



December 20, 2018

VIA EMAIL & FEDERAL EXPRESS
(info@nycdatascience.com)

Ms. Shangxuan Zhang, Founder
NYC Data Science Academy
500 8th Ave, Suite 903
New York, NY 10018

***Re: Initial Accreditation Denied
(Appealable; Not a Final Action)***

ACCET ID #1561

Dear Ms. Zhang,

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 initial accreditation to NYC Data Science Academy, located in New York, New York.

The decision was based upon a careful review and evaluation of the record, including the institution's Analytic Self-Evaluation Report (ASER), the on-site visit team report (visit conducted September 13-14, 2018), and the institution's response to that report, dated October 30, 2018. It is noted that some weaknesses cited in the team report were partially addressed in the institution's response and accepted by the Commission. However, the Commission determined that the institution has not adequately demonstrated compliance with respect to ACCET standards, policies, and procedures, relative to the following findings:

1. Standard II-A: Governance

The institution failed to demonstrate that 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 and that its management structure ensures the integrity and capability of the institution and its compliance with statutory, regulatory, and accreditation requirements.

The team report indicated that: a) the institution's catalog stated that the student-teacher ratio is 30:1 for avocational courses but that NYC BPSS has approved the institution's classes for

a student-teacher ratio of 20:1 and b) NYC Data Science Academy was owned 100% by Mr. Newton Cheng, which contradicted the ownership information in the institution's ACCET application, which indicated that the entity is owned 75% by Mr. Cheng and 25% by Mr. Christopher Neimeth.

In its response, the institution indicated that it had formally requested BPSS to amend its student-teacher ratio to 25:1 for all courses (approval letter provided). However, the catalog excerpt provided as an exhibit still indicated that a 30:1 ratio is the maximum class size for the Remote Data Science Bootcamp, which remains out of compliance with the Approval Specifications provided by BPSS dated July 14, 2016.

*The institution's response further indicated that: a) it was unsure why the ownership information was misreported during the team visit in the ASER; b) that it could attest to the fact that the institution is 100% owned by Mr. Newton Cheng; and c) that it could not provide proof of ownership at this time. The Commission notes that the ownership addendum, provided by the institution in its initial application for accreditation, entitled *Supstat DBA NYC Data Science Academy Ownership Schedule.pdf*, clearly listed Mr. Neimeth with a 25% ownership interest, and Mr. Cheng with a 75% ownership interest.*

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

2. Standard II-B: Institutional Management

The institution failed to demonstrate that written policies and procedures guide the day-to-day operations of the institution.

The team report indicated that the institution's attendance, completion and placement, satisfactory academic progress, and grading policies did not meet ACCET requirements, and that staff and faculty did not demonstrate sufficient knowledge of institutional policies resulting in their lack of systematic implementation. The team report also referenced the lack of implementation of interim and final student satisfaction evaluations and a policy to regularly assess, document, and validate employer sponsor satisfaction.

In its response, the institution indicated that it had: a) updated its student catalog to include policy changes; b) conducted two workshops to ensure compliance with the above-mentioned policies; and c) that administrative personnel would continue to monitor faculty to ensure implementation and enforcement of school policies. However, as detailed below under each of the relevant standards, the institution did not demonstrate that each of these deficient policies both meet ACCET requirements and are systematically and effectively implemented on an ongoing basis.

Further, the Staff Workshop - School Policies Review provided as Exhibit H, and the Instructor Workshop - School Policies Review provided as Exhibit G, indicate only a brief description (During this workshop we will review all recent changes to our school and

student policies, with a focus on ...) and an RSVP list of guests, with only a single RSVP indicated on each (██████), and the catalog excerpt provided as Exhibit I only included reference to the attendance policy. Finally, the full catalog, attached as Exhibit F, provided no reference to the specific policy changes incorporated therein for the Commission to consider.

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

3. Standard II-D: Records

The institution failed to demonstrate that it has an organized record-keeping system that ensures all records are maintained in an accurate, orderly, and up-to-date manner and that the record-keeping system facilitates ready access and review of these records by appropriate parties.

The team report indicated that the institution: a) did not demonstrate record-keeping systems for attendance and academic performance that reflected complete, quantifiable information on students; and b) that neither its personnel files or the ACCET Document 21 On-Site Visit – Personnel File/Qualifications Checklist provided to the team recorded professional development for staff and faculty in a systematic manner.

