

# Draft II: Proposed Revisions to the *Handbook 2020*

ACCREDITING COMMISSION FOR COMMUNITY AND PRECOLLEGIATE ARTS SCHOOLS

March 17, 2021

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OFFICIAL NOTICE. This constitutes the official notice of proposed revisions to the *Handbook* forwarded in advance as required by the CAAA Bylaws, and ACCPAS Code of Ethics for Community and Precollegiate Schools Accredited by ACCPAS and Rules of Practice and Procedure.

NOTE: All proposed revisions are indicated in red.

VOTE SCHEDULED. A final text of these proposed revisions will be presented to the CAAA Board of Trustees for a vote in April.

Rationale for these changes are provided at the end of the document on pages 16–17.

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**COMMENT PERIOD II**  
**March 17 – April 16, 2021**

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## Standards for Community and Precollegiate Arts Schools and Programs

— Action by the CAAA Board of Trustees —

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Standards for Community and Precollegiate Arts Schools and Programs

II. Purposes and Operations

H. Recruitment, Enrollment, Financial Aid, Retention, Record Keeping, and Advisement

1. Standards

*Amend II.H.1.g. as follows:*

g. **Student r**etention policies must be:

- (1) appropriate to the purposes of the school's curricular programs;
- (2) clearly defined;

- (3) published for students and faculty;
- (4) applied with rigor and fairness.

## **Appendix I.A.**

— Action by the CAAA Board of Trustees —

**ACCPAS Handbook 2020—Pages 26–27**

### **Appendix I.A., Specific Operational Standards for All Institutions for Which ACCPAS Is the Institutional Accreditor I. Standards for Accreditation**

***Add I.E. as follows and reletter as noted:***

#### **I. STANDARDS FOR ACCREDITATION**

In addition to meeting all operational and curricular standards of ACCPAS appropriate to the scope of programs offered, institutions for which ACCPAS serves as the institutional accreditor shall meet the following standards:

##### **A. Title**

The descriptive title of the institution shall be appropriate to its purpose, size, and complexity.

##### **B. Finances**

1. The institution must demonstrate that tuition and other fees are reasonable and appropriate in relation to subject matters taught; to the goals, objectives, and time requirements of the programs offered; and to any other relevant variables.
2. The institution must have an annual audit with opinion prepared by an independent certified public accountant. The annual audit must be completed within 180 days after the close of each fiscal year.
3. If the institution supplements tuition revenue with contributions private or public or earnings from endowment, evidence must be provided that there are sufficient policies, plans, procedures, and volunteer and/or professional resources to generate sustainable non-tuition revenue sufficient for the needs of the school.

##### **C. Governance and Administration**

*Note: Paragraphs 1 and 6 below apply to not-for-profit institutions. The remaining paragraphs apply to both not-for-profit and proprietary institutions.*

1. A not-for-profit institution must have a governing board (for example: board of directors, board of trustees, school board) consisting of at least five members, which has the duty and authority to ensure that the overall mission of the institution is carried out. The governing board must be the legal body responsible for the institution that it holds in trust. The presiding officer of the board, along with a majority of other voting members, must have no contractual, employment, or personal or familial financial interest in the institution. The board must have adequate representation of the public interest recognizing that institutions serve a public purpose when they provide educational services and opportunities. Public representatives receive no financial benefit from the operation of the institution.
2. For all institutions, the duties of the board include securing financial resources to support the achievement of institutional mission, goals, and objectives. The board is responsible for approving the annual budget, reviewing periodic fiscal audits, participating in and overseeing any non-tuition revenue gathering and management, and approving the specific or applicable long-range financial plan.

3. In all institutions, the board shall maintain policies concerning conflict of interest, both with respect to its own actions and to actions of administration, faculty, and staff.
4. All institutions must have, and state in, an official document, policies that define board size, duties, responsibilities, and operations. These include the number of members, length of service, rotation, policies, organization, and committee structure for overseeing areas such as finance, governing properties, programs, and frequency of regular scheduled meetings. Board policies shall clearly state that no member or committee acts in place of the board, except by formal delegation of authority by majority vote of the board of directors.
5. If the institution is involved with multi-campus, off-campus, continuing education, evening and weekend programs, etc., governance and administrative procedures must be clearly defined and appropriately integrated and incorporated into the total governance and administration system.
6. In all not-for-profit institutions, the institution must have a paid chief executive officer whose primary responsibility is to the institution and who is a full-time employee of the institution. The board selects and regularly evaluates the institution's chief executive officer using consultative mechanisms described in the official document outlining duties of the board. The chief executive officer must not be the presiding officer of the board, but may be an ex officio member of the board. The board must delegate to the chief executive officer and, as appropriate, to other officers whose primary responsibilities are to the institution, the requisite authority and autonomy to manage the institution effectively and formulate and implement policies compatible with the overall structures and intents established by the board.
7. For all institutions, the administrative structure of the institution must be sufficient in size and competence to cover business, registrar, maintenance, security, safety, and student services functions. The institution shall have appropriate administrative and physical capabilities to protect the permanent records of students and any other permanent records as board policies may dictate.

