



Accrediting Commission of Career Schools and Colleges

2101 Wilson Boulevard, Suite 302  
Arlington, Virginia 22201  
703.247.4212  
703.247.4533 fax  
[www.accsc.org](http://www.accsc.org)

December 14, 2017

**ELECTRONIC DELIVERY & FEDERAL EXPRESS**

██████████  
President  
American Pathways University  
2227 Franklin Street  
Denver, Colorado 80205

*School #M072460  
Denial of Accreditation*

Dear ██████████

At its November 2017 meeting, the Accrediting Commission of Career Schools and Colleges (“ACCSC” or “the Commission”) considered its previous decision to defer action on the Application for Initial Accreditation submitted by American Pathways University (“APU”) located in Denver, Colorado. Upon review of the Commission’s June 9, 2017 deferral letter and the school’s response thereto, the Commission found that the school failed to meet its burden to demonstrate continuous eligibility for accreditation and compliance with accrediting standards as set forth in *Section I (D), Rules of Process and Procedure, Standards of Accreditation*. Therefore, the Commission voted to deny APU’s Application for Accreditation. (*Section VII (N)(1), Rules of Process and Procedure, Standards of Accreditation*). The history of the Commission’s review of APU’s and the reasons for its decision to deny APU’s application for initial accreditation are set forth below.

**History of the Commission’s Review**

At the May 2017 meeting, ACCSC considered the Application for Initial Accreditation submitted by APU. Upon review of the February 8, 2017 Team Summary Report (“TSR”) and the school’s response to that report, the Commission voted to defer final action on APU’s application until the November 2017 meeting in order to provide the school with an additional opportunity to demonstrate compliance with accrediting standards.

In reaching the decision to defer action on APU’s Application for Initial Accreditation, the Commission found that the school’s response failed to demonstrate compliance with accrediting standards in any of the 20 areas identified in the February 8, 2017 Team Summary Report and did not fully comply with the Commission’s request for additional information required regarding employment verification.

As stated in the June 9, 2017 Deferral Letter:

- Overall, the Commission found that the school’s response failed to demonstrate compliance with accrediting standards in each of the 20 areas identified as a finding in the TSR.
- The Commission found that while APU provided a response to the TSR, that response takes issue with the majority if not all of the Team Observations and the Team Findings expressed in the TSR.
- The Commission found the school’s response to be incomplete, vague, unclear, unsupported, and that it failed to provide the documentation necessary to demonstrate compliance with the ACCSC accrediting standards cited by the on-site evaluation team.
- The school’s response focuses more on how ACCSC and the visiting team got it wrong and that ACCSC should modify and change its approach in accrediting APU, rather than demonstrating how the school is in compliance with ACCSC’s standards as required.

- The Commission informed the school that ACCSC “is not interested in debating the merits, appropriateness, or applicability of the *Standards of Accreditation* with a non-accredited school that has the burden to demonstrate compliance”

Accordingly, the Commission directed APU to submit a revised response which demonstrates, with supporting documentation, the school’s compliance with all referenced accreditation standards.

### **November 2017 Review and Action**

At the November 2017 meeting, the Commission considered the June 9, 2017 Deferral letter and the school’s response to that letter, and found that the school failed to meet its burden to demonstrate continuous eligibility for accreditation and compliance with accrediting standards and requirements as set forth in the *Standards of Accreditation (Section I (D), Rules of Process and Procedure, Standards of Accreditation)*. Overall, the Commission found the school’s response to be incomplete, vague, unclear, unsupported, and did not provide the documentation necessary to demonstrate compliance with the ACCSC accrediting standards. According to *Section I (E)(1), Rules of Process and Procedure, Standards of Accreditation* and as explicitly conveyed to the school in the June 9, 2017 deferral letter:

*By applying for and/or receiving accreditation, a school accepts the obligation to demonstrate continuous compliance with the Standards of Accreditation. While the Commission employs its own fact-finding methods to determine a school’s compliance with accrediting standards, such as an on-site evaluation team’s findings, interim monitoring, and review of information provided by third parties, the burden rests with the school to establish that it is meeting the standards.*

Based upon the Commission’s consideration of American Pathways University’s response to the June 9, 2017 deferral letter, the school failed to meet that burden and failed to provide documentation showing the school’s compliance with accrediting standards. Accordingly, the Commission voted to deny initial accreditation to American Pathways University.

