



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)

## **Public Notice of Withdrawal and Denial of Accreditation Actions Updated December 30, 2016<sup>1</sup>**

The Commission provides public notice of any adverse action, including withdrawal and denial of accreditation actions, along with the reasons for the Commission’s action and information pertaining to the ACCSC appeal process (*Section X (D)(3), Rules of Process and Procedure, Standards of Accreditation*). The information below shows the withdrawal of accreditation action taken by the Commission followed by the reasons for the actions.

### **WITHDRAWAL OF ACCREDITATION – SUBJECT TO APPEAL**

<b>WITHDRAWAL OF ACCREDITATION – SUBJECT TO APPEAL</b>			
<b>School</b>	<b>City, State</b>	<b>Withdrawal of Accreditation Letter Date</b>	<b>Appeal Status</b>
Culinary Academy of Long Island**	Syosset, New York	December 8, 2016	Intent to Appeal due December 19, 2016
Star Career Academy**	New York, New York	December 8, 2016	Intent to Appeal due December 19, 2016
Star Career Academy**	Brick, New Jersey	December 8, 2016	Intent to Appeal due December 19, 2016
Star Career Academy**	Egg Harbor Township, New Jersey	December 8, 2016	Intent to Appeal due December 19, 2016
Star Career Academy**	Philadelphia, Pennsylvania	December 8, 2016	Intent to Appeal due December 19, 2016
Star Career Academy**	Newark, New Jersey	December 8, 2016	Intent to Appeal due December 19, 2016
Star Career Academy**	Clifton, New Jersey	December 8, 2016	Intent to Appeal due December 19, 2016

\*\* Withdrawal due to precipitous closure

### **DENIAL OF INITIAL ACCREDITATION – FINAL ACTION**

<b>DENIAL OF ACCREDITATION – FINAL ACTION<sup>2</sup></b>			
<b>School</b>	<b>City, State</b>	<b>Action</b>	<b>Effective Date</b>
Merit Technical Institute	Harrison, New Jersey	Denial of Initial Accreditation	Sept 19, 2016

<sup>1</sup> The Commission maintains this list for all actions from the preceding twelve months.

<sup>2</sup> The Effective Date is subsequent to date of the Commission action in accordance with due process and appeal allowances.

**WITHDRAWAL OF ACCREDITATION – FINAL ACTION**

<b>WITHDRAWAL OF ACCREDITATION – FINAL ACTION</b>			
<b>School</b>	<b>City, State</b>	<b>Action</b>	<b>Effective Date</b>
Advance Tech College	Bayamon, Puerto Rico	Withdrawal of Accreditation	April 11, 2016
Broadcasting Institute of Maryland**	Baltimore, Maryland	Withdrawal of Accreditation	April 11, 2016
Cain’s Barber College	Chicago Illinois	Withdrawal of Accreditation	July 11, 2016
Coast Career Institute**	Los Angeles, California	Withdrawal of Accreditation	Sept 9, 2016
Globelle Technical Institute	Vega Baja, Puerto Rico	Withdrawal of Accreditation	May 2, 2016
JEM College	Corona, California	Withdrawal of Accreditation	Sept 19, 2016
Jones Hair Design College	Carthage, Mississippi	Withdrawal of Accreditation	Dec 9, 2016
Jones Hair Design College	Senatobia, Mississippi	Withdrawal of Accreditation	Dec 9, 2016
Mueller College**	San Diego, California	Withdrawal of Accreditation	April 25, 2016
Ohio College of Massotherapy**	Akron, Ohio	Withdrawal of Accreditation	Sept 22, 2016

\*\* Withdrawal due to precipitous closure.

## **ACCSC Appeals Process - General Components**

The following are the general components of the ACCSC appeals process. For the complete set of rules, go to *Section VIII – Appeal of a Commission Decision, Rules of Process and Procedures, Standards of Accreditation*.

1. Only adverse accreditation decisions made by the Commission are subject to appeal. Adverse accreditation decisions are:
  - a. Denial of a substantive change application;
  - b. Denial of an application for initial accreditation; and
  - c. Withdrawal of accreditation.
2. An accredited school remains accredited, operating under a Probation Order, until the final disposition of the appeal.
3. A school affected by an adverse accreditation action may appeal that decision if the school has reason to believe the Commission's decision was arbitrary, capricious, or otherwise in substantial disregard of the criteria or procedures of the Commission, or not supported by substantial evidence in the record on which the Commission took action.
4. In order for a school subject to an adverse accreditation decision to withdraw accreditation to be eligible to submit its Grounds for Appeal, a school must submit a teach-out plan.
5. On appeal, the school has the burden of proof.
6. The Appeals Panel will only consider that information that was before the Commission at the time that the adverse action was taken, except for in some cases where new financial information may be submitted (see *Section VIII (C)(2)(c), Rules of Process and Procedure, Standards of Accreditation*).
7. To initiate an appeal process, the school must submit a Letter of Intent to Appeal accompanied by the required appeal fee, within 10 days after receiving official notice of the adverse accreditation decision.
8. Within 30 days of receipt of the Commission's notice of adverse accreditation decision, the school must submit the Application for Appeal of a Commission Decision and Grounds for Appeal.
9. The appeal will be heard within 60 days of receipt of the school's Letter of Intent to Appeal unless reasonable circumstances prevent the hearing of the appeal in that time frame.
10. The school has the option of sending a representative(s) to make a presentation at the hearing and may be represented by outside counsel.
11. The appeal is heard by an independent Appeals Panel of which at least one member will be considered a public member.
12. The Appeals Panel can affirm, amend, reverse, or remand the adverse accreditation decision made by the Commission. The action taken must be approved by a majority of the Sitting Appeals Panel.
13. The Executive Director of ACCSC communicates in writing to the school the Appeals Panel's decision and the reasons for that decision.



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December 8, 2016

**ELECTRONIC DELIVERY &  
FEDERAL EXPRESS**

Sandi Gibson  
SC Academy Holdings, Inc.  
President and CEO  
1 Allison Drive  
Cherry Hill, New Jersey 08003

**Re: Culinary Academy of Long Island - Syosset, New York #M070313  
Star Career Academy - New York, New York #M000434  
Star Career Academy - Brick, New Jersey #B059856  
Star Career Academy - Egg Harbor Township, New Jersey #B070243  
Star Career Academy - Philadelphia, Pennsylvania #B069379  
Star Career Academy - Newark, New Jersey #B070537  
Star Career Academy - Clifton, New Jersey (Satellite of Newark, NJ) #S460410**

Dear Ms. Gibson:

On November 15, 2016 Star Career Academy notified the Accrediting Commission of Career Schools and Colleges (“ACCSC” or “the Commission”) that the above-listed schools owned by SC Academy Holdings, Inc.<sup>1</sup> closed on that same day, November 15, 2016.<sup>2</sup> The schools closed their doors without any prior notification and without any teach-out plan.

ACCSC accrediting standards state that a school will be considered to have had its accreditation withdrawn if the school closes without notification or closes without an ACCSC approved teach-out plan (to include as necessary an ACCSC approved teach-out agreement) that the school faithfully executes (*Section VII (P)(5) and Section VII (Q)(5) Rules of Process and Procedure, Standards of Accreditation*). Star Career Academy schools closed precipitously without any prior notification and without an approved teach-out plan. Accordingly, the Commission considers the accreditation of the above-listed locations of Star Career Academy as having their accreditation withdrawn by ACCSC effective **November 15, 2016**.

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

### **TEACH-OUT PLAN**

Pursuant to federal law, an accrediting agency recognized by the U.S. Department of Education must require a teach-out plan from an institution subject to an adverse accreditation decision to withdraw accreditation. Therefore, in accordance with *Section IV (F)(1)(c) Rules of Process and Procedure, Standards of Accreditation* the Commission requires that Star Career Academy submit a completed ACCSC Institutional Teach-Out Plan Approval Form.<sup>3</sup> The school’s Teach-Out Plan must be submitted **on or before December 19, 2016**.

<sup>1</sup> Summer Street Capital II, L.P has a majority ownership of SC Academy Holdings, Inc.

<sup>2</sup> At the time of closure the Star Career Academies were on **Warning** status with ACCSC and all schools were on system-wide financial reporting. The schools informed ACCSC that as required letters of credit were posted with the U.S. Department of Education totaling over \$9 million dollars.

<sup>3</sup> Available online at: <http://www.accsc.org/Content/FormsAndReports/FormsAndReports.asp>

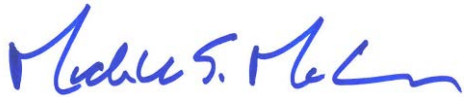
**APPEAL AND REAPPLICATION PROCESS AND PROCEDURE**

Star Career Academy may opt to appeal the Commission's decision to withdraw 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 any school elects to appeal this withdrawal, that 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 19, 2016**.
- If any school elects to appeal this withdrawal, that school's Application for Appeal of a Commission Decision and Grounds for Appeal must be submitted **on or before January 9, 2017**.
- If no school elects not to appeal this withdrawal, the Commission's decision to withdraw the school's accreditation as of **November 15, 2016** will become final. Any school may submit comments **on or before January 9, 2017** in accordance with the enclosed Public Comment Disclosure Form. Comments submitted by a 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*.

For additional information regarding the Commission's decision, please contact me directly at 703.247.4520 or [mccomis@accsc.org](mailto:mccomis@accsc.org).

Sincerely,



Michale S. McComis, Ed.D.  
Executive Director

- c: NY DOE/Adult Career & Continuing Education Services/Bureau of Proprietary School Supervision  
[REDACTED]
- Pennsylvania DOE/Bureau of Postsecondary and Adult Education/Division of Higher and Career Education  
[REDACTED]
- NJ Department of Labor and Workforce Development/School Approval Unit  
[REDACTED]
- U.S. Department of Education  
[REDACTED]
- Encls: Letter of Intent to Appeal a Commission Decision  
Standing Appeals Panel Members  
Public Comment Disclosure Form



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

**To Be Submitted No Later Than December 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 Star Career Academy intends to appeal the recent decision of the Commission to revoke the school's accreditation and remove the school from the list of ACCSC-accredited institutions. 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 Procedures 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 the a school to appeal an adverse action taken by the Commission on the grounds that the decision was arbitrary, capricious, or otherwise in substantial 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 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 January 9, 2017**, 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.

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Signature

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Date

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Name/Title



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## ACCSC Standing Appeals Panel Members

<b>Panel 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
Cedric D. Page, Ph.D.	<b>University of New Mexico – Los Alamos</b> Los Alamos, New Mexico <i>Public Member</i>	2019
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 January 9, 2017**

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

RE: Star Career Academy  
1 Allison Drive  
Cherry Hill, New Jersey 08003

Dear Dr. McComis:

I understand and agree that the Commission, pursuant to *Section X (D)(4), Rules of Process and Procedure, Standards of Accreditation*, will make public a summary of 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 Star Career Academy’s public comments on the adverse accreditation action that are to be disseminated with the public notice of the Commission’s decision dated December 8, 2016 including, but not limited to, posting to the ACCSC website (*Section X (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 and that the comments must be limited to two type written pages (no smaller than 11 pt. font with one inch margins). 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 *Section X (D)(3), 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 January 9, 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





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December 16, 2016

**ELECTRONIC DELIVERY & FEDERAL EXPRESS**



Loyd C. Jones  
Owner/President  
Jones Hair Design College  
305 Highway 16 West  
Carthage, Mississippi 39051

**Schools M054614 / B070570  
Withdrawal of Accreditation**

Dear Mr. Jones:

On November 29, 2016, the Accrediting Commission of Career Schools and Colleges (“ACCSC” or “the Commission”) issued a letter to Jones Hair Design College located in Carthage, Mississippi withdrawing the school’s 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 November 29, 2016 letter from ACCSC. Accordingly, the Commission’s decision to withdraw the accreditation of Jones Hair Design College and remove the school from ACCSC’s list of accredited schools is final effective December 9, 2016<sup>1</sup> (*Section VII (B)(3), Rules of Process and Procedure, Standards of Accreditation*).

Jones Hair Design College must immediately inform all students enrolled in the school and those seeking admission that accreditation by ACCSC has been withdrawn and delete all references to and claims of ACCSC accreditation from catalogs, advertising, and promotional materials immediately and in no event later than January 9, 2016, 30 days after the withdrawal of accreditation decision became final (*Section VII (P)(4)(a-b), Rules of Process and Procedure, Standards of Accreditation*).

Pursuant to *Section VII (P)(5), Rules of Process and Procedure, Standards of Accreditation*, Jones Hair Design College may reapply for accreditation after a period of nine (9) months and thus may only submit an Application for Initial Accreditation after September 9, 2017<sup>2</sup>. 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](mailto:mccomis@accsc.org).

Sincerely,

Michale S. McComis, Ed.D.  
Executive Director

c: Kim Verneuille  
  
Mississippi Commission on Proprietary Schools and College Registration

Chris Miller  
  
U.S. Department of Education – Atlanta SPT

<sup>1</sup> In accordance with *Section VIII (B)(3), Substantive Standards, Standards of Accreditation*, the Commission’s action to withdraw Jones Hair Design College’s accreditation also withdraws the accreditation of the school’s branch campus location – Jones Hair Design College (School #B070570) located in Senatobia, Mississippi.

<sup>2</sup> If the school is ever to re-apply with ACCSC, all outstanding balances will also need to be paid prior to the acceptance of the school’s application.



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November 29, 2016

**ELECTRONIC DELIVERY & FEDERAL EXPRESS**

Loyd C. Jones  
Owner/President  
Jones Hair Design College  
305 Highway 16 West  
Carthage, Mississippi 39051

**School #M054614**  
**Revocation of Accreditation**

Dear Mr. Jones:

At the November 2016 meeting, the Accrediting Commission of Career Schools and Colleges (“ACCSC” or “the Commission”) voted to revoke the accreditation of Jones Hair Design College (“JHDC”) located in Carthage, Mississippi and to remove the school from the list of ACCSC accredited institutions (*Section VII (P)(1), Rules of Process and Procedure, Standards of Accreditation*). The Commission took this action because the school failed to submit the following:

- A response to the Commission’s letter dated June 8, 2016, continuing the System-Wide Financial Reporting order, due July 11, 2016;
- A response to the August 30, 2016 Probation Order issued to the school by the Commission due September 30, 2016;<sup>1</sup>
- A response to the October 6, 2016 Late Response Notice/Fee Letter for Probation Order Response due October 13, 2016;<sup>2</sup>
- The 2016 Annual Report response due on October 7, 2016;
- The \$750 Delinquent Annual Report Fee;
- The \$1000 Probation Processing Fee;
- The \$350 Extension Request Fee;
- \$1,500 in multiple late fees; and
- Sustaining Fees for the 2016 fiscal year due July 30, 2016.

The history of the Commission’s actions in this matter and the detailed reasons for the Commission’s decision to revoke the accreditation of JHDC’s accreditation are set forth below.

### **History of Commission Review**

#### **May 2016**

At the May 2016 Commission Meeting, the Commission considered the continued System-Wide Financial Reporting status and the Application for Renewal of Accreditation submitted by JHDC and voted to defer action on the application to allow JHDC additional time to demonstrate compliance with accrediting standards and to continue the school on System-Wide Financial Reporting. The Commission found that the school’s response to the TSR raised questions about the effectiveness of the school’s efforts in the following areas:

<sup>1</sup> FedEx Delivery Confirmation signed by S. Carter on September 6, 2016

<sup>2</sup> FedEx Delivery Confirmation signed by L. Jones on October 7, 2016

- Sufficient financial structure for proper operation of the school and to fulfill obligations to students;
- The school's ability to fulfill requirements for renewal of accreditation, as the school did not engage in the required independent third-party verification of employment records ;
- Successful student achievement reflected in acceptable rates of student graduation and graduate employment;
- Verifiable records of initial employment that support the data reported to ACCSC;
- Effective attendance and satisfactory academic progress policies;
- Accurate disclosure of graduation and employment rates to the public; and
- Appropriate credential titling.

### August 2016

At the August 2016 Commission Meeting, the Commission considered JHDC's lack of responses to the June 8, 2016 continued System-Wide Financial Reporting letter and June 9, 2016 Deferral letter which were both due on July 11, 2016. On July 14, 2016 ACCSC issued a letter reminding JHDC of the delinquent responses and indicating that a \$750 late fee had been assessed. On July 26, 2016, in response to ACCSC's late fee letter, JHDC sent ACCSC an e-mail, stating:

*I am informing ACCSC about the current status of JHDC. JHDC have [sic] been working as much as we can to complete these report [sic] and hope the letter that was sent to the Dept. of Education help [sic] shed some light on our situation. We are in receipt of the email and are working hard to resolve all issues. Please give me a call if you have any questions. JHDC is requesting for more time to complete the report. Jones Hair Design is seeking help from Dept of Education [sic] and any information from ACCSC can help as well.*

Attached to the email response was a copy of a letter dated June 9, 2016 from Owner/President Loyd C. Jones to the U.S. Department of Education ("the Department"). In this letter JHDC stated the following:

*As of July 1, 2015 Mr. Loyd C. Jones is the Owner of infinity[sic] Career College<sup>3</sup>. In the process of getting the Name[sic] changed to JHDC, getting new bank accounts, and the Letter of Credit, this is when the trouble started. Mr. Loyd Jones and Mr. Ricky.[sic] Jones had been in negotiation for a while now about the change of the name, bank account and the letter of credit.*

*As of March 2016, the students went on spring break and at this time Mr. Ricky Jones locked the Senatobia Campus doors. Mr. Ricky Jones stated that Mr. Loyd Jones has not paid rent on the building for January, February, and March, and the balance is \$10,000. Michelle Hunter-Rhodes advised Mr. Loyd Jones and stated he did not have \$10,000 to give Mr. Ricky Jones. At this point no funds are being process[sic] due to the new bank account being established and Mr. Loyd Jones wanted to know how much money was coming in and what bills are being paid. Mr. Ricky Jones made a book and some of the pages were missing to reflex[sic] this information but the book came up missing or misplaced. Mr. Ricky Jones stated he will not keep getting this*

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<sup>3</sup> The Commission acknowledged this transaction on July 1, 2015 and found that it represented a transfer of ownership interest within an immediate family and was thus excluded from the Commission's change of ownership review and approval process as described in Section IV (E)(2)(f)(ii), Rules of Process and Procedure, Standards of Accreditation.

information together for Mr. Loyd Jones. Mr. Loyd Jones stated that it is not fair for JHDC to pay the whole \$3500 a month when Mr. Ricky Jones has a Tax Office and Funeral Home in the same building.

Ricky Jones stated that if Mr. Loyd Jones does not complete the following, he will closed[sic] the school.