#### **D. Facilities and Equipment**

If the institution depends on facilities, equipment, or resources outside of its direct control (for example, rehearsal and performance facilities, studios, library resources, recording studios, galleries), there must be a clear, fixed understanding with those controlling the outside resources which ensures the reasonable continued availability of those resources during the accreditation period. The institution must provide clear guidelines and procedures for its constituents' use of such resources and must ensure that such descriptions are readily available to students whose programs of study require use of these resources.

#### **E. Administrative and Staff Appointments**

In addition to consideration of the provisions of the Code of Ethics regarding faculty, when recruiting key administrators and staff, independent institutions are encouraged to consider contractual or other arrangements that candidates may have with their current employers that promote desired continuity so as to avoid disruptions that could significantly impact an institution's ability to fulfill its artistic and academic obligations to its students.

#### **F. Schools Offering General Education (not applicable to community schools)**

Public and private day and boarding schools provide pre-school, elementary, middle, and high school education. When these schools enable students to focus on studies in one or more arts disciplines, they must also ensure that students receive an effective general education. The knowledge and skills gained through general education are essential for pursuing advanced work or careers in the arts. Schools must demonstrate how they fulfill general educational responsibilities at the level of programs offered. General education includes but is not limited to competency development in languages, mathematics, the sciences, geography, history, and the arts beyond the area of specialization. Health and physical education are important subjects for students engaged in the arts. Technical knowledge and skills provide tools for present and future work.

Foreign language is highly recommended.

High schools indicating specific goals for precollegiate or pre-professional preparation in one or more of the arts disciplines must demonstrate how students are developing fluency in English, including reading, writing, speaking, and interpretation.

Schools must:

1. offer instruction in subject matter required by applicable law,
2. have a coherent, written, sequential curriculum that demonstrates continuity from grade to grade both in general education and in studies in the arts,
3. demonstrate how arts and general studies curricula are related to each other, and
4. have means for evaluating student achievement against general curricular and specific subject matter goals.

Institutions offering early childhood programs must have staff trained in the specific field. All faculty shall be able to address the developmental needs at the age level of their students.

**G. F+ Student Services** (*not applicable to community schools*)

Consistent with its mission, goals, and objectives, the institution shall provide a physical, philosophical, and human environment that fosters the artistic, intellectual, and personal development of students.

If the institution is a boarding school, the institution's program of student services is derived from the relationship between specific goals for student development and the purposes of the institution. All types of services shall be available to all students. Student services shall be organized and managed by individuals with appropriate training, experience, and abilities. Institutions must provide an effective orientation program that acquaints new and transfer students with all aspects of the institution related to their course of study and their personal well-being. The institution shall provide and/or facilitate access to education, counseling, and professional care associated with the maintenance of physical and mental health. The institution shall provide and/or facilitate access to counseling covering personal, social, vocational, and financial issues.

If the institution administers a program of financial aid, such aid shall be provided and administered in an organized and accessible manner. Records shall be clearly documented. Awards are based on the equitable application of clear and published criteria. The financial aid program must be audited at least once a year.

If provided, housing must be conducive to individual well-being and personal development. Housing controlled by or affiliated with the institution must meet recognized standards of health, safety, and security, and be appropriately staffed.

If provided, food service must meet recognized standards of nutrition, sanitation, and safety. Food services must be professionally administered and operated.

The institution must have policies regarding the kinds of information that will be included in the permanent record of students. It shall also have policies regarding the retention, safety and security, and disposal of records. Information-release policies shall respect the rights of individual privacy, the confidentiality of records, and the best interests of students and the institution.

If a day or boarding school, the institution must maintain policies concerning student responsibilities and rights, including complaint procedures. These must be clearly stated, well publicized and readily available, and administered fairly and consistently.

If a day or boarding school, the institution should provide opportunities for student leadership consistent with its mission, goals, objectives, and policies. Students should be encouraged to develop the abilities to work with

people in as many settings and contexts as feasible. Opportunities to be involved in appropriate institutional decision-making processes are highly desirable.

## Appendix I.D.

— Action by the CAAA Board of Trustees —

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### Appendix I.D., Distance Learning

*Amend as follows:*

1. **Definition.** Distance learning involves programs of study conducted entirely or partially away from regular in-person interactions between teachers and students in classrooms, studios, tutorials, laboratories, and rehearsals associated with coursework and programs on the campus. ~~Normally, distance learning uses technologies to deliver instruction and support systems, and enables substantive interaction between instructor and student.~~
2. **Means.** ~~The distance aspect of these programs may be delivered through a variety of means, including teaching and learning through electronic systems. The distance aspect of these programs may be conducted through a variety of means, including teaching and learning through electronic systems such as the World Wide Web.~~
3. **Standards Applications**
  - a. Distance learning programs must meet all ACCPAS operational and curricular standards for programs of their type and content. This means that the functions and competencies required by applicable standards are met even when distance learning mechanisms predominate in the total delivery system.
  - b. Programs in which more than 40 percent of their requirements are fulfilled through distance learning will be designated as distance learning programs in the CAAA/ACCPAS *Directory*.
4. **Standards**
  - a. **Purposes and Resources A.—Artistic and Academic Requirements**
    1. ~~Purposes Mission, goals, and objectives~~ shall be clear. The institution must demonstrate that such purposes can be delivered through proposed systems of distance learning.
    2. ~~The institution must provide financial and technical support commensurate with the purpose, size, scope, and content of its distance learning programs. Instructions to students, expectations for achievement, and evaluation criteria must be clearly stated and readily available to all involved in a particular distance learning program. Students must be fully informed of means for asking questions and otherwise communicating with instructors and students as required.~~
    3. Any sustained enrollment growth must be accompanied in a timely manner by a corresponding growth in resources and support systems. ~~The institution shall have mechanisms for assuring consistency in the application of policies, procedures, and standards for entering, continuing, and completing the course or program. Specific evaluation points shall be established throughout the time period of each course or program.~~
    4. ~~When an identical program, or a program with an identical title, is offered through distance learning as well as on campus, the institution must be able to demonstrate functional equivalency in all aspects of each program. Mechanisms must be established to assure equal quality among delivery systems.~~

