



December 28, 2018

VIA EMAIL & FEDERAL EXPRESS  
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Dr. Cristina Versari, President  
USA English Language Center at San Diego University for Integrative Studies  
3900 Harney Street  
San Diego, CA 92110

***Re: Reaccreditation Denied;  
(Appealable, Not a Final Action)***

***ACCET ID # 1359***

Dear Dr. Versari,

This letter is to inform you that, at its December 2018 meeting, the Accrediting Commission of the Accrediting Council for Continuing Education & Training (ACCET) voted to deny reaccreditation to USA English Language Center at San Diego University for Integrative Studies, located in San Diego, California.

The decision was based upon a careful review and evaluation of the institution's Analytic Self-Evaluation Report (ASER), the on-site team visit report (visit conducted June 6-7, 2018), and the institution's response to that report, dated July 26, 2018, as well as the follow-up visit team report (visit conducted October 5-6, 2018), and the response to that report, received on December 19, 2018, and the institution's interim report, received October 1, 2018. It is noted for the record that the institution has been on the Commission's agenda for issues of non-compliance 10 times since the Commission's consideration of the institution's initial application for accreditation at its August 2013 meeting, including: 10 requests for interim reports to demonstrate further clarification and/or resolution relative to ACCET standards, policies, and procedures (August 2013 – nine standards; December 2013 – three standards; August 2015 – three standards; December 2015 – one standard; May 2016 – four standards; August 2016 – six standards; December 2016 – five standards; August 2017 – one standard; December 2017 – one standard; and August 2018 – ten standards); three Commission directives for follow-up visits to validate and verify the institution's compliance with the standards of accreditation (December 2015 and August 2018, as well as an unannounced follow-up visit directed in December 2016); a three-person reaccreditation team assigned August, 2016; and two Show Cause Directives (March 2016 – August 2016, and August 2018), requiring the institution to show cause why its accredited status should not be withdrawn. It is further noted that nine complaints against the institution were closed with merit.

The Commission originally considered the institution's application for reaccreditation at its August 2018 meeting. At that time, the Commission voted to issue a Show Cause directive based on the severity of issues found unresolved in the institution's response to the team report, including the

institution's non-compliance with the following standards: Standard I-A: Mission; I-C: Planning; II-A: Governance; II-C: Human Resource Management; II-D: Records; V-B: Learning Resources, Equipment, and Supplies; VII-D: Student Services; VIII-B: Attendance; VIII-C: Student Progress; and IX-A: Student Satisfaction. The Commission also voted to defer consideration for one cycle, directed a two-person follow-up visit to be conducted in the December 2018 review cycle, and directed the institution to submit an interim report for review at the December 2018 meeting.

Upon its review, including the review of the interim report, follow-up visit team report, and the institution's response to that report, the Commission determined that the institution had failed to adequately demonstrate compliance with respect to ACCET standards, policies, and procedures, relative to the following findings:

1. Standard I-C: Planning

The institution failed to demonstrate that: (a) it utilizes a planning process, consistent with its scope and size, to establish plans that support the mission and are systematically and effectively implemented in practice over time to improve the effectiveness of the institution; and (b) there are sound, written one-year and longer range (three to five year) plans that include specific and measurable objectives, along with corresponding operational strategies, projected time frames, required resources, and method(s) for subsequent evaluation, that are utilized to measure progress in achieving the established objectives.

The follow-up team report confirmed that, prior to the June 2018 reaccreditation visit, the institution had not utilized a planning process to establish a longer-term plan and had not regularly reviewed and revised its planning documents at least annually, as required by the standard. In addition, the follow-up team report indicated that the institution failed to consistently identify specific and measurable objectives in its planning documents. The follow-up team report also indicated that the objectives in the two longer-term plans presented to the team were frequently redundant and included non-specific objectives and strategies that were, in effect, a listing of basic licensure requirements for the institution to legally operate. These included, under the general objective of maintaining state approval status, "[p]ay BPPE Annual Fee" and "[s]ubmit various required reports" and, under the general objective of providing "parents, students, other schools and government agencies assurance that USAELC is a reputable institution by maintaining and renewing ACCET accreditation," "[r]enew ACCET accreditation." The follow-up team report indicated, therefore, that the institution had not demonstrated that it has implemented an effective, on-going planning process in practice over time.

*In its response, the institution acknowledged that the plans had been newly-developed and that, "[b]y definition, new draft plans would not have had time to be reviewed by internal groups." It is noted for the record that the institution has been advised that its planning process and planning documents did not meet the ACCET standard on at least three occasions prior to the October 2018 follow-up visit, including in the following Commission Action Letters: August 26, 2013, December 18, 2013, and August 31, 2018. In its response to the follow-up visit report, the institution indicated that it had received "conflicting information" from ACCET*

*staff in the past regarding components of its planning documents, and specifically for those the follow-up visit team regarded as “redundant and merely a listing of basic requirements for the institution to legally operate,” but acknowledged “the importance of having structured plans and smart goals” and submitted a revised short- and longer-term plan as exhibits. However, the short-term plan continues to include a number of objectives which are neither specific nor measurable and which lack corresponding operational strategies, including: under curricular objectives, as cited as a weakness in the June 2018 reaccreditation visit report, “[r]eview and update the language program curriculum;” under staff development objectives, “[c]onduct in-house workshops for faculty and staff.” Similarly, the institution’s 2019-2021 Business Plan contains a number of non-specific or non-measurable objectives, including one, “[r]eview and update the language program curriculum,” which lack the specificity, measurability, and operational strategies required by this standard.*

Therefore, the institution failed to demonstrate compliance with this standard, as the institution did not demonstrate the systematic and effective implementation of a planning process and/or plans consistent with ACCET requirements, in practice over time.