1. He wants the name to stay- Infinity Career College.
2. He wants 51% of the school to be transferred to his daughter name[sic] (JHDC do not want to disclose her name, but Mr. Ricky Jones stated her name.) Ricky Jones stated the reason for this,[sic] is he did not want Mr. Loyd Jones to turn the money off any more.
3. He wants the bank account returned back to the previous bank which is M&F Bank.
4. He stated that the annual financial audit report is due on June 30, 2016 and it has to be completed through him and if 1-3 is not met then the report will not be completed.
5. He will not give JHDC access to the Senatobia Student File Folders, the Fame (Federal Student Aid) Software, or the Genesis Software (student attendance, sap reports ect[sic]), nor book keeping records. All these items are needed to complete the audit and other reports that are due to ACCSC. Mr. Ricky Jones has taken these computers from the building and out of possession of all employees.

Mr. Loyd Jones has tried to negotiate with Mr. Ricky Jones but Mr. Loyd Jones can not[sic] comply with all of Mr. Ricky Jones demands.

As of July 2015, Mr. Ricky Jones always has had access to all the bank record, financial records, tax records, and book keeping. Mr. Loyd Jones only had what Mr. Ricky Jones give[sic] him in form of book.[sic] Mr. Loyd Jones is in the dark about financial report, bank records, tax records, and book keeping. Mr. Loyd Jones does not have access to this information and Mr. Ricky Jones is denying him access to his information.

As of April 2016, Ricky Jones allowed the students at the Senatobia Campus to return to school. As for JHDC, we still do not have access to the building. The students are under the supervision of Ricky and Sharon Jones. They are back on their day to day operation. They have theory class and practice floor. Students are completing the program and sign up for state board exam. JHDC has not taken any new enrollment until we can come to a solution.

Several attempts have been made to resolve the issues but no progress has been made.

The Commission reviewed the above response and noted that JHDC did not provide a response to any of the areas of concern identified in either the deferral or system-wide financial reporting letters and the correspondence raised additional areas of concern in the areas of management and the continuous operation of the branch campus. Due to the lack of substantive responses and new concerns raised, the Commission voted to place the school and its branch campus on **Probation** to be reviewed at the November 2016 Commission Meeting.

#### **November 2016 Commission Meeting and Action**

The Commission considered JHDC's failure to respond to all the aforementioned items as required in accordance with Section I (E)(1), Section I (E)(2)(c), and Section I (H)(4), Rules of Process and

*Procedure, Standards of Accreditation*, after having been afforded ample notice and opportunity to respond. Despite repeated attempts to contact the school, there was no response received by the Commission's offices for any of the outstanding Commission letters or fees. The Commission's deliberations and decisions are made on the basis of the written record; therefore, a school must supply the Commission with complete documentation of the school's compliance with all accrediting standards and requirements if the school is to maintain accreditation. In the failure to provide multiple required reports, JHDC has failed to meet the burden of providing necessary documentation to form the basis of a decision to maintain accreditation. Moreover, a school's eligibility for accreditation requires that a school fulfill all process and reporting requirements and pay all sustaining fees and processing fees (to include late fees) (*Section I (E)(2)(c&e) & Section I (H)(4), Rules of Process and Procedures, Standards of Accreditation*).

Therefore, the Commission found that the school failed to meet its burden to demonstrate continuous compliance with the *Standards of Accreditation (Preamble, Standards of Accreditation)* and has failed to meet the requirements for a school to maintain its eligibility for accreditation (*Section I (E)(2)(c&e) & Section I (H)(4), Rules of Process and Procedures, Standards of Accreditation*). Based on the foregoing, the Commission voted to withdraw JHDC's accreditation and to remove the school from the list of ACCSC accredited institutions.

### **BRANCH CAMPUS**

In accordance with *Section VIII (B)(3), Substantive Standards, Standards of Accreditation*, the accredited status of a branch campus is dependent upon the continued accreditation of the main school. Therefore, the Commission's action to withdraw JHDC's accreditation also withdraws the accreditation of JDHC's branch campus location – Jones Hair Design College (School #B070570) located in Senatobia, Mississippi – and that school shall also be removed from the list of ACCSC accredited institutions.

### **NOTIFICATION**

In accordance with *Section X, Rules of Process and Procedure, Standards of Accreditation*, a summary of the Revocation Order is made public and provided to the U.S. Department of Education, appropriate State agencies, and appropriate accrediting agencies.

### **TEACH-OUT PLAN**

Pursuant to federal law, an accrediting agency recognized by the U.S. Department of Education must require a teach-out plan from an institution subject to an adverse accreditation decision to withdraw accreditation. Therefore, in accordance with *Section IV (F)(1)(c) Rules of Process and Procedure, Standards of Accreditation* the Commission requires that JHDC – both the main school (M054614 and the Senatobia, MS branch campus (B070570) – submit a completed ACCSC Institutional Teach-Out Plan Approval Form,<sup>4</sup> to demonstrate how JHDC will ensure the opportunity for all students to complete their program of study. The school Teach-Out Plan should be submitted **on or before December 9, 2016.**

### **APPEAL AND REAPPLICATION PROCESS AND PROCEDURE**

JHDC may opt to appeal the Commission's decision to revoke 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*.

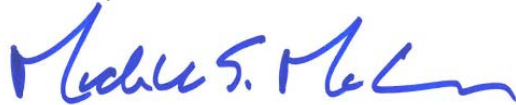
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<sup>4</sup> Available online at: <http://www.accsc.org/Content/FormsAndReports/FormsAndReports.asp>

- If JHDC 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 9, 2016.**
- If JHDC 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 December 29, 2016.**
- If JHDC elects not to appeal this decision, the Commission's decision will become effective **December 9, 2016.** The school may submit comments **on or before December 29, 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.*

Should you have any questions regarding the Commission's decision, please contact Erik Embrey at 703.247.4512 or eembrey@accsc.org.

Sincerely,



Michale S. McComis, Ed.D.  
Executive Director

c: Shawanna Carter  
Director

[REDACTED]

Sharon Jones  
Director  
Senatobia Branch Campus (B070570)

[REDACTED]

Kim Verneuille  
Mississippi Commission on Proprietary Schools and College Registration

[REDACTED]

Sondra Clark  
Administrator  
Mississippi State Board of Barber Examiners

[REDACTED]

David Derrick  
Executive Director  
Mississippi Board of Cosmetology

[REDACTED]

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](http://www.accsc.org)

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

### **To Be Submitted No Later Than December 9, 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 Jones Hair Design College located in Carthage, Mississippi intends to appeal the recent decision of the Commission to revoke the school’s accreditation and remove the school from the list of ACCSC-accredited institutions. 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.

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 December 29, 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



Accrediting Commission of Career Schools and Colleges

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## ACCSC Standing Appeals Panel Members

Panel Member	Affiliation	Term Ending
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
Cedric D. Page, Ph.D.	<b>University of New Mexico – Los Alamos</b> Los Alamos, New Mexico <i>Public Member</i>	2019
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 29, 2016**

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

RE: Jones Hair Design College  
305 Highway 16 West  
Carthage, Mississippi 39051

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 a summary of 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 JHDC's public comments on the adverse accreditation action that are to be disseminated with the public notice of the Commission's **November 2016** 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 29, 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



Accrediting Commission of Career Schools and Colleges

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September 29, 2016

**ELECTRONIC DELIVERY & FEDERAL EXPRESS**

Winefred Kamunge  
Director  
Merit Technical Institute  
620 Essex Street, 2<sup>nd</sup> 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](mailto: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

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September 8, 2016

**ELECTRONIC DELIVERY & FEDERAL EXPRESS**

Winefred Kamunge  
Director  
Merit Technical Institute  
620 Essex Street, 2<sup>nd</sup> 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	<b>46%</b>	51%	<b>61%*</b>	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**

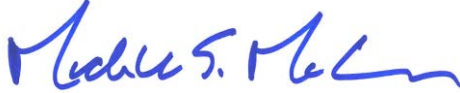
MTI may opt to appeal the Commission's decision to deny accreditation or to reapply for accreditation. Details regarding the reapplication and appeal procedures are outlined in the *ACCSC Rules of Process and Procedures, Standards of Accreditation*.

- 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

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## 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

<b>Panel 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>	2016
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
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Cedric D. Page, Ph.D.	<b>University of New Mexico – Los Alamos</b> Los Alamos, New Mexico <i>Public Member</i>	2019
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



Accrediting Commission of Career Schools and Colleges

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# **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, 2<sup>nd</sup> 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



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)

September 29, 2016

**ELECTRONIC DELIVERY & FEDERAL EXPRESS**

Amir Baniassad  
Director  
JEM College  
271 Ott Street, Ste. 23  
Corona, California 92882-7104

**School #M070204**

Dear Mr. Baniassad:

On September 8, 2016, the Accrediting Commission of Career Schools and Colleges (“ACCSC” or “the Commission”) issued a letter to JEM College located in Corona, California withdrawing the school’s 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 remove JEM College from the list of ACCSC accredited schools is final effective September 19, 2016 (*Section VII (B)(3), Rules of Process and Procedure, Standards of Accreditation*).

JEM College must immediately inform all students enrolled in the school and those seeking admission that accreditation by ACCSC has been withdrawn and delete all references to and claims of ACCSC accreditation from catalogs, advertising, and promotional materials immediately and in no event later than October 19, 2016, 30 days after the withdrawal of accreditation decision became final (*Section VII (P)(4)(a-b), Rules of Process and Procedure, Standards of Accreditation*).

With regard to the nine-month waiting period required by *Section VII (P)(5), Rules of Process and Procedure, Standards of Accreditation*, the Commission reviewed JEM College’s request to waive the nine-month waiting period. The Commission found that while JEM College indicated that students are currently enrolled – 3 students from the April 25, 2016 start and 7 students scheduled to start on September 26, 2016 – the school again provided no specific proof of enrollment. Therefore, the Commission voted to defer action on the school’s waiver request until the school can provide a list of all currently enrolled students, copies of signed enrollment agreements for all currently enrolled students and signed attestations from all currently enrolled students stating that the student is either currently attending classes or scheduled to begin attending classes along with the scheduled start date. The Commission intends to review this matter again at its November 2016 meeting and a failure to provide this information or to provide incomplete or inaccurate information will result in a denial of the school’s request. The Commission must have clear and irrefutable evidence demonstrating the school has been operating training students since April 25, 2016 as had been previously stated to the Commission.

If the Commission does not grant the school’s request to waive the nine-month waiting period, JEM College will be able to reapply for accreditation after June 19, 2017.<sup>1</sup> The school will, of course, be required to adhere to all applicable application processes set forth in the Commission’s *Rules of Process and Procedure*.

\*\*\*\*

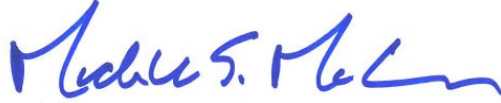
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<sup>1</sup> In addition, in order to re-apply with ACCSC, all outstanding balances will also need to be paid prior to the acceptance of the school’s application.

*JEM College – Corona, CA  
School #M070204  
September 29, 2016  
Page 2 of 2*

For further information or assistance regarding this matter, please contact me directly at 703.247.4520 or [mccomis@accsc.org](mailto:mccomis@accsc.org).

Sincerely,



Michale S. McComis, Ed.D.  
Executive Director

c: U.S. DEPARTMENT OF EDUCATION  
U.S. Department of Education – San Francisco SPT  
U.S. Department of Education – Administrative Actions and Appeals Division  
CA - California Bureau for Private Postsecondary Education  
CA - California Department of Public Health- Radiologic Health Branch



Accrediting Commission of Career Schools and Colleges

2101 Wilson Boulevard, Suite 302  
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September 8, 2016

**ELECTRONIC DELIVERY & FEDERAL EXPRESS**

Amir Baniassad  
Director  
JEM College  
271 Ott Street, Ste. 23  
Corona, California 92882-7104

**School #M070204**

Dear Mr. Baniassad:

At the August 2016 meeting, the Accrediting Commission of Career Schools and Colleges (“ACCSC” or “the Commission”) considered the Application for a Change of Ownership-Part I and Part II and the Application for a Change of Location-Part I and Part II for JEM College (“JEM”) located in Corona, California. The Commission’s concerns regarding JEM College’s compliance with accrediting standards arose in conjunction with the materials submitted as part of the school’s changes of ownership and location. Upon review of the entire record, including:

- The Application for a Change of Ownership-Parts I and II;
- The Application for a Change of Location-Parts I and II;
- The school’s Waiver Request;
- The Commission’s letter dated February 5, 2015;
- The May 16, 2016 Team Summary Report (“TSR”) from the on-site evaluation as required by the school’s changes of ownership and change of location; and
- The school’s response to that report;

the Commission determined that JEM has not been in continuous operation training students as required to maintain eligibility for accreditation with ACCSC (*Section I (E)(2)(b), Rules of Process and Procedure, Standards of Accreditation*). Accordingly, the Commission voted to revoke the accreditation of JEM and to remove the school from the ACCSC list of accredited institutions. The history of the Commission’s review of the school and the reasons for this decision are set out below.

#### **2014**

- **December 19, 2014:** Joseph Melanson, owner of JEM College at the time, contacts Juanita Gurubatham via e-mail, giving ACCSC permission to release information to Dirk Been, prospective buyer (from ACCSC’s records regarding Application for Change of Ownership-Part I).

#### **2015**

- **January 5, 2015:** JEM College submits an Application for a Change of Ownership-Part I (from ACCSC’s records). The school reports 16 students currently enrolled. The proposed date of sale is March 1, 2015 to Mover Services, Inc. Additional information is submitted January 30, 2015 and March 6, 2015.
- **March 20, 2015:** ACCSC approves the Application for a Change of Ownership-Part I.
- **April 29, 2015:** Joseph Melanson informs Juanita Gurubatham, via e-mail, that Mover Services, Inc. has backed out of the change of ownership transaction. In the same message, Mr. Melanson indicates that Amir Baniassad has expressed interest in purchasing JEM College and requests that a letter regarding the current accreditation status of the school be provided to Mr. Baniassad.

- **August 12, 2015:** JEM College submits an Application for Change Ownership-Part I. The school reports zero students currently enrolled. The proposed date of sale is September 15, 2016 to Mr. Amir Baniassad.
- **September 11, 2015:** ACCSC approves the Application for a Change of Ownership-Part I.
- **October 21, 2015:** JEM College submits an Application for a Change of Ownership-Part II, informing ACCSC that the transaction between Mr. Melanson and Mr. Baniassad had been executed on October 15, 2015. Student enrollment as of October 15, 2015 is reported to be zero.
- **November 13, 2015:** Sahar Andisha, Director of Operations for JEM College, contacts Juanita Gurubatham via e-mail to inform ACCSC of the school's intent to change location by December 19, 2015. Ms. Andisha acknowledges that the school will be unable to comply with ACCSC's requirement that a school must apply to the Commission at least 60 days prior to its intended move date by filing an Application for a Change of Location-Part I. In addition, Ms. Andisha's message stated the following:

*When JEM College was acquired it did not have any students, faculty or administrative staff, so fortunately for us, this move will not impact any students or the operations of JEM College and we are moving all of the programs and equipment acquired through the change of ownership. Mr. and Mrs. Melanson will soon submit to their property management company a 30 day notice to vacate for the date, December 19, 2015, at which time we must vacate all the equipment purchased under the Asset Purchase Agreement.*

- **November 16, 2015:** ACCSC issues a letter informing JEM College that the school may not have maintained compliance with accrediting standards that require schools operate – providing education and training to students – on a continuous basis (*Section I (E)(2)(b), Rules of Process and Procedure, Standards of Accreditation*) and the approval of the change of ownership provided no waiver of that threshold eligibility requirement. The letter states,

*As such, it appears that JEM College has not maintained its eligibility for accreditation as the school has not been providing education and training to students on a continuous basis... therefore the Commission will consider the school's accredited status at its December 2015 meeting. JEM College may submit any additional information deemed appropriate to demonstrate to the Commission that the school has maintained its eligibility for ACCSC accreditation.*

- **November 23, 2015:** JEM College submits an Application for a Change of Location-Part I. In describing the impact of the move on students, the school's operations, and the student's ability to continue training, JEM College stated the following:

*When JEM College was acquired on October 15, 2015, the school did not have any students. Due to their failing health and the need to sell or close JEM College, the previous ownership prudently did not enroll any new students when the final student graduated in June of 2015, pending certainty of JEM College's future... in anticipation of JEM's move, JEM has not yet enrolled any students in [sic]... every effort has been made to ensure the move is well-planned and efficient and for the new location to be ready for operations no later than December 23, 2015. JEM College plans to start its first class in the new location on February 1, 2016.*

- **November 29, 2015:** In response to ACCSC's letter of November 16, 2016, JEM College applied for waiver of the ACCSC eligibility standard that requires schools to operate providing education and

training to students on a continuous basis (Section I (E) (2)(b), Rules of Process and Procedure, Standards of Accreditation) According to the narrative submitted by the school,

*Between June-October of 2015, the period during which JEM's change of ownership was being negotiated and finalized, JEM College's previous owners implemented a temporary hold on enrollment of new students which resulted in an unwitting violation of the above mentioned standard when the last student graduated. The new policy was put in place, not to circumvent accreditation standards, but rather, to protect new students in the event that negotiations were canceled or regulatory change of ownership approvals were denied and JEM College was forced to close.*

The waiver request is primarily predicated on the school's assertion that JEM College had been operational, even in the absence of training students, by remaining open to support the needs of former students including employment assistance, tutoring for the state exam, and assistance to fulfill eligibility requirements to obtaining state licensure for the period June 2015 through October 2015. The school also provided documentation to show that there were administrators present including: hand-written telephone messages, copies of telephone bills, electric bills, and visitor sign-in sheets.

- **December 8, 2015:** JEM submitted an addendum with additional information to ACCSC regarding the waiver request. The school indicated that "...the new ownership must wait for the issuance of a new school identification number and approval of our associated clinical affiliations before we can enroll new students." According to JEM's submission, the school expected to receive that approval "immediately."
- **December 28, 2015:** ACCSC issues a school action letter detailing the Commission's consideration of the waiver request and vote to request additional information before reaching a final decision. In particular, the Commission noted the following:

*In the waiver request, JEM College stated that the former owner elected not to enroll new students during the recent change of ownership process due to concerns that if the change of ownership was not consummated the school would not be financially sound enough to meet obligations for those new students through the completion of the program. ACCSC approved the Change of Ownership-Part I and although ACCSC was aware there would be a break in enrollments while the contract was being finalized, the school did not make clear that the current students would graduate before enrollments resumed and that new enrollments would not resume immediately after the transaction – resulting in JEM College's current situation where the school has had no students enrolled since June 2015.*

*JEM College stated that the school must obtain final approval from the California Department of Public Health ("CDPH") for the issuance of a new school identification number and approval of the clinical locations before enrolling students. As such, the new ownership did not enroll a new class of students subsequent to the change of ownership.*

The Commission requested additional information with respect to the requirements for recognition of licensure by means of accreditation ("LBMA") by the Bureau of Private Postsecondary Education ("the Bureau") and the issuance of a new school identification number by CDPH.