**b. ~~B.~~ Delivery Systems, Verification, and Evaluation**

1. Delivery systems must be logically matched to the purposes of each program. Delivery systems are defined as the operational interrelationships of such elements as program or course content, interactive technologies, teaching techniques, schedules, patterns of interaction between teacher and student, and evaluation mechanisms.
2. The institution must have processes that establish that the student who registers in a distance education course or program is the same student who participates in and completes the program and receives credit (if any). Verification methods are determined by the institution and may include but are not limited to secure login and password protocols, proctored examinations, and new or other technologies and practices. ~~The institution must determine and publish for each distance learning program or course (1) requirements for technical competence, (2) any technical equipment requirements, and (3) information regarding the availability of academic and technical support services. The institution must have means for assessing the extent to which prospective students meet these requirements before they are accepted or enrolled.~~
3. The institution must use processes that protect student privacy and notify students of any projected or additional student charges associated with verification of student identity at the time of registration or enrollment in distance education programs. ~~The institution must provide financial and technical support commensurate with the purpose, size, scope, and content of its distance learning programs.~~
4. Specific opportunities for student evaluations shall be established throughout the time period of each course or program.

**c. Technical Prerequisites**

1. The institution must determine and publish for each distance learning program or course (a) requirements for technical competence, and (b) any technical equipment requirements. The institution must have means for assessing the extent to which prospective students meet these requirements before they are accepted or enrolled.
2. The institution shall publish information regarding the availability of academic and technical support services.

**d. Program Consistency and Equivalency**

1. The institution shall have mechanisms for assuring consistency in the application of policies, procedures, and standards for entering, continuing, and completing the course or program.
2. When an identical program, or a program with an identical title, is offered through distance learning as well as on campus, the institution must be able to demonstrate functional equivalency in all aspects of each program. Mechanisms must be established to assure equal quality among delivery systems.

**e. Communication with Students**

Instructions to students, expectations for achievement, and evaluation criteria must be clearly stated and readily available to all involved in a particular distance learning program. Students must be fully informed of means for asking questions or otherwise communicating with instructors and students as required.

# Code of Ethics for Community and Precollegiate Schools Accredited by ACCPAS

— Action by the CAAA Board of Trustees —

## ACCPAS Handbook 2020—Page 45

Code of Ethics for Community and Precollegiate Schools Accredited by ACCPAS  
Article II., Student Recruitment

*Amend Article II., Section 2. as follows:*

**Section 2.** Students are free to attend the institutions of their choice. However, at an appropriate point in time, a mutual commitment in writing ~~may~~ **must** be made between students/parents/guardians and institutions. ~~Any such mutual agreement must clearly state the nature of the commitments and obligations they impose on administrators, faculty members, students/parents/guardians, and all other parties, as well as At such a point, administrators, faculty members, students/parents/guardians, and all other parties involved must clearly state the nature of these commitments,~~ the schedules for their implementation, ~~and~~ the conditions under which such commitments may be released by any or all of the parties, ~~and the institutional offices responsible for areas addressed in the commitment statement.~~

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Code of Ethics for Community and Precollegiate Schools Accredited by ACCPAS

*Add Article III. as follows and amend and renumber as noted:*

### **Article III FINANCIAL AID**

**Section 1.** For the purposes of this Code of Ethics in its entirety, financial aid is an award made directly to the student based at least in part on demonstrated talent, this in addition to need-oriented aid.

**Section 2.** Consistent with Article II., Section 2. above, financial aid shall be awarded according to the criteria and through the procedures established by the accredited institution granting the award.

**Section 3.** Any offer of admission with a talent-based scholarship made within one calendar month of the semester of matriculation is normally considered a transfer under provisions of the Code of Ethics, Article IV.

### **ARTICLE IV ### TRANSFER STUDENTS**

**Section 1.** No member institution may ~~affirmatively~~ **actively** recruit a student presently enrolled in another institution, unless ~~that the~~ student will complete the normal program of study ~~for which he or she is enrolled~~ prior to the ~~proposed~~ time of transfer. It is ethical, of course, to accept for transfer a student who applies for ~~and achieves~~ admission to ~~another institution~~ **the new school** of his or her own volition.

**Section 2.** Institutions recognize that students are free to make inquiries about study at any institution at any time. However, if a student with financial aid begins to make an application for transfer, the institution to which the student is applying must inform the student of its procedures, conditions, and criteria for considering such applications, including the extent to which credit earned at the present institution can or will be considered for acceptance by the prospective new institution.