## 2. Standard II-A: Governance

The institution failed to demonstrate that: (a) it has a clearly identified and accountable governance structure which delineates authority for the approval of institutional policies and responsibility for the overall direction and effectiveness of the institution; (b) USA English Language Center is a discrete unit within the San Diego University of Integrative Studies with distinct management, budget, and clear responsibility for the delivery of the education offered, including faculty and staff, as required by ACCET; (c) the management structure ensures the integrity and capability of the institution and its compliance with statutory, regulatory, and accreditation requirements; (d) the institution has systems for the collection, review, and reporting of the maintenance of non-immigrant student status; and (e) school officials with primary responsibility for the institution’s compliance with immigration regulations demonstrate a thorough knowledge of regulations concerning issuance and reporting requirements.

It is noted that the follow-up team visit report indicated that at least two of the institution’s students frequently worked well over 20 hours per week in violation of SEVP regulations. The institution’s response demonstrated that this finding was the result of a misreading of the institution’s pay records, and the institution satisfactorily resolved this issue. Therefore, this issue formed no part of the Commission’s determination. Additionally, the follow-up team visit report indicated that the team had reviewed areas of the institution’s compliance with ACCET standards which formed the basis of Complaints #1496, #1502, and #1508, as well as other complaints filed with ACCET and closed with merit. The Commission reviewed the team’s findings and found them to be consistent with allegations in the complaints with respect to Standard VIII:B – Attendance and Standard VIII:C – Student Progress. In light of its decision to deny reaccreditation, and its findings of continued non-compliance under these standards, the Commission took no further action on these complaints.

The follow-up visit team report indicated that, while the institution demonstrated some progress in its attempts to separate USA English Language Center (USAELC) from San Diego University of Integrative Studies (SDUIS), at the time of the follow-up visit in October 2018 and the reaccreditation visit in June 2018, there was still no clear delineation or separation between USAELC and SDUIS relative to management, financial accounts, budgeting, promotion of educational offerings, and student enrollments, as required by ACCET. The CEO (Cristina Versari) and President/Chief Academic Officer (Raymond Trybus) acknowledged that they are unable to complete the separation and establish independent bank accounts, SEVIS student lists, and governance for USA English Language Center until SEVP approves the separation. Therefore, USAELC was unable to demonstrate that it is a discrete unit with distinct management, budget, and clear responsibility for the delivery of the education offered, as required by ACCET Document 1 – The Accreditation Process.

The follow-up team visit report further indicated the institution's continued failure to adequately clarify the relationship between USAELC staff, University Staffing, Inc. and ESL Staffing, Inc. to demonstrate that USAELC employees are under the legal and direct control of the institution. The team report noted the inconsistencies between the institution's July 2018 response to the reaccreditation team visit report that "University Staffing is a staffing company that hires the employees working at San Diego University of Integrative Studies," "ESL Staffing is a staffing company that hires the Language Program instructors working at SDUIS/USAELC," and "[t]he staffing companies are just the legal entities that hire the employees," compared to documentation provided in the institution's Interim Report, dated September 28, 2018, which demonstrated a significantly greater level of control of these staffing companies over faculty and staff assigned to USAELC, including a "Statement of Understanding," dated September 20, 2018, that new hires sign to acknowledge that they are employees of ESL Staffing, Inc. and will abide by that entity's personnel policies. Payroll records indicated that USAELC staff and faculty are hired and paid through ESL Staffing, Inc. rather than the institution itself and that the institution failed to demonstrate that it has sufficient legal control over employees assigned to work for USAELC as required by the above-referenced provisions of ACCET Document 1 – The Accreditation Process.

The follow-up team report indicated several violations of SEVP regulations relative to attendance and student academic progress, as further discussed below under Standards VIII-B: Attendance and VIII-C – Student Progress, and cited, as an example under this standard, the institution's failure to take appropriate action on the SEVIS database to stop the reinstatement application for the student [REDACTED], who had entered USAELC in terminated status on November 20, 2017 and was dismissed by the institution on May 10, 2018, with no action taken to stop the reinstatement as of the time of the follow-up visit on October 6, 2018, a lapse in action of almost five months. In addition, the follow-up team report indicated that the institution's Form I-17 continues to contain program start dates that correspond only to the university programs, an issue also cited in the October 2016 reaccreditation visit as well as in the June 2018 reaccreditation visit. Further, the follow-up visit team report indicated that overlapping program schedules and late-starting classes, as further discussed below in Standard VIII-B Attendance, resulted in USAELC not consistently providing all students a minimum of 18 hours of weekly instruction, as required by SEVP, an

issue that was also noted as a concern in the June 2018 reaccreditation visit team report owing to the institution's previous use of a 15-minute grace period for students and the natural attrition of class time owing to the institution's morning and afternoon schedules, which end and begin at the same time and often in the same class space.

*In its response to the follow-up visit team report, the institution indicated that ACCET had accredited USAELC in 2013 as a discrete unit within SDUIS, and that it could, in fact, only have a single Form I-17 for both entities. In addition, the institution indicated that the single institutional Form I-17 results in all of its students being listed on a single list, regardless of program enrollment, and that it had indicated on its I-17 that "ACCET Accreditation applies only to the English Language Program at USAELC, and not to the university programs." While the institution demonstrated that it had taken preliminary steps to establish USAELC as a separate legal entity, as a result of ACCET concerns and "new DEAC requirements," a separate accreditation application process for SDUIS which it is pursuing to ensure that the university is accredited prior to January 2020 in accordance with California law, the institution failed to resolve the issue that its Form I-17 continues to contain program start dates that correspond only to the university programs which, as noted above, was cited in the October 2016 reaccreditation visit as well as the June 2018 reaccreditation visit. In addition, despite the institution's assertion that, while "USAELC has always provided to ACCET And site visitors a list of USAELC-only students from the overall SDUIS list for students," the institution was not, in fact, able to produce a list of SEVIS records for USAELC students during the reaccreditation visit in June 2018 to verify or validate compliance with registration, enrollment, progress, or tenure.*

