



ACCREDITING COUNCIL FOR CONTINUING EDUCATION & TRAINING
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December 23, 2020

VIA EMAIL
(narine@usling.edu)

Ms. Narine Sarkissian
President/PDSO/CEO/CFO
U.S. Ling Institute
4516 S 700 E #265
Murray, UT 84107

*Re: Institutional Show Cause Issued;
Interim Report Reviewed;
Interim Report Required;*

ACCET ID #1375

Dear Ms. Sarkissian:

At its December 2020 meeting, the Accrediting Commission of the Accrediting Council for Continuing Education & Training (ACCET) reviewed the institution's interim report submitted in response to the August 30, 2020 Commission Action letter, resulting from a grant of reaccreditation at the August 2019 Commission meeting and subsequent interim reports required at the August 2019, December 2019, April 2020, and August 2020 Commission meetings. The Commission's August 2020 action directed the institution to submit an interim report to include items relative to Standard II-D: Records and III-B: Financial Procedures.

Upon its review of the institution's interim report, dated October 31, 2020, the Commission determined that items relative to Standard II- D: Records, as noted above, were satisfactorily addressed. However, serious concerns remain regarding Standard III-B: Financial Procedures. Therefore, the Commission voted to issue a show cause directive, **requiring the institution to provide a compelling rationale showing cause as to why its accredited status should not be withdrawn**. This action is based on the institution's continued noncompliance relative to ACCET Document 31.ESOL – Cancellation and Refund Policy.

Therefore, the Commission directed the institution to submit an interim report to include the following specific items:

1. The institution's revised cancellation and refund policy is not compliant with ACCET Document 31.ESOL – Cancellation and Refund Policy and must be revised as follows:
 - a. The institution's policy allows for recruiters to apply their commission to: a) his/her own tuition discount; b) student's application fee; or c) be paid to the recruiter directly. However, ACCET Document 31.ESOL – Cancellation and Refund Policy indicates that, "An institution

must treat students fairly and equitably relative to tuition, other charges, and refunds. Tuition discounts may be offered, on a limited basis, to students, provided that: (a) all students meeting the eligibility criteria are given the tuition discount; and (b) there is a fair, equitable, and reasonable rationale for the tuition discount.” Allowing a recruiter to determine, at his/her discretion, who receives a discount, does not ensure fair and consistent application of tuition discounts.

Therefore, the institution is directed to revise its cancellation and refund policy to ensure that fair and equitable tuition and fees for all eligible students are consistently applied, including students referred by agents. Further, the institution is directed to provide evidence of implementation of the revised cancellation and refund policy, as detailed below.

- b. The institution’s policy indicates that, “students whose tuition is less than \$1,600, will be refunded based on their LDA.” Document 31.ESOL requires that “refund amounts must be based on a student’s last date of attendance (LDA),” regardless of the amount of tuition paid.

Therefore, the institution is directed to revise its cancellation and refund policy to ensure that refund calculations are applied consistently based on the last day of attendance (LDA) for all students, regardless of the cost of tuition.

- c. The institution has a 16-week period of financial obligation; however, the institution’s sample refund table indicates that refund calculations differ based on a student’s payment plan. The institution is reminded that the period of financial obligation is defined in ACCET Document 31.ESOL as “The training period for which a student is legally obligated to pay (e.g. month, term, or session).” Additionally, the sample tables indicate that students who pay in installments will receive no refund for the first four weeks. It is not clear why the institution only applies this policy to students who paid in installments. Further, retaining the first four weeks of tuition is only permissible during the initial period of financial obligation, for which the sample tables do not articulate.

Therefore, the institution is directed to revise its cancellation and refund policy to explicitly define the period of financial obligation and to determine all refunds based on that timeframe. The sample refunds must demonstrate consistent, fair, and equitable refund calculations based on the student’s last day of attendance and clearly exemplify application of the refund calculation based on the period of financial obligation. Further, the policy must clarify that if the student’s last day of attendance occurs at any point in the first four weeks of the student’s initial period of financial obligation, the institution will consistently retain the charges applicable to the first four weeks, as directed by ACCET Document 31.ESOL.

- d. The institution’s policy states, under *Tuition Payment, Refunds and Requisite Steps*, that: “Check or credit for the refund will be produced by the responsible party...” However, it is

not clear if “credit” refers to a refund by credit card or a credit to the student’s institutional account.

Therefore, the institution is directed to revise the policy to clarify if “credit” is a refund by credit card or a credit towards the student’s institutional account, for which the second option would require an explicit, documented request from the student.

- e. The institution’s policy includes non-refundable fees totaling \$675, which exceeds the \$500 maximum amount of non-refundable fees permitted in ACCET Document 31.ESOL.

Therefore, the institution is directed to revise the policy to update its non-refundable fees not to exceed the \$500 maximum allowed by ACCET Document 31.ESOL.

Further, the institution is directed to provide documentation to evidence that the revised cancellation and refund policy has been updated in the student catalog, on the institution’s website, in the policy manual, and the enrollment agreement.

- 2. The institution provided “Refund Ledger” refund calculation worksheets as required; however, the Commission noted the following concerns:

- a. The Refund Ledgers indicate “Total Semester Fees Paid” and “Number of weeks financially obligated.” The Commission notes that the two categories do not correspond. For example, the ledger for ██████ indicated a session start date of 9/2/19 and a session end date of 12/19/19, 15 weeks. The student paid \$1,400 as indicated in the “Total Semester Fees Paid” category; however, the “Number of Weeks Financially Obligated” is listed as “4 weeks,” for which the student attended all four. The ledger indicates that no refund is due to the student. However, there is no evidence of a calculation completed for the 15 week period of enrollment/financial obligation.