### **Grounds for Denial of Initial Accreditation**

#### 1. APU:

- Failed to provide student achievement outcomes for its programs prepared in accordance with the Commission’s student achievement reporting requirements (*Section I (B)(2)(a)(iv), Rules of Process and Procedure, Standards of Accreditation*);
- Failed to demonstrate that the school completed Graduation and Employment (“G&E”) Charts in accordance with the prescribed requirements and instructions that accompany the chart (*Section VII (B)(1)(b)(ii), Substantive Standards, Standards of Accreditation*),
- Failed to demonstrate that the school supports student achievement rates through verifiable records and documentation of initial employment of its graduates (*Section VII (B)(1)(b), Substantive Standards, Standards of Accreditation*).
- Failed to demonstrate that the school can justify the classification of each graduate as employed in a training related field (*Appendix VII, Substantive Standards, Standards of Accreditation*).
- Failed to demonstrate that the school maintains verifiable employment records in accordance with ACCSC’s Guidelines for Employment Classification (*Appendix VII, Substantive Standards, Standards of Accreditation*).

- Failed to demonstrate that the employment classification is appropriate and reasonable based on the educational objectives of the program (*Appendix VII, Substantive Standards, Standards of Accreditation*);
- Failed to demonstrate that the employment is for a reasonable period of time, is based on program objectives, and can be considered sustainable (e.g., not a single day of employment) (*Appendix VII, Substantive Standards, Standards of Accreditation*); and
- Failed to demonstrate that the employment is directly related to the program from which the individual graduated, aligns with a majority of the educational and training objectives of the program, and is a paid position (*Appendix VII, Substantive Standards, Standards of Accreditation*).

Overall, the Commission found that while the school offers programs grouped into five “schools” of study: Allied Health, Business, Leadership and Management, Ministry, and Professional Studies, and that the school offers 14 different programs at the Associates, Bachelors, and Master’s degree level, the school only provided **one** Graduation and Employment Chart (“G&E Chart”) for the 48 month “Business” program. The Commission also found:

- While the sole G&E Chart indicates that there were 8 students who started in the Business program in July 2017, the supporting documentation provided by the school identifies 7 students.
  - Of the 7 students, it does not appear that they are all “Business” students because APU categorized 2 students as Allied Health; categorized 3 students as Business; and categorized 2 students as Ministry, yet all students are captured on a singular G&E Chart for the 48 month Business program.
  - APU indicated that the students captured on the G&E Chart “are not graduating at this time. However, all are presently employed in the field.”
- APU indicated that there were no starts in the reporting period and submitted a G&E Chart that was not completed correctly – the Report Date for the 48 month program is listed as August 2017 and the sole start date captured on the chart is listed as July 2017. According to ACCSC’s G&E Chart reporting period formula, which is automatically calculated on the G&E Chart, the designated reporting period for a 48 month program using an August 2017 Report Date is August 2011 to July 2012.
- The G&E Chart indicates that all 8 students who started in July 2017 have graduated (July 2018) and are employed in the field, whereas the supporting documentation provided by the school indicates there were 7 students, and that all of the students are unavailable for employment.
  - While the Graduation and Employment Chart captures 8 starts in July 2017, APU indicated that “retention of this period was 54 students (84.4%) of 65 students” and that “Employment is 100% in that all students were employed at the time of enrollment and continue to be employed in the same positions with the same firms.”
- The Commission found that even while considering that the G&E Chart was not prepared in accordance with the prescribed requirements and instructions that accompany the chart, the Commission also noted that supporting documentation indicates the following:
  - Supporting documentation indicates that all 7 students started in July 2017 and “graduated” in July 2018, which is in the future (the G&E Chart only reports past cohorts of students that have had time to complete the program – it does not report on prospective graduation outcomes).
  - APU does not offer a 12 month program.