*The institution acknowledged the error "related to the progress of [REDACTED] and determined that [its] former DSO ([REDACTED]) was not completing her SEVP oversight tasks." However, with the entry of the student to USAELC in terminated status in November 2017, his dismissal in May 2018, and the lack of action to stop the reinstatement by the time of the follow-up visit in October 2018, the institution failed to demonstrate that its management structure ensures the integrity and capability of the institution and its compliance with regulatory requirements for international nonimmigrant students, as required by this standard.*

*The institution further indicated that "it remains unclear to USAELC why ACCET objects to the use of staffing companies" and that "this legal structure has absolutely no bearing on the management and oversight of employees." However, the institution also indicated that, beginning on or about December 1, 2018, "all USAELC employees will be hired, managed, and paid through USA English Language Center." While the institution indicated that USAELC's owner, Cristina Versari, is also the owner of University Staffing, Inc. and ESL Staffing, Inc., the entity through which the institution's staff and faculty are hired and paid, the institution failed to demonstrate that it had sufficient legal control and direction over employees assigned to work for USAELC as required by the above-referenced provisions of ACCET Document 1 – The Accreditation Process.*

Therefore, the institution failed to demonstrate compliance with this standard. as the institution did not demonstrate the systematic and effective implementation of policies and practices consistent with ACCET requirements, in practice over time.

3. Standard II-C: Human Resource Management

The institution failed to demonstrate that: (a) the institution develops and implements written human resource policies and procedures that address the recruitment, selection, hiring, orientation, supervision, evaluation, retention, training, and professional development of all personnel; and; (b) these policies and procedures ensure that qualified and capable personnel, at appropriate staffing levels, are utilized.

The follow-up visit team report indicated that the institution fails to maintain the stable, long-term, and capable staff necessary to serve more than 300 students. This report further noted that student services staff, the majority of whom are part time, had been reduced from 11 to seven since the time of the reaccreditation visit in June 2018. At the time of the follow-up visit, five of seven admissions and student services staff were part-time F-1 students. All five Student Services Advisors and Admissions Advisors had been hired within the seven months period prior to the follow-up visit.

Additionally, the follow-up team found that student services staff were not adequately trained on or responsive to questions on policies that they were responsible for implementing, including revised policies pertaining to student progress, attendance, and vacation, as further discussed below under Standards VIII-B: Attendance and VIII-C: Student Progress. These findings were consistent with the June 2018 reaccreditation team visit report, which also indicated that a substantial number of the institution's employees were students with, at that time, "start dates from March 2018 or later," and that this demonstrated a "reliance on temporary student assistance rather than demonstrably qualified and capable personnel at appropriate staffing levels, including in the areas of admissions, student services, record-keeping, and even academic management, as required by the standard."

Further, the follow-up team noted that new hires assigned to USAELC sign a "Statement of Understanding" affirming that they understand that they are employees of ELS Staffing, Inc., have received the ELS Staffing administrative personnel handbook, and will abide by all conditions and restrictions set forth in the handbook. Thus, the institution failed to demonstrate that: (a) it has adequate control over faculty and staff and (b) develops and implements human resource policies ad procedures that guide and direct faculty and staff at USAELC, as required by ACCET standards, policies, and practices.

*In its response, the institution states that claims that its staff is not "stable, long-term, and capable" are "unsupportable and unsupported" and "purely an assumption rather than a factual statement." However, the institution acknowledges that "in early 2018, through a confluence of events that was unpredictable and beyond our control, four employees (■■■■■ and ■■■■■) left our institution within a short period of time." The institution indicates that "[t]he report seems to assume that having part-time workers*

*implies that positions are therefore only part-time. This is not so. In many situations, there is job-sharing, such that one individual fills a position in the mornings, and another individual fills the same position in the afternoon,” thus ensuring continuity of service and service availability. The institution indicates that two of its student workers have worked at the school for an extended period of time. However, the institution does not explain how the two exceptions cited are typical of its organizational infrastructure nor how the staffing levels and amount of part-time employees is adequate for the size and scope of the institution. In addition, the institution indicates that its student workers attend meetings where policy changes are discussed. The institution provided meeting minutes from a post-visit meeting where policies related to satisfactory academic progress, attendance, self-study, vacation, and leaves of absence were discussed. However, it did not demonstrate how this meeting evidenced its development and implementation of written human resource policies and procedures to ensure that qualified and capable personnel are effectively recruited, selected, oriented, evaluated, retained, and utilized, and did not provide a rationale to justify the lack of knowledge demonstrated by its student workers on policies that they were responsible for implementing, other than to assert that “[i]t is possible that the staff member interviewed by the visit team misunderstood the question or was intimidated in the interview.” Nonetheless, the institution acknowledged in its response that, in future, all USAELC employees will be hired, managed, and paid through USA English Language Center. However, the institution provided no documented evidence of implementation of this proposed change.*

Therefore, the institution failed to demonstrate compliance with this standard, as the institution did not demonstrate the systematic and effective implementation of policies and practices consistent with ACCET requirements, in practice over time.

4. Standard III-B: Financial Procedures

The institution failed to demonstrate that its cancellation and refund policy comply with statutory, regulatory, and accreditation requirements.

Specifically, the follow-up team found that: (a) the institution did not have policies, procedures, and practices that are consistent with ACCET Document 31.ESOL – Cancellation and Refund Policy, including the provision requiring an institution to automatically withdraw students who are absent for a maximum of 30 consecutive calendar days and complete a refund calculation, processing any refunds to or on behalf of students; and (b) there were significant delays by the institution in terminating students and calculating student refunds on their behalf.

The follow-up visit team report indicated that the institution failed to automatically withdraw and complete a refund calculation for students who are absent for a maximum of 30 consecutive calendar days, as evidenced by a file review for the following students: ██████████, whose last date of attendance was March 19, 2018 but whose administrative withdrawal was not processed until June 6, 2018; ██████████, whose last date of attendance was March 1, 2018 but whose administrative withdrawal was not processed until May 14, 2018; ██████████, whose last date of attendance was March 6, 2018 but whose administrative withdrawal did not occur until April 14, 2018; and ██████████, whose last date of attendance was July 25, 2018 but whose

administrative withdrawal did not occur until August 29, 2018. Correspondingly, there were significant delays in calculating refunds for these students.