In its response, the institution indicated that it had updated and implemented record-keeping systems for attendance and academic performance that reflected complete and quantifiable information on students. However, the exhibits provided in the response included only one completed Progress Record Form (Exhibit N) and one sample Attendance Register (Exhibit N), and the response narrative stated that the new attendance roster “will be kept” by each instructor throughout the week and that each student’s attendance rate “will be calculated.” These exhibits are insufficient to demonstrate systematic and effective implementation institution-wide. The institution also indicated its plan to develop an electronic system for tracking attendance in the future but provided no timeline or details.

The institution also indicated that faculty have participated in professional development in the last 12 months. However, documentation (Exhibit P) was provided only for one instructor, ██████, in the form of a Full Access Show Pass and signed attestation for the Block Chain World Conference held on July 11, 2018. No documentation was provided for any other faculty or administrative staff.

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

4. Standard II-E: Communications

The institution failed to demonstrate that, to maintain operational effectiveness, periodic meetings with employees are conducted and appropriate documentation is maintained on significant issues, consistent with the size and purpose of the institution.

The team report indicated that the institution did not have a consistent, well-organized, and comprehensive approach to communication on campus, and that faculty, staff, and students were not informed of new or revised policies and procedures.

In its response, the institution indicated that it is committed to improving communications between administrative staff, faculty, and students by creating a new template for recording meeting minutes and that an updated sign-in sheet will track meeting attendance (Exhibit Q - Meeting Sign in Sheet). However, a copy of the new template for recording meeting minutes was not provided and the sample meeting sign-in sheet submitted was blank. The response also indicated that faculty and staff “will be required” to review and become familiar with critical school procedures, and included the same sample workshop exhibits (Exhibit G and Exhibit H) provided above under Standard II-A. These two exhibits did not include any meeting minutes and only indicated an RSVP by one staff member. Finally, a generic e-mail template was provided as Exhibit R, to be used to notify students of changes to the school catalog, but did not demonstrate systematic, effective, and continuous communication at all levels.

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

5. Standard IV-D Curriculum Review/Revision

The institution failed to demonstrate that it implements effective written policies to continuously monitor and improve the curriculum and that those policies include both soliciting and utilizing feedback from relevant constituencies (e.g. faculty, students, graduates, employers, and advisory/certification boards) and analyzing student outcomes, including student completion, and, if applicable, job placement results.

The team report indicated that: a) the institution’s curriculum development policy did not provide any accompanying procedures, including the curriculum review and revision process and how approval for revisions occurs; b) review of programs is done ad hoc based on discussions in the Academic Quarterly meetings; c) the Director of Education does not have a schedule or any other documentation showing when and who is reviewing each of the institution’s programs in order to ensure and monitor that all programs are reviewed annually; and d) there was no evidence that all programs were reviewed in the last 12 months.

In its response, the institution indicated that: a) moving forward, designated individuals will be responsible for curriculum review/revision on an annual and/or as needed basis; b) in short avocational courses, the instructor is responsible for supervising and making needed revisions to the curricula, along with the School Director; c) annual reviews will be formally scheduled by administrative staff; and d) updates implemented following curricular review will be recorded on a “Yearly Changes” report and signed off by the School Director. However, the response did not provide any documentation of written policies and procedures for curriculum review which adhere to the ACCET standard, nor did it provide any evidence

that a review of curriculum had taken place.

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

6. Standard V-A: Instructional Methods

The institution failed to demonstrate that instructional methods in its IDL program encourage active and motivated responses from students and that this program has appropriate interaction between instructors and students and among students which is reflected in the design of the program as required by ACCET field specific criteria. The institution also failed to demonstrate that instructional methods in its e-learning avocational courses apply interactive strategies that engage students, stimulate learning, and provide opportunities for students to demonstrate their acquired knowledge and skills and that frequent, active, and appropriate interaction between students and instructional materials demonstrate student learning which is reflected in the program design, and that all interactions work within the organization's web architecture as required by the field specific criteria.

The team report indicated that the Data Science Bootcamp Online program starts monthly, often with cohorts of four students or fewer. As a result, some students must complete the "group" projects individually. For example, student-to-student interaction was inconsistent depending on the number of students at any point in time. While the curriculum includes group discussion on Slack, the institution could not provide the team with any examples of these discussions. Further, while the institution uses pre-taped lectures for content and stated that IDL students have one-on-one discussions with a TA mentor, there was no documentation of regular, substantive interaction with the instructor outside of the student's ability to e-mail the instructor. Finally, the team report indicated that avocational e-learning courses consisted solely of taped lectures with assignments e-mailed to an instructor and that the format of these courses did not align with the specific field criteria (ACCET Document 3.E-Learning).