## **2016**

- **January 8, 2016:** JEM College submitted a response to the Commission's December 28, 2015 letter. With regard to requirements of continuous enrollment by the Bureau, the school states:



*While we did not find any Bureau regulations or State of California legislation pertaining to requiring private postsecondary institutions to continuously operate with an enrollment of paying students through a change of ownership or otherwise, we did find sections that explicitly state the Bureau's highest priority is consumer protection.*

With regard to the authorization by CDPH, the school supplied documentation showing that the new owners are not authorized to enroll new students until the CDPH issues to the school a new school identification number as part of the change of ownership procedure. The response includes an e-mail message dated January 8, 2016 from George Cervantes of the CDPH indicating that the school's application had been reviewed and identifying two items that the school must address.

- **February 5, 2016:** At the February 2016 meeting, the Commission considered the school's response and took into account JEM College's November, December, and January responses. The Commission determined that a waiver of the eligibility requirement was not necessary due to the CDPH licensure issue and requirement that no new student be enrolled until a new license has been issued. However, due to the magnitude of the changes at the school since June 2015, the Commission directed the school to enter the reaccreditation process immediately.
- **February 8, 2016:** ACCSC approved the Application for a Change of Ownership-Part II, effective as of the transaction date, October 15, 2015.
- **March 25, 2016:** JEM submitted the Application for a Change of Location-Part II, reporting the current number of students as two.
- **April 14, 2016:** ACCSC conducted the on-site evaluation to review operations of the school under the new ownership. This on-site evaluation occurred within six months of the date of the Change of Ownership, as required. As stated in the May 16, 2016 Team Summary Report:

*[t]he purpose of this on-site evaluation, in part, is to evaluate the operation of the school under the new managers. That review was precluded due to the lack of a fully-functional educational institution. The team met with administrators; however, the "operation" of the school is so attenuated as to prevent an evaluation of the functioning of the management team. Therefore, the management has not demonstrated an ability to lead and manage the school... The purpose of the on-site evaluation is also to evaluate the adequacy of the new location for operation of the school. Again, the team was, in effect, only able to view a non-functioning facility. In the absence of students, the school has not demonstrated the adequacy of the facilities and instructional materials...*

*The on-site evaluation team found that the school has undergone dramatic changes since the last on-site evaluation in October 2014. The previous ownership decided to cease enrolling students in June 2015 pending a change of ownership, which occurred in October 2015. The new owners have not yet enrolled any students and have not delivered education since acquiring the school. Nearly a year without students has resulted in severely attenuated school operations that led the team to question whether the school has maintained eligibility for ACCSC accreditation.*

### **August 2016 Review and Action**

The Commission has determined that JEM College failed to demonstrate that the school operated – providing education and training to students in accordance with its primary objectives – on a continuous basis (*Section I (E)(2)(b), Rules of Process and Procedure, Standards of Accreditation*). As stated in the Commission's requirement, at issue is whether JEM College has demonstrated "continuous operation" as

defined in the *Standards of Accreditation*, i.e., training students at a school. The school ceased enrolling students at some point prior to June 30, 2015, such that there were no active students as of June 30, 2015 (from the school's 2015 Annual Report). Although ACCSC was aware the previous owner intended to cease enrollment of new students while the change of ownership was being finalized, the school did not make clear that the current students would graduate before enrollments resumed or that new owners would not immediately resume enrolling new students after the transaction. It was not until Sahar Andisha's message to Juanita Gurubatham on November 13, 2015 regarding an imminent change of location that it became clear that there were no current students. At that point, ACCSC raised the question with regard to the school's compliance with eligibility criteria requiring continuous operation.

JEM College submitted a waiver of the standard requiring continuous operation in order to maintain eligibility for ACCSC accreditation, for the time period June 2015 through the date of the ownership transaction, October 15, 2015. The request includes the following statement: "JEM College intends to narrow the scope of this accreditation policy to a temporary hold on the enrollment of new students until the change of ownership is complete, no later than November 30, 2015. Once the change of ownership is finalized, JEM College will resume full scale operations of the school."<sup>1</sup> The response includes copies of telephone bills, electricity bills, and visitor sign-in sheets from June 2015 through October 2015, and copies of telephone messages from June 2015 through November 2015. Upon review of the waiver and additional information provided, the Commission deemed the school to be in operation as described by the school, for the period June 2015 through November 30, 2015.

*JEM College's stated position that the former owner elected not to enroll new students during the recent change of ownership process due to concerns that if the change of ownership was not consummated, the school would not be financially sound enough to meet obligations for those new students through the completion of the program. In addition, the new ownership found that the school had to obtain final approval from the California Department of Public Health ("CDPH") for the issuance of a new school identification number and approval of the clinical locations before enrolling new students. Moreover, the school's response states that although JEM College was not actively enrolling students, the school was open to support the needs of former students including employment assistance, tutoring for the state exam, and assistance to fulfill eligibility requirements for obtaining state licensure.*

JEM College received approval from CDPH on February 8, 2016 and on March 25, 2016 the school submitted the Application for a Change of Location-Part II, reporting two current students. The on-site evaluation to review the Change of Ownership, as well as the Change of Location, was scheduled for April 14, 2016 – as required in order to accomplish the review within six months of the October 15, 2015 change of ownership transaction.<sup>2</sup> According to the May 16, 2016 TSR, "[i]n preparation for the on-site evaluation, JEM informed the Commission representative that there would be three active students as of April 14, 2016... upon arrival, the school informed the team that the start date for the three students had been moved to April 25, 2016." Although the school tried to make the argument that the three students were "enrolled" at the time of the March 25, 2016 application submission but had yet to start classes, the on-site evaluation team found that the enrollment agreements for the potential students had been signed on March 26, 2016, March 31, 2016, and April 2, 2016, after the Application for a Change of Location-Part II had been signed by Mr. Amir Baniassad on March 25, 2016.

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<sup>1</sup> Although the statement refers to the "change of ownership," it is presumed to refer to the proposed change of location.

<sup>2</sup> An on-site evaluation of the school will be conducted within six months of the date that the ownership change occurred (*Section IV (E)(2)(o)(ii), Rules of Process and Procedure, Standards of Accreditation*).

In response to the on-site evaluation team's finding,

- JEM College attempted to show that the school is “open and operating” through activities with former students and potential applicants. The response includes e-mails from 5 graduates indicating they have called the school with questions and one e-mail pertaining to an externship site. The Commission was not persuaded that these activities constitute a school that is providing education and training on a continuous basis.
- JEM College argued that ACCSC staff advised the school against enrolling new students during the period that the school's eligibility for accreditation was under review. Although that would be a prudent precaution given the nature of the Commission's review at the time, it has no bearing on the rest of the time period of non-enrollment in question, most importantly the period after the school obtained licensure from CDPH on February 8, 2016.
- With regard to the question of the two students reported as currently enrolled on the Application for a Change of Location-Part II, the response indicates that “Ms. Andisha explained that the 2 students indicated on the Application for Change of Location-Part II were students that had enrolled in JEM College's first class following the Change of Ownership, but had subsequently cancelled their enrollments.” The response, however, does not include documentation to this effect, such as completed enrollment agreements or copies of student correspondence regarding cancellation of the enrollment.
- With regard to the purported April 11, 2016 start that was subsequently postponed, JEM College stated,

*It is not unusual for a class start to be postponed a few weeks to enroll additional students. All of JEM College's enrolled students were notified of the change to the start dates and all approved the change. JEM College indicates on its Enrollment Agreement, and all students were aware, that the school reserves the right to change start dates when it deems necessary. When the class started on April 25, 2016, it had 5 students...*

The response, however, does not include any documentation to support the statement that five students started class. The school submitted no documentation (no enrollment agreements, grades, attendance rosters) to show that in fact the school is now training students. Therefore the Commission found that JEM College had not demonstrated there are students enrolled and receiving training and education at the school currently.

Compounding the issue of continuous operation is the question as to the actual location of the institution from December 19, 2015 to March 2016. The Application for a Change of Location-Part I indicates that the last scheduled date at the previous location was December 20, 2015 and that the date classes were scheduled to resume as February 1, 2016. On March 25, 2016, JEM College submitted the Application for a Change of Location-Part II, reporting the date the school ceased operation to move as March 1, 2016 and the date that the school resumed operation as March 10, 2016. During the on-site evaluation, school officials gave conflicting information with regard to the sequence of events during the change of location. In response, the school stated, “[o]n December 19, 2015, JEM College was moved to the new location on Pierce Street. Our X-Ray Lab equipment and student files were moved to a storage facility pending construction of an X-Ray Lab and a secure file room to hold student files.” The Commission found that the response shows that the school did not have a physical location as of December 20, 2015 and the Commission was not persuaded that JEM College resumed “operations” training students on March 10, 2016 by moving equipment into the new location.

Based on the foregoing, the Commission determined that JEM College did not meet the burden of demonstrating continuous operation as defined by accrediting standards, which is “training students at a school” It has been established that there were no students in training at JEM College from June 2015 through April 14, 2016. The Commission allowed the demonstration of service to graduates as a proxy for ongoing operation from June 2015 to November 30, 2015 due to the CDPH licensure issue. The Commission acknowledged that the school’s extending the moratorium on enrolling new students as a prudent precaution during the period that the school’s eligibility for accreditation was under review from December 1, 2015 through February 5, 2016. Given that the school reported that classes were to “resume” on February 1, 2016 and the school received approval from CDPH on February 8, 2016, it was expected that the school would be resuming operations; training students. The Commission believed this expectation was met when the school submitted an Application for a Change of Location-Part II in March 2016 indicating that the current number of students to be two. On April 14, 2016, an ACCSC on-site evaluation team found that the expectation of resumed school operations had not been met and the school was in fact not training students. Although JEM College now claims to have started training students as of April 25, 2016, the school did not submit any documentation to support this, and the school has failed to demonstrate that the school trained any students since February 8, 2016 and as such the Commission found that the school has not maintained eligibility for ACCSC accreditation.

### **TEACH-OUT PLAN**

Pursuant to federal law, an accrediting agency recognized by the U.S. Department of Education must require a teach-out plan from an institution subject to an adverse accreditation decision to withdraw accreditation. Therefore, in accordance with *Section IV (1)(F)(1)(c) Rules of Process and Procedure, Standards of Accreditation* the Commission requires that JEM College submit a completed *ACCSC Institutional Teach-Out Plan Approval Form*,<sup>3</sup> to demonstrate how, in the face of possible consequences of the withdrawal of accreditation, JEM College will ensure the opportunity for students to complete their program of study either by JEM College or through an agreement with another accredited institution(s) approved to offer a program comparative to JEM College’s programs. The school Teach-Out Plan should be submitted **on or before September 22, 2016.**

### **APPEAL AND REAPPLICATION PROCESS AND PROCEDURE**

JEM College may opt to appeal the Commission’s decision to revoke 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 JEM College 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 JEM College 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 JEM 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*.

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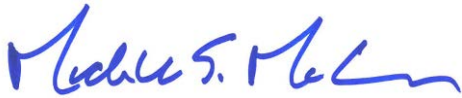
<sup>3</sup> ACCSC Institutional Teach-Out Plan Approval Form: <http://www.accsc.org/Content/FormsAndReports/FormsAndReports.asp>

- If JEM College elects not to appeal this decision, the school may reapply for accreditation after a period of nine months (*Section VII (P)(4), Rules of Process and Procedure, Standards of Accreditation*). This means that the school may not submit an Application for Initial Accreditation until **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.

\*\*\*\*

Should you have any questions 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

c: Sahar Andisha  




Accrediting Commission of Career Schools and Colleges

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## 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 JEM College located in Corona, California intends to appeal the recent decision of the Commission to withdraw the school's 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



Accrediting Commission of Career Schools and Colleges

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## ACCSC STANDING APPEALS PANEL MEMBERS

<b>Panel 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>	2016
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
Cedric D. Page, Ph.D.	<b>University of New Mexico – Los Alamos</b> Los Alamos, New Mexico <i>Public Member</i>	2019
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



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)

# **PUBLIC COMMENT DISCLOSURE FORM**

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**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: JEM College  
271 Ott Street, Ste. 23  
Corona, California 92882-7104

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 JEM College’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





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April 15, 2016

**ELECTRONIC DELIVERY & PRIORITY MAIL**

Yasmin Acevedo  
Director  
Advance Tech College  
1 Baldorioty Street<sup>1</sup>  
Bayamon, Puerto Rico 00961

**School #M070589**  
**Withdrawal of Accreditation**

Dear Ms. Acevedo:

On April 1, 2016, the Accrediting Commission of Career Schools and Colleges (“ACCSC” or “the Commission”) issued a letter to Advance Tech College located in Bayamon, Puerto Rico withdrawing the school’s accreditation and informed 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 April 1, 2016 letter from ACCSC. Accordingly, the Commission’s decision to remove Advance Tech College from the list of ACCSC accredited schools is final effective April 11, 2016 (*Section VII (B)(3), Rules of Process and Procedure, Standards of Accreditation*).

Advance Tech College must immediately inform all students enrolled in the school and those seeking admission that accreditation by ACCSC has been withdrawn and delete all references to and claims of ACCSC accreditation from catalogs, advertising, and promotional materials immediately and in no event later than May 11, 2016, 30 days after the withdrawal of accreditation decision became final (*Section VII (P)(4)(a-b), Rules of Process and Procedure, Standards of Accreditation*).

Pursuant to *Section VII (P)(5), Rules of Process and Procedure, Standards of Accreditation*, Advance Tech College may reapply for accreditation after a period of nine (9) months and thus may only submit an Application for Initial Accreditation after January 11, 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](mailto:mccomis@accsc.org).

Sincerely,

Michale S. McComis, Ed.D.  
Executive Director

c: Idalia Zavala  
Puerto Rico Council on Higher Education  
[izavala@ce.pr.gov](mailto:izavala@ce.pr.gov)

Betty Coughlin  
[Betty.coughlin@ed.gov](mailto:Betty.coughlin@ed.gov)  
U.S. Department of Education – New York/Boston SPT

<sup>1</sup> ATC’s mailing address is P.O. Box 55407, Station One, Bayamon, Puerto Rico, 00960.



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April 1, 2016

**ELECTRONIC DELIVERY & PRIORITY MAIL**

Yasmin Acevedo  
Director  
Advance Tech College  
1 Baldorioty Street<sup>1</sup>  
Bayamon, Puerto Rico 00961

**School #M070589**  
**Withdrawal of Accreditation**

Dear Ms. Acevedo:

At the February 2016 meeting, the Accrediting Commission of Career Schools and Colleges (“ACCSC” or “the Commission”) considered the record in this matter<sup>2</sup> and the Commission’s previous decision to continue Advance Tech College (“ATC”) located in Bayamon, Puerto Rico on Probation in conjunction with the school’s Application for Renewal of Accreditation. Upon review of October 2, 2015 Probation Order and the school’s response thereto, the Commission determined that ATC has failed to demonstrate compliance with ACCSC’s accrediting standards. Accordingly, the Commission voted to withdraw the accreditation of ATC and to remove the school from the list of ACCSC-accredited institutions (*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 withdraw ATC’s accreditation are set forth below.

### **History of Commission Review**

#### **February 2014**

ACCSC received the February 7, 2014 notification from the U.S. Department of Education (“the Department”) indicating that ATC’s Application for Recertification to continue to participate in federal student financial aid programs was denied due to the determination that ATC failed to meet the standards of financial responsibility. Specifically, the Department found that [REDACTED] an employee and executive officer of the school, failed to adhere to the terms of a Repayment Agreement he executed with the Department. The Commission notified ATC of the receipt of the notification in the March 14, 2014 Commission letter.

#### **May 2014**

At the May 2014 meeting, the Commission considered the April 22, 2014 response submitted by ATC as it pertains to the February 7, 2014 Heightened Cash Monitoring 2 (“HCM2”) method of payment notice issued by the U.S. Department of Education due to the school’s denial of recertification. Upon review of the March 14, 2014 Commission letter and the school’s response, the Commission voted to place ATC on Warning<sup>3</sup> with a subsequent review scheduled for the Commission’s September 2014 meeting.<sup>4</sup>

<sup>1</sup> ATC’s mailing address is P.O. Box 55407, Station One, Bayamon, Puerto Rico, 00960.

<sup>2</sup> The record in this matter includes the July 23, 2014 Show Cause Order (Warning); October 23, 2014 Team Summary Report; the March 31, 2015 Probation Order; the July 2, 2015 additional information request; the August 11, 2015 Continued Probation Order; the October 2, 2015 Continued Probation Order; and the November 10, 2015 request for supplemental information for the 2015 Annual Report.

<sup>3</sup> Effective July 1, 2014, the Commission adopted a common framework for Commission Actions whereby Show Cause is now Warning.

<sup>4</sup> The school’s response was received on October 15, 2014 and therefore, the response was considered at the November 2014 meeting.

### **November 2014**

At the November 2014 meeting, the Commission reviewed ATC's response to the Warning which includes a description of the financial position; description of new policies and procedures; an Institutional Teach-Out Plan; and an update as to the school's HCM2 status. Upon review of the July 23, 2014 Warning Order and the school's response, the Commission voted to continue the school on **Warning** with a subsequent review scheduled for ACCSC's **February 2015** meeting. This action was held in abeyance to be combined with the review and action of the Renewal of Accreditation in February 2015.

### **February 2015**

At the February 2015 meeting, the Commission considered ATC's Application for Renewal of Accreditation and the notice of the school's delinquent audited financial statements, sustaining fees and Annual Report fees. Upon review of the October 23, 2014 Team Summary Report ("TSR") and the school's response to that report, along with the Commission's previous decisions, the Commission voted to place ATC on Probation for failure to meet accreditation requirements in the following areas: financial structure and sufficient resources for operation of the school; continuous operations; management experience and demonstrated ability to lead and manage a post-secondary educational institution; graduation and employment rates; employment verification; refund policy; records protected against damage or loss; program advisory committee; verification of prior work experience for faculty member; institutional assessment and improvement planning; leave of absence policy; learning resource system integration; maintaining adequate student services and resources; documentation of student advising session; graduation and employment rate disclosures; catalog student complaint policy. In addition, the Commission voted to direct ATC to submit the outstanding financial statements, reports, and fees. Failure to submit the outstanding financial statements, reports, and fees would result in the revocation of accreditation. The Commission set forth its concerns in a March 31, 2015 Probation Order with a review of financial structure and sufficient resources for operation of the school and continuous operations along with a deadline for the outstanding financial statements, reports, and fee scheduled for the **May 2015** meeting.<sup>5</sup> The remaining areas and responses were scheduled for review at the **August 2015** meeting.