*In its response, the institution indicated that it had added language to its enrollment agreement, student handbook, and operations manual to provide for automatic administrative withdrawal after a student has been absent for a maximum of 30 consecutive calendar days. However, the institution provided no documentation to evidence implementation of its revised policy. In addition, the institution indicated that there were “specific issues” with the students cited in the follow-up visit team report, as further discussed in Standard VIII-B: Attendance, that resulted in the delays in processing terminations and refund calculations, including: ■■■■■ (who failed to complete a “last day” form and whom the school realized had left “when he reached the 12 week mark, which was 2 weeks after we had last spoken to him”); ■■■■■ (who advised the institution of a medical condition but provided no supporting documentation); ■■■■■ (who had also failed to complete a last day form, whose absence was noted at the 6-week mark, two weeks after the last class she attended, and who informed the school that she had returned to France after she had left the country); and the ■■■■■, (who had returned to Japan without notifying the school). However, the institution failed to provide a rationale to justify the non-implementation of an automatic withdrawal policy in any of these cases.*

Therefore, the institution did not demonstrate compliance with this standard and ACCET Document 31.ESOL – Cancellation and Refund Policy, as the institution did not demonstrate the systematic and effective implementation of policies and practices consistent with ACCET requirements, in practice over time.

#### 5. Standard IV-A: Educational Goals and Objectives

The institution failed to demonstrate that student-to-instructor ratios for ESOL programs are maintained at a level commensurate with the training presented and sound educational practice, as required. The team found that classes frequently exceeded the institution’s stated maximum student: instructor ratio of 25:1, which was not consistent with sound educational practice, including guidelines established by educational authorities such as the Association of Department of Foreign Languages and the National Council of Teachers of English Guidelines.

The follow-up visit team report, based on the team’s review of attendance rosters, indicated that class sizes frequently exceeded the institution’s stated maximum student-to-instructor ratio of 25:1. The team cited the following examples: the Beginning 2 (Morning) course (August 6, 2018) had 26 students; the Intermediate 2 (Morning) course (September 24, 2018 and September 17, 2018, and September 10, 2018) had 27, 26, and 26 students, respectively; and the Advanced 1 course (August 20, 2018, August 27, 2018, September 4, 2018, September 17, 2018, and September 24, 2018) had 27, 31, 28, 29, and 28 students, respectively. An instructor interviewed by the team confirmed that it was normal to have large class sizes at the institution. In addition, the first student survey submitted as an exhibit to the institution’s response to the weakness cited under Standard IX-A: Student Satisfaction reports the following

recommendation for improvement of the English Program at USAELC: “less students in class.”

*In its response, the institution stated that a number of students on the rosters reviewed by the follow-up visit team were no longer attending class, and that the August 6, 2018 Beginning 2 morning course had 20 rather than 26 students, the September 10, 2018 Intermediate 2 morning class had 24 rather than 26 students, and the Advanced 1 course roster contained seven students who were on vacation, resulting in an range of 20 to 24 rather than 27 to 31 students. However, a review of the attendance rosters submitted by the institution to evidence that class sizes were, in fact, smaller, owing to students clearly-indicated on these rosters to be on vacation, show class sizes still in excess of the institution’s published ratio. Of the 14 class rosters provided, 10 classes had more than 25 students attending, after subtracting any students indicated (with a “V”) as on vacation. For example, the first four rosters submitted – one Beginner 2 AM class and three Intermediate 2 classes – show class sizes of 27, 27, 26, and 26, respectively, once students indicated as being on vacation are omitted from the calculation.*

Therefore, the institution failed to demonstrate compliance with this standard, as the institution did not demonstrate the systematic and effective implementation of policies and practices consistent with ACCET requirements, in practice over time.

6. Standard V-A: Instructional Methods

The institution failed to demonstrate that: (a) it utilizes appropriate and effective instructional methods and other resources to ensure sound instructional delivery; (b) written policies and procedures are in place to ensure that the curricula are followed and that there is consistency of application by all instructional staff; and (c) the instructional methodology is consistent with contemporary training industry standards, appropriate to the educational goals and curricular objectives, and facilitates learning.

The follow-up visit team report indicated that the delivery of the Business English class was not educationally sound or supportive of the stated objectives of the course. During the first day of the visit, students were on a field trip to the beach, which the team report indicated was not an activity that was consistent with the course objectives which are “to learn a large variety of business information such as administration, corporate strategy, marketing, sales, business etiquette medial, law, and creating job interviews.” There was no teacher available for two students who returned to class in the afternoon who, at one point, were left alone in the class completing a crossword puzzle. The remainder of the class did not return to school that day.

The follow-up visit team report also indicated that the TOEFL class was poorly organized and the class poorly delivered owing to a separate lab and classroom, where one instructor could not oversee both lecture and lab students and difficulty accessing the computers, possibly due to a password issue. This issue is addressed further under Standard V-B: Learning Resources, Equipment, and Supplies. On the second day of the follow-up visit, the TOEFL class did not start promptly as the Assistant Program Director arrived late.

