

# 1. 1. Actions Available to the Commission Pursuant to D.1.

## ***The Accrediting Commission may take one of four courses of actions:***

1. accredit a new applicant institution for up to three years, or continue an institution’s accredited status for up to five years. Reports of institutional enhancements of programs and services may be required.
2. defer a decision pending receipt of a Progress Report, submission of additional information and/or the results of a follow-up on-site visit. The maximum deferral period is 12 months (unless the Commission extends the period for “good cause” as defined below); *(10/11)*
3. direct the institution to show cause as to why its accreditation should not be withdrawn (see below); or *(10/11)*
4. deny accreditation to an applicant, or withdraw accreditation from an accredited institution (these actions are appealable – see D.2. Appealing the Commission’s Decision).

Prior to any final adverse action by the Commission that is based solely upon a failure to meet DETC Standard IX. Financial Responsibility, the institution has the right, for a single occasion, to provide the Commission significant financial information that was not available to the institution prior to the determination of the adverse action, so long as the information bears materially on any financial deficiencies cited by the Commission. The Commission shall determine if the financial information submitted by the institution is significant and material, and if it is found to be so, it will consider the new information prior to taking any final action. Any determination made with respect to the significance or materiality of the new financial information submitted as set forth above, will not be subject to a separate appeal by the institution.

### **Good Cause *(10/11)***

The maximum time period for achieving compliance with the Commission’s standards and policies is 12 months. The Commission may extend this 12 month period for good cause shown. “Good cause” in this context is defined as a sufficient reason for the Commission to allow additional time for the institution to show that it has made substantial progress but additional time is needed to more fully document experience in attaining full compliance, additional resources are shortly to become available, or there are exigent circumstances, such as illness or accident, that justify an extension of time. When a “good cause” extension is granted by the Commission, the time allowed for institutional compliance may possibly exceed the permissible compliance times published in Federal Regulations. The Commission will notify the U.S. Secretary of Education if an extension is granted for “good cause.”

The Commission will consider the following criteria when granting an extension for a good cause:

- The length of time requested for the extension;
- Rationale for granting or denying the extension;
- Common sense matters such as near-term future availability of reports or data;
- The anticipated impact of an extension on students enrolled with the institution;
- Limitations on a further extension to an existing extension, limits on the frequency and use of “good cause.”

After reviewing the above considerations, the Commission will decide to grant or deny an institution’s request for an extension for good cause. The Commission decision is not appealable.

The Commission may also elect to monitor the progress of an institution that has received an extension for a good cause by requesting documentation on a periodic basis as to the institution's progress toward compliance with the Commission's standards or policies.

### **Show Cause Directive**

In cases where the Commission has reason to believe that an institution is not in compliance with accreditation standards and other requirements, the Commission may direct the institution to Show Cause as to why its accreditation should not be withdrawn. An institution that receives a Show Cause Directive will be required to demonstrate corrective action and compliance with accrediting standards, policies, or procedures. Because the issuance of a show cause directive is not an adverse action, it is not appealable. However, the burden of proof rests with the institution to demonstrate that it is meeting DETC's published standards and policies. (10/11)

**Notices:** When a Show Cause Directive is issued, a written notice will be sent to the institution within 30 days of the Commission's decision which:

1. States the reasons why the Show Cause Directive was issued;
2. Identifies the standard and other accreditation requirements that the institution is believed not be in compliance;
3. Explains the reasons and recite the evidence indicating that the institution may not be in compliance with accreditation requirements; and
4. Advises the institution of its obligations under the Show Cause Directive and the deadline for its response.

Notice of the Show Cause Directive will be provided to the U.S. Secretary of Education, the appropriate state agencies or authorizing agency, and the appropriate accrediting agencies at the same time it notifies the institution of the Show Cause Directive. The Commission will also post a notice on its website within 24 hours of notifying the institution.

**Decision on Show Cause Directive:** Upon expiration of the time limits for submission of the Response to the Show Cause Directive or any progress report or additional requirements placed on the institution in relation to the Show Cause Directive, a decision will be made on the institution's compliance with the accreditation standards or requirements noted in the directive. The Commission may:

1. Vacate the show cause directive, if it is determined that the response gives evidence that such removal is warranted or if the response shows compliance with the cited accreditation standards and requirements;
2. Continue the show cause directive, pending the receipt of additional information or further reports from the institution;
3. Order a special visit in accordance with C.16. Policy on Special Visits; or
4. Withdraw accreditation, which would be subject to an appeal by the institution.

The Commission will notify the institution of its decision concerning its Response to the Show Cause Directive within 30 days.

The Commission will not consider substantive changes (as listed in Policy C.1. Policy on Substantive Change and Notification) or approve any new courses or programs when an institution is under a Show Cause Directive or when the Commission's has deferred action on an application for reaccreditation.

In all cases, the Commission will allow the institution sufficient time to respond to any findings before any final decision regarding the institution's accredited status is made.

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*(Please Note: This page was left blank on purpose.)*