



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

September 29, 2016

ELECTRONIC DELIVERY & FEDERAL EXPRESS

Winefred Kamunge
Director
Merit Technical Institute
620 Essex Street, 2nd Floor
Harrison, New Jersey 07029

School #M072389
Denial of Accreditation

Dear Ms. Kamunge:

On April 8, 2016, the Accrediting Commission of Career Schools and Colleges (“ACCSC” or “the Commission”) issued a letter to Merit Technical Institute located in Harrison, New Jersey denying the school’s Application for Initial Accreditation and informing the school of its right to appeal that decision. As of the date of this letter, the school has not filed the Letter of Intent to Appeal a Commission Decision as provided in the September 8, 2016 letter from ACCSC. Accordingly, the Commission’s decision to deny Merit Technical Institute a grant of initial accreditation is final effective September 19, 2016 (*Section VII (B)(3), Rules of Process and Procedure, Standards of Accreditation*).

Pursuant to *Section VII (N)(3), Rules of Process and Procedure, Standards of Accreditation*, Merit Technical Institute may reapply for accreditation after a period of nine (9) months and thus may only submit an Application for Initial Accreditation after June 19, 2017. The school will be required to adhere to all applicable application processes set forth in the Commission’s *Rules of Process and Procedure*.

For further information or assistance regarding this matter, please contact me directly at 703.247.4520 or mccomis@accsc.org.

Sincerely,

Michale S. McComis, Ed.D.
Executive Director

c: U.S. DEPARTMENT OF EDUCATION
U.S. Department of Education – New York/Boston SPT
U.S. Department of Education – Administrative Actions and Appeals Division
NJ – New Jersey Higher Education
NJ – NJ Department of Labor and Workforce Development/School Approval Unit



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

September 8, 2016

ELECTRONIC DELIVERY & FEDERAL EXPRESS

Winefred Kamunge
Director
Merit Technical Institute
620 Essex Street, 2nd Floor
Harrison, New Jersey 07029

School #M072389
Denial of Accreditation

Dear Ms. Kamunge:

At the August 2016 meeting, the Accrediting Commission of Career Schools and Colleges (“ACCSC” or “the Commission”) considered its previous decision to defer final action on the Application for Initial Accreditation submitted by Merit Technical Institute (“MTI”) located in Harrison, New Jersey. Upon review of the March 4, 2016 Deferral Letter and the school’s response thereto, the Commission determined that MTI has failed to demonstrate compliance with ACCSC’s accrediting standards. Accordingly, the Commission voted to deny MTI accreditation (*Section VII (P) (1), Rules of Process and Procedure, Standards of Accreditation*). The history of the Commission’s actions in this matter and the reasons for the Commission’s decision to deny MTI accreditation are set forth below.

History of Commission Review

November 2014

At the November 2014 meeting the Commission considered the Application for Initial Accreditation submitted by Merit Technical Institute (“MTI”) located in Harrison, New Jersey. Upon review of the July 9, 2014 Team Summary Report (“TSR”) and the school’s response to that report, the Commission voted to defer final action on MTI’s Application for Initial Accreditation until the May 2015 meeting in order to provide the school with an additional opportunity to demonstrate compliance with accrediting standards. The Commission’s December 18, 2014 Deferral Letter directed the school’s attention to the following areas required by accrediting standards:

1. MTI must demonstrate that members of school management and administrative employees participate in ongoing development and training activities that support their particular roles in the school (*Section I (A)(3), Substantive Standards, Standards of Accreditation*).
2. MTI must demonstrate that the school engages in comprehensive institutional assessment and improvement benchmarking and implementation planning (*Section (B)(2), Substantive Standards, Standards of Accreditation*).
3. MTI must demonstrate successful student achievement by maintaining acceptable rates of student graduation and employment in the career field for which the school provides education (*Section VII (B)(1)(b), Substantive Standards, Standards of Accreditation*).
4. MTI must demonstrate that the school makes refunds in accordance with the school’s published tuition refund policy (*Section I (D)(5), Substantive Standards, Standards of Accreditation*).
5. MTI must provide additional documentation to demonstrate that the school’s learning resource system materials (“LRS”) is integrated into its curriculum and program requirements (*Section II (A)(6)(b), Substantive Standards, Standards of Accreditation*).