- The supporting documentation also indicates that all 7 students captured are “unavailable for employment” due to the July 2018 graduation date, which is not an acceptable reason as required by the G&E Chart instructions.<sup>1</sup>

The Commission found that while APU entered the initial accreditation process prior to ACCSC instituting the independent third-party verification requirement, the school elected to engage in a third-party verification process on its own accord. Overall, the Commission found that the information provided by APU regarding the independent verification of employment data to be incomplete, vague, and unclear. For example, according to the information provided by APU, the date of initial employment for 100% (3 of 3) of the graduates captured in the verification process is “unknown.” The Commission further noted that the school did not include any information to justify the classification of each graduate as employed in a training related field; failed to provide any information to demonstrate that the employment is for a reasonable period of time and can be considered sustainable (e.g., not a single day of employment); and failed to provide any information whether the graduate is working in a paid position (*Appendix VII, Substantive Standards, Standards of Accreditation*). For example, the job title included for a graduate from the Allied Health program is listed as “Nurse.” The Commission noted that the school does not offer a Nursing program, and that the school did not provide any information regarding career advancement, or other job responsibilities for this graduate, provided no information about the sustainability of this employment, and provided no information regarding whether this position is a paid position.

2. APU failed to provide any documentation to demonstrate that the disclosure for each program’s graduation and graduate employment rate is accurate and includes the program population base and time frame upon which each rate is based (*Section IV (C)(3), Substantive Standards, Standards of Accreditation*). The Commission found that APU’s response references an 80% graduation rate of degree-seeking and certificate students and a 100% employment rate within 3 months of graduation. The Commission noted that ACCSC has no record of the school offering a certificate program, and that APU failed to disclose student achievement rates in accordance with ACCSC’s requirements to include the population base and time frame upon which each rate is based.
3. APU failed to demonstrate that prior to enrollment the school determines and secures documentation to demonstrate that an applicant meets the school’s admissions requirements (*Section V (A)(4)(a-b), Substantive Standards, Standards of Accreditation*) and failed to provide any documentation to demonstrate that students admitted to associate or baccalaureate degree programs have earned at least a high school diploma or recognized equivalency certificate prior to starting class (*Section V (C), Substantive Standards, Standards of Accreditation*). Specifically, the school’s response indicates that “APU found that it did not have the high school diploma in every [sic] case and is active in securing them.” APU submitted no documentation, however, to show that for each student currently enrolled that school a) determined that admissions were met prior to enrollment; b) secured documentation that admissions criteria were met prior to the student starting class; and c) for students matriculated to associate and baccalaureate degree programs that those students have earned at least a high school diploma or recognized equivalency certificate prior to starting class
4. APU failed to demonstrate that the school furnishes to each student a final copy of the enrollment agreement signed by both parties prior to the student starting class. (*Section IV(B)(2)(d), Substantive*

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<sup>1</sup> According to the G&E Chart, “this category removes from the employment rate calculation graduates who fall into one of the following categories: death, incarceration, active military service deployment, the onset of a medical condition that prevents employment, or international students who have returned to their country of origin.”

*Standards, standards of Accreditation*). APU's response indicates that the students who did not have an enrollment agreement were not required because the student entered the APU program prior to the school making application to ACCSC, and that:

*No degree seeking regular student or certificate-seeking student may take their first course without a signed Enrollment Agreement. The mandate is now made of Regular and Certificate students who matriculated after June 28, 2013. Any oversights are quickly corrected.*

The Commission found that although the one G&E Chart (referenced in #1 above) submitted by APU indicates that the school had a start in July 2017, APU failed to provide any documentation for any current student to demonstrate that in fact the school furnishes to the student prior to the student starting class a final copy of the enrollment agreement signed by both parties.