### **July 2015**

ACCSC requested additional information to aid the Commission in its review of the school's response to the March 31, 2015 Probation Order for review at the August 2015 meeting. Specifically, the Commission requested information related to the school's provision of education and training to students in accordance with its primary objectives, (with the exception of any regularly scheduled breaks, vacation periods, or approved changes of location) and maintaining its ability to meet its obligations to students on a continuous basis.

### **August 2015**

At the August 2015 meeting, the Commission considered the previous action to place ATC on Probation. Upon review of the March 31, 2015 Probation Order and July 2, 2015 Commission letter along with the school's April 14, 2015 and July 10, 2015 responses, the Commission voted to continue ATC on Probation with a subsequent review scheduled for ACCSC's September 2015 and February 2016 meetings as follows:

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<sup>5</sup> Although the March 31, 2015 Probation Order states the Commission would review the financial structure and sufficient resources for operation of the school and continuous operations at the May 2015 meeting, all areas of concern from the February 2015 meeting listed in the March 31, 2015 Probation Order were reviewed at the August 2015 meeting.

- The Commission’s August 11, 2015 Continued Probation Order includes findings in the areas of financial structure and sufficient resources for operation of the school and continuous operations in which the school must demonstrate compliance immediately for review at the **September 2015 meeting**; and
- The Commission’s findings in the remaining areas in which the school must demonstrate compliance for review at the **February 2016** meeting would be provided in a subsequent letter if all criteria set forth herein are met at the September 2015 meeting.

**August and September 2015**

At the August 2015 and September 2015 meetings, the Commission considered the previous action to continue ATC on Probation. At the meetings, the Commission reviewed the following items:

- The Commission’s March 31, 2015 Probation Order and the school’s April 14, 2015 response;
- The July 2, 2015 Commission letter and the school’s July 10, 2015 response; and
- The Commission’s August 11, 2015 Continued Probation Order and the school’s September 3, 2015 response.

Upon review of these items, the Commission voted to continue ATC on Probation for failure to meet accreditation requirements in the following areas: financial structure and sufficient resources for operation of the school; continuous operations; graduation and employment rates; employment verification; refund policy; program advisory committee; verification of prior work experience for faculty member; and institutional assessment and improvement planning. The Commission set forth its concerns in an October 2, 2015 Continued Probation Order with a review scheduled for the **February 2016** meeting.

**February 2016 Review and Action**

1. ATC has failed to demonstrate successful student achievement by maintaining acceptable rates of graduate employment in the career field for which the school provides education (*Section VII (B)(1)(b), Substantive Standards, Standards of Accreditation*). ATC reported the following Graduation and Employment (“G&E”) rates in the school’s Outcomes Report response:

Program (Credential)	Length in Months	ATC Graduation Rate (3/15 Report Date)	ATC Graduation Rate (11/15 Report Date)	ACCSC Benchmark Graduation Rate	ATC Employment Rate (3/15 Report Date)	ATC Employment Rate (11/15 Report Date)	ACCSC Benchmark Employment Rate
Cosmetology (Diploma)	13	20%	4%	51%	86%	0%	68%
Barber Hairstyle (Diploma)	13	27%	0%	51%	67%	*	
Medical Billing (Diploma)	12	35%	11%	55%	50%	0%	

\* No reportable rate due to a 0% graduation rate. The school reported 14 starts for the 13-month Barber Hairstyle program, and all 14 students withdrew from the program. As a result, there were no graduates available for employment.

ATC also reported the following G&E rates in response to the Commission’s request for supplemental information in conjunction with the 2015 Annual Report rates:

Program	Length In Months	ATC Graduation Rate (7/15 Report Date)	ATC Graduation Rate (11/15 Report Date)	ACCSC Benchmark Graduation Rate	ATC Employment Rate (7/15 Report Date)	ATC Employment Rate (11/15 Report Date)	ACCSC Benchmark Employment Rate
Administrative Assistant	12	43%	20%	55%	0%	0%	68%
Advance Cosmetology (Master)	8	50%	50%	60%	100%	100%	
Nail Technician	8	8%	0%	60%	No reportable rate*	**	
Professional Esthetic	8	27%	13%	60%	100%	100%	
Small Business Administration	12	No Data Reported	**	55%	No Data Reported	***	

\* The school reported one graduate for the 8-month Nail Technician program, and this graduate was Unavailable for Employment. As a result, there were zero employed graduates out of zero graduates available for employment.

\*\* No reportable rate due to a 0% graduation rate.

\*\*\* The school did not report any cohorts with students in the 2015 Annual Report and as a result was not required to submit an updated G&E Chart with a November 2015 Report Date.

The Commission found the school has reported below benchmark graduation rates in seven (7) of the school’s eight (8) programs. With regard to the employment rate, the school reported a below benchmark rate in three (3) of the school’s eight (8) programs, but had rates which were not reportable due to zero graduates available for employment in two (2) programs and above benchmark rates in two (2) other programs that had significantly low graduation rates and thus only a small number of graduates eligible for employment. As such, the Commission found that ATC did not demonstrate successful student achievement by maintaining acceptable rates of graduation and graduate employment in the career field for which the school provides education.

- ATC has failed to demonstrate that the school supports reported rates of student achievement through verifiable records (*Section VII (B)(1)(b), Substantive Standards, Standards of Accreditation*). The October 23, 2014 TSR notes that at the time of the September 3-4, 2014 Renewal of Accreditation, on-site evaluation, ATC did not have documentation that a third-party verified employment classifications in accordance with the instructions in the Application for Renewal of Accreditation and the Self-Evaluation Report. The school hired BEC Solutions Group Corp, Inc. (“BEC”) to complete the third-party audit, but the documentation provided by ATC does not include descriptive job titles and duties, dates of initial employment, and whether the third-party in fact verified the information with the employer or the graduate or not. In the March 31, 2015 Probation Order, the Commission directed ATC to engage an independent third-party auditor to verify the accuracy of the graduate and employment data as reported by ATC to ACCSC in the 2014 Annual Report and as disclosed to students. In response to the March 31, 2015 Probation Order, ATC “requested BEC services to correct their report to comply with the Commission review.” In reviewing the data provided by the school, the Commission noted the following statistics as reported by ATC:

Program	Number of Students	First Audit Verified as Correct Percentage	Second Audit Verified as Correct Percentage
Administrative Assistant	2	100%	0%
Advance Cosmetology (Master)	2	100%	50%
Barber Hairstyle	4	100%	0%
Cosmetology	6	100%	33%
Medical Billing	5	100%	40%

Program	Number of Students	First Audit Verified as Correct Percentage	Second Audit Verified as Correct Percentage
Nail Technician	5	100%	40%
Professional Esthetic	6	100%	83%
Small Business Administration	1	100%	0%

The Commission found the low rates of verification of the reported data during the second audit to be unacceptable and that school's reported employment rates cannot be considered reliable. Adding to the finding of unreliability, the Commission questioned, based on the school's data, how [REDACTED] a Cosmetology graduate employed as an educational assistant with VPA KiddoKidz, and [REDACTED] a Small Business Administration graduate employed as "Custom Service," can be classified as employment in a training-related field.

Although ATC stated that the "school has established an ongoing year-to-year self-requirement to engage an Independent Third-Party Employment Data Verification, in addition to our internal policies to verify the students' achievement for each program offered," the Commission was not convinced that the currently reported data is reliable or that the Commission could reasonable expect future submissions to be reliable. As such, the Commission determined that additional monitoring of these efforts was warranted particularly in light of the aforementioned low verification rates of the school's data.

Therefore in the October 2, 2015 Continued Probation Order, the Commission directed ATC to submit:

- The results of the most recent Independent Third-Party Employment Data Verification which the school indicated in its response would be conducted year-to-year or
- If this process had not been implemented, an explanation as to why the school had not put this verification audit into place as ATC informed the Commission the school would.

Alternately, the Commission allowed that if the school could show implementation of its own reliable independent third-party employment data verification process, the school could submit an audit conducted by an acceptable independent third-party auditor who secured or attempted to secure verification from the employer or the graduate either verbally or in writing for at least 50% of the graduate placement data ("Graduates-Employed in Field," line 15 on the Graduation & Employment Chart) for each program submitted in the school's 2015 ACCSC Annual Report.

In response to the October 2, 2015 Continued Probation Order, ATC stated,

*The process of a recent independent audit has not yet been performed. We recently had engaged in this process specifically twice in a period of six months for the required Commission's reports responses. The school's interest is to comply with the ACCSC standards and continued commitment to a year to year engagement in order to provide complete confidence in the Employment Data Verification. The school understands and agrees with the probation order in that to relieve from the additional commissions monitoring requirements, the Independent Third-Party Audit must be conducted by an ACCSC identified approved auditor. The school is committed to proceed in this direction and believes that promptly ACCSC will provide additional approved auditors for these services, particularly for the Puerto Rico accredited schools.*

The Commission, however, never stated that the independent third-party audit "must be conducted by an ACCSC identified approved auditor" and as such the Commission did not accept this as a reason

for ATC to not have fulfilled this requirement. As ATC did not perform the independent third-party audit as directed by ACCSC, the Commission found that the school did not demonstrate that the school has supported its reported rates of student achievement through verifiable records.

3. ATC has failed to demonstrate that the school has a fair and equitable refund policy in accordance with the school's disclosures (*Section I (D)(5), Substantive Standards, Standards of Accreditation*). The on-site evaluation team observed that refunds for students who withdrew between February 13, 2014 and April 15, 2014 (40 students) were not made in a timely manner in accordance with the school's published policy. The school provided a review of the change in administrative staff overseeing refunds and noted that 22 of the students did not require a refund. For the remaining 18 students, each refund made was not within the timeframe established by the school's refund policy.

In the March 31, 2015 Probation Order, the Commission directed ATC to submit a copy of the school's policy for calculating and dispersing refunds and to submit a Refund Report for all students who were either dismissed or withdrew between October 1, 2014 and March 31, 2015. In response, the school provided a copy of the catalog including the "Refund Policy (Withdrawals) 'Pro-Rata Method.'" and the refund calculations for 23 students with September 29, 2014 as the date the refund was paid. The Commission found that while the catalog included the policy for calculating a refund, the policy did not include the timeframe in which the refund will be completed. Moreover, the Commission found that the Refund Report did not provide any information for students who withdrew or were terminated within the timeframe of October 1, 2014 to March 31, 2015 as specified by the Commission.

Therefore, in the October 2, 2015 Continued Probation Order, the Commission directed ATC to submit an updated copy of the school's catalog to include the updated policy for calculating and dispersing refunds and an ACCSC Refund Report for all refunds issued to students who were either dismissed or withdrew between October 1, 2014 and December 31, 2015 along with an explanation for any refund not completed within the timeframe set forth in the school's written and published refund policy.

In response to the October 2, 2015 Continued Probation Order, ATC provided an updated copy of the school's catalog to include the school's updated refund policy. In addition, ATC noted "[f]or the period of October 1, 2014 and December 31, 2015, the school has only one (1) student that dismissed [*sic*] for the Professional Esthetic Program." In reviewing the backup documentation, the Commission found that the June 16, 2015 Date of Determination of Withdrawal/Termination listed on the ACCSC Refund Report Summary Sheet conflicts with the May 13, 2015 Date of Determination of Withdrawal/Termination listed on the Refund Report Worksheet. With the variance in the Date of Determination of Withdrawal/Termination, the Commission found that ATC failed to demonstrate that the school implements a fair and equitable refund policy in accordance with the school's disclosures.

4. ATC did not demonstrate that the school has conducted at least two (2) Program Advisory Committee ("PAC") meetings for all programs annually (*Section II (A)(5)(d), Substantive Standards, Standards of Accreditation*). The October 23, 2014 TSR notes that the last PAC meeting took place in April 2009. In response, the school provided November 24, 2014 PAC meeting minutes; however, the minutes were not translated into English as required by ACCSC. In addition, ATC stated "we will schedule two meetings for next year (2015)" but the Commission had found that the school did not provide any tentative dates for the proposed meetings. In the March 31, 2015 Probation letter, the Commission directed ATC to provide a list of all PAC members, an English translation for the November 24, 2014 PAC meeting minutes, and written and detailed minutes of all PAC meetings

held for all programs since the submission of the response to the TSR. In response to the March 31, 2015 Probation Order, ATC submitted a list of all PAC members and a translation for the November 24, 2014 PAC meeting minutes. In addition, ATC stated that the school “did not hold meeting [sic] with our PAC members after the submission of the response to the TSR” but that the school “scheduled meetings for August 3 and November 9, 2015.”

The Commission found that the school’s response failed to sufficiently demonstrate that the school has conducted PAC meetings in accordance with accreditation requirements and as such, the Commission directed ATC to submit written and detailed minutes for the August 3, 2015 and November 9, 2015 PAC meetings as part of the October 2, 2015 Continued Probation Order.

In response to the October 2, 2015 Continued Probation Order, ATC submitted meeting minutes for the August 3, 2015 meeting and stated “[t]he meeting scheduled for November 9, 2015, was cancelled because the school preferred to change the date of this meeting because at the moment the school only has 2 enrollment students (sic).” In addition, in reviewing the PAC members in attendance at the August 3, 2015 meeting, the Commission found only one program, Cosmetology, with at least three members in attendance that represent the employment community and/or practitioners from the program area. As such, the Commission found that ATC failed to demonstrate that the school has conducted at least two (2) Program Advisory Committee (“PAC”) meetings for all programs annually with at least three members in attendance representing the employment community and/or practitioners.

5. ATC has failed to demonstrate institutional assessment and improvement goal setting, benchmarking, and implementation activities in the areas of fiscal condition and budget; administrative policies and practices; student support services; educational program curricula; learning resources system, equipment, and supporting materials; facilities; and student achievement outcomes (*Section I (B)(2), Substantive Standards, Standards of Accreditation*). The TSR states that ATC did not demonstrate that the school had created detailed benchmarks and timelines for institutional improvement in the aforementioned areas. In response to the findings of the on-site evaluation team, ATC stated that the school has “made the necessary changes and adjustments to ensure is in compliance [sic],” that “the school is working with the IAIP to verify the information submitted to ACCSC,” and that the school “will establish the necessary controls to ensure comply wit [sic] the ACCSC standards.” However, ATC did not provide a copy of the school’s IAIP, documentation of the changes and adjustments, or implementation of the controls to ensure compliance.

In the March 31, 2015 Probation Order, the Commission directed ATC to submit evidence that the school’s institutional assessment and improvement activities are appropriate to the size of the school’s operations and support the management and administration of the school; support and enhance the quality of education provided; include internal and external information and feedback; and are significant and ongoing. In response to the March 31, 2015 Probation Order, ATC provided an account of the current retention rate of 67%; agendas for the Faculty Meetings held January 20, 2015 with [REDACTED] and June 18, 2015 with [REDACTED] with documentation of the topics in Spanish; a description of changes to be implemented with new students enrolling in the 2015-2016 Academic Calendar based on PAC recommendations; and documentation that [REDACTED] attended ACCSC Workshops in May 2015 and January 2014, respectively. Overall, the Commission found that while it did appear that ATC’s institutional improvement activities include internal and external feedback, the school did not provide evidence that the activities and planning are appropriate to the size of the school’s operations and support the management and administration of the school; that the activities support and enhance the quality of education provided; and that the school’s activities are significant



and ongoing. Specifically, the school's narrative response to this concern addresses increasing enrollment for 2015-2016; new hires; and faculty and staff training. The response, however, does not provide evidence of institutional assessment and improvement activities for all areas as set forth by accrediting standards.

Therefore, in the October 2, 2015 Continued Probation Order the Commission directed ATC to submit:

- Evidence that the school engages in ongoing institutional assessment and improvement activities and planning appropriate to the size of the school's operations and that support the management and administration of the school as well as the quality of education provided;
- Evidence that the school's institutional assessment and improvement activities support and enhance the quality of education provided to include the translations of the documentation from the January 20, 2015 and June 18, 2015 faculty meetings;
- Evidence that the school's institutional assessment and improvement activities are significant and ongoing experiences at the school; and
- Evidence of institutional assessment and improvement goal setting, benchmarking, and implementation activities appropriate to the size and scale of the school's operations in the areas of management; fiscal condition and budget; administrative policies and practices; student support services; faculty and staff development; educational program curricula; learning resources system, equipment, and supporting materials; facilities; and student achievement outcomes.

In response to the October 2, 2015 Continued Probation Order, ATC stated that the school is "in the ongoing process of translation from the January 20, 2015 and June 18, 2015 faculty meetings" and therefore did not submit copies of the meeting minutes. In addition, as evidence that the school's institutional assessment and improvement activities are significant and ongoing experiences at the school, ATC presented only a picture of students performing a massage and hair cut to demonstrate the school's "partnership with the municipality government for significant school experiences." Additionally, to demonstrate the goal setting, benchmarking, and implementation activities appropriate to the size and scale of the school's operations, the school's response includes a reference to the budget submitted as part of the financial response but no additional areas of the school's operations. Overall, the Commission found that ATC failed to demonstrate that the school sufficiently engages in institutional assessment and improvement goal setting, benchmarking, and implementation activities in the areas outlined in *Section I (B)(2), Substantive Standards, Standards of Accreditation*.

## **CONCLUSION**

The Commission took the school's full response into consideration and determined that ATC failed to demonstrate compliance with ACCSC's accrediting standards in the areas of graduation and employment rates; employment verification; refund policy; Program Advisory Committees; and institutional assessment and improvement planning and, therefore, voted to withdraw the accreditation of ATC and to remove the school from the list of ACCSC-accredited institutions (*Section VII (P)(1)(b), 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 Withdrawal Order is made public and provided to the U.S. Department of Education, appropriate state agencies, and appropriate accrediting agencies.

### **TEACH-OUT PLAN**

Pursuant to federal law, an accrediting agency recognized by the U.S. Department of Education must require a teach-out plan from an institution subject to an adverse accreditation decision to withdraw accreditation. Therefore, in accordance with *Section IV (1)(F)(1)(c) Rules of Process and Procedure, Standards of Accreditation* the Commission requires that ATC submit a completed *ACCSC Institutional Teach-Out Plan Approval Form*,<sup>[1]</sup> to demonstrate how, in the face of possible consequences of the withdrawal of accreditation, ATC will ensure the opportunity for students to complete their program of study either by ATC or through an agreement with another accredited institution(s) approved to offer a program comparative to ATC's. The school Teach-Out Plan should be submitted **on or before April 18, 2016.**

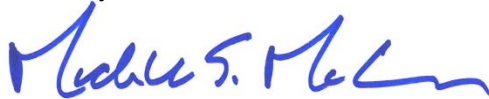
### **APPEAL AND REAPPLICATION PROCESS AND PROCEDURE**

ATC may opt to appeal the Commission's decision to withdraw 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 ATC 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 April 11, 2016.**
- If ATC 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 May 2, 2016.**
- If ATC elects not to appeal this decision, the Commission's decision will become effective **April 11, 2016.** The school may submit comments **on or before May 2, 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*.