*In its response, the institution stated that “We apologize if you did not witness exceptional instruction and execution we expect of the faculty and staff during the visit.” The institution also stated that “there are rare occasions when unavoidable instances occur” to delay the start of classes, and that it had advised faculty “that disciplinary action, up to and including termination, will occur if they repeatedly fail to start classes on time.” In addition, the institution provided a copy of “discussion with faculty” to address these issues. However, the agenda covering field trips, teacher absences, classroom hours policy, attendance and grade sheets, among other issues, confirms that these policies were not effectively implemented at the time of the follow-up visit, as indicated in the follow-up visit team report.*

*The institution acknowledges that, “[o]ver the years, ACCET has repeatedly questioned the staffing of our weekend program, which is held on Friday and Saturday. Our position has always been that students have full access to services on Friday, when the office is fully-staffed and open, as well as limited services on Saturday, when typically the CEO and Program Director are on campus completing administrative tasks.” The institution further indicated that it will, in future, address this issue by rescheduling the two-day courses to take place on Thursday and Friday beginning January 7, 2019.*

*The institution concurred with “some” of the follow-up visit team report’s comments related to the field trip to the beach for the Business English class, but also indicated that, in San Diego, “it is not necessarily inappropriate for a class to include beach visit as part of its field trip agenda,” and that this corresponds to course content by virtue of the objective to become familiar with “business etiquette” language situations. The institution did not provide a convincing rationale as to how a field trip to the beach was commensurate with industry-standard course offerings on business etiquette. The institution also stated that the follow-up visit team report’s “implication” that students left alone in class to work on a crossword puzzle was erroneous: “In point of fact, crossword puzzles are potentially very useful devices for vocabulary acquisition and expansion.” However, the institution did not address the lack of instructional supervision for these students and provided no evidence that the activity was appropriate for the educational goals and curricular objectives of the Business English program nor that it was part of the preplanned curriculum for that program. Further, the institution failed to address the fact that students were left alone without instructional supervision during this crossword exercise.*

Therefore, the institution failed to demonstrate compliance with this standard, as the institution did not demonstrate the systematic and effective implementation of policies and practices consistent with ACCET requirements, in practice over time.

7. Standard V-B: Learning Resources, Equipment, and Supplies

The institution failed to demonstrate that: (a) learning resources support the goals and objectives of the programs offered by the institution; and (b) adequate, appropriate, up-to-date, and functional equipment, learning resources, supplies, and furnishings are readily available for student use and for the effective delivery of the institution’s education and training.

The follow-up visit team report confirmed that, until the reaccreditation visit in June 2018, the institution had offered a TOEFL preparation class with no dedicated computers available for student use. The institution had recently purchased seven computers for this course. However, the follow-up team visit report indicated that the TOEFL classroom still did not have a sufficient number of computers for student use. The institution indicated that students would be required to bring their own laptop computers to TOEFL classes effective October 15, 2018. However, in interviews, some students indicated that they did not own laptops. The follow-up team visit report also indicated that, owing to the insufficient number of computers available for student use, some students were taking test preparation materials in the computer lab unsupervised while the remainder of the class was in another room with the instructor.

*In its response, the institution addressed the issue of computers for TOEFL test preparation by requiring students to have laptop computers for the class by January 7, 2019, rather than October 15, 2018, and indicated that students who do not have a laptop can test on the computers in the classroom. The institution also indicated that the area where the computer lab is located is an extension of the classroom where the TOEFL classes are held and that, “[i]f the instructor is in the main part of the classroom, that is only a handful of steps away from the lab section.” The institution also indicated that its bank of computers has been relocated to the main part of the TOEFL classroom. However, the institution failed to demonstrate a rationale to justify the outsourcing of necessary equipment to facilitate TOEFL test preparation to its students and did not demonstrate its ability to offer this program to students who do not own laptop computers, ensuring adequate learning resources are available for the effective delivery of its programs, as required by this standard. The institution failed to demonstrate that it provides sufficient, adequate, and functional equipment for the effective delivery of the institution’s TOEFL program.*

Therefore, the institution failed to demonstrate compliance with this standard, as the institution did not demonstrate the systematic and effective implementation of policies and practices consistent with ACCET requirements, in practice over time.

8. Standard VI-B: Supervision of Instruction

The institution failed to demonstrate that supervisors of instructional personnel demonstrate good practice in the direction of instructors.

The follow-up visit team report indicated that there was a lack of effective supervision of instruction and scheduling of instructors for the institution’s two-day (Friday-Saturday) programs. The report indicated that, during the visit, only the Conversation program was taught on both days by the same instructor, the Business English course was taught by a substitute on the second day of the visit, and that the TOEFL course was taught by two different substitute instructors on the two days of the visit, with the substitute arriving late on the second day of the visit. The team report further indicated that the field trip to the beach for the Business English students was neither appropriate nor well-organized, with both students and the Assistant Program Director unaware of the time and schedule for the field trip. Students in both the Business English and TOEFL classes spent periods of time without instructor

supervision. The team found that a single Assistant Program Director frequently working less than full-time at an institution that offers morning, afternoon, evening, and weekend classes to over 300 students is insufficient and educationally unsound.

*In its response, the institution stated that the follow-up visit team had misread payroll records in evaluating the hours worked by the Assistant Program Manager. However, the institution also indicated that “[w]e have heard ACCET’s concern about management oversight and are, in future, rescheduling the full-time weekend program so that it corresponds to times when the administrative office is open and fully-staffed.” The institution further states, “for the sake of completion, that for January and February 2018 we also had two other supervisory staff, [REDACTED] as Program Director and [REDACTED] as Assistant Program Director,” and that “[t]his was not taken into account in the report’s conclusions.” However, the institution did not demonstrate that short-term, higher levels of staffing for a temporary period in the past addressed the concerns cited in both the follow-up and reaccreditation visit team reports, and did not dispute the inadequacy of supervision and faculty staffing during the follow-up visit.*

Therefore, the institution failed to demonstrate full compliance with this standard, as the institution did not demonstrate the systematic and effective implementation of policies and practices consistent with ACCET requirements, in practice over time.

#### 9. Standard VIII-B: Attendance

The institution failed to demonstrate that: (a) its attendance policy ensures that student attendance and participation are consistent with the expected performance outcomes of the course/program and statutory, regulatory, and accreditation requirements; and (b) the institution publishes a clear description of its attendance requirements and informs students of their attendance on a regular and timely basis.