5. APU failed to demonstrate that the degree programs are comprised of courses with content that is appropriate to the academic level and type of degree awarded (*Section II (C)(1)(b), Substantive Standards, Standards of Accreditation*) and failed to demonstrate that the courses include the appropriate number of didactic hours and, as applicable, the appropriate number of supervised laboratory and/or other hours (e.g., outside work/preparation, externship, etc.) necessary to achieve the program objectives (*Section II A (3)(b), Substantive Standards, Standards of Accreditation*). Overall, the Commission found the school's response did not demonstrate compliance with accrediting standards. For example, APU referenced a series of "500 Level" courses such as GNS 541 Research and Analysis. Although this course includes a parenthetical reference to "sociological method, scientific method, experimental method, statistical methods, hypothesis testing, Karl Popper falsifiability theory," the Commission found that these brief descriptions of the "500 level" courses do not provide sufficient information with regard to course objectives and required competencies consistent with higher-level course work and make no reference to supervised laboratory and/or other hours (e.g., outside work/preparation, externship, etc.) necessary to achieve the program objectives. Furthermore, while the school referenced that the "M.A. is described in the 2016-2017 version of the catalog," APU failed to provide a copy of its catalog. Additionally, the Commission noted that the school's response focuses solely on a "M.A. program" but also noted that the school offers two M.A. programs, Professional Studies: Executive Leadership, and Professional Studies: Professional Educators well as six programs at the Baccalaureate and six programs at the Associates degree level, which are not addressed by the school in its response. As such, Commission determined that APU failed to demonstrate compliance with accrediting standards that require degree programs to be comprised of courses with content that is appropriate to the academic level and type of degree awarded.
6. APU failed to demonstrate that the school informs students of their academic progress at established and specific intervals (*Section VII (A)(3)(a) Substantive Standards, Standards of Accreditation*). Specifically, while the school explained that APU "clarified appropriate policies and procedures," the Commission found that APU did not provide any documentation that the school sends grade reports or other correspondence regarding a student's academic progress at specific intervals within the program.
7. APU failed to demonstrate that the school has probation and termination policies that are defined and published in its catalog (*Section VII (A)(3)(e) Substantive Standards, Standards of Accreditation*). While APU asserted that the school does have a probation and termination policy, the response notes that:

*it is difficult to find because of how it is organized and placed in the Catalog. Policies and procedures are also available for review in the Student Handbook section of the Catalog APU Catalog (January 15, 2017 Edition, pp. 119-139) and the placement and syntax can be confusing— something that APU needs to correct.*

However, APU failed to provide a copy of its catalog and as such failed to meet its burden to show that that required elements are in fact published and disclosed to students.

8. APU failed to demonstrate that the school verifies prior work experience for faculty (*Section III (A)(4), Substantive Standards, Standards of Accreditation*). In its response, APU explained its process for verifying prior work experience and indicated that “[a]ll relevant data on faculty is in their personnel files, and available to any authorized viewer.” However, the Commission found that APU failed to provide any documentation to support its assertions or to demonstrate that the school verifies prior work experience for faculty.
9. APU failed to demonstrate that:
  - The school’s learning resource system includes materials commensurate with the level of education provided and appropriate to the courses of study in sufficient quantity and scope to meet the educational objectives of each program (*Section II (A)(7)(a), Substantive Standards, Standards of Accreditation*);
  - The school’s learning resource system materials are integrated into a school’s curriculum and program requirements as a mechanism to enhance the educational process and to facilitate positive learning outcomes for students *Section II (A)(7)(a), Substantive Standards, Standards of Accreditation*); or
  - The school maintains written policies and procedures for the ongoing development of its learning resource system as part of its institutional improvement program (*Section II (A)(7)(e), Substantive Standards, Standards of Accreditation*).

According to the school’s response, APU indicated that the on-site evaluation team erred in noting that the school’s library consists of a conference room with a few bookshelves at the Denver Rescue Mission. According to APU, the school’s actual library and learning resource system is the Colorado Libraries Cooperate (CLC) Consortium which consists of 39 academic libraries with over 15,000 holdings. Based on the school’s response, the Commission found that APU does not maintain its own learning resource system and is solely relying upon a consortia and interlibrary loan agreements to serve as a learning resource system which does not demonstrate compliance with accrediting standards, particularly noting that the school offers degree programs at the Associates, Bachelors and Master’s degree level.