Therefore, the institution is directed to provide a narrative updated relative to this issue to include a revised Refund Ledger that corresponds the student’s period of financial obligation with the “Total Semester Fees Paid” and aligns to the “Number of Weeks Obligated” category. The institution is directed to also provide an updated ledger for ██████ that reflects the accurate period of financial obligation, amount paid, number of weeks financial obligated and appropriate refund calculation based on the student’s last date of attendance (LDA).

- b. Additionally, the Refund Ledgers include both “Program” start and end dates and “Session” start and end dates. These categories are not defined. It is not clear which period the student has enrolled for and for which is financially obligated.

Therefore, the institution is directed to provide definitions for the student’s “program” and “session” as listed on the Refund Ledger and to update the ledger to

clearly identify the timeframe the student enrolled and for which the student is financially obligated.

3. The institution provided sample refund calculations, for which the Commission noted the following concerns:

- a. [REDACTED]: The Refund Ledger narrative indicates that, “Application fee waived due to COVID-19. Refund issued due to change of status approved. Book discount applied due to COVID-19 (\$36.20). Student was terminated on week 14 for this reason refund was not granted.” No documentation was provided to demonstrate that all student application fees were waived as a result of COVID-19. In addition, it is not clear what refund was issued due to the change of status approval, and what book discount was applied. It is also unclear if this student attended classes, as there is no attendance recorded on the Refund Ledger, but there is an LDA of 8/5/20.

Therefore, the institution is directed to provide a narrative explanation of the refund calculation for [REDACTED] regarding the application fee, book discounts, and attendance. The institution must provide all supporting documentation for this refund calculation including: a) enrollment agreement, b) student financial ledger, c) attendance records, and d) evidence of refund, if applicable.

The institution is also directed to provide relevant policies regarding discounts given to students during the COVID-19 pandemic.

- b. [REDACTED]: The Refund Ledger provided indicates a Program End Date (8/23/20) and a Session End Date (8/27/20). It is not clear why the program and session end dates differ by four days. As noted above, the difference between program and session dates are not defined. Further, the worksheet indicates an LDA of 6/25/20, but the Date of Determination “(DOT)” is 6/9/20, yet the form indicates that it was not requested by the student. It is not clear how the “DOT” could be determined prior to the LDA if not by way of student notification. It is noted that the institution’s Date of Determination, as noted on the refund ledger, is “DOT.”

Therefore, the institution is directed to provide an narrative update on the issue to include an explanation of the program and session end dates for [REDACTED], as well as how the institution determined the Date of Determination, which is noted prior to the Last Date of Attendance.

- c. [REDACTED] The Refund Ledger narrative indicates: “Student paid on 4/21/2020 \$1400, and had a prepaid discount \$200 for the summer 2020 semester due to COVID-19. Student transferred to LDS Business College on 7/29/2020 before the end of the semester. Since student paid in one payment no refund is due.” It is not clear that the “prepaid discount” is consistently applied to all students. The statement “since student paid in one payment

no refund is due” does not demonstrate a compliant application of ACCET Document 31.ESOL.

Therefore, the institution is directed to provide a narrative update on this issue to include an explanation and relevant policies regarding “pre-paid discounts for Summer 2020”. Additionally, the institution is directed to provide a revised refund calculation for [REDACTED] based on the period of financial obligation and the student’s Last Date of Attendance as required by ACCET Document 31.ESOL. The institution must provide all supporting documentation for this refund calculation including: a) enrollment agreement, b) student financial ledger, c) attendance records, and d) evidence of refund, if applicable.

- 4. To demonstrate systematic and effective implementation of the revised cancellation and refund policy and the revised Refund Ledger, the institution is directed to provide a list of all student drops/withdrawals from December 1, 2019 – February 15, 2020 along with corresponding Refund Ledgers (refund calculation worksheets) and supporting documentation for each student including: a) enrollment agreement, b) attendance records, c) student payment ledgers, and d) proof of refund, if applicable.**
5. The institution was previously directed to attend an ACCET Refund Policy and Procedure Online Workshop, as part of the November 2020 Accreditation workshop; however, the institution did not provide evidence of its participation.

Therefore, the institution is directed to provide evidence that it attended the Refund Policy and Procedure section of the virtual November 2020 Accreditation Workshop.

The institution is encouraged to contact Mr. Res Helfer (rhelfer@accet.org), ACCET Senior Accreditation Coordinator, prior to submission of the interim report should it need additional guidance.

A copy of this report, **including the attached interim report cover sheet**, must be emailed to **interimreports@accet.org** for receipt at the ACCET office no later than **February 28, 2021**.

As a reminder, please be advised that late submission and receipt of documents and reports are subject to significant late fees in accordance with Commission policy. These fees are outlined in ACCET Document 10, which can be found at www.accet.org.

Further, while under a Show Cause directive, the institution is restricted from making any substantive changes including, but not limited to, new programs, major program revisions, new branch campuses or other new sites, or relocations out of the general market area.

Your demonstrated capabilities and commitment in support of the institution’s accredited status are essential to a favorable outcome in this process. Should you have any questions or need further assistance regarding this letter, please contact the ACCET office at your earliest opportunity.

Sincerely,

A handwritten signature in cursive script that reads "Judy Hendrickson".

Judy Hendrickson
Interim Executive Director

JHH/lao

Enclosures: Interim Report Cover Sheet

cc: Mr. Herman Bounds, Chief, Accreditation Division, USED (aslrecordsmanager@ed.gov)
Ms. Charity Helton, Specialist, USED (charity.helton@ed.gov)
Ms. Rachel Canty, Director of External Services, SEVP (rachel.e.canty@ice.dhs.gov)
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