**ARTICLE V ~~IV~~**  
**FACULTY APPOINTMENTS**

**Section 1.** Article V. ~~IV~~ of the ACCPAS Code of Ethics is intended to apply to the conduct of ACCPAS accredited institutions and their employees or agents who are involved in the negotiation of faculty employment agreements or appointments on behalf of their respective institutions. It is not intended to govern the activities of individual faculty members who may seek employment with other institutions. The purpose of the provision is to encourage communications between institutions so as to avoid, to the extent possible, last-minute disruptions in faculty coverage that could significantly impact an institution’s ability to fulfill its artistic and academic obligations to its students.

**Section 2.** Inquiries about an individual’s interest in and conversation concerning a new, full-time academic appointment are in order at any time of the year.

**Section 3.** Institutions hiring faculty who are employed full-time at other institutions under a written contract that contemplates continuation of such employment for some or all of the next academic year shall be mindful of their responsibility to secure the approval of the chief administrative officer of the original institution when an employment offer in the form of a written contract is made during, or so close to the ensuing academic period as to threaten major disruptions in the original institution’s ability to fulfill its artistic and academic obligations to its students during that period.

Those institutions using an academic calendar should contact the chief administrative officer of the original institution when such offers of employment are made after April 1 for the following academic year.

**ARTICLE VI ~~V~~**  
**COMPLIANCE**

If the parties involved cannot resolve an alleged violation, an appeal, in the form of a detailed letter, shall be filed with the ACCPAS Executive Director, who shall then institute the process outlined in the Procedures for Reviewing Complaints Directed Against Accredited Institutions of the Accrediting Commission for Community and Precollegiate Arts Schools (see Rules of Practice and Procedure).

**ARTICLE VII ~~VI~~**  
**AMENDMENTS**

The Code of Ethics may be amended by a majority vote of the delegates (1) present and voting at any Annual Meeting of the Board of Trustees of the Council of Arts Accrediting Associations at which a quorum is present, and (2) voting at a meeting or in a poll conducted through electronic means when the same quorum requirements are met, provided a written notice of the proposed amendment be sent for comment to all Trustees and all institutions accredited by ACCPAS at least four weeks prior to said meeting.

## Rules of Practice and Procedure

— Action by the CAAA Board of Trustees —

ACCPAS Handbook 2020—Page 47

**Rules of Practice and Procedure**

**Article I., Accreditation Policies**

**Section 2. Determination of Readiness for Application**

*Amend Article I., Section 2. as follows:*

**Section 2. Determination of Readiness for Application.** All institutions are advised to determine their readiness to apply for accreditation by consulting Articles III and IV of these Rules, the Basic Criteria for Accreditation, and by self-evaluation in terms of the appropriate curricular and operational Standards published for ACCPAS by CAAA.

Each applicant must agree to abide by the appropriate Operational and Curricular Standards, the Code of Ethics, and the Rules of Practice and Procedure adopted by the Council of Arts Accrediting Associations for ACCPAS.

Accredited institutions are responsible for annual fees as stipulated in Article IV of these Rules.

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**Rules of Practice and Procedure**

**Article I., Accreditation Policies**

**Section 4. Accreditation and Institutional Autonomy**

***Amend Article I., Section 4. as follows:***

**Section 4. Accreditation and Institutional Autonomy.** The Council of Arts Accrediting Associations has established standards for ACCPAS accreditation that are applied only at the invitation of institutions. The standards provide benchmarks for reviewing the extent to which operational, curricular, and evaluative functions associated with particular programs and areas of study are being fulfilled.

As they evolve, ACCPAS standards for accreditation are continuously designed to allow considerable variation within broad principles applicable to programs and areas of study. Failure to meet the exact provisions of a specific standard will not preclude accreditation if it can be shown that artistic, intellectual, educational, and developmental functions indicated by the standard are and can continue to be fulfilled by appropriate means.

Standards for ACCPAS accreditation are applied with profound respect for the rights and responsibilities of institutions and programs to identify, designate, and control (a) their missions, goals, and objectives; (b) artistic, educational, and philosophical principles and methodologies used to pursue functions implicit in their various missions, goals, and objectives; (c) specific repertoires, texts, and other teaching materials utilized for study and presentation; (d) agendas and areas of study pursued through scholarship, research, criticism, and policy development; (e) specific personnel choices, staffing configurations, and other operational decisions; and (f) content and methodologies of tests, evaluations, and assessments.

Respect for institutional mission as required in Article I., Section 4., paragraph 3 above and throughout ACCPAS published materials includes respect for religious mission.

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**Rules of Practice and Procedure**

**Article II., Application for Accreditation and renewal of Accreditation**

**Section 4. Application Procedures**

***Amend Article II., Section 4. as follows:***

**Section 4. Application Procedures.** Institutions making application for accreditation or renewal of accreditation shall follow the ACCPAS procedures outlined by CAAA, including preparation of a Self-Study Report and arranging for an on-site evaluation.

At least two visiting evaluators are required for each on-site visit, and at least one visitor for each arts discipline offered.

An institution may withdraw its request for accreditation at any time prior to the accreditation decision made by ACCPAS.

An institution has the right to seek legal counsel during all phases of the accreditation process.

