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**August 2019 Commission’s Review:**

1. BTBS must submit a report regarding the current ownership of the school and demonstrate that the current ownership has a record of integrity and the capability to own and operate a school in accordance with the *Standards of Accreditation*. The September 6, 2018 Probation Order directed BTBS to provide:
  - An update on the status of the ownership/Estate litigation;
  - An updated complete timeline of the history of the litigation along with any future events scheduled;
  - An updated estimated resolution date for the litigation; and
  - A complete ACCSC Institutional Teach-Out Plan Approval Form along with all attachments.

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recorded unearned tuition along with the necessary access needed by the Commission to disburse the account funds in the event of a school closure;<sup>2</sup> and

- k. Any additional information that the school believes will assist the Commission in determining a reasonable and appropriate action with regard to this matter.
2. BTBS must demonstrate that the school engages in ongoing efforts to promote student loan repayment (*Section I (E)(1), Substantive Standards, Standards of Accreditation*). Subsequent to the submission of the response to the September 6, 2018 Probation Order and April 22, 2019 Commission letter, the Commission noted that BTBS's three-year cohort default rate for fiscal year 2016 as released by the U.S. Department of Education ("the Department") is 30%. It is the Commission's understanding that the Department requires each school with a three-year cohort default rate that is equal to or greater than 30% to establish a default prevention task force meant to identify the factors causing the cohort default rate to exceed 30% and to develop a plan to redress this issue.<sup>3</sup>

Therefore, the Commission directs BTBS to submit the following:

- a. A copy of any documentation submitted to the Department regarding the school's fiscal-year 2016 three-year cohort default rate, including documentation on the establishment of a default prevention task force and a plan to identify the factors causing the aforementioned cohort default rate;
- b. A copy of any correspondence from the Department regarding the school's submission, if applicable;
- c. A roster of the school's most recent cohort default rate task force membership;
- d. If available, a copy of the draft fiscal-year 2017 three-year cohort default rate as released by the Department or, if the draft rate has not yet been released, the school's projection for the draft rate and the assumptions the school made in projecting this rate;
- e. Any other additional information that BTBS believes will assist the Commission in assessing the school's compliance with accrediting standards in this regard.

### **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*.

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<sup>2</sup> The Commission notes that the escrow account would only be necessary during the litigation of the estate and that once there is resolution, the funds within the escrow account would be absorbed by the school ownership.

<sup>3</sup> A school that has three consecutive 3-year cohort default rates of 30.0% or greater is subject to loss of federal student financial aid eligibility.

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.

### **TEACH-OUT PLAN REQUIREMENT**

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

### **MAXIMUM TIMEFRAME TO ACHIEVE COMPLIANCE:**

Based on *Section VII (M), Rules of Process and Procedures, Standards of Accreditation* and the school's longest program of eight (8) months, the maximum timeframe allowed for BTBS to achieve and demonstrate compliance with the *Standards of Accreditation* is twelve months. Thus, the timeframe to achieve compliance began as of the September 2018 ended on September 2019. Given the school's responses, the Commission found good cause to extend the maximum timeframe for an additional twelve months to September 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.

### **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.

BTBS 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.<sup>4</sup> If the school's response contains documentation that includes personal or 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.

BTBS must upload the school's electronic response directly to ACCSC's College 360 Database. 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

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<sup>4</sup> 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-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](http://www.accsc.org).

the College 360 database. The Instructions for Electronic Submission 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 include a signed certification attesting to the accuracy of the information and be received in the Commission's office **on or before December 30, 2019**. If a response, the required fee, and the certificate of attesting to the accuracy of the information is not received in the Commission's office **on or before December 30, 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 further assistance or additional information, please contact me directly at [REDACTED] or [REDACTED]

Sincerely,

[REDACTED]  
Michale S. McComis, Ed.D.  
Executive Director