Further, the Commission found that APU provided no documentation that the learning resource system materials are integrated into a school’s curriculum as required. With respect to the requirement to maintain written policies and procedures for the ongoing development of its learning resource system as part of its institutional improvement program, APU merely indicated that “all of this is appropriately supplied by the operating endowment of the APU Strategic Alliance organizations [*sic*].”

Accordingly, the Commission found that APU provided no evidence that the school meets ACCSC learning resource system requirements set forth in *Section II (A)(7), Substantive Standards, Standards of Accreditation*.

10. APU did not demonstrate that the school publishes a catalog that at a minimum, includes all items listed on the ACCSC Catalog Checklist (*Section IV (C)(1)(a), Substantive Standards, Standards of Accreditation*). APU failed to provide a copy of its catalog.

Based upon the foregoing, the Commission voted to deny initial accreditation to APU in accordance with *Section VII (N)(1), Rules of Process and Procedure, Standards of Accreditation*. In accordance with *Section X, Rules of Process and Procedure, Standards of Accreditation*, the reasons for the denial of accreditation will be made public and provided to the U.S. Department of Education, appropriate state agencies, and appropriate accrediting agencies.

### **Appeal and Reapplication Process and Procedure**

APU may opt to appeal the Commission's decision to deny accreditation or may elect to reapply for accreditation. Details regarding the reapplication and appeal procedures are outlined in the *ACCSC Rules of Process and Procedures, Standards of Accreditation*.

- If APU elects to appeal this decision, the school must sign and return the enclosed Letter of Intent to Appeal a Commission Decision, along with the Appeal Expense Fee of \$6,000.00, **on or before December 28, 2017**.
- If APU elects to appeal this decision, the school's Application for Appeal of a Commission Decision and Grounds for Appeal must be submitted **on or before January 15, 2018**.
- If APU elects not to appeal this decision, the Commission's decision will become effective **December 28, 2017**. The school may submit comments **on or before December 28, 2017** in accordance with the enclosed Public Comment Disclosure Form. Comments submitted by the school will accompany any public disclosure of a final Commission action pursuant to *Section X (D)(4), Rules of Process and Procedure, Standards of Accreditation*.
- In accordance with *Section VII (N)(3) Rules of Process and Procedure, Standards of Accreditation*, the school may reapply no sooner than nine months from the date on which the denial of accreditation becomes effective.

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For additional information regarding the Commission's decision, please contact me directly at

[REDACTED]

Sincerely,



Michale S. McComis, Ed.D.  
Executive Director

Encls: Letter of Intent to Appeal a Commission Decision  
ACCSC Standing Appeals Commission Members  
Public Comment Disclosure Form



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**LETTER OF INTENT TO APPEAL A COMMISSION DECISION**

**To Be Submitted No Later Than December 28, 2017**

Michale S. McComis, Ed.D.  
Executive Director  
ACCSC  
2101 Wilson Boulevard, Suite #302  
Arlington, Virginia 22201

Dear Dr. McComis:

This letter serves to provide notice that American Pathways University “APU” located in Denver, Colorado intends to appeal the recent decision of the Commission to deny the school’s initial accreditation. Attached is a check in the amount of \$6,000 as required by accreditation procedures. I understand that this fee is non-refundable.

I understand that the ACCSC Appeals Commission will meet to consider the appeal of the school and that I will receive final confirmation of the hearing at a later date. I have reviewed *Section VIII, Rules of Process and Procedure* of the *Standards of Accreditation* pertaining to appeals and noted that I am entitled to a transcript of the proceedings and to have representatives, including legal counsel, present with advance notification to ACCSC.

I understand that it is the right of a school to appeal an adverse action taken by the Commission on the grounds that the decision was arbitrary, capricious, or otherwise in disregard of the criteria or procedures of the Commission, or not supported by substantial evidence in the record on which the Commission took the action (*Section VIII (B), Rules of Process and Procedures, Standards of Accreditation*). I understand that because the appeal must be based on evidence in the record at the time that the Commission took the adverse action, no new evidence may be submitted during the appeal process, other than information related to the financial solvency and condition of the school.

