



NATIONAL ACCREDITING COMMISSION OF CAREER ARTS & SCIENCES

3015 Colvin Street, Alexandria, VA 22314

PHONE (703) 600-7600 • www.naccas.org

June 11, 2025

Via Electronic Delivery

Mr. Jeremy Bauer-Wolf
Investigations Manager
New America

CONFIDENTIAL

Ms. Antoinette Flores
Director of Higher Education Quality and Accountability
New America

Mr. Bauer-Wolf and Ms. Flores:

On behalf of the Board of Commissioners (“Commission”) of the National Accrediting Commission of Career Arts and Sciences (“NACCAS”), I’d like to thank you for affording NACCAS this opportunity to provide some insight to your readers as to how NACCAS’ published accreditation requirements and *Rules of Practice and Procedure* (“[Rules](#)”), when applied to the real life/real time experiences of NACCAS-accredited schools – in particular, schools that are or may be out of compliance with those requirements – result in the types of actions and decisions by the Commission [published on NACCAS’ website](#) (and also available for review by the public on the U.S. Department of Education’s (“Department”) Database of Accredited Postsecondary Institutions and Programs (“[DAPIP](#)”)).¹ For purposes of this letter, those decisions can be seen as the result of the interaction of two principles – the “separation of processes,” and the requirements of due process.

Under NACCAS’ Rules, an accredited school may (or may be required to) interact with NACCAS in a variety of different ways, including:

- Applying for initial accreditation (Rules, Section 2.5); renewal of accreditation (Rules, Section 2.6); or approval of a substantive change (Rules, Part 4);
- Placement on a monitoring process (Rules, Part 5; Rules Section 8.13);
- Issuance by NACCAS of a Letter of Inquiry or Show Cause Order (Rules, Part 7);
- Placement on Probation (Rules, Section 8.10);
- Appeal of an adverse decision by the Commission (Rules, Part 9); or
- Filing a Petition (Rules, Section 10.5).

By “separation of processes,” I mean that when a school is undergoing more than one of these processes at the same time, the Commission treats each as a unique process subject to the applicable timelines and

¹ Notices of Commission actions are reported to the Department, applicable state agencies, and to the public in accordance with the requirements of 34 CFR § 602.26.

procedures laid out in the Rules. This is not to say that two processes may not be related (e.g., multiple matters of noncompliance resulting from the same review process, such as an onsite visit or review of audited financial statements). Nor does it mean that the Commission isn't mindful of related processes.

But it does mean that each process – including, importantly, processes related to investigation or remediation of noncompliance – proceeds in accordance with NACCAS' published procedures, ensuring that the Commission complies with (and the school is afforded) the due process protections provided by those procedures, consistent with the Commission's obligation to avoid arbitrary enforcement of its accreditation requirements and to ensure that each school is provided adequate opportunity to address any (documented or potential) non-compliance prior to the Commission taking adverse action. Among other things, this approach explains the existence of concurrent processes that, absent that context, might appear incongruous.

For example, suppose that a NACCAS-accredited school is withdrawn for "Reason 1." As required by 34 CFR § 602.25 and detailed in Part 9 of NACCAS' Rules, every school has the right to appeal the withdrawal of its accreditation before that withdrawal becomes effective. The school therefore remains accredited until it has exhausted its appeal rights (including its right to arbitration under Rules Section 9.18). During the pendency of its appeal, the school is therefore still required to maintain compliance with NACCAS' accreditation requirements and is subject to Commission action if it fails to do so, including, if applicable, the issuance of a Show Cause Order and subsequent withdrawal for a hypothetical "Reason 2."

With respect to the possibility of multiple open processes related to investigation or remediation of noncompliance, a few other things are worth noting.

1. Three of the Commission actions listed above – placement of a school's accreditation on Probation, placement of a school on a monitoring process, and issuance of a Show Cause Order – constitute placement on "probation or equivalent status" ("POES") as that term is used by the Department, and each is reported to the Department, through its DAPIP system, as a form of POES action. So a school may be subject to more than one POES at the same time.²

However, unlike monitoring and Show Cause *processes*, Probation is an accreditation *status*. A school's accreditation is either on Probation, or it is not, and once placed on Probation (for any reason), the school remains on Probation until the requirements for removal (*see* Section 8.10(f) of the Rules) are satisfied. Interim events that would otherwise call for placement on Probation under Rules Section 8.10(a) – e.g., withdrawal of accreditation – do not result in a second (concurrent) placement on Probation. Instead, they add to the deficiencies that must be overcome before the school is eligible to be removed from Probation.

2. Any area of noncompliance that is not corrected within the timeframes dictated by NACCAS' Rules is subject to the same ultimate sanction – withdrawal of accreditation. Accordingly, no POES (or combination of POESes) is "more severe" than another, as a failure to correct any one of them will result in a loss of accreditation. While the Commission certainly takes notice of a school on more than one POES, each POES carries both the obligation and due process right to remedy the underlying problem, and the Commission does not assess additional penalties beyond those applicable to each individual process.³

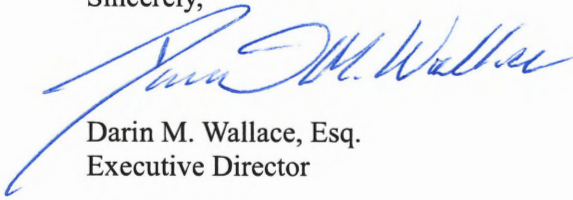
² While relinquishment of accreditation is not a POES, NACCAS does provide notice of relinquishments to both the public (on its website) and to the Department (via DAPIP).

³ Note, however, that the Commission reserves the right, under appropriate circumstances, to call a school up for early renewal. (*See, e.g.,* Rules Section 8.15)

3. When the Commission issues a Show Cause Order or places a school on a monitoring process, it assigns to the school a deadline (within the limits of Rules Section 8.18) for coming back into compliance with the accreditation requirement that is being monitored. A school may be subject to more than one Show Cause Order or monitoring process, each with its own deadline, independent of any other.

Finally, I'll note that NACCAS, unlike State and Federal regulators, is a private entity with no authority over any school outside of its relationship with that school as its accreditor. Accordingly, once a school ceases to be accredited, NACCAS has no power to compel it to cooperate with any then-ongoing investigations or monitoring of noncompliance with NACCAS' requirements. Any such matters remain open in the school's records, however, and are taken into consideration if the school seeks re-accreditation in the future.

Sincerely,

A handwritten signature in blue ink, appearing to read "Darin M. Wallace", is written over the typed name and title.

Darin M. Wallace, Esq.
Executive Director