Accreditation or renewal of accreditation shall become effective after positive action by ACCPAS. Continuation of accredited status is contingent upon meeting ACCPAS requirements, including payment of annual dues.

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**Rules of Practice and Procedure**

**Article IV., Fees**

***Amend Article IV., Section 2. as follows:***

**Section 2.** Notice of non-payment of fees shall be sent to delinquent institutions on November 15 of each year. If the fees of any accredited institution remain unpaid on **the following** February 15 ~~next following~~, accreditation may be ~~revoked terminated~~. **Revocation is not automatic and must be acted upon by ACCPAS.** Resignation shall not be accepted from delinquents.

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**Rules of Practice and Procedure**

**Article VI., ACCPAS Procedures**

**Section 1. ACCPAS Policies and the Public Interest**

***Amend Article VI., Section 1. as follows:***

**Section 1. ACCPAS Policies and the Public Interest.** The Council of Arts Accrediting Associations has established and provided to ACCPAS standards and guidelines for community and precollegiate education programs in the arts disciplines, a Code of Ethics, Rules of Practice and Procedure, and other policy statements to govern CAAA and ACCPAS activities conducted on behalf of institutions, students, and the public.

Both CAAA and ACCPAS are voluntary and non-governmental. As such, CAAA and ACCPAS do not have the responsibility or the staff to exercise the regulatory control of state and federal governments, or to apply their mandates **regarding collective bargaining, affirmative action, and the like**. Nor does CAAA or ACCPAS substitute for or replace the function of the civil or criminal courts.

Institutions may wish to review the publications and policies of other governmental and non-governmental agencies; however, ACCPAS does not enforce the standards of other accrediting agencies, other associations, or of other **non**-governmental organizations.

ACCPAS works strictly according to its own rules and standards and expects that institutions and those involved in its accreditation process **on behalf of ACCPAS** will apply these with integrity, imagination, and an attitude of humane concern for student and public interests.

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**Rules of Practice and Procedure**

**Article VI., ACCPAS Procedures**

**Section 2. Conflict of Interest**

***Amend Article VI., Section 2. as follows:***

**Section 2. Conflict of Interest.** ACCPAS works to avoid conflict of interest or the appearance of conflict of interest in any aspect of its accreditation activities and in its other operations. All individuals involved in any relationship with ACCPAS or CAAA are expected to declare potential conflicts of interest as they appear. In the accreditation process, potential conflicts of interest may arise based on personal associations, past or projected affiliations, past or current financial relationships, geographic proximity, or for other reasons. Questions concerning conflicts of interest should be addressed to the office of the Executive Director.

No member of ACCPAS ~~shall should~~ participate in any way in accrediting decisions in which he or she has a pecuniary or personal interest (or the appearance of same) or with respect to which, because of present institutional or program association, he or she has divided loyalties or conflicts (or the appearance of same) on the outcome of the decision. This restriction is not intended to prevent participation and decision-making in a general

run of cases which do not directly or substantially affect the institution or program with which the commission member is associated or its competitive position with a neighboring institution or program under review.

If a conflict of interest issue arises, the matter shall be forwarded to the Executive Director, who shall gather information, solicit advice as appropriate, and attempt to resolve the matter to the satisfaction of all concerned, consistent with the published policies and procedures of ACCPAS and with consideration of standard practice within the arts accreditation community. Should the Executive Director be unable to achieve resolution, he or she shall bring the matter to CAAA. CAAA shall seek resolution through procedures developed to address the specifics of each case.

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**Rules of Practice and Procedure**

**Article VI., ACCPAS Procedures**

**Section 7. Procedures in Extreme Matters of Institutional Ethics and Integrity**

*Amend Article VI., Section 7. as follows:*

**Section 7. Procedures in Extreme Matters of Institutional ~~Viability Ethics~~ and Integrity.**

- A. When the ACCPAS Commission has cause to believe that an institution's non-compliance with ACCPAS consensus-based standards and/or Code of Ethics threaten its fundamental viability or integrity because
1. the fundamental purposes of the institution or its arts programs cannot be fulfilled; or
  2. there are serious conditions that cause major adverse effects on the overall financial viability or operational integrity of the institution or its arts programs; or
  3. the program or programs, or courses or study, offered in the academic catalog of the institution cannot be delivered; or
  4. the institution is deliberately misrepresenting itself or its program(s) to students and the public in categories of published information required by ACCPAS Standards;

the ACCPAS Commission may request the institution to provide written information documenting the relationship between conditions at the institution and its arts programs and compliance with applicable ACCPAS Standards.

- B. If information is not forthcoming within the time stipulated, or the ACCPAS Commission finds that, with respect to the institution or its arts programs, institutional viability has been lost, is in jeopardy, or that institutional integrity has been seriously undermined, the Commission may:
1. With regard to an institution that is an applicant, but not yet accredited, cease the application process.
  2. With regard to an accredited institution,
    - a. issue an order requesting that the institution show cause why its accreditation status should not be revoked, and providing an appropriate timeline for reply and suggested corrective actions; or
    - b. in extreme cases, immediately sever the relationship between the institution and ACCPAS by revoking or terminating accreditation.

The institution may appeal the decision of the ACCPAS Commission in accordance with the ACCPAS Appeals Procedure.