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

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<sup>[1]</sup> The *ACCSC Institutional Teach-Out Plan Approval Form* is available online at <http://www.accsc.org/Content/FormsAndReports/FormsAndReports.asp>



Accrediting Commission of Career Schools and Colleges

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

### **To Be Submitted No Later Than April 11, 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 Advance Tech College located in Bayamon, Puerto Rico intends to appeal the recent decision of the Commission to withdraw the school's accreditation and remove the school from the list of ACCSC-accredited institutions. 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.

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 May 2, 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



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)

## ACCSC Standing Appeals Panel Members

<b>Panel Member</b>	<b>Affiliation</b>	<b>Term Ending</b>
Nancy Bradley	<b>Daytona College</b> Ormond Beach, Florida <i>School Member</i>	2016
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
Timothy McMahon	<b>Triangle Tech</b> Pittsburgh, Pennsylvania <i>School Member</i>	2016
Cedric D. Page, Ph.D.	<b>University of New Mexico – Los Alamos</b> Los Alamos, New Mexico <i>Public Member</i>	2019
Kathleen J. Steinberg	<b>Midwest Technical Institute</b> Lincoln, Illinois <i>School Member</i>	2018



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# **PUBLIC COMMENT DISCLOSURE FORM**

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**To Be Submitted No Later Than May 2, 2016.**

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

RE: Advance Tech College  
1 Baldorioty Street  
Bayamon, Puerto Rico 00961

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 a summary of 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 Advance Tech College’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 May 2, 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



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April 15, 2016

**ELECTRONIC DELIVERY & FEDERAL EXPRESS**

Lois Carrigan  
Director  
Broadcasting Institute of Maryland  
7200 Harford Road  
Baltimore, Maryland 21234

**School #M001013**  
**Withdrawal of Accreditation**

Dear Ms. Carrigan:

On April 1, 2016, the Accrediting Commission of Career Schools and Colleges (“ACCSC” or “the Commission”) issued a letter to Broadcasting Institute of Maryland located in Baltimore, Maryland withdrawing the school’s accreditation and informed 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 April 1, 2016 letter from ACCSC. Accordingly, the Commission’s decision to remove Broadcasting Institute of Maryland from the list of ACCSC accredited schools is final effective April 11, 2016 (*Section VII (B)(3), Rules of Process and Procedure, Standards of Accreditation*).

Broadcasting Institute of Maryland must immediately inform all students enrolled in the school and those seeking admission that accreditation by ACCSC has been withdrawn and delete all references to and claims of ACCSC accreditation from catalogs, advertising, and promotional materials immediately and in no event later than May 11, 2016, 30 days after the withdrawal of accreditation decision became final (*Section VII (P)(4)(a-b), Rules of Process and Procedure, Standards of Accreditation*).

Pursuant to *Section VII (P)(5), Rules of Process and Procedure, Standards of Accreditation*, Broadcasting Institute of Maryland may reapply for accreditation after a period of nine (9) months and thus may only submit an Application for Initial Accreditation after January 11, 2017<sup>1</sup>. 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](mailto:mccomis@accsc.org).

Sincerely,

Michale S. McComis, Ed.D.  
Executive Director

c: Alan Galegos  
[Redacted]  
Maryland Higher Education Commission

Nancy Klinger  
[Redacted]  
U.S. Department of Education – Philadelphia SPT

<sup>1</sup> If the school is ever to re-apply with ACCSC, all outstanding balances will also need to be paid prior to the acceptance of the school’s application.



Accrediting Commission of Career Schools and Colleges

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April 1, 2016

**ELECTRONIC DELIVERY/FEDERAL EXPRESS**

Lois Carrigan  
Director  
Broadcasting Institute of Maryland  
7200 Harford Road  
Baltimore, Maryland 21234

**School #M001013**  
**Withdrawal of Accreditation**

Dear Ms. Carrigan:

At its March 2016 meeting, the Accrediting Commission of Career Schools and Colleges (“ACCSC” or “the Commission”) considered the February 18, 2016 notice from the Maryland Higher Education Commission (“MHEC”) disclosing that Broadcasting Institute of Maryland (“BIM”) located in Baltimore, Maryland closed precipitously effective January 29, 2016. Upon review of the ACCSC letter dated February 26, 2016 which provided the school an opportunity to respond,<sup>1</sup> the Commission determined that BIM failed to demonstrate compliance with ACCSC’s accrediting standards. Accordingly, the Commission voted to withdraw the accreditation of BIM and to remove the school from the list of ACCSC-accredited institutions effective January 29, 2016 (*Section VII (P) (1), Rules of Process and Procedure, Standards of Accreditation*). The reasons for the Commission’s decision to withdraw BIM’s accreditation are set forth below.

As stated in the Commission’s letter dated February 26, 2016, according to ACCSC’s records BIM did not notify the Commission of the school’s decision to close and did not submit an Institutional Teach-Out Plan. ACCSC accrediting standards state the following:

- *Section IV (F)(1), Rules of Process and Procedures, Standards of Accreditation* states that the Commission will require a school to submit a complete ACCSC Institutional Teach-Out Plan Approval Form when a school intends to close.
- *Section V (E)(1)&(2)(d), Rules of Process and Procedures, Standards of Accreditation* states that each accredited school must 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 or circumstances necessitating such notification include but are not limited to a decision to cease operations, close, or propose a teach-out of students (must include an ACCSC Institutional Teach-Out Plan).
- *Section I (E)(2)(d), Rules of Process and Procedures, Standards of Accreditation* states that in order for a school to maintain its eligibility for accreditation, it must comply on a continuous basis with accreditation standards and requirements; operate providing education and training to students in accordance with its primary objectives (with the exception of any regularly scheduled breaks, vacation periods, or approved changes of location); maintain its ability to meet its obligations to students on a continuous basis; and fulfill all process, reporting, and substantive change requirements.
- *Section VII (P)(1), Rules of Process and Procedures, Standards of Accreditation* states that the Commission may withdraw the accreditation of a school any time a school fails to demonstrate compliance with one or more accreditation standards or other requirements and for any of the reasons,

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<sup>1</sup> No response was received from BIM.

or combination thereof, listed in *Section of VII (P)(1), Rules of Process and Procedures, Standards of Accreditation* including: failure to continue to meet the eligibility requirements for accreditation set forth in *Section I, Rules of Process and Procedure, Standards of Accreditation*; failure to demonstrate compliance with an accrediting standard or other accreditation requirement set forth in the *Standards of Accreditation*; failure to notify the Commission in a timely manner of any material change in the school's ownership, the way in which the school conducts its business, or the circumstances in which it operates, pursuant to *Sections IV and V, Rules of Process and Procedure, Standards of Accreditation*.

Given that the BIM failed to notify ACCSC of the school's decision to close and because BIM closed precipitously without submitting and receiving approval of an institutional teach-out plan, and given that the school provided no response regarding this matter, the Commission determined that the school has not met its reporting obligations to the Commission, has failed to maintain the school's ability to meet its obligations to students and as such has not met the obligations to maintain its eligibility for accreditation (*Section I (D), Rules of Process and Procedures, Standards of Accreditation*). Accordingly, the Commission has acted to withdraw the school's accreditation effective January 29, 2016.

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

### **TEACH-OUT PLAN**

Pursuant to federal law, an accrediting agency recognized by the U.S. Department of Education must require a teach-out plan from an institution subject to an adverse accreditation decision to withdraw accreditation. Therefore, in accordance with *Section IV (1)(F)(1)(c) Rules of Process and Procedure, Standards of Accreditation* the Commission requires that BIM submit a completed ACCSC Institutional Teach-Out Plan Approval Form,<sup>2</sup> to demonstrate how, in the face of possible consequences of the withdrawal of accreditation, BIM will ensure the opportunity for students to complete their program of study either by BIM or through an agreement with another accredited institution(s) approved to offer a program comparative to BIM's. The school Teach-Out Plan should be submitted **on or before April 18, 2016.**

### **APPEAL AND REAPPLICATION PROCESS AND PROCEDURE**

BIM may opt to appeal the Commission's decision to withdraw 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 BIM 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 April 11, 2016.**
- If BIM 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 May 2, 2016.**
- If BIM elects not to appeal this decision, the Commission's decision will become effective **April 11, 2016.** The school may submit comments **on or before May 2, 2016** in accordance with the enclosed Public Comment Disclosure Form. Comments submitted by the school will accompany any public

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<sup>2</sup> Available online at: <http://www.accsc.org/Content/FormsAndReports/FormsAndReports.asp>



disclosure of a final Commission action pursuant to *Section X (D)(4), 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

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### **To Be Submitted No Later Than April 11, 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 Broadcasting Institute of Maryland located in Baltimore, Maryland intends to appeal the recent decision of the Commission to withdraw the school’s accreditation and remove the school from the list of ACCSC-accredited institutions. 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.

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 May 2, 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



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Nancy Bradley	<b>Daytona College</b> Ormond Beach, Florida <i>School Member</i>	2016
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
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# PUBLIC COMMENT DISCLOSURE FORM

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**To Be Submitted No Later Than May 2, 2016.**

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

RE: Broadcasting Institute of Maryland  
7200 Harford Road  
Baltimore, Maryland 21234

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 a summary of 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 Broadcasting Institute of Maryland’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 May 2, 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



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April 21, 2016

**ELECTRONIC DELIVERY & FEDERAL EXPRESS**



Gloria Cruz Lugo  
Director / Chief Executive Officer  
Globelle Technical Institute  
#114 Marginal Urb. Monte Carlo  
Vega Baja, Puerto Rico 00693

**School #M068548**  
**Withdrawal of Accreditation**

Dear Ms. Cruz:

At the March 2016 meeting, the Accrediting Commission of Career Schools and Colleges (ACCSC) considered its previous decision to continue Globelle Technical Institute (“GTI”) located in Vega Baja, Puerto Rico on Probation. Upon consideration of the February 12, 2016 Continued Probation Order and the school’s response, the Commission voted to withdraw the accreditation of GTI and to remove the school from the list of ACCSC-accredited institutions (*Section VII (P)(1), Rules of Process and Procedure, Standards of Accreditation*).

In reaching the decision to withdraw accreditation, and as explicitly indicated in the February 12, 2016 Continued Probation Order, while the Commission employs its own fact-finding methods to determine a school’s compliance with accrediting standards, such as on-site evaluation team’s observations, interim monitoring, and review of information provided by third parties, the burden rests with GTI to establish that the school is meeting all requirements of the *Standards of Accreditation*. By applying for and receiving accreditation, GTI accepts the obligation to demonstrate compliance with the *Standards of Accreditation (Preamble to the Standards of Accreditation)*. The Commission has determined that GTI failed to meet that burden.

The February 12, 2016 Continued Probation Order put the school on notice of the seriousness of this matter and provided GTI with one final opportunity to demonstrate compliance with accrediting standards. This Probation Order specifically stated that “failure of the school to demonstrate compliance with accrediting standards or other accrediting requirements outlined in this Continued Probation Order, to include the submission of all reports and fees due to ACCSC by the due date set forth herein **will result** in a withdrawal of accreditation action.” The Commission reviewed the school’s response to the February 12, 2016 Continued Probation Order and found that despite being given multiple opportunities to do so, GTI failed to demonstrate compliance with accrediting standards and the requirements for the school to maintain accreditation.

**SUMMARY OF THE MATTER**

**May 2015 Commission Meeting**

At its May 2015 meeting, ACCSC considered the Application for Renewal of Accreditation and Application for a Change of Ownership-Part I submitted by GTI. Based on its review, the Commission held the school’s Application for Renewal of Accreditation in abeyance while additional information was sought regarding the school’s change of ownership application. In reaching this decision, the Commission expressed significant concerns and questioned, based on the documentation provided by the school in its Application for a Change of Ownership-Part I, whether GTI and the buyer, LUED Institute, LLC had signed and executed a Purchasing Agreement for the sale and purchase of the school on March 18, 2015, prior to receiving Commission approval. The Commission noted that the Purchasing Agreement,

translated by the school<sup>1</sup> into English, includes statements which the Commission found reinforced its questions regarding whether GTI actually underwent a change of control resulting from a change of ownership prior to receiving Commission approval.

#### August 2015 Commission Meeting

As stated in its September 3, 2015 letter to GTI, the Commission again reviewed at its August 2015 meeting its decision to hold the Application for Renewal of Accreditation submitted by GTI in abeyance pending review of additional information concerning the school's Application for a Change of Ownership-Part I. Upon consideration of GTI's responses to the Commission's July 10, 2015 request for information relating to the change of ownership, the Commission voted to deny the Application for a Change of Ownership-Part I (*Section VII (O)(1), Rules of Process and Procedure, Standards of Accreditation*) subject to appeal. Subsequently, in a letter dated September 7, 2015, GTI informed ACCSC that the school would not appeal the Commission's denial of the Change of Ownership.

As a result of the Commission's decision to deny the change of ownership application, ACCSC's records reflect the ownership structure on file with the Commission at the time that the school filed the change of ownership application.<sup>2</sup> Furthermore, in order to ensure that GTI had maintained compliance with ACCSC standards, procedures, policies, directives, and requirements, the Commission voted to defer action on the school's Application for Renewal of Accreditation pending the outcome of a Commission Directed Announced On-Site Evaluation to the school, the costs of which were to be borne by GTI (*Section VII (R)(2), Rules of Process and Procedure, Standards of Accreditation*)<sup>3</sup>.

#### November 2015

On November 20, 2015, ACCSC issued a letter to GTI noting that the school had not responded to the Commission's September 3, 2015 letter as directed and therefore the Commission would consider this matter at the December 2015 Full Commission Conference Call.

#### December 2015 Full Commission Conference Call

During the December 2015 teleconference, the Commission considered its September 3, 2015 and November 20, 2015 letters to GTI, as well as two letters from GTI dated December 7, 2015. Given the history of the Commission's review of GTI since the filing of the change of ownership application in April 2015, the outstanding questions regarding the school's compliance with accrediting standards, and pursuant to *Section VII (R) (2) & Section III (B)(4), Rules of Process and Procedure, Standards of Accreditation*, the Commission voted to place the school on Probation and to direct the school to undergo an unannounced on-site evaluation in order to assess GTI's current status of operations and compliance with accreditation requirements. The purpose of the on-site evaluation was to review institutional operations and practices, interview school personnel, survey and interview students as necessary, and examine institutional records in an attempt to determine the school's compliance with accreditation requirements<sup>4</sup> including, but not limited to:

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<sup>1</sup> GTI also provided a copy of the original Purchasing Agreement that is in Spanish, and is signed and dated by both the selling and purchasing entities.

<sup>2</sup> Gloria Cruz Lugo (34%) ("Ms. Cruz"); Glorivid Negron Lugo (33%); and Melissa Negron Lugo (33%).

<sup>3</sup> Subsequently, the Commission elected to change the nature of the on-site evaluation from an announced visit to an unannounced visit.

<sup>4</sup> The Commission-directed unannounced on-site evaluation took place on January 13, 2016. Gloria Cruz-Lugo, who is recognized by ACCSC as the owner of the school, received a copy of the report on January 19, 2016. Ms. Cruz-Lugo filed a response to the report on February 2, 2016.

- Management and Administrative Capacity (*Section I (A) Substantive Standards, Standards of Accreditation*)
- Student Achievement (*Section VII (B)(1)(b), Appendix VI, Substantive Standards, Standards of Accreditation*);
- Instructional Materials and Equipment (*Section II (A)(4), Substantive Standards, Standards of Accreditation*);
- Learning Resource System (*Section II (A)(6)(a), Substantive Standards, Standards of Accreditation*);
- Federal Requirements (*Section I (B)(1)(e)(iii), Rules of Process and Procedure, Standards of Accreditation*); and
- Student Withdrawals (*Section I (D)(5), Substantive Standards, Standards of Accreditation*).

The purpose of the on-site evaluation was to address the outstanding items from the Commission's September 3, 2015 letter, to include:

- The status of the school's current appeals and any challenges issued to the U.S. Department of Education regarding the school's loss of eligibility to participate in the federal student loan program;
- A detailed explanation, plan, and financial projections for 2015-2016 should the school be unable to regain eligibility to participate in Title IV federal student financial assistance programs;
- A completed ACCSC Institutional Teach-Out Plan Approval Form and all attachments. If GTI's Institutional Teach-Out Plan includes a teach-out agreement with another school, GTI was required to submit a copy of that teach-out agreement and form for approval; and
- Any other additional information that GTI believed would assist the Commission in assessing the school's compliance with accrediting standards.

Moreover, the Commission notified GTI that the school is delinquent in satisfying the requirement that all ACCSC-accredited schools pay all pertinent sustaining fees, extension fees, and on-site evaluation fees on a timely basis (*Section I (E)(2), Rules of Process and Procedure, Standards of Accreditation*).

#### February 2016 Review and Action

At the February 2016 meeting, the Commission considered its previous decision to place GTI on Probation and to direct the school to undergo a Commission Directed Unannounced Visit. Upon review of the January 13, 2016 Probation Order, the January 16, 2016 Commission-Directed Unannounced On-Site Evaluation Report, and GTI's response to that report, the Commission found that the response did not allay the Commission's concerns about the school but instead intensified those concerns. However, the Commission determined that given the circumstances outlined by the school – including a recent development on February 1, 2016 in which Ms. Gloria Cruz Lugo stated that she had regained access to and control of the school – additional consideration was warranted. As such, in light of the circumstances surrounding the change of ownership, the Commission directed GTI in the February 12, 2016 Continued Probation Order to supply the Commission with complete documentation of the school's compliance with all accrediting standards and requirements identified if the school is to maintain accreditation with ACCSC. The Commission also notified GTI that failure of the school to demonstrate compliance with accrediting standards or other accrediting requirements as outlined in the Continued Probation Order, including the submission of all reports and fees to ACCSC by their due dates, **will result** in a withdrawal of accreditation action.

### **March 2016 Review and Action**

The Commission considered that since the filing of the application for change of ownership in April 2015 (which was subsequently denied by the Commission) there has been a dispute between Gloria Cruz-Lugo, who ACCSC recognizes as the owner of the school, and LUED Technical Institute, LLC (LUED) that claims to be the new owner of the school. ACCSC understands that this dispute is playing itself out in court. As controversy persists, there remain critical outstanding questions regarding the school's compliance with substantive accreditation standards as well as the submission of required information and fees.<sup>5</sup> In short, the record before the Commission reflects that neither party has satisfied the requirements for a school to maintain ACCSC accreditation.