6. MTI must demonstrate that the school's faculty engage in ongoing teaching skill and instructional methodology development (*Section III (A)(2), Substantive Standards, Standards of Accreditation*).
7. MTI must demonstrate that students are adequately made aware of the school's student services (*Section VI (A)(1), Substantive Standards, Standards of Accreditation*).
8. MTI must demonstrate that the school has implemented a recruiting/admissions code of conduct (*Section IV (A)(4) and Appendix IV, Substantive Standards, Standards of Accreditation*).
9. MTI must demonstrate that the school conducts internal reviews of the school's recruiting policies and procedures (*Section IV (A)(9), Substantive Standards, Standards of Accreditation*).
10. MTI must demonstrate that all facilities have been properly approved by the Commission (*Section VIII (B)(6), Substantive Standards, Standards of Accreditation*).
11. MTI must demonstrate that the school's enrollment agreement reflects a refund policy that is consistent with the school's catalog (*Section I (D)(6), Substantive Standards, Standards of Accreditation*) and indicates the program start and end dates (*Section IV (C)(2)(a), Substantive Standards, Standards of Accreditation*).

August 2015

At the August 2015 meeting, the Commission considered its previous decision to defer final action on MTI's Application for Initial Accreditation and the Commission again voted to defer final action on MTI's Application for Initial of Accreditation until the February 2016 meeting in order to provide the school with an additional opportunity to demonstrate compliance with accrediting standards. The Commission's September 17, 2015 Deferral Letter directed the school's attention to the following areas required by accrediting standards:

1. MTI must demonstrate successful student achievement by maintaining acceptable rates of student graduation and employment in the career field for which the school provides education (*Section VII (B)(1)(b), Substantive Standards, Standards of Accreditation*).
2. MTI must provide additional documentation to demonstrate that the school's learning resource system ("LRS") is integrated into program curriculum (*Section II (A)(6)(b), Substantive Standards, Standards of Accreditation*).
3. MTI must demonstrate that the school's faculty engage in ongoing teaching skill and instructional methodology development (*Section III (A)(2), Substantive Standards, Standards of Accreditation*).
4. MTI must demonstrate that the school remains attentive to students' educational and other needs (*Section VI (Statement of Purpose), Substantive Standards, Standards of Accreditation*).
5. MTI must demonstrate that the school's personnel are trained and qualified to engage in recruiting activities (*Section IV (A)(5) and Appendix IV, Substantive Standards, Standards of Accreditation*).
6. MTI must demonstrate that all facilities have been properly approved by the Commission (*Section VII (B)(6), Substantive Standards, Standards of Accreditation*).
7. MTI must demonstrate that applicants who have not visited the school prior to enrollment will 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. In addition, all monies paid by an applicant must be refunded if requested within three days after signing an enrollment agreement and making an initial payment. An applicant requesting cancellation more than three days after signing an enrollment

agreement and making an initial payment, but prior to entering the school, is entitled to a refund of all monies paid minus a registration fee of 15% of the contract price of the program, but in no event may the school retain more than \$150 (*Section I (D)(4), Substantive Standards, Standards of Accreditation*).

February 2016

At the February 2016 meeting, the Commission again considered its previous decision to defer final action on MTI's Application for Initial Accreditation and again voted to defer action to the August 2016 meeting to provide the school with "one final opportunity to demonstrate compliance with accrediting standards." In addition, the Commission directed the school to attend another ACCSC Initial Accreditation Workshop. The Commission's March 4, 2016 Deferral Letter directed the school's attention to the following six areas required by accrediting standards:

1. MTI must demonstrate that the school has adequate management and administrative capacity in place (*Section I (A)(1), Substantive Standards, Standards of Accreditation*).
2. MTI must demonstrate successful student achievement through reporting and maintaining acceptable rates of student graduation and employment in the career field for which the school provides education (*Section VII (B)(1)(b), Substantive Standards, Standards of Accreditation*).
3. MTI must demonstrate that the use of the learning resource system ("LRS") materials are integrated into the 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)(6)(b), Substantive Standards, Standards of Accreditation*).
4. MTI must demonstrate that the school's faculty engage in ongoing teaching skill and instructional methodology development (*Section III (A)(2), Substantive Standards, Standards of Accreditation*).
5. MTI must demonstrate that all facilities have been properly approved by the Commission (*Section VII (B)(6), Substantive Standards, Standards of Accreditation*).
6. MTI must demonstrate that the school does not describe in its catalog, advertise, enroll students in, or award credentials for new programs until after receiving prior Commission approval (*Section IV (E)(6)(e), Rules of Process and Procedure, Standards of Accreditation*).