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**Rules of Practice and Procedure**

**Article IX., Procedures for Reviewing Complaints Directed Against Institutions Accredited by ACCPAS**

**Section 1. Purpose**

**A. ACCPAS**

***Amend Article IX., Section 1.A. as follows:***

**A. ACCPAS**

Occasionally, ACCPAS receives complaint inquiries or complaints against accredited institutions. The policies and procedures in Article IX. are only for the purpose of addressing questions of compliance with ACCPAS Standards, procedures, rules, and the Code of Ethics as published in the ACCPAS *Handbook*, including any addenda to the *Handbook*, current at the time of the inquiry or complaint. These texts and their interpretation by ACCPAS staff and designated elected personnel are the sole bases for reviewing complaints. ACCPAS does not consider complaints on issues that are beyond the scope of these documents.

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**Rules of Practice and Procedure**

**Article IX., Procedures for Reviewing Complaints Directed Against Institutions Accredited by ACCPAS**

**Section 3. Authority**

***Amend Article IX., Section 3.A. as follows:***

- A. ACCPAS accredits schools on a voluntary basis. The only requirement of its accreditation is compliance with its published consensus-based standards, rules, procedures, and Code of Ethics. The sole and final authorities regarding compliance are the designated elected and staff officials of ACCPAS operating under the requirements of the Association's *Handbook*, including any addenda to the *Handbook* current at the time of the inquiry or complaint.

**ACCPAS Handbook 2020—Pages 59–60**

**Rules of Practice and Procedure**

**Article X., Requests for Reconsideration of ACCPAS Accreditation Actions**

***Amend Article X. as follows:***

**ARTICLE X**

**REQUESTS FOR RECONSIDERATION OF ACCPAS ACCREDITATION ACTIONS**

**Section 1. Actions Eligible for Reconsideration.** A request for reconsideration may be filed with the Executive Director of ACCPAS regarding the following actions: denial of accreditation, or denial of renewal of accreditation, or revocation of accreditation ~~or termination of a new application for accreditation, or~~ the placing of an institution on probation, ~~or continuing denial of a request for approval of new programs, or continuing deferral of action on an application for accreditation, or final decisions concerning complaints.~~

In eligible cases, a request for reconsideration is not a precondition for filing an appeal of an adverse decision described in Article XI.; a request for reconsideration may precede but may not follow an appeal of an adverse decision.

**Section 2. Disclosure and Confidentiality.** The appeals process operates under the ACCPAS Rules of Practice and Procedure statement on Disclosure and Confidentiality. ACCPAS considers the appeals process to be confidential and, at all times during the course of the appeal, will maintain complete confidentiality of all documents and information supplied or reviewed during the appeal, as well as the deliberations and decision-making process relating to the appeal or the decision under appeal. However, should a potential or actual appellant publicly

disclose a pending or actual appeal or appeal decision, or publicly characterize or make misleading or inaccurate representations about the appeals process, the decision that may be, or is subject to, an appeal, or the appeals decision, whether before, during, or after the appeal, ACCPAS reserves the right to respond immediately and publicly through the appropriate medium or media to correct or clarify such inaccurate or misleading representations or characterizations.

Statements regarding disclosure and confidentiality appearing in the ACCPAS Rules of Practice and Procedure and above are consistent with ACCPAS's responsibility under law and regulation to inform various governmental authorities (as or if required) when decisions are reached at the conclusion of accreditation or appeals procedures.

**Section 3.2. Grounds for Reconsideration.** In the event of a decision by ACCPAS in the categories outlined in Section 1 which cannot be resolved through normal procedures, the grounds for reconsideration shall be allegations concerning bias, injustice, departure from stated procedures, factual error of such magnitude as to warrant reconsideration in this manner, failure to consider all the evidence and documentation presented in favor of an application, or new evidence that would affect the decision.

**Section 4.3. Procedures for Reconsideration**

1. Not later than thirty (30) days from the date of the Commission action letter, the institution or applicant shall notify the Executive Director of ACCPAS in writing of its intention to seek reconsideration of the decision, and not later than sixty (60) days from the same date, it shall submit written documentation supporting its request.
2. The Executive Director shall determine whether the request for reconsideration meets criteria necessary to proceed as outlined in this Article, and so inform the institution.
3. If the request meets the criteria, the Executive Director places the request for reconsideration on the next agenda of ACCPAS.
4. The Commission acts on the request using its normal procedures, and the institution is informed of the Commission's action within thirty (30) days after the Commission's action is completed.
5. The status of any institution shall remain unchanged during the reconsideration. There shall be no public notice of the decision until the review is completed and a final determination in the matter is reached.

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**Rules of Practice and Procedure**

**Article XI., Appeals of Adverse Decisions Concerning Accreditation**

***Add Article XI., Section 3. as follows and reletter as noted:***

**ARTICLE XI  
APPEALS OF ADVERSE DECISIONS CONCERNING ACCREDITATION**

**Section 1. Definition.** An adverse decision shall be defined as a decision of ACCPAS that denies or revokes or terminates accreditation.

**Section 2. Procedural Authority.** The Council of Arts Accrediting Associations shall adopt written procedures for considering the appeal of an adverse decision of ACCPAS. These procedures shall be consistent with and supportive of all sections of Article XI of the Rules of Practice and Procedure.