On March 9, 2016, GTI filed a response to the Continued Probation Order in which the school contends that due to the ongoing dispute with LUED, it is unable to provide documentation to address the Commission's concerns. The Commission noted the following explanation from the school's response:

*As we had previously stated on our letter dated February 2nd, [w]e regained physical control of the school on February 1st. However, what was handed to us was basically an empty shell, where several of the files and equipment necessary to submit the requested information were (And still are) missing and/or unaccounted for, making the task of providing the necessary documentation within the specified timeframe nearly impossible.*

The Commission also took note of the fact that as stated by the school in its response, GTI does not currently have a license to operate in Puerto Rico because the school's license had been transferred to LUED, Inc.<sup>6</sup> With respect to the outstanding fees due to ACCSC, GTI stated:

*In regards to the invoices and fees requested to cover expenses both recently incurred by ACCSC and late fees from the 2015 Annual Report, the current situation has left me in a state of utter financial hardship. As I have previously stated, Mr. Rodriguez Cruz basically left an empty shell when he handed over the school, and I am currently left with mounting legal bills and other costs which I am personally unable to cover for the moment, due to the fact that I have been deprived of my main sources of income by Mr. Rodriguez Cruz actions.*

As captured in the February 12, 2016 Continued Probation Order, the Commission is well aware of the ongoing dispute between GTI and LUED, Inc. regarding the ownership of the school.<sup>7</sup> However, that matter aside, in the February 12, 2016 Continued Probation Order, the Commission directed GTI to demonstrate that it has maintained its eligibility for ACCSC accreditation. In this regard, the school has not been able to demonstrate that it has a) complied on a continuous basis with accreditation standards and requirements; b) operated providing education and training to students in accordance with its primary objectives, and maintained its ability to meet its obligations to students on a continuous basis; c) maintained all necessary authorizations from the state in which it operates and maintained compliance with all applicable local, state, and federal requirements; and d) paid all sustaining fees, processing fees (including late fees), and on-site evaluation fees as required and on a timely basis (*Section I (E)(2), Rules of Process and Procedure, Standards of Accreditation*).

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<sup>5</sup> To include the filing required reports and fees, such as the 2015 ACCSC-Annual Report, audited financial statements and Sustaining Fee Calculation Sheet for the school's most recent year-end, and have not paid all required fees, to include extension fees that were granted by the Commission, on-site evaluation fees, late fees, or annual sustaining fees for 2015.

<sup>6</sup> According to the school's response, GTI has filed suit against the Consejo de Educacion de Puerto Rico for transferring the license to LUED, Inc.

<sup>7</sup> In a letter dated September 3, 2015 ACCSC denied the application for a change of ownership filed on behalf of GTI.



The Commission found that although GTI's response explains how the change of ownership dispute has impacted the school's ability to operate, as well as the school's ability to demonstrate compliance with accrediting standards, the response did not provide any information or documentation regarding the 13 compliance findings that originated from the Commission Directed Unannounced On-Site Evaluation Report; did not include a teach-out plan as directed and as required by *Section IV (F)(1)(d), Rules of Process and Procedure, Standards of Accreditation* or provide any information regarding whether students are enrolled in the school; did not satisfy the requirements for all ACCSC-accredited schools to pay all sustaining fees, processing fees (including late fees), and on-site evaluation fees as required and on a timely basis (*Section I (E)(2), Rules of Process and Procedure, Standards of Accreditation*); and to date, GTI is delinquent in filing its 2015 ACCSC Annual Report and submitting the financial statements for the school's most recent fiscal year-end.

The Commission's responsibilities as an accrediting agency recognized by the U.S. Secretary of Education do not permit it to wait for GTI to untangle itself from its failed purported change-of-ownership attempt that in its own words has left the school an "empty shell" and its current owner in "a state of utter financial hardship."

Therefore, because GTI failed to demonstrate compliance with accrediting standards as was explicitly required by the February 12, 2016 Continued Probation Order in order for the school to maintain accreditation, including the fulfillment of specific financial obligations to ACCSC, the Commission voted to withdraw the school's accreditation and to remove the school from the list of ACCSC-accredited institutions.

#### **INSTITUTIONAL TEACH-OUT PLAN**

The Commission directs GTI to submit a completed [ACCSC Institutional Teach-Out Plan Approval Form](#) and all attachments **on or before May 2, 2016**. If GTI's Institutional Teach-Out Plan includes a teach-out agreement with another school, GTI must submit a copy of that teach-out agreement and form for approval.

#### **NOTICE OF COMMISSION ACTION**

In accordance with *Section X, Rules of Process and Procedure, Standards of Accreditation*, a copy of this Withdrawal of Accreditation letter 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**

GTI may opt to appeal the Commission's decision to withdraw 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 GTI 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 May 2, 2016**.
- If GTI 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 May 23, 2016**.
- If GTI elects not to appeal this decision, the Commission's decision will become effective May 2, 2016. The school may submit comments **on or before May 23, 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 GTI elects not to appeal this decision and to reapply for accreditation, the school must wait nine months from the date on which the withdrawal of accreditation became effective before a new application for accreditation may be submitted to ACCSC as required by *Section VII (P)(5), Rules of Process and Procedure, Standards of Accreditation*. The school may file a [Request for a Waiver of an Accreditation Standard or Policy](#) and ask to be able to reapply to ACCSC sooner than the nine-month waiting period would normally require. In order for a waiver to be given consideration in this matter, the school must:
  - Demonstrate that one of the waiver tests is met;<sup>8</sup>
  - Demonstrate that the school will be able to operate in full compliance with accrediting standards, to include a demonstration of financial soundness, from the date that application is made to ACCSC;
  - Submit the outstanding fees due to ACCSC totaling \$5,000.00; and
  - Submit all outstanding sustaining fees.

For additional information regarding the Commission's decision, please contact me directly at 703.247.4520 or [mccomis@accsc.org](mailto:mccomis@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

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<sup>8</sup> In order for the school to be granted a waiver, the school must be able to demonstrate that a) the normal application of the waiting period standard creates an undue hardship, b) the waiver of the waiting period will otherwise meet the intent of that requirement, or c) that exceptional circumstances exist such that a waiver of the waiting period requirement is appropriate.



Accrediting Commission of Career Schools and Colleges

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703.247.4212  
703.247.4533 fax  
[www.accsc.org](http://www.accsc.org)

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

**To Be Submitted No Later Than May 2, 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 Globelle Technical Institute located in Vega Baja, Puerto Rico intends to appeal the recent decision of the Commission to withdraw the school's accreditation and remove the school from the list of ACCSC-accredited institutions. 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.

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 May 23, 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



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## ACCSC Standing Appeals Panel Members

<b>Panel Member</b>	<b>Affiliation</b>	<b>Term Ending</b>
Nancy Bradley	<b>Daytona College</b> Ormond Beach, Florida <i>School Member</i>	2016
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
Timothy McMahon	<b>Triangle Tech</b> Pittsburgh, Pennsylvania <i>School Member</i>	2016
Cedric D. Page, Ph.D.	<b>University of New Mexico – Los Alamos</b> Los Alamos, New Mexico <i>Public Member</i>	2019
Kathleen J. Steinberg	<b>Midwest Technical Institute</b> Lincoln, Illinois <i>School Member</i>	2018



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# **PUBLIC COMMENT DISCLOSURE FORM**

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**To Be Submitted No Later Than May 23, 2016.**

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

RE:                   Globelle Technical Institute  
                          #114 Marginal Urb. Monte Carlo  
                          Vega Baja, Puerto Rico 00693

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 a summary of 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 Globelle 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 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 May 23, 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



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July 13, 2016

**ELECTRONIC DELIVERY & FEDERAL EXPRESS**

Jessica Pearson-Cain  
President/CEO  
Cain's Barber College  
365 E. 51<sup>st</sup> Street  
Chicago, Illinois 60615

**School #M058683**

Dear Ms. Pearson-Cain:

On July 1, 2016, the Accrediting Commission of Career Schools and Colleges ("ACCSC" or "the Commission") issued a letter to Cain's Barber College located in Chicago, Illinois withdrawing the school's accreditation and informed 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 July 1, 2016 letter from ACCSC. Accordingly, the Commission's decision to remove Cain's Barber College from the list of ACCSC accredited schools is final effective July 11, 2016 (*Section VII (B)(3), Rules of Process and Procedure, Standards of Accreditation*).

Cain's Barber College must immediately inform all students enrolled in the school and those seeking admission that accreditation by ACCSC has been withdrawn and delete all references to and claims of ACCSC accreditation from catalogs, advertising, and promotional materials immediately and in no event later than August 11, 2016, 30 days after the withdrawal of accreditation decision became final (*Section VII (P)(4)(a-b), Rules of Process and Procedure, Standards of Accreditation*).

Pursuant to *Section VII (P)(6), Rules of Process and Procedure, Standards of Accreditation*, Cain's Barber College may reapply for accreditation after a period of nine (9) months and thus may only submit an Application for Initial Accreditation after April 11, 2016. 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](mailto:mccomis@accsc.org)

Sincerely,

Michale S. McComis, Ed.D.  
Executive Director



Accrediting Commission of Career Schools and Colleges

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July 1, 2016

**ELECTRONIC DELIVERY &  
FEDERAL EXPRESS**

**School #M058683**

Jessica Pearson-Cain  
President/CEO  
Cain's Barber College  
365 E. 51<sup>st</sup> Street  
Chicago, Illinois 60615

Dear Ms. Pearson-Cain:

At the May 2016 meeting, the Accrediting Commission of Career Schools and Colleges (“ACCSC” or “the Commission”) considered its previous decision to issue a Warning Order for Cain’s Barber College located in Chicago, Illinois along with the school’s Heightened Cash Monitoring 2 (“HCM2”) status with the U.S. Department of Education (“the Department”) and subsequent loss of Title IV federal student aid. Upon review of the Commission’s December 11, 2015 Warning Order, March 28, 2016 letter regarding the school’s HCM2 status, May 3, 2016 letter regarding the school’s loss of Title IV, and the school’s responses, the Commission found that the school failed to meet the burden to demonstrate continuous compliance with the Standards of Accreditation (*Section I (E)(1) & (2)(a), Rules of Process and Procedure, Standards of Accreditation*). Therefore, the Commission voted to withdraw the accreditation of Cain’s Barber College and to remove the school from the list of ACCSC-accredited institutions (*Section VII (P)(1), Rules of Process and Procedure, Standards of Accreditation*). The history of the Commission’s review and reasons for the Commission’s decision to withdraw Cain’s Barber College’s accreditation are set forth below.

**HISTORY OF COMMISSION REVIEW**

**November 2015**

At the November 2015 meeting, the Commission considered Cain’s Barber College’s Application for Renewal of Accreditation and Refund Report.<sup>1</sup> Upon review of the August 5, 2015 Team Summary Report and the school’s response to that report, the Commission voted to place Cain’s Barber College on Warning and directed the school’s attention to eleven areas required by accrediting standards.

**March 28, 2016**

The Department copied the Commission on a March 17, 2016 notice to Cain's Barber College. The notice disclosed that the Department transferred Cain’s Barber College from the Heightened Cash Monitoring 1 (“HCM1”) method of payment to the Heightened Cash Monitoring 2 method of payment effective March 17, 2016. According to the notice, the Department took this action because of “concerns regarding the financial responsibility demonstrated by Cain.” The action taken by the Department to restrict the disbursement of financial aid through the HCM2 system of payment raised concerns regarding the Cain's Barber College’s ability to operate in accordance with accreditation standards and capacity to meet educational obligations to students. Therefore, the Commission directed the school to provide information regarding the school’s financial capacity and a completed ACCSC Institutional Teach-Out Plan Approval Form.

<sup>1</sup> Please see more information about the Commission’s review of Cain’s Barber College’s processing of refunds in item #3 of the May 2016 Review and Action section below.

May 3, 2016

The Department copied ACCSC on the April 27, 2016 notice to Cain's Barber College disclosing that the Department denied the school's application for recertification to continue to participate in the federal student financial assistance programs. The notice also states that the school is no longer eligible to participate in the student financial assistance programs authorized pursuant to Title IV of the Higher Education Act effective April 30, 2016. According to the notice, the Department determined that Cain's Barber College failed to meet the standards set forth in 34 C.F.R. Part 668 based on owner default on a Title IV loan, Cain's Barber College's repeated failure to comply with the Title IV refund requirements, and five open tax liens that the school has with the State of Illinois.

**May 2016 Review and Action**

1. Cain's Barber College failed to demonstrate that the financial structure of the school is sound, with resources sufficient for the proper operation of the school and the discharge of obligations to its students (*Section I (C)(1), Substantive Standards, Standards of Accreditation*). Specifically, the school failed to provide audited comparative financial statements for fiscal years ending December 31, 2014 and December 31, 2015 in accordance with requirements set forth in *Section V (C)(1), Rules of Process and Procedure, Standards of Accreditation* and ACCSC's Instructions for the Preparation and Submission of Financial Statements and Related Information. As directed in the December 11, 2015 Warning letter, the school also failed to submit a Management Discussion and Analysis ("MD&A") examining and explaining the school's current financial condition. Based on the partial audit of December 31, 2015 financial information provided by the school, the Commission noted that the school recorded the following:
  - A net working capital deficit of \$578,298 (\$353,087 current assets to \$931,385 current liabilities);
  - A negative cash balance of \$101;
  - Payroll taxes payable of \$388,121; and
  - A net decrease in cash of \$21,886.

Exacerbating the Commission's concerns that Cain's Barber College's financial structure is not sound with resources sufficient to meet its obligations to students is the April 27, 2016 notice from the Department that, effective April 30, 2016, the school is no longer eligible to participate in the student financial assistance programs authorized pursuant to Title IV of the Higher Education Act. In response to the May 3, 2016 Commission letter, Cain's Barber College indicated that the school started a marketing strategy to recruit Veterans; is working with United Parcel Service for the company to pay the school for employees to attend the institution; and "applied for a small business loan to assist in providing a stronger cushion to ensure that the school is able to continue its daily operation without a disruption to students." The school indicated that income from the clinical floor along with reserves has allowed the school to maintain its daily operations and that the school has "reduced its work force which has provided a substantial savings." The Commission, however, also determined that the school has failed to demonstrate compliance in areas related to the adequacy of the school's management and did not find a reduction in force to be compelling evidence that the school can achieve compliance with accreditation standards.

Accordingly, because the school has failed to submit audited comparative financial statements for two years as required and because the school currently has reported a significant net working capital deficit, a negative cash balance, a net decrease in cash, and a sizable payroll tax liability, the



Commission determined that Cain's Barber College failed to demonstrate that the financial structure of the school is sound, with resources sufficient for the proper operation of the school and the discharge of obligations to its students.

2. Cain's Barber College failed to demonstrate that the school has adequate management and administrative capacity and can operate in compliance with accrediting standards, meet its objectives, and fulfill its obligations to students in an ongoing manner (*Section I (A), Substantive Standards, Standards of Accreditation*). Additionally, Cain's Barber College did not 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*). In response to the December 11, 2015 Warning letter, the school provided brief job descriptions for the six members of the school's management staff and documentation of professional development activities that occurred from September 1, 2015 through February 29, 2016. The Commission found, however, that the school did not submit information to include the individuals' qualifications for their particular roles, such as appropriate education, training, and experience commensurate with the level of responsibilities. Given the number of substantial issues and areas of non-compliance cited herein, the Commission found that Cain's Barber College failed to show that its current management staff can operate the school in compliance with accrediting standards as required.

The Commission also found that Cain's Barber College did not provide a description of professional development activities or documentation of activities that occurred for this six-month timeframe for Jessica Pearson-Cain (CEO/President); Tracy Smith (Executive Vice President); Brittany Cain-Ishmael (Vice President); Michael Wilson (Director of Admissions); and Sherry Hunter (Student Service Director), five of the six management team members listed. While Cain's Barber College provided documentation that Irene Youngblood (Education Director) attended The Use of Machines & Implements class by JBS Educational Association Advanced Training Center on March 22, 2016 and America's Beauty Show on March 14, 2016, the school did not explain how these activities support Ms. Youngblood's role as Education Director. Additionally, while the school provided documentation that Taquala Shack, Financial Aid Director, participated in an Experimental Sites Webinar – Second Chance Pell webinar and Arnell Givens, not listed on the organizational chart, attended America's Beauty Show, the school did not identify these individuals as part of the management team.

Based on the foregoing, the Commission found that Cain's Barber College failed to demonstrate that the school has adequate management and administrative capacity and can operate in compliance with accrediting standards, meet its objectives, and fulfill its obligations to students in an ongoing manner and that members of school management and administrative employees participate in ongoing development and training activities that support their particular roles in the school.

3. Cain's Barber College failed to demonstrate that the school makes timely refunds in accordance with the school's published refund policy (*Section I (D)(5), Substantive Standards, Standards of Accreditation*). The Commission noted the school's inability to manage the tuition refund process as follows:
  - January 26-27, 2012 Renewal On-Site Evaluation: The on-site evaluation team found four late refunds – for one student, the refund was 107 days late, and for the remaining three students, the refunds were still unpaid and overdue by 88, 270, and 315 days, respectively.

- August 2012 Show Cause Order: Given the school's assertion that late refunds were due to "administrative oversight" and considering the Commission's concern about the administrative capacity of the school's management team, the Commission determined that additional monitoring of the school's issuance of refunds was warranted.
- February 2013 Continued Show Cause Order: The Commission noted that the school explained the refunds in question were late because the individual responsible for calculating refunds was out of the office under medical care for approximately seven weeks. The Commission questioned the school's administrative capacity in that the school did not appear to have a sufficient contingency plan in place to administer student refunds on an ongoing basis and directed the school to provide a Refund Report to the team conducting the Commission-Directed Announced On-Site Evaluation.
- June 21, 2013 Commission-Directed Announced On-Site Evaluation: The on-site evaluation team found the school's practice is to make refunds within 45 days of the date the school determines the student to have withdrawn. The team found that this practice does not align with the school's refund policy published in the catalog at the time of the on-site evaluation which stated: "...any refunds will be made within 30 days from the last date of student attendance or within 30 days from the last date of receipt of payment in the event that the date of such receipt is after the student's last date of attendance."
- August 2013 Renewal of Accreditation: The Commission granted the school renewal of accreditation for a period of three years, with the requirement that the school submit a Refund Report with regard to the school's refund policy and documentation of its fair and equitable application.
- March 2014 Refund Report: The Commission reviewed the school's Refund Report and continued the school on Refund Reporting.
- December 2014 Refund Report: The Commission reviewed the school's Refund Report and continued the school on Refund Reporting. The Commission forwarded the review of refund processing to the renewal of accreditation process and directed the school to provide a Refund Report for review as part of the renewal on-site evaluation.
- March 18-19, 2015 Renewal On-Site Evaluation: The on-site evaluation team found that refunds were not made in a timely manner in accordance with the school's stated policy for eight students, ranging from 13 to 583 days late.
- November 2015 Commission Meeting: The Commission found that Cain's Barber College did not provide documentation to demonstrate that the school issues refunds "within thirty days from the date of determination of withdrawal or termination" as stated in the school's response.