I understand it is the right of a school intending to appeal a Commission decision to indicate whether there is good cause as to why any member of the Commission’s Standing Appeal Commission should not hear the appeal. I have reviewed the list of Standing Appeal Commission members and have included with this notice any objections to any member of the Standing Appeal Member with the reasons and cause why I believe a member should not hear the school’s appeal. I understand the absence of a submission with this notice indicates my approval to allow any member of the Standing Appeal Commission to sit for the school’s appeal.

I understand that the Application for Appeal of Commission Decision with the school’s Grounds for Appeal are due to ACCSC **on or before January 15, 2018**, and I agree to submit that material on or before that date. I understand that failure to submit these required documents by the due date could prevent consideration of the school’s appeal.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name/Title





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## ACCSC Standing Appeals Commission Members

<b>Commission Member</b>	<b>Affiliation</b>	<b>Term Ending</b>
Gary Baker	<b>U.S. Department of Education (Retired)</b> Springfield, Virginia <i>Public Member</i>	2019
Paul Bott, Ed.D.	<b>Pacific College</b> Costa Mesa, California <i>Public Member</i>	2020
Nancy Bradley	<b>Daytona College</b> Ormond Beach, Florida <i>School Member</i>	2020
Mary Cano	<b>Western Technical College</b> El Paso, Texas <i>School Member</i>	2018
Paul Fitzgerald	<b>Erie Institute of Technology</b> Erie, Pennsylvania <i>School Member</i>	2019
Lorne P. Gauthier	<b>Northwest Technological Institute</b> Southfield, Michigan <i>School Member</i>	2017
William James	<b>U.S. Department of Education (Retired)</b> Fairfax, Virginia <i>Public Member</i>	2019
Timothy McMahon	<b>Triangle Tech</b> Pittsburgh, Pennsylvania <i>School Member</i>	2020
Kathleen J. Steinberg	<b>Midwest Technical Institute</b> Lincoln, Illinois <i>School Member</i>	2018
Raymond Tuttle, Ph.D.	<b>University of Mary Washington</b> Fredericksburg, Virginia <i>Public Member</i>	2020



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# **PUBLIC COMMENT DISCLOSURE FORM**

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**To Be Submitted No Later Than December 28, 2017**

Michale S. McComis, Ed.D.  
Executive Director  
ACCSC  
2101 Wilson Boulevard, Suite #302  
Arlington, Virginia 22201

RE: American Pathways University  
2227 Franklin Street  
Denver, Colorado 80205

Dear Dr. McComis:

I understand and agree that the Commission, pursuant to *Section X (C)(4)&(D)(4), Rules of Process and Procedure, Standards of Accreditation*, will make public the reasons for the decision together with any comments submitted by the school. I further understand that the summary will be accompanied by the attached comments.

I understand and agree that the attached comments constitute American Pathways University’s public comments on the adverse accreditation action that are to be disseminated with the public notice of the Commission’s adverse accreditation decision including, but not limited to, dissemination to appropriate federal, state and other accrediting agencies and posting to the ACCSC website (*Section X (C)(4)&(D)(4), Rules of Process and Procedure, Standards of Accreditation*).

I understand and agree that the school is not obligated to submit public comments and acknowledge that the attached comments are provided voluntarily.

I understand and agree that the public comments must be in summary format, professional in tone, and free of profanity and calumnious statements. I acknowledge that any comments which do not meet these requirements will not be disseminated or posted along with the summary of the reasons for the adverse accreditation decision.

I understand and agree that the Commission will release its summary of the adverse accreditation decision to the public pursuant to the Commission’s *Rules of Process and Procedure, Standards of Accreditation* and that the school’s written comments will not be added to this disclosure if this form and comments are not submitted in the required format **on or before December 28, 2017.**

I understand and agree that the Commission has no responsibility for how the school’s comments may be used once they are put in the public domain.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name/Title