The follow-up visit team report confirmed the findings in the June 2018 reaccreditation visit regarding the institution’s failure to establish and systematically and effectively enforce policies for standards pertaining to attendance, vacation, and leave of absence consistent with ACCET standards, policies, and practice. The follow-up visit team report specifically cited the following issues observed during that visit: (a) long delays in terminating absent students in SEVIS; (b) inadequate tracking and reporting of tardies and early departures; (c) delays in class start times, lax attendance monitoring, and low attendance rates during the visit; (d) vacation policies that are frequently revised and poorly understood by Student Services Advisors responsible for implementing the policies; (e) provisions of published vacation policies that were not enforced; (f) a published leave of absence policy that has not been effectively implemented by the institution; and (g) lost instructional time between morning and afternoon classes owing to overlapping schedules and delayed class starts, resulting in the institution delivering less than the minimum 18 hours of weekly instruction required by SEVP. The team report further indicated the following examples:

- i. Repeated excessive delays in terminating absent students in violation of ACCET Document 31.ESOL – Cancellation and Refund Policy, which requires students to be automatically administratively withdrawn after a maximum absence of 30

calendar days, as evidenced by a review of five sample files of terminated students, three of which demonstrated that the students were absent beyond this maximum period before being terminated in SEVIS, as detailed under Standard III-B: Financial Procedures.

The follow-up team visit report further indicated that Student Services Advisors could not articulate how the institution identifies students who have long absences, stating that “instructors will sometimes leave notes if they have not seen a student for a long period of time.” In sum, the institution failed to demonstrate that it had a systematic and effective means of identifying students with extended absences and terminating them in SEVIS in a timely manner, consistent with ACCET and federal requirements.

- ii. Poor attendance and lax attendance monitoring during the weekend schedule, with close to one third (13 of 40) enrolled students absent during the first day of the visit, which is 50 percent of the scheduled hours for these classes. For the Friday afternoon Business English class, only two students were in attendance, and by 4:30 PM, only one student remained in a class scheduled to end at 5:30 PM. The follow-up visit team report also indicated that classes began late, thereby raising concerns that the institution was failing to delivery 18 hours of instruction, as required by SEVP regulations.
- iii. A vacation policy which states that vacation requests are limited to “180 calendar days in any 12-month period and not to extend beyond 50% of the length of period for which the student applied,” which results in an excessive amount of vacation time and is contrary to ACCET requirements that the length of vacations must not impede student progress, must be reasonable within the context of the institution’s curriculum, consistent with sound educational practice, and reasonable relative to the period of study completed by the student.
- iv. The lack of enforcement of the institution’s policy to deny vacations to students on academic probation, as evidenced by vacation time granted to the students ██████████, ██████████, and ██████████.
- v. The lack of enforcement of the institution’s leave of absence policy, which limits leaves of absence to emergencies, as evidenced by leaves of absence granted to the students ██████████, and ██████████.
- vi. The natural attrition of time lost transitioning from morning classes, which end at 1:30 PM, to afternoon classes, which begin at 1:30 PM, which typically results in a loss of approximately 15 minutes of class time.

*In its response, the institution submitted the following:*

- i. *In its response to the follow-up visit team report’s identification of delays in terminating absent students, the institution indicates that it follows its processes, that these have been reviewed by ACCET several times over the years, and that the students referenced “were monitored and there are valid reasons why actions were not taken sooner.” Further, “[i]t should also be noted that unlike many of ACCET’s other accredited language schools, which are small, USAELC processes hundreds of status*

- changes annually. As such, it should be expected that there are situations which arise with some students that require a judgment call.” The institution provided what it termed “valid reasons” of the students cited in the report, as detailed under Standard III-B: Financial Procedures; however, the explanations provided do not justify the institution’s failure to enforce an attendance policy consistent with ACCET requirements.*
- ii. In its response to the follow-up team visit report’s finding of poor attendance and lax attendance monitoring, the institution notes that, “[w]hile we encourage students to come to class on time, we cannot force adults to show up at the time required,” but also that it follows its policies and holds students accountable for their actions. The institution submitted samples of its attendance charts and sign-in sheets. The institution did not provide a rationale to justify the poor attendance and enforcement of the institution’s policies as observed during the follow-up visit.*
  - iii. The institution attributes the follow-up team visit report’s finding that “vacation requests are limited to 180 calendar days” as a typographical error and submitted its vacation policy as employed and its “Vacation Request Form.” These documents had revision dates of November 2018, after the on-site visit.*
  - iv. The institution contests the follow-up visit team report’s findings that students on academic probation were permitted to go on vacation, contrary to the institution’s vacation policy, by stating that they had only been identified to be assigned probation for the next 12-week session. In addition, the institution indicated that it had decided during July and August 2018 to discontinue this prohibition but had done so on a “trial or pilot” basis prior to revising its published policy. The institution did not provide a rationale to justify failing to enforce its published policy.*
  - v. In its response to the follow-up visit team report’s finding of a lack of enforcement of the institution’s leave of absence policy limiting leave to emergency circumstances, the institution objected to the term “many” in referencing three students whose files had no evidence to indicate such circumstances, the institution submitted “documentation for the LOAs in question.” One document, an e-mail for the student ██████, is a post-dated e-mail from November 16, 2018. A second document, for the student ██████, is an undated staff attestation indicating that a Student Services Advisor “discussed in person” the circumstances justifying the leave of absence. The institution provided no rationale to justify its diversion from its own published policies and procedures.*
  - vi. In its response to the follow-up visit team report’s finding of the natural attrition of time lost transitioning from morning to afternoon classes (a finding also reported in the June 2018 reaccreditation team visit report), the institution indicated that “there is a very minimal issue of overlap,” but also that “to facilitate the transition of classes, and to satisfy ACCET’s concern regarding the schedule,” beginning January 7, 2019, the afternoon classes will begin a half hour after the morning classes end, a prospective change to address an issue indicated to the institution some six months prior to implementation.*

*The institution failed to demonstrate that it has established and systematically and effectively enforced, in practice over time, attendance, vacation, and leave of absence policies consistent with ACCET standards, policies, and practices.*

Therefore, the institution did not demonstrate compliance with this standard.

