ul style="list-style-type: none"> • Probation/Renewal of Accreditation/ Degree Program • 2018 Annual Report Rates 	<ul style="list-style-type: none"> • September 6, 2018 System-wide Probation Order and the school’s response • November 20, 2018 ACCSC letter and the school’s response
Stevens-Henager College (#B070582) Orem, Utah	<ul style="list-style-type: none"> • Probation/Renewal of Accreditation 	<ul style="list-style-type: none"> • September 6, 2018 System-wide Probation Order and the school’s response
Stevens-Henager College (#B070583) Murray, Utah	<ul style="list-style-type: none"> • Probation/Renewal of Accreditation/ Degree Program • 2018 Annual Report Rates 	<ul style="list-style-type: none"> • September 6, 2018 System-wide Probation Order and the school’s response • November 20, 2018 ACCSC letter and the school’s response
Stevens-Henager College (#B070584) Logan, Utah	<ul style="list-style-type: none"> • Probation/Renewal of Accreditation 	<ul style="list-style-type: none"> • September 6, 2018 System-wide Probation Order and the school’s response

School	Accreditation Actions Considered	Materials Considered
Stevens-Henager College (#B072351) Idaho Falls, Idaho	<ul style="list-style-type: none"> • Probation/Renewal of Accreditation 	<ul style="list-style-type: none"> • September 6, 2018 System-wide Probation Order and the school's response
Stevens-Henager College (School #B070764) Boise, Idaho	<ul style="list-style-type: none"> • Probation/ Renewal of Accreditation • 2018 Annual Report Rates 	<ul style="list-style-type: none"> • September 6, 2018 System-wide Probation Order and the school's response • November 20, 2018 ACCSC letter and the school's response
Stevens-Henager College (School #B072360) St. George, Utah	<ul style="list-style-type: none"> • Probation • Renewal of Accreditation • 2018 Annual Report Rates 	<ul style="list-style-type: none"> • September 6, 2018 System-wide Probation Order and the school's response • October 17, 2018 Team Summary Report and the school's response • November 20, 2018 ACCSC letter and the school's response
California College San Diego (School #B072374) San Marcos, California	<ul style="list-style-type: none"> • Probation • Renewal of Accreditation 	<ul style="list-style-type: none"> • September 6, 2018 System-wide Probation Order and the school's response • October 17, 2018 Team Summary Report and the school's response
CollegeAmerica (#B070544) Fort Collins, Colorado	<ul style="list-style-type: none"> • Probation • Renewal of Accreditation and Initial Distance Education • Warning 	<ul style="list-style-type: none"> • September 6, 2018 System-wide Probation Order and the school's response • October 17, 2018 Team Summary Report and the school's response • March 26, 2018 Continued Warning Order and the school's response
CollegeAmerica (#M001507) Denver, Colorado	<ul style="list-style-type: none"> • Probation • Renewal of Accreditation and Initial Distance Education 	<ul style="list-style-type: none"> • September 6, 2018 System-wide Probation Order and the school's response • October 17, 2018 Team Summary Report and the school's response
CollegeAmerica (#B070623) Colorado Springs, Colorado	<ul style="list-style-type: none"> • Probation • Warning/Renewal of Accreditation 	<ul style="list-style-type: none"> • September 6, 2018 System-wide Probation Order and the school's response • March 26, 2018 Continued Warning Order and the school's response