**Section 3. Counsel.** The institution and any other party participating in the appeal determines the extent to which it will be advised or represented by legal counsel in any aspect of the appeal process for which it is responsible or in which it participates.

**Section 4.3. Disclosure and Confidentiality.** The appeals process operates under ACCPAS Rules of Practice and Procedure statement on Disclosure and Confidentiality. ACCPAS considers the appeals process to be confidential and, at all times during the course of the appeal, will maintain complete confidentiality of all documents and information supplied or reviewed during the appeal, as well as the deliberations and decision-making process relating to the appeal or the decision under appeal. However, should a potential or actual appellant publicly disclose a pending or actual appeal or appeal decision, or publicly characterize or make misleading or inaccurate representations about the appeals process, the decision that may be, or is subject to, an appeal, or the appeals decision, whether before, during, or after the appeal, ACCPAS reserves the right to respond immediately and publicly through the appropriate medium or media to correct or clarify such inaccurate or misleading representations or characterizations.

Statements regarding disclosure and confidentiality appearing in ACCPAS Rules of Practice and Procedure and above are consistent with ACCPAS's responsibility under law and regulation to inform various governmental authorities when decisions are reached at the conclusion of accreditation or appeals procedures.

**Section 5.4. Grounds for Appeal.** The grounds on which an institution may appeal a decision of ACCPAS which denies or revokes or terminates accreditation shall be (a) that ACCPAS's decision was not supported by substantial evidence in the record upon which the decision was based; and/or (b) that ACCPAS in making its decision departed significantly from its written procedures.

**Section 6.5. Meaning of Appeals Decisions.** Decisions on appeals concern only matters outlined in Section 4. (a) and (b) above. After the appeals process is complete, decisions concerning accreditation remain the responsibility of ACCPAS. Decisions on appeals are made only on evidence available at the time of the decision being appealed.

**Section 7.6. Time of Filing an Appeal.** An institution wishing to appeal a decision of ACCPAS shall file with the Executive Director of ACCPAS either in person or by certified mail not later than thirty (30) days following the date of the ACCPAS action letter a notice of intent to appeal, which shall be the official action of the governing board of the institution, along with the required filing fee determined as policy by the Board of Trustees of the Council of Arts Accrediting Associations (CAAA) and published in the written procedures for appeals noted in Article IX, Section 2, of the Rules of Practice and Procedure. The institution shall file with the Executive Director of ACCPAS either in person or by certified mail not later than thirty (30) days following the date of its notice of intent to appeal a written appeal document setting forth evidence and argument in support of its appeal. Failure of an institution to file notice of intent to appeal, the required filing fee, or its appeal document in a timely fashion shall void the appeal.

**Section 8.7. Initial Response.** The Executive Director of ACCPAS shall ensure that the institution's appeal document meets all preconditions for review by an appeals committee. Immediately upon receiving an appeal document that meets all preconditions for review, the Executive Director shall forward to the Chair of ACCPAS a copy of the document and shall acknowledge receipt of the document in writing to the chief executive officer of the institution. Within thirty (30) days of receipt of the appeal documents, the Chair of ACCPAS shall provide a written response to the appeal stating the reason for the decision. The response shall be sent to the Executive Director, who forwards copies to the chief executive officer of the institution filing the appeal.

#### **Section 9.8. Appeals Committee**

1. The Executive Director, with the approval of the Chair and Vice Chair/Treasurer of CAAA, shall appoint the Chair and members of an appeals committee comprising three persons, none of whom shall be members of the ACCPAS Commission or of the Board of Trustees of CAAA.
2. Each person invited to participate in the appeals committee shall be asked to consider whether any conflict of interest arises from service on the committee. Conflict of interest includes, but is not limited to, participating in any way in the process leading to the decision being appealed; coming from the same state as the institution appealing; having had any prior or projected alumni, employment, or financial relationship with the institution appealing; or having any other prior or projected relationship with the appealing institution that could influence or be construed as influencing the outcome of the appeal. If conflict of interest is found, that

person may not serve on the appeals committee. In addition, appeals committee members are subject to ACCPAS policies concerning conflict of interest.

3. The appeals committee shall receive from the institution making the appeal written materials detailing its appeal and from the Chair of ACCPAS a written response to the appeal, and will hear in person representatives of the institution and of ACCPAS who choose to appear.

**Section 10.9. Decision on an Appeal.** After following procedures established by the Council of Arts Accrediting Associations (see Section 2 of this Article, above), the appeals committee shall render a final decision, either to (a) deny the appeal and sustain the decision of ACCPAS or (b) sustain the appeal and remand the decision to ACCPAS for correction of errors or omissions and for reconsideration. The final decision of the appeals committee shall be distributed to the chief executive officer of the institution and to the Chair of ACCPAS.

An institution's continuing disagreement with the final decision of the appeals committee shall be settled by arbitration in accordance with the Rules of the American Arbitration Association. Arbitration considers only items (a) and (b) of the Grounds for Appeal outlined in Section 4 of this article.

**Section 11.10. Reconsideration by ACCPAS.** If the appeal is denied, ACCPAS has no power to consider new evidence produced since the original decision.