In response to the December 11, 2015 Warning letter, Cain's Barber College submitted its institutional refund policy and refund information for six students who were either dismissed or withdrew between October 1, 2015 and February 29, 2016. In reviewing the response, the Commission found that the school did not include individual attendance records or, more importantly, copies of electronic refund transactions and/or checks issued for the purpose of student refunds. The Commission also found that the Refund Report Summary Sheet lists only one student, [REDACTED]. While this summary sheet shows the last date of attendance and date of determination of withdrawal/termination for [REDACTED] as January 5, 2016 with a refund due date of February 19, 2016, the school did not provide a refund paid date for this student. Additionally, on the Refund

Report Worksheet for [REDACTED] the school listed the student's last date of attendance as October 9, 2015 and date of determination of withdrawal/termination as January 12, 2016 but did not explain this three-month gap. Based on the foregoing, the Commission found that Cain's Barber College failed to demonstrate that the school makes timely refunds in accordance with the school's published refund policy.

- Cain's Barber College failed to demonstrate successful student achievement by maintaining acceptable rates of student graduation and graduate employment in the career field for which the school provides education as well as acceptable pass rates on licensure/certification exams. Additionally, Cain's Barber College did not demonstrate that the school supports these rates through verifiable records and documentation of initial employment of its graduates (*Section VII (B)(1)(b), Substantive Standards, Standards of Accreditation*). In response to the December 11, 2015 Warning letter, the school reported the following student achievement rates using a February 2016 Report Date on the Graduation & Employment Chart:

Program (Credential)	Length in Months	Cain's Graduation Rate	ACCSC Benchmark Graduation Rate	Cain's Employment Rate	ACCSC Benchmark Employment Rate
Barber Stylist (Diploma)	13	48%	51%	93%	68%

The Commission found that Cain's Barber College reported a graduation rate for the 13-month Barber Stylist program that falls below ACCSC's student achievement benchmark rate.<sup>2</sup> More importantly, however, in addition to the reported graduation rate being below benchmark, the Commission noted the following discrepancies based on the information submitted by the school to support the student achievement rates reported on the Graduation and Employment Chart:

- The school reported 62 student starts with 30 graduates and 32 withdrawn/terminated students on the Graduation & Employment Chart. However, the school listed 79 student starts with 28 graduates, 49 withdrawn/terminated students, and 2 students without a designation on the student roster.
- The school listed an additional 11 students, beyond the 79 above, with start dates from prior to or after the Graduation & Employment Chart reporting period.
- Although Cain's Barber College reported 28 graduates as "Employed in Field" on the Graduation & Employment Chart, the school provided a list of only 10 graduates employed in field and failed to include any employment information including contact information; dates of initial employment; places of employment; employer addresses and phone numbers; employer contacts; or descriptive job titles and duties.

Overall, the Commission again found that Cain's Barber College failed to provide sufficient or reliable information to support the graduation and employment rates reported by the school. As such, the school neither reported a graduation rate that meets the Commission's benchmark rate nor supported the information submitted with reliable records as required.

- Cain's Barber College failed to demonstrate successful student achievement by maintaining acceptable pass rates on licensure/certification exams (*Section VII (B)(1)(b), Substantive Standards, Standards of Accreditation*). As part of the December 11, 2015 Warning letter, the Commission

<sup>2</sup> *Section VII (B)(1)(b)(ii), Substantive Standards, Standards of Accreditation and Appendix VI - Student Achievement Rates.*

directed the school to indicate whether each graduate reported on the Graduation & Employment Chart took the required Illinois Department of Financial & Professional Regulation licensure examination and whether the graduate passed the examination. In its response, Cain's Barber College provided a chart of eleven graduates with three students taking the examination, one who passed (██████████), one who did not (██████████) and one that the school did not indicate whether the student passed or failed (██████████). Additionally, the school provided results from Continental Testing Services showing the following licensure results:

Student Name	Examination Date	Overall Exam Results
██████████	January 25, 2016	Incomplete for licensure
██████████	March 24, 2016	Incomplete for licensure
██████████	February 4, 2016	Pass*
██████████	March 16, 2016	Pass
██████████	February 29, 2016	Incomplete for licensure
██████████	Not listed	Incomplete for licensure

\* Although the school's roster does not indicate whether ██████████ passed or failed the licensing examination, the results from Continental Testing Services show that he passed the examination.

Accrediting standards state that for those programs where a governmental entity requires the attainment of a passing score on a licensure/certification exam in order to work in a particular field, the Commission determines a program's licensure/certification exam pass rate to be acceptable when at least 70% of the students that take the exam attain a passing score. Based on the information provided, Cain's Barber College failed to demonstrate successful student achievement through an acceptable pass rate on licensure/certification exams. These results also bring into question the legitimacy of the employment rate reported on the Graduation and Education Chart since licensure is required in Illinois to work in the Barber Stylist field.

6. Cain's Barber College failed to demonstrate that the school remains attentive to students' educational and other needs (*Section VI (Statement of Purpose), Substantive Standards, Standards of Accreditation*). In the December 11, 2015 Warning letter, the Commission directed the school to submit summary results of a student survey of a sample of not less than 50% of the student population as well as a detailed analysis of the student survey results with a particular focus on any results that show less than 80% satisfaction and the school's plan to address any area of student dissatisfaction, if applicable. In its response, Cain's Barber College submitted survey results of 14 students conducted in January 2016. In reviewing these results, the Commission found that the school did not include any results in the area of training equipment and overall educational experience. Additionally, the survey results show lower rates student satisfaction in the following areas:

- Financial Aid: 71%
- Academic Progress: 71%
- Student Services: 65%
- Library/Learning Resource System: 64%
- Facility: 52%

The school also submitted a summary of the students' written comments expressing the reasons for dissatisfaction. Comments include student concerns about student services cutbacks resulting in fewer hours for Student Services Director Sherry Hunter to assist students; the length of time it took for students to receive equipment; and equipment and products not being available at all times. While Cain's Barber College included proposals from the Student Services Director, such as distributing

movie tickets, creating an Introduction to College course, and holding a 5K run and walk, the Commission found that the school failed to provide a detailed analysis of the student survey results for those specific areas where students expressed dissatisfaction as the Commission had requested in the December 11, 2015 Warning Order.

Based on the survey results that continue to show student dissatisfaction in key areas of the school, the lack of analysis regarding the survey results that includes pinpointed strategies to improve student satisfaction levels, and the school's reduction of work force that appears to be having a deleterious impact on the availability of student services, the Commission found that Cain's Barber College failed to demonstrate that the school remains attentive to students' needs.

**Based upon the foregoing, the Commission voted to withdraw the accreditation of Cain's Barber College and remove the school from the ACCSC list of accredited institutions.**

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

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

Pursuant to federal law, an accrediting agency recognized by the U.S. Department of Education must require a teach-out plan from an institution subject to an adverse accreditation decision to withdraw accreditation. Therefore, in accordance with *Section IV (F)(1)(c) Rules of Process and Procedure, Standards of Accreditation* the Commission requires that Mueller College submit a completed ACCSC Institutional Teach-Out Plan Approval Form,<sup>3</sup> to demonstrate how Mueller College will ensure the opportunity for students to complete their program of study. The school Teach-Out Plan should be submitted **on or before July 18, 2016.**

#### **APPEAL AND REAPPLICATION PROCESS AND PROCEDURE**

Cain's Barber College may opt to appeal the Commission's decision to withdraw 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 Cain's Barber College 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 July 11, 2016.**
- If Cain's Barber College 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 August 1, 2016.**
- If Cain's Barber College elects not to appeal this decision, the Commission's decision will become effective **July 11, 2016.** The school may submit comments **on or before August 1, 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*.

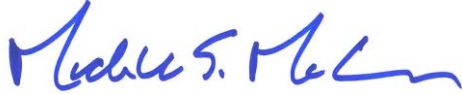
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<sup>3</sup> Available online at: <http://www.accsc.org/Content/FormsAndReports/FormsAndReports.asp>

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

c: Tracy Smith

[REDACTED]

Encls: Letter of Intent to Appeal a Commission Decision  
ACCSC 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](http://www.accsc.org)

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

### **To Be Submitted No Later Than July 11, 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 Cain’s Barber College located in Chicago, Illinois intends to appeal the recent decision of the Commission to withdraw the school’s accreditation and remove the school from the list of ACCSC-accredited institutions. 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.

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 August 1, 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



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)

## ACCSC Standing Appeals Panel Members

Panel Member	Affiliation	Term Ending
Gary Baker	<b>U.S. Department of Education (Retired)</b> Springfield, Virginia <i>Public Member</i>	2019
Nancy Bradley	<b>Daytona College</b> Ormond Beach, Florida <i>School Member</i>	2016
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>	2016
Cedric D. Page, Ph.D.	<b>University of New Mexico – Los Alamos</b> Los Alamos, New Mexico <i>Public Member</i>	2019
Kathleen J. Steinberg	<b>Midwest Technical Institute</b> Lincoln, Illinois <i>School Member</i>	2018





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)

## **PUBLIC COMMENT DISCLOSURE FORM**

---

**To Be Submitted No Later Than August 1, 2016.**

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

RE: Cain's Barber College  
365 E. 51<sup>st</sup> Street  
Chicago, Illinois 60615

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 a summary of 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 Cain's Barber College 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 August 1, 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



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)

July 13, 2016

**ELECTRONIC DELIVERY & FEDERAL EXPRESS**

Jeffrey Welsh  
Director  
Mueller College  
123 Camino de la Reina, Ste. 100 North  
San Diego, California 92108

**School #M072159**

Dear Mr. Welsh:

On July 1, 2016, the Accrediting Commission of Career Schools and Colleges (“ACCSC” or “the Commission”) issued a letter to Mueller College located in San Diego, California withdrawing the school’s accreditation and informed 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 July 1, 2016 letter from ACCSC. Accordingly, the Commission’s decision to withdraw Mueller College’s accreditation as of April 25, 2016 is final (*Section VII (B)(3), Rules of Process and Procedure, Standards of Accreditation*).

Although Mueller College has closed, should the school begin operations again the school must ensure that there are no references to or claims of ACCSC accreditation in its catalogs, advertising, statements, or promotional materials (*Section VII (P)(4)(a-b), Rules of Process and Procedure; Section IV (B), Substantive Standards; Standards of Accreditation*).

For further information or assistance regarding this matter, please contact me directly at 703.247.4520 or [mccomis@accsc.org](mailto:mccomis@accsc.org)

Sincerely,

Michale S. McComis, Ed.D.  
Executive Director



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)

July 1, 2016

**ELECTRONIC DELIVERY & FEDERAL EXPRESS**

Jeffrey Welsh  
Director  
Mueller College  
123 Camino de la Reina, Ste. 100 North  
San Diego, California 92108

**School #M072159**

Dear Mr. Welsh:

At its May 2016 meeting, the Accrediting Commission of Career Schools and Colleges (“ACCSC” or “the Commission”) considered that on April 27, 2016 the California Bureau for Private Postsecondary Education (“BPPE”) notified ACCSC that Mueller College<sup>1</sup> located in San Diego, California closed on April 25, 2016. According to ACCSC’s records, Mueller College did not notify the Commission of the school’s decision to close and did not submit an Institutional Teach-Out Plan. Upon review of the ACCSC letter dated April 28, 2016 which provided the school an opportunity to respond, and the school’s April 28, 2016 reply email, the Commission determined that Mueller College failed to demonstrate compliance with ACCSC’s accrediting standards. Accordingly, the Commission voted to withdraw the accreditation of Mueller College and to remove the school from the list of ACCSC-accredited institutions effective April 25, 2016 (*Section VII (P) (1), Rules of Process and Procedure, Standards of Accreditation*). The reasons for the Commission’s decision to withdraw Mueller College’s accreditation are set forth below.

As stated in the Commission’s letter dated April 28, 2016, ACCSC accrediting standards state the following:

- *Section IV (F)(1), Rules of Process and Procedures, Standards of Accreditation* states that the Commission will require a school to submit a complete ACCSC Institutional Teach-Out Plan Approval Form when a school intends to close.
- *Section V (E)(1)&(2)(d), Rules of Process and Procedures, Standards of Accreditation* states that each accredited school and each applicant for initial accreditation must 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 or circumstances necessitating such notification include but are not limited to a decision to cease operations, close, or propose a teach-out of students (must include an ACCSC Institutional Teach-Out Plan).
- *Section I (E)(2)(a-c), Rules of Process and Procedures, Standards of Accreditation* states that in order for a school to maintain its eligibility for accreditation, it must comply on a continuous basis with accreditation standards and requirements; operate providing education and training to students in accordance with its primary objectives, (with the exception of any regularly scheduled breaks, vacation periods, or approved changes of location) and maintain its ability to meet its obligations to students on a continuous basis; and fulfill all process, reporting, and substantive change requirements.

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<sup>1</sup> At ACCSC’s November 2015 meeting, via letter dated January 27, 2016 the Commission placed the school on Warning with a subsequent review scheduled for ACCSC’s May 2016 meeting due to financial concerns.

- *Section VII (P)(1), Rules of Process and Procedures, Standards of Accreditation* states that the Commission may withdraw the accreditation of a school any time a school fails to demonstrate compliance with one or more accreditation standards or other requirements and for any of the reasons, or combination thereof, listed in *Section VII (P)(1), Rules of Process and Procedures, Standards of Accreditation* including: failure to continue to meet the eligibility requirements for accreditation set forth in *Section I, Rules of Process and Procedure, Standards of Accreditation*; failure to demonstrate compliance with an accrediting standard or other accreditation requirement set forth in the *Standards of Accreditation*; failure to notify the Commission in a timely manner of any material change in the school's ownership, the way in which the school conducts its business or the circumstances in which it operates, pursuant to *Sections IV and V, Rules of Process and Procedure, Standards of Accreditation*.

According to Mueller College's response to the ACCSC January 27, 2016 Warning Order which was submitted by the school on April 16, 2016, the school had been contemplating closure on January 28, 2016. Specifically, in emails with the U.S. Department of Education ("the Department") the school informed the Department of its intent to close due to the Department's Letter of Credit requirement and the Department requested a teach-out plan on February 4, 2016. The e-mail correspondence goes on to show that on February 9, 2016, Mueller College informed the Department that it may not need to close because it may be "selling the college." According to ACCSC's records the school did not notify the Commission of its intent to close or apply for a Change of Ownership.

In response to ACCSC's April 28, 2016 letter Mueller College sent an e-mail dated April 28, 2016 which stated:

*Mueller College has been in negotiations with a potential buyer for several months, culminating in a signed Letter of Intent that would have remediated the college's financial deficit upon the consummation of the sales contract. Because the sales negotiation was going well, Mueller College believed the need for closure had been eliminated, as intimated in the correspondences with both BPPE and the US DOE. For this reason, closing documents were not filed.*

*Friday, April 22 2016, the potential buyer withdrew from the negotiations, precipitously and without warning. This action necessitated the immediate closure of Mueller College to protect fiduciary responsibilities to the corporation and to remain in compliance with regulations from the CA EDD.*

*Therefore, effective this date, Mueller College elects to voluntarily withdraw its accreditation with ACCSC.*

Given that Mueller College failed to notify ACCSC of the school's decision to close and because Mueller College closed precipitously without submitting and receiving approval of an institutional teach-out plan, the Commission determined that the school has not met its reporting obligations to the Commission, has failed to maintain the school's ability to meet its obligations to students and as such has not met the obligations to maintain its eligibility for accreditation (*Section I (D), Rules of Process and Procedures, Standards of Accreditation*). The Commission does not acknowledge the school's post-closure voluntary withdrawal and the Commission voted to withdraw the accreditation of Mueller College and to remove the school from the list of ACCSC-accredited institutions effective April 25, 2016 (*Section VII (P) (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 Withdrawal Order are made public and provided to the U.S. Department of Education, appropriate state agencies, and appropriate accrediting agencies.**

### **TEACH-OUT PLAN**

Pursuant to federal law, an accrediting agency recognized by the U.S. Department of Education must require a teach-out plan from an institution subject to an adverse accreditation decision to withdraw accreditation. Therefore, in accordance with *Section IV (F)(1)(c) Rules of Process and Procedure, Standards of Accreditation* the Commission requires that Mueller College submit a completed ACCSC Institutional Teach-Out Plan Approval Form,<sup>2</sup> to demonstrate how Mueller College will ensure the opportunity for students to complete their program of study. The school Teach-Out Plan should be submitted **on or before July 18, 2016.**

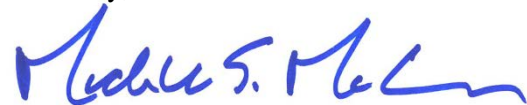
### **APPEAL AND REAPPLICATION PROCESS AND PROCEDURE**

Mueller College may opt to appeal the Commission's decision to withdraw 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 Mueller College 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 July 11, 2016.**
- If Mueller College 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 August 1, 2016.**
- If Mueller College elects not to appeal this decision, the Commission's decision will become effective **July 11, 2016.** The school may submit comments **on or before August 1, 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*.

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  
Outstanding Invoice #233950

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<sup>2</sup> Available online at: <http://www.accsc.org/Content/FormsAndReports/FormsAndReports.asp>



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)

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

### **To Be Submitted No Later Than July 11, 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 Mueller College located in San Diego, California intends to appeal the recent decision of the Commission to withdraw the school's accreditation and remove the school from the list of ACCSC-accredited institutions. 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.