August 2016 Review and Action

1. MTI failed to demonstrate that the school has adequate management and administrative capacity in place to operate an accredited postsecondary institution (*Section I (A)(1), Substantive Standards, Standards of Accreditation*). Although MTI was required to attend two Initial Accreditation Workshops and has been given four opportunities to demonstrate compliance with accrediting standards, the school has failed to make the necessary adjustments to demonstrate compliance in the areas identified below. Thus, the Commission found that the school has not demonstrated adequate management and administrative capacity necessary to operate a school in compliance with accreditation standards such that a grant of accreditation may be awarded. Of particular concern are the recurring issues of student achievement outcomes, employment classification, integration of the school's learning resource system into the curriculum, and an unapproved separate facility. Given that management and administrative capacity was originally noted as a finding in the July 9, 2014 Team Summary Report and remains a concern due to a number of other repeat outstanding issues, the Commission determined that MTI again failed to demonstrate that the school has adequate management and administrative capacity to operate an accredited post-secondary institution.

2. MTI failed to demonstrate successful student achievement through reporting and maintaining acceptable rates of student graduation and employment in the career field for which the school provides education (*Section VII (B)(1)(b), Substantive Standards, Standards of Accreditation*). At issue is MTI’s inability to report student achievement data in accordance with instructions, specifically in the area of classification and verification of graduate employment. In response to the March 4, 2016 Deferral Letter, MTI provided a description of the school’s employment verification procedures and a Graduation and Employment Chart. Using a May 2016 Report Date, the school reported the following graduation and employment rates:

Program	Length in Months	MTI Graduation Rate	ACCSC Benchmark	MTI Employment Rate	ACCSC Benchmark
License Practical Nurse (Certificate)	13	46%	51%	61%*	68%

* The Commission identified five unacceptable classifications. If the four graduates were categorized correctly, the school’s employment rate falls from 73% to 61% and remains below ACCSC’s benchmark.

Based on the foregoing, MTI failed to report a graduation rate for the school’s only program that meets ACCSC’s benchmark graduation rate. Although MTI reported an employment rate that is above benchmark (73%), the Commission determined that the Certified Nurse Assistant positions do not appear to align with the majority of objectives of the Licensed Practical Nurse program. Furthermore, the Commission noted that Certified Nursing Assistant programs typically take two to six weeks to complete as compared the school’s 13-month Licensed Practical Nursing program that requires a significantly greater investment of time and money for students to complete. As such, the Commission determined that the four graduates employed as Certified Nurse Assistants are not valid employment classifications for practical nursing graduates.

In addition, the Commission reviewed the employment verification information provided in the response and determined that the school did not provide complete documentation to support the verification of reported employment classifications. More importantly, MTI has not accurately classified graduates and/or graduate placements when reporting rates to the Commission in every school response dating back to 2014. As such, given that the school has consistently provided inaccurate data in the Graduation and Employment Charts and continues to maintain unacceptable rates of student graduation and employment in the career field for which the school provides education, the Commission has determined that the school remains out of compliance in the area of student achievement.

3. MTI did not demonstrate that the use of the learning resource system (“LRS”) materials are integrated into the school’s curriculum and program requirements as a mechanism to enhance the educational process and to facilitated positive learning outcomes for students (*Section II (A)(6)(b), Substantive Standards, Standards of Accreditation*). At issue is MTI’s inability to demonstrate that the school consistently integrates the use of the LRS in the school’s curriculum. In response to the March 4, 2016 Deferral Letter, the school submitted a list of enhancements to the LRS, rubrics for grading learning assignments, sample student assignments, and course syllabi and outlines; however, the school failed to demonstrate that the school integrates student use of the learning resource system to complete the assignments. As such, the Commission determined that MTI again has failed to demonstrate the integration of the LRS into MTI’s curriculum and program requirements as a mechanism to enhance the educational process and to facilitate positive learning outcomes for

students. The integration of the school's LRS is a concern that dates back to the July 9, 2014 Team Summary Report and the school has again failed to demonstrate compliance in this area.