If the appeal is sustained and the decision remanded to ACCPAS, ACCPAS in making a new decision shall take into account changes made by or occurring in the institution since the original decision. ACCPAS in its reconsideration shall utilize written materials submitted by the institution, the report from an ACCPAS visit to the institution, and such other materials or procedures as are appropriate in correcting the errors and omissions identified by the appeals committee and in reaching a new decision on the institution's accreditation. The institution may be assessed such fees as are established by ACCPAS for such procedures, except that the institution may not be assessed fees for actions taken solely to correct errors and omissions identified by the appeals committee. The institution is responsible, however, for reimbursing the expenses of any ACCPAS visitors according to ACCPAS procedures.

**Section 12.11. Effective Date of Action.** Until the final decision of the appeals committee, the decision under appeal shall not be in effect, and the accreditation status of the institution shall remain as it was before the decision under appeal was made.

If the appeal is denied, the ACCPAS decision under appeal shall become effective on the date of final adoption by the appeals committee of the recommendation that the appeal be denied and the decision be sustained.

If the appeal is sustained, the decision being appealed is void, and until ACCPAS takes a new action, the accreditation status of the institution shall remain as it was before the decision under appeal was made.

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#### **Rules of Practice and Procedure**

#### **Article XII., Publication of Accreditation Actions by ACCPAS**

#### ***Amend Article XII., Section 3. as follows:***

**Section 3.** ~~While ACCPAS recommends hopes that the administrators of educational institutions consider making will make ACCPAS evaluation reports available to the faculty members and others directly concerned, disclosure of information obtained during evaluation visits or from discussions held during ACCPAS meetings is not authorized for visiting team members, nor for CAAA or ACCPAS personnel. Neither visiting team members nor CAAA or ACCPAS personnel are authorized to disclose the information obtained during evaluation visits or from discussions held during ACCPAS meetings.~~ The extent to which public access may be given to the contents of evaluation reports is determined by the chief administrator of the educational institution and, if applicable, in consultation with the administrator of the community education program offered by the institution.

**Rules of Practice and Procedure  
Article XV., Amendments**

***Amend Article XV. as follows:***

**ARTICLE XV  
AMENDMENTS**

The Rules of Practice and Procedure may be amended by majority vote of the Board of Trustees of the Council of Arts Accrediting Associations (1) present and voting at a meeting of the Board of Trustees at which a quorum is present, or (2) voting at a meeting or in a poll conducted through electronic means when the same quorum requirements are met, provided written notice of the proposed amendment is sent to all Trustees and all ACCPAS accredited institutions for comment at least two weeks before the vote.

**NOTE: Rationale for Changes**

The rationale for the changes proposed above are as follows:

1. *Standards for Community and Precollegiate Arts Schools and Programs, II.H.1.g.:* To confirm that retention policies pertain to students.
2. *Appendix I.A., I.:* To add a guideline which speaks to issues to be considered by representatives of independent institutions when recruiting key administrators and staff.
3. *Appendix I.D.:* To restructure the presentation of existing requirements to enhance clarity, and provide further clarifications as they relate to distance learning programs.
4. *Code of Ethics for Community and Precollegiate Schools Accredited by ACCPAS:* To address concerns held by the Department of Justice as it pertains to the Final Judgment issued by DOJ against the National Association of College Admission Counseling (NACAC) and to expand acceptable modes of communication.
5. *Rules of Practice and Procedure, Article I., Section 2.:* To clarify that institutions are required to demonstrate compliance with only those standards which address existing institutional activities and offerings.
6. *Rules of Practice and Procedures, Article I., Section 4.:* To clarify that respect for mission includes attention to religious mission (as applicable).
7. *Rules of Practice and Procedure, Article II., Section 4.:* To provide further clarifications as they pertain to the application process.
8. *Rules of Practice and Procedure, Article IV., Section 2.:* To provide clarification of ACCPAS procedures regarding non-payment of fees.
9. *Rules of Practice and Procedure, Article VI., Section 1.:* To clarify aspects of the purview of ACCPAS.
10. *Rules of Practice and Procedure, Article VI., Section 2.:* To confirm that ACCPAS members must recuse themselves from participation if a conflict of interest exists.
11. *Rules of Practice and Procedure, Article VI., Section 7.:* To align the title of the Section with its intention and text.
12. *Rules of Practice and Procedure, Article IX., Section 1.A.:* To clarify that current standards includes both those found in the current *Handbook* and any current *Handbook* addenda and to confirm the roles of ACCPAS personnel involved in the process.

13. *Rules of Practice and Procedure, Article IX., Section 3.A.*: To confirm the roles of ACCPAS personnel involved in the process and to clarify that current standards includes both those found in the current *Handbook* and any current *Handbook* addenda.
14. *Rules of Practice and Procedure, Article X.*: To clarify the actions eligible for reconsideration and sequence of reconsideration and appeal, and to clarify ACCPAS actions and align text with standard procedure.
15. *Rules of Practice and Procedure, Article XI.*: To confirm that a party may engage counsel.
16. *Rules of Practice and Procedure, Article XII., Section 3.*: To clarify procedures pertaining to the release of evaluative information.
17. *Rules of Practice and Procedure, Article XV.*: To expand acceptable modes of communication.