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 August 1, 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



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)

## ACCSC Standing Appeals Panel Members

Panel Member	Affiliation	Term Ending
Gary Baker	<b>U.S. Department of Education (Retired)</b> Springfield, Virginia <i>Public Member</i>	2019
Nancy Bradley	<b>Daytona College</b> Ormond Beach, Florida <i>School Member</i>	2016
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>	2016
Cedric D. Page, Ph.D.	<b>University of New Mexico – Los Alamos</b> Los Alamos, New Mexico <i>Public Member</i>	2019
Kathleen J. Steinberg	<b>Midwest Technical Institute</b> Lincoln, Illinois <i>School Member</i>	2018



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)

# **PUBLIC COMMENT DISCLOSURE FORM**

---

**To Be Submitted No Later Than August 1, 2016.**

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

RE: Mueller College  
123 Camino de la Reina, Ste. 100 North  
San Diego, California 92108  
School #M072159

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 a summary of 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 Mueller College’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 August 1, 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





FAX (703) 247-4533  
(703) 247-4212  
2101 WILSON BLVD.  
SUITE 302  
ARLINGTON, VA 22201

## INVOICE

INVOICE NO. 233950  
INVOICE DATE 2/10/2016  
CUSTOMER NO. 072159  
TERMS Net 30

Mueller College  
123 Camino de la Reina  
Suite 100 North  
San Diego, CA 92108

1 of 1

DESCRIPTION	AMOUNT
Extension response to letter dated 11/25/15	350.00

*Thank You*

**TOTAL** 350.00



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)

November 29, 2016

**ELECTRONIC DELIVERY**



Corelito Bravo  
Assistant Director  
Coast Career Institute  
1354 S. Hill St.  
Los Angeles, California 90015

**School #M070737**

Dear Ms. Bravo:

On October 19, 2016, the Accrediting Commission of Career Schools and Colleges (“ACCSC” or “the Commission”) issued a letter to Coast Career Institute located in Los Angeles, California withdrawing the school’s accreditation and informed 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 October 19, 2016 letter from ACCSC. Accordingly, the Commission’s decision to withdraw Coast Career Institute’s accreditation as of September 9, 2016 is final (*Section VII (B)(3), Rules of Process and Procedure, Standards of Accreditation*).

Although Coast Career Institute has closed, should the school begin operations again the school must ensure that there are no references to or claims of ACCSC accreditation in its catalogs, advertising, statements, or promotional materials (*Section VII (P)(4)(a-b), Rules of Process and Procedure; Section IV (B), Substantive Standards; Standards of Accreditation*).

For further information or assistance regarding this matter, please contact me directly at 703.247.4520 or [mccomis@accsc.org](mailto:mccomis@accsc.org)

Sincerely,

Michale S. McComis, Ed.D.  
Executive Director

October 19, 2016

**ELECTRONIC DELIVERY & FEDERAL EXPRESS**

Corelito Bravo  
Assistant Director  
Coast Career Institute  
1354 S. Hill St.  
Los Angeles, California 90015

**School #M070737**

Dear Ms. Bravo:

At its September 2016 meeting, the Accrediting Commission of Career Schools and Colleges (“ACCSC” or “the Commission”) considered the September 6, 2016 letter from Coast Career Institute (“CCI”) located in Los Angeles, California which states that CCI has decided to cease enrollments and “will be closed as of September 9, 2016.” Upon review of the ACCSC letter dated September 14, 2016 and the school’s response the Commission determined that Coast Career Institute failed to demonstrate compliance with ACCSC’s accrediting standards. Accordingly, the Commission voted to withdraw the accreditation of Coast Career Institute and to remove the school from the list of ACCSC-accredited institutions effective September 9, 2016 (*Section VII (P) (1), Rules of Process and Procedure, Standards of Accreditation*). The reasons for the Commission’s decision to withdraw Coast Career Institute’s accreditation are set forth below.<sup>1</sup>

ACCSC accrediting standards state the following:

- A school will be considered to have had its accreditation withdrawn if the school closes without notification or closes without an ACCSC approved teach-out plan (to include as necessary an ACCSC approved teach-out agreement) that the school faithfully executes (*Section VII (P)(5) and Section VII (Q)(5) Rules of Process and Procedure, Standards of Accreditation*).
- *Section IV (F)(1), Rules of Process and Procedures, Standards of Accreditation* states that the Commission will require a school to submit a complete ACCSC Institutional Teach-Out Plan Approval Form when a school intends to close.
- *Section I (E)(2)(a-b), Rules of Process and Procedures, Standards of Accreditation* states that in order for a school to maintain its eligibility for accreditation, it must comply on a continuous basis with accreditation standards and requirements; operate providing education and training to students in accordance with its primary objectives, (with the exception of any regularly scheduled breaks, vacation periods, or approved changes of location) and maintain its ability to meet its obligations to students on a continuous basis; and fulfill all process, reporting, and substantive change requirements.

### **Background**

The May 10, 2016 Team Summary Report from the Commission-directed Unannounced On-site Evaluation required CCI to submit a teach-out plan to demonstrate that, in the event of closure the school has a plan for students to complete their education. The teach-out plan submitted in response indicated that if CCI decided to close, the school would provide education through the students’ expected final graduation date (January 2017), stating “[i]nstructors and support personnel, as needed, will be employed until each student has been provided an opportunity to graduate.” (The August 2, 2016 Probation Order found the teach-out plan to be incomplete

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<sup>1</sup>ACCSC’s August 2, 2016 letter informed the school that the Commission considered the school’s Application for Renewal of Accreditation in conjunction with the results of the Commission-directed Unannounced On-Site Evaluation and voted to place the school on Probation with a subsequent review scheduled for ACCSC’s November 2016 meeting.

and required additional information.) CCI's September 6, 2016 letter indicates that the school is closed and instead of providing education through the students' expected final graduation date (January 2017), CCI's September 6, 2016 letter now indicates that,

*"[w]e are evaluating area schools in an effort to identify possible teach-out partners, but the uniqueness of our programs may make this impossible. We have informed our students and all other regulatory agencies of our status. It was nice working with you for all these years and we wish you the best."*

In a letter dated September 14, 2016, ACCSC informed CCI that according to the Commission's records, the school did not have an ACCSC approved teach-out plan in place, that the Commission will review this matter at its September 2016 meeting, and provided the school an opportunity to respond by requiring CCI to submit a completed ACCSC Institutional Teach-out Plan Approval Form showing that the school did not close without a plan and arrangements which provides for the equitable treatment of students. ACCSC's letter stated that if the information submitted does not minimally demonstrate an acceptable plan is in place the Commission will consider withdrawing the school's accreditation effective as of September 9, 2016 pursuant to *Section VII (P)(5)* and *Section VII (Q)(5) Rules of Process and Procedure, Standards of Accreditation*.

### **September 2016 Commission Meeting and Action**

The Commission considered the September 14, 2016 ACCSC letter and the school's response. Specifically, CCI's response e-mail includes a roster of all current students at the time of closure, with expected graduation dates (some of which as far out as February 2017), and a copy of ACCSC's September 14, 2016 letter. The response, however, does not include a teach-out plan or any demonstration that the school did not close without a plan and arrangements which provides for the equitable treatment of students.

Accrediting standards state that the Commission considers the school to have had its accreditation withdrawn if the school closes without notification or closes without an ACCSC approved teach-out plan (to include as necessary an ACCSC approved teach-out agreement) that the school faithfully executes (*Section VII (P)(5)* and *Section VII (Q)(5) Rules of Process and Procedure, Standards of Accreditation*) Given that CCI provided a teach-out plan that it did not execute and closed without receiving approval of an institutional teach-out plan, the Commission voted to withdraw the accreditation of CCI and to remove the school from the list of ACCSC-accredited institutions effective September 9, 2016.

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

### **Teach-Out Plan**

Pursuant to federal law, an accrediting agency recognized by the U.S. Department of Education must require a teach-out plan from an institution subject to an adverse accreditation decision to withdraw accreditation. Therefore, in accordance with *Section IV (F)(1)(c) Rules of Process and Procedure, Standards of Accreditation* the Commission requires that CCI submit a completed ACCSC Institutional Teach-Out Plan Approval Form,<sup>2</sup> to demonstrate how CCI will ensure the opportunity for students to complete their program of study. The school Teach-Out Plan should be submitted **on or before October 31, 2016.**

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<sup>2</sup> Available online at: <http://www.accsc.org/Content/FormsAndReports/FormsAndReports.asp>

**APPEAL AND REAPPLICATION PROCESS AND PROCEDURE**

CCI may opt to appeal the Commission's decision to withdraw 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 CCI 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 October 31, 2016**.
- If CCI 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 November 18, 2016**.
- If CCI elects not to appeal this decision, the Commission's decision to withdraw CCI's accreditation as of **September 9, 2016** will become final. The school may submit comments **on or before November 18, 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*.

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

c: Joanne Wenzel  
California Bureau for Private Postsecondary Education  
[REDACTED]

Martina Fernandez-Rosario  
U.S. Department of Education  
[REDACTED]

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](http://www.accsc.org)

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

### **To Be Submitted No Later Than October 31, 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 Coast Career Institute located in Los Angeles, California intends to appeal the recent decision of the Commission to withdraw the school’s accreditation and remove the school from the list of ACCSC-accredited institutions. 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.

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 November 18, 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



Accrediting Commission of Career Schools and Colleges

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## ACCSC Standing Appeals Panel Members

Panel Member	Affiliation	Term Ending
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>	2016
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
Cedric D. Page, Ph.D.	<b>University of New Mexico – Los Alamos</b> Los Alamos, New Mexico <i>Public Member</i>	2019
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**

---

**To Be Submitted No Later Than November 18, 2016**

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

RE: Coast Career Institute  
1354 S. Hill Street  
Los Angeles, California 90015

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 a summary of 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 Coast Career 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 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 November 18, 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





Accrediting Commission of Career Schools and Colleges

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703.247.4212  
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[www.accsc.org](http://www.accsc.org)

November 29, 2016

*Corrected Copy sent November 30, 2016<sup>1</sup>*

Jeffery Morrow<sup>2</sup>

Director

Ohio College of Massotherapy

225 Heritage Woods Drive

Akron, Ohio 44321

**ELECTRONIC DELIVERY**

**School #M069256**

Dear Mr. Morrow:

On October 19, 2016, the Accrediting Commission of Career Schools and Colleges (“ACCSC” or “the Commission”) issued a letter to Ohio College of Massotherapy located in Akron, Ohio withdrawing the school’s accreditation and informed 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 October 19, 2016 letter from ACCSC. Accordingly, the Commission’s decision to withdraw Ohio College of Massotherapy’s accreditation as of September 22, 2016 is final (*Section VII (B)(3), Rules of Process and Procedure, Standards of Accreditation*).

Although Ohio College of Massotherapy has closed, should the school begin operations again the school must ensure that there are no references to or claims of ACCSC accreditation in its catalogs, advertising, statements, or promotional materials (*Section VII (P)(4)(a-b), Rules of Process and Procedure; Section IV (B), Substantive Standards; Standards of Accreditation*).

For further information or assistance regarding this matter, please contact me directly at 703.247.4520 or [mccomis@accsc.org](mailto:mccomis@accsc.org)

Sincerely,

Michale S. McComis, Ed.D.

Executive Director

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<sup>1</sup> Corrected copy issued November 30, 2016 to reflect a correction made to the location of the school.



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)

October 19, 2016

**ELECTRONIC DELIVERY &  
FEDERAL EXPRESS**

Jeffery Morrow  
Director  
Ohio College of Massotherapy  
225 Heritage Woods Drive  
Akron, Ohio 44321

**School #M069256**

Dear Mr. Morrow:

At the September 2016 meeting, the Accrediting Commission of Career Schools and Colleges (“ACCSC” or “the Commission”) considered the operational status for Ohio College of Massotherapy located in Akron, Ohio. The Commission’s concerns regarding Ohio College of Massotherapy’s compliance with accrediting standards arose in conjunction with the school’s failure to respond to the Commission’s August 3, 2016 Continued Warning Order and lack of notification of its decision to cease operations. Upon review of the August 3, 2016 Continued Warning and the ACCSC letter dated September 7, 2016 which provided the school an opportunity to respond, and the school’s September 7, 2016 reply e-mails, the Commission determined that Ohio College of Massotherapy failed to demonstrate compliance with ACCSC’s accrediting standards. Accordingly, the Commission voted to withdraw the accreditation of Ohio College of Massotherapy and to remove the school from the list of ACCSC-accredited institutions effective September 22, 2016 (*Section VII (P) (1), Rules of Process and Procedure, Standards of Accreditation*). The reasons for the Commission’s decision to withdraw Ohio College of Massotherapy’s accreditation are set forth below.

As stated in the Commission’s letter dated September 7, 2016, ACCSC accrediting standards state the following:

- A school will be considered to have had its accreditation withdrawn if the school closes without notification or closes without an ACCSC approved teach-out plan (to include as necessary an ACCSC approved teach-out agreement) that the school faithfully executes (*Section VII (P)(5) and Section VII (Q)(5) Rules of Process and Procedure, Standards of Accreditation*).
- *Section IV (F)(1), Rules of Process and Procedures, Standards of Accreditation* states that the Commission will require a school to submit a complete ACCSC Institutional Teach-Out Plan Approval Form when a school intends to close.
- *Section V (E)(1)&(2)(d), Rules of Process and Procedures, Standards of Accreditation* states that each accredited school and each applicant for initial accreditation must 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 or circumstances necessitating such notification include but are not limited to a decision to cease operations, close, or propose a teach-out of students (must include an ACCSC Institutional Teach-Out Plan).
- *Section I (E)(2)(a-c), Rules of Process and Procedures, Standards of Accreditation* states that in order for a school to maintain its eligibility for accreditation, it must comply on a continuous basis with accreditation standards and requirements; operate providing education and training to students in accordance with its primary objectives, (with the exception of any regularly scheduled breaks,

vacation periods, or approved changes of location) and maintain its ability to meet its obligations to students on a continuous basis; and fulfill all process, reporting, and substantive change requirements.

- *Section VII (P)(1), Rules of Process and Procedures, Standards of Accreditation* states that the Commission may withdraw the accreditation of a school any time a school fails to demonstrate compliance with one or more accreditation standards or other requirements and for any of the reasons, or combination thereof, listed in *Section of VII (P)(1), Rules of Process and Procedures, Standards of Accreditation* including: failure to continue to meet the eligibility requirements for accreditation set forth in *Section I, Rules of Process and Procedure, Standards of Accreditation*; failure to demonstrate compliance with an accrediting standard or other accreditation requirement set forth in the *Standards of Accreditation*; failure to notify the Commission in a timely manner of any material change in the school's ownership, the way in which the school conducts its business or the circumstances in which it operates, pursuant to *Sections IV and V, Rules of Process and Procedure, Standards of Accreditation*; and failure to comply with a Commission order or directive.

Ohio College of Massotherapy failed to respond to the August 3, 2016 Commission Continued Warning Order and to date has not submitted the Fiscal Year 2015 Audit and the ACCSC Sustaining Fees as required. In response to the September 7, 2016 letter regarding the question of closure, the school only replied in e-mails which state:

*Yes, the school is in operation...The current status of the school is that it is open. Classes were halted last week. Our teachers did not want to teach any longer until they were paid. They have been teaching unpaid since approximately July. The reason is the Heightened Cash Monitoring the Dept. of Education placed on us. Essentially due to the way we take attendance for our online program. Your department thought our attendance policy was fine, so we went with the premise that all was well. Apparently not. I don't know of what you ask regarding "evidence" of not being closed. We are not closed, or do not intend to do so.*

Although Ohio College of Massotherapy stated that school "is in operation," the school failed to provide evidence that the teachers returned to the classroom and that students are attending classes in the school's approved programs.

Given that Ohio College of Massotherapy failed to: 1) respond to the August 3, 2016 Commission Continued Warning Order; 2) submit the Fiscal Year 2015 Audit; 3) notify ACCSC of the school's decision to "halt classes;" 4) submit evidence that the school is operating providing education and training to students in accordance with its primary objectives; and 5) receive approval of an institutional teach-out plan that provides for the equitable treatment of students, the Commission determined that the school has not met its reporting obligations to the Commission, has failed to maintain the school's ability to meet its obligations to students and as such has not met the obligations to maintain its eligibility for accreditation (*Section I (E), Rules of Process and Procedures, Standards of Accreditation*). Accordingly, the Commission voted to withdraw the accreditation of Ohio College of Massotherapy and to remove the school from the list of ACCSC-accredited institutions effective September 22, 2016 (*Section VII (P) (1) & (5), 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 Withdrawal Order are made public and provided to the U.S. Department of Education, appropriate state agencies, and appropriate accrediting agencies.**

### **TEACH-OUT PLAN**

Pursuant to federal law, an accrediting agency recognized by the U.S. Department of Education must require a teach-out plan from an institution subject to an adverse accreditation decision to withdraw

accreditation. Therefore, in accordance with *Section IV (F)(1)(c) Rules of Process and Procedure, Standards of Accreditation* the Commission requires that Ohio College of Massotherapy submit a completed ACCSC Institutional Teach-Out Plan Approval Form,<sup>1</sup> to demonstrate how Ohio College of Massotherapy will ensure the opportunity for students to complete their program of study. The school's Teach-Out Plan must be submitted **on or before October 31, 2016.**

### **APPEAL AND REAPPLICATION PROCESS AND PROCEDURE**

Ohio College of Massotherapy may opt to appeal the Commission's decision to withdraw 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 Ohio College of Massotherapy 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 October 31, 2016.**
- If Ohio College of Massotherapy 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 November 18, 2016.**
- If Ohio College of Massotherapy elects not to appeal this decision, the Commission's decision to withdraw the school's accreditation as of **September 22, 2016** will become final. The school may submit comments **on or before November 18, 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*.

For additional information regarding the Commission's decision, please contact me directly at 703.247.4520 or [mccomis@accsc.org](mailto:mccomis@accsc.org).

Sincerely,



Michale S. McComis, Ed.D.  
Executive Director

c: John Ware  
Ohio State Board of Career Colleges and Schools  
[REDACTED]

Douglas Parrott  
U.S. Department of Education  
[REDACTED]

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

<sup>1</sup> Available online at: <http://www.accsc.org/Content/FormsAndReports/FormsAndReports.asp>



Accrediting Commission of Career Schools and Colleges

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

**To Be Submitted No Later Than October 31, 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 Ohio College of Massotherapy located in Akron, Ohio, intends to appeal the recent decision of the Commission to revoke the school's accreditation and remove the school from the list of ACCSC-accredited institutions. 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 Procedures 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 the a school to appeal an adverse action taken by the Commission on the grounds that the decision was arbitrary, capricious, or otherwise in substantial 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 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 November 18, 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



Accrediting Commission of Career Schools and Colleges

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## ACCSC Standing Appeals Panel Members

Panel Member	Affiliation	Term Ending
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>	2016
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
Cedric D. Page, Ph.D.	<b>University of New Mexico – Los Alamos</b> Los Alamos, New Mexico <i>Public Member</i>	2019
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**

---

## **To Be Submitted No Later Than November 18, 2016**

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

RE: Ohio College of Massotherapy– School #M069256  
225 Heritage Woods Drive  
Akron, Ohio 44321

Dear Dr. McComis:

I understand and agree that the Commission, pursuant to *Section X (D)(4), Rules of Process and Procedure, Standards of Accreditation*, will make public a summary of 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 Ohio College of Massotherapy’s public comments on the adverse accreditation action that are to be disseminated with the public notice of the Commission’s decision dated October 19, 2016 including, but not limited to, posting to the ACCSC website (*Section X (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 and that the comments must be limited to two type written pages (no smaller than 11 pt. font with one inch margins). 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 *Section X (D)(3), 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 November 18, 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