4. MTI did not demonstrate that all facilities have been properly approved by the Commission (*Section VII (B)(6), Substantive Standards, Standards of Accreditation*). In the March 4, 2016 Deferral Letter, the Commission directed MTI to remove all references to the facility located at 321 Grove Street, Jersey City, New Jersey in all publications until the school has received the proper approvals from the state of New Jersey and ACCSC. In response, the school stated "MTI has removed all references the facility located at 321 Grove Street from all school material, including catalog and enrollment agreement." The Commission noted, however, that MTI still references the facility in question on pages 4 and 12 in the catalog. Given that the most recent state license provided to the Commission for the 321 Grove Street location expired in 2013 and that the Commission noted references to that location even though the school stated that all references to that location had been removed from the catalog, MTI failed to demonstrate compliance with ACCSC standards in this regard.

CONCLUSION

The March 4, 2016 Deferral Letter stated that "the Commission voted to again defer final action on MTI's Application for Initial Accreditation until the August 2016 meeting in order to provide the school with **one final opportunity** (emphasis added) to demonstrate compliance with accrediting standards." The Commission took the school's full response into consideration and determined that MTI failed to demonstrate compliance with ACCSC's accrediting standards in the areas of management, graduation and employment rates; employment classifications; Learning Resource System; and separate facilities and, therefore, voted to deny accreditation of MTI (*Section VII (P)(1)(b), Rules of Process and Procedure, Standards of Accreditation*). As such, the Commission voted to deny MTI accreditation.

In accordance with *Section X, Rules of Process and Procedure, Standards of Accreditation*, the reasons for the Denial of Accreditation is made public and provided to the U.S. Department of Education, appropriate state agencies, and appropriate accrediting agencies.

APPEAL AND REAPPLICATION PROCESS AND PROCEDURE

MTI may opt to appeal the Commission's decision to deny accreditation or 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 MTI 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 September 19, 2016**.
- If MTI 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 October 11, 2016**.
- If MTI elects not to appeal this decision, the Commission's decision will become final effective **September 19, 2016**. The school may submit comments **on or before October 11, 2016** 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*.

- If MTI elects not to appeal this decision, the school will be eligible to re-apply for initial accreditation **on or after June 19, 2017** in accordance with *Section VII (N)(3), Rules of Process and Procedure, Standards of Accreditation.*

For additional information regarding the Commission's decision, please contact me directly at 703.247.4520 or mcomis@accsc.org.

Sincerely,



Michale S. McComis, Ed.D.
Executive Director

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



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

LETTER OF INTENT TO APPEAL A COMMISSION DECISION

To Be Submitted No Later Than September 19, 2016

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 Merit Technical Institute located in Harrison, New Jersey intends to appeal the recent decision of the Commission to deny the school 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 Panel 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 if financial soundness was one of the grounds for the Commission's decision.

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 Panel should not hear the appeal. I have reviewed the list of Standing Appeal Panel 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 Panel 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 October 11, 2016**, 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

STANDING APPEALS PANEL MEMBERS

Panel Member	Affiliation	Term Ending
Gary Baker	U.S. Department of Education (Retired) Springfield, Virginia <i>Public Member</i>	2019
Paul Bott, Ed.D.	Pacific College Costa Mesa, California <i>Public Member</i>	2020
Nancy Bradley	Daytona College Ormond Beach, Florida <i>School Member</i>	2016
Mary Cano	Western Technical College El Paso, Texas <i>School Member</i>	2018
Paul Fitzgerald	Erie Institute of Technology Erie, Pennsylvania <i>School Member</i>	2019
Lorne P. Gauthier	Northwest Technological Institute Southfield, Michigan <i>School Member</i>	2017
William James	U.S. Department of Education (Retired) Fairfax, Virginia <i>Public Member</i>	2019
Timothy McMahon	Triangle Tech Pittsburgh, Pennsylvania <i>School Member</i>	2020
Cedric D. Page, Ph.D.	University of New Mexico – Los Alamos Los Alamos, New Mexico <i>Public Member</i>	2019
Kathleen J. Steinberg	Midwest Technical Institute Lincoln, Illinois <i>School Member</i>	2018
Raymond Tuttle, Ph.D.	University of Mary Washington Fredericksburg, Virginia <i>Public Member</i>	2020



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

PUBLIC COMMENT DISCLOSURE FORM

To Be Submitted No Later Than October 11, 2016.

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

RE: Merit Technical Institute
620 Essex Street, 2nd Floor
Harrison, New Jersey 07029

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 Merit Technical Institute’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 reasons for 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 October 11, 2016.**

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