#### 10. Standard VIII-C: Student Progress

The institution failed to demonstrate that: (a) the institution utilizes appropriate and educationally sound methods to assess student performance, attendance, and achievement; (b) the institution effectively monitors, assesses, and records the progress of students utilizing the sound and clearly defined assessment system established by the institution; (c) student progress is documented consistently in accordance with institutionally established performance outcomes; (d) institution has a written satisfactory progress policy consistent with ACCET requirements; and (e) students demonstrate normal progress through academic levels in a sequential manner.

Specifically, the follow-up team visit report indicated that the institution failed to establish and systematically and effectively enforce a satisfactory student progress policy with appropriate consequences for students failing multiple courses multiple times or students placed on academic probation for extended periods. During the course of the visit, the report further indicated the following specific violations relative to student progress: (a) students failing to make progress in a sequential manner; (b) students being permitted to fail multiple courses multiple times; (c) the lack of enforcement of published policies, including those pertaining to prohibiting vacation for students on academic probation; (d) the institution's failure to systematically and effectively implement published policies, including the institution's supervised self-study policy; (e) the institution's inconsistent or inaccurate reporting and monitoring of students on academic probation; and (f) a pattern of failure to establish and effectively implement academic policies and practices that meet ACCET requirements. The following specific instances of non-compliant policy or implementation of policy were cited in the follow-up visit team report:

- i. The institution's satisfactory progress policy permits students who fail a course to either repeat a course up to two times or enroll in another eligible course. This latter provision allows the institution to avoid dismissing students who fail courses multiple times.
- ii. A review of student files indicated that the student [REDACTED] was moved back a level, from Business English 2 to Business English 1, because the former course was closed.
- iii. A review of 15 student files found that almost half of these evidenced students failing courses multiple times, including:
  - a. [REDACTED], who failed Intermediate 1 twice, Advanced 1 three times, and Conversation twice. This student moved laterally to Conversation after failing Advanced 1.

- b. ██████████, who failed Intermediate 2 three times, Advanced 1 three times, and Advanced 2 three times.
  - c. ██████, who failed Conversation B three times and Business English three times. The student moved laterally to Business English after failing Conversation B.
  - d. ██████, who failed Conversation 1 twice, Advanced 2 three times, and TOEFL once.
  - e. ██████████, who failed Business English three times.
  - f. ██████████, who failed TOEFL twice and Business English once. The student moved laterally to Conversation after failing Business English.
  - g. ██████, who failed TOEFL, Business English, and Conversation twice.
- iv. The institution did not enforce its policy under which vacation requests will not be approved for students on academic probation, as evidenced by a review of student files which demonstrated that students ██████, ██████, ██████████, and ██████ were all granted vacation at various times between July 25 and September 15, 2018, at which point the institution revised its policy to eliminate the provision.
  - v. The institution did not demonstrate that it was enforcing its published policy to require students on academic probation to meet with their advisor and attend mandatory self-study sessions four hours per week and that failure to attend a minimum of 80 percent of mandatory self-study will be withdrawn from the institution at the end of the course. The sign in sheets for the supervised self-study on the first day of the follow-up visit identified only three students, with low attendance also evident in sign-in sheets for September and October 2018. In addition, the sign in sheets frequently failed to record time attended. The follow-up visit team report also indicated that the supervised self-study was not adequately supervised or structured, was insufficient for language development, and was equivalent to “study hall.”
  - vi. In 13 of 33 weeks of 2018, according to data provided by the institution, there were no students on academic probation. Only five students were on academic probation in the first quarter of 2018, and there were 24 weeks in which fewer than five students were on academic probation. These statistics are inconsistent with the institution’s statement in its interim report that an average of 36 percent of the institution’s total student body, which would be approximately 100 of the institution’s 300 students, repeat courses. In addition, no information was reported for five weeks, including a four-week period from July 30 to August 23, 2018, evidencing the institution’s failure to effectively report, track, and monitor students on academic probation.
  - vii. The institution provided the team with a “Timeline Chart of Policy Changes for USAELC,” which evidenced extensive delays in the institution’s development and implementation of policies and procedures to comply with the provisions of ACCET Document 18.IEP – Satisfactory Academic Progress Policy. The follow-up visit team report cited the following examples: it was almost three years (January 11, 2016) before USAELC revised its academic policies to require a three-year maximum limit on attendance at the institution, individualized learning plans for students required to

repeat courses, and prohibitions on students moving to lower levels. In addition, it was almost six years (July 25, 2018) before USAELC revised its policies to require mid-term evaluations of student progress, appeals procedures, and a time limit (36 weeks) for students on probation. As of October 5, 2018, the follow-up visit team report indicated that the institution still failed to demonstrate that it has established, effectively implemented, and enforced academic policies that are consistent with ACCET standards.

*In its response, the institution submitted the following:*

- i. The institution objects to the follow-up visit report's finding, during its review of student files, that a high percentage had failed courses multiple times and could transfer laterally to a different class after failing a level, by indicating that "[t]his policy was submitted to ACCET in response that resulted in our [one year] renewal grant of accreditation and is therefore compliant." However, the institution provides no sound academic rationale to justify allowing students who have failed to pass a level after multiple attempts to laterally enroll in another class.*
- ii. The institution stated that the follow-up team visit report's finding that the student [REDACTED] was moved back a level, from Business English 2 to Business English, was "inaccurate," and that the student took a second placement test which placed him in the lower level. The institution did not provide a rationale to explain why the initial placement test resulted in the student being placed in a higher level.*
- iii. In its response to the follow-up visit team report's findings that seven of 15 students had failed courses multiple times, the institution stated that these students had failed their courses fewer times than stated in the team report but that these students had repeated courses owing to having low passing grades. No supporting documentation was provided to demonstrate this, and the institution did not provide a rationale to justify allowing students who pass a class to repeat the same level and material.*
- iv. In its response to the follow-up visit team report's findings that students on academic probation were permitted to go on vacation despite the institution's policy prohibiting this practice, the institution indicated that it had determined that this policy was "not accomplishing the purposes for which the policy and the no-vacation rule were established," and that it, therefore, "decided to eliminate the no-vacation on probation rule." However, the institution provided no rationale to justify not enforcing its published policy or revising it in a timely manner.*
- v. The institution did not substantively address the follow-up visit team report's findings that it was not requiring students on academic probation to meet with their advisors and attend mandatory self-study other than to note that "[t]he remainder of the SSS policy is still under discussion, as we search for a better way of supporting students who are having difficulty making adequate progress in their classes." The institution submitted a "sample e-mail" to demonstrate that it properly tracks students on probation which did not evidence implementation of a compliant policy.*
- vi. In its response to the follow-up visit team report's findings that there were fewer students on academic probation than could be expected from the institution's own*

*assessment that an average of 36 percent of the institution's total student body were on academic probation, and that there was no academic probation data for several weeks in the chart submitted, the institution stated that an updated chart had been submitted with its response to the team report to address the latter concern but provided no rationale to justify the low overall numbers for students on academic probation.*

- vii. *The institution characterizes the follow-up visit report's findings that the institution has demonstrated significant delays in implementing a fully-compliant SAP policy as "preposterous," and which, "if true, call into question ACCET's ability to provide proper accreditation oversight of its member institutions." The institution cites the one-year grant issued in August 2017 as evidence of its compliance. However, the institution acknowledges that "there were times when we misinterpreted the ACCET standards." It is noted for the record that the Commission has required further reporting or follow-up visits to address satisfactory progress issues on eight occasions, including in the above-referenced one-year grant in August 2017, as well as further to Commission Action Letters issued in August 2013, August 2015, May 2016, August 2016, December 2016, and August 2018, in addition to the follow-up site visit team report from the October 2018 visit.*

*Although policy revisions were made, the institution failed to provide documented evidence that it established and enforced, in a systematic and effective manner in practice over time, a satisfactory progress policy compliant with ACCET standards, policies, and practices, including appropriate consequences for students failing to make progress along with a clear timeline for the termination and/or dismissal of students.*

Therefore, the institution failed to demonstrate compliance with this standard.

#### 11. Standard IX-A: Student Satisfaction

The institution failed to demonstrate that: (a) it establishes and implements written policies and procedures that provide an effective means to regularly assess, document, and validate student satisfaction relative to the quality of education, training, and student services provided; (b) interim evaluations and a final evaluation upon completion of the term of enrollment are specified components of determining student satisfaction; and (c) student feedback is utilized to improve the education, training, and student services provided by the institution.

The follow-up visit team report indicated that, while the institution revised its student satisfaction policy in June 2018 to administer student surveys twice a year, the institution fails to assess satisfaction levels for students at the end of their studies, as required by this standard.

*In its response, the institution acknowledged that no end-of-program survey was administered prior to October 2018. The institution indicated that an exit survey was administered by a former member of staff who resigned earlier in 2018 and that, "[u]nfortunately, the task to administer the surveys was not transferred to the new staff member." Thus, the institution acknowledged that it had failed to implement this policy. Further, the institution provided*

*insufficient documentation to evidence that an exit survey is utilized to systematically and effectively assess and validate student satisfaction relative to the quality of education, training, and student services at the institution. The institution provided only 15 exit surveys completed by student after October 2018. The institution also included Exhibit 11 as evidence that exit surveys were discussed during faculty meetings; however, the faculty meeting agenda provided included no reference to student surveys.*

Therefore, the institution failed to demonstrate that it is in full compliance with this standard, as the institution did not demonstrate the systematic and effective implementation of policies and practices consistent with ACCET requirements, in practice over time.

Since denial of reaccreditation is an adverse action by the Accrediting Commission, the institution may appeal the decision. The full procedures and guidelines for appealing the decision are outlined in Document 11 - Policies and Practices of the Accrediting Commission, which is available on our website at [www.accet.org](http://www.accet.org).

If the institution wishes to appeal the decision, the Commission must receive written notification no later than fifteen (15) calendar days from receipt of this letter, in addition to a certified or cashier's check in the amount of \$8,500.00, payable to ACCET, for an appeals hearing. This notification must be accompanied by an affidavit signed by an authorized representative of the institution indicating that a Notice of Status of Accreditation notifying interested parties of the Commission's adverse action has been disseminated to new enrolls and posted in conspicuous places at the institution to include, at a minimum, the admissions office and student lounge or comparable location. In addition, the institution must submit a written teach-out plan that is in accordance with ACCET Document 32 – Closing/Teach-Out Policy.

In the case of an appeal, a written statement, plus six (6) additional copies regarding the grounds for the appeal, saved as **PDF documents and copied to individual flash drives**, must be submitted to the ACCET office within sixty (60) calendar days from receipt of this letter. The appeal process allows for the institution to provide clarification of and/or new information regarding the conditions at the institution at the time the Accrediting Commission made its decision to deny accreditation. The appeal process does not allow for consideration of changes that have been made by or at the institution or new information created or obtained after the Commission's action to deny accreditation, except under such circumstances when the Commission's adverse action included a finding of non-compliance with Standard III-A, Financial Stability, whereupon the Appeals Panel may consider, on a one-time basis only, such financial information, provided that all of the following conditions are met:

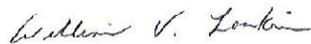
- The only remaining deficiency cited by the Commission in support of a final adverse action decision is the institution's failure to meet ACCET Standard III-A, Financial Stability, with the institution's non-compliance with Standard III-A the sole deficiency warranting a final adverse action.
- The financial information was unavailable to the institution until after the Commission's decision was made and is included in the written statement of the grounds for appeal submitted

in accordance with the ACCET appeals process; and

- The financial information provided is significant and bears materially on the specified financial deficiencies identified by the Commission.

The Appeals Panel shall apply such criteria of significance and materiality as established by the Commission. Further, any determination made by the Appeals Panel relative to this new financial information shall not constitute a basis for further appeal.

Sincerely,



William V. Larkin, Ed.D.

Executive Director

WVL/jbd

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