In its response, the institution indicated that it has made it a priority to improve the Remote Data Science Bootcamp over the course of the next several months and that it has developed a plan to improve the quality of interaction between faculty and students as well as the channels of communication between the two. However, no such plan was provided and no documentation was included to indicate that the lack of substantive interaction has been addressed and implemented. Further, the institution's response did not address the weakness cited regarding e-learning.

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

7. Standard VI-B: Supervision of Instruction

The institution failed to demonstrate that regular classroom observations are conducted at least annually by qualified supervisors and, along with student and supervisory feedback, are documented and effectively utilized to enhance the quality of instruction.

The team report indicated that the institution did not demonstrate implementation of its policy requiring annual classroom observations and did not provide the team with any documentation demonstrating completed classroom observations within the past 12 months.

In its response, the institution provided samples of three instructor evaluations, completed between October 15-16, 2018, utilizing ACCET Document 19 Instructor Evaluation, and indicated that, moving forward, annual performance reviews will be formally scheduled by administrative staff. However, the response did not include a revised policy and procedure detailing the qualifications for supervisors conducting evaluations, documentation and inclusion of student and supervisory feedback, or the utilization of these observations to enhance the quality of instruction, as required by the standard.

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

8. Standard VI.C: Instructor Orientation and Training

The institution failed to demonstrate that it develops and implements a written policy for the effective orientation and training of instructional personnel to ensure a consistent, high level of instruction and that regular and relevant in-service training and/or professional development of instructional personnel are conducted and documented.

The team report indicated that: a) the institution did not demonstrate that regular and relevant professional development for all instructional personnel was conducted and documented; b) the institution did not have any documentation for in-service training since a September 2017 workshop; c) documentation of professional development was not kept in instructor files or provided to the team during the on-site visit; and d) the policies for instructors' continuing education and training applied only to full time instructors and were not required for part-time instructors.

In its response, the institution indicated that: a) some of NYCDSA's instructors have participated in professional development in the last year; b) previously, the school had not consistently documented participation in such activities, but has begun to collect the corresponding evidence; and c) it plans to schedule instructor workshops covering different topics such as lesson planning in the near future. However, as noted above under Standard II-D: Records, documentation (Exhibit P and Exhibit O) was provided only for one instructor, ██████, in the form of a Full Access Show Pass and signed attestation for the Block Chain World Conference held on July 11, 2018. No revised policies for instructor professional development were provided nor was documentation of completed professional development provided for any other full-time or part-time instructors.

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

9. Standard VII-A Recruitment

The institution failed to demonstrate that all communications with prospective students are ethical, honest, and consistent with ACCET policies, including the requirements of ACCET Document 29 - Catalog Guidelines and Checklist.

The team report indicated that the institution's catalog did not include the payment methods and terms of payment of monies owed, as required by Document 29, and that the catalog did not include the ACCET refund policy for students to demonstrate that both the ACCET and BPSS policies are calculated and compared for students to receive the most beneficial refund.

In its response, the institution indicated that: a) it added the payment methods and terms of payment of monies owed to the school catalog; b) a link to the ACCET refund policy has been added to the electronic version of the catalog (Exhibit Z), which is shared with all students; and c) that it has developed its own refund policy that is always more beneficial to students than either the ACCET or BPSS refund policies. However, while a refund table was included in the revised catalog, the catalog lacks numerous components of ACCET Document 31 - Cancellation and Refund Policy. A link to the ACCET refund policy does not meet the requirements of Document 29, which specifically requires the inclusion of an ACCET compliant refund policy in the institution's catalog. Further, the link provided was inactive. Further, the response provided no documentation to demonstrate that the institution's refund policy is always more beneficial to the student than either the ACCET or BPSS refund policies.

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

10. Standard VII-B: Admissions/Enrollment

The institution failed to demonstrate that its enrollment agreement includes cancellation and refund policies that comply with statutory, regulatory, and accreditation requirements.

The team report indicated that the institution's enrollment agreement did not provide: a) a space for listing the methods of student payment accepted by the institution; b) a compliant refund policy including a statement that both the State and ACCET policies are calculated and that the one more lenient to the student is applied; and c) a statement that the agreement becomes a legal and binding contract once completed and signed by both parties.

In its response, the institution indicated that it has: a) added the payment methods and terms of payment of monies owed to its catalog; b) added a link to the ACCET refund policy which is shared with all students; c) developed its own refund policy that is always more beneficial to students than either the ACCET or BPSS refund policies; and d) updated the enrollment agreement to include a statement that the agreement becomes a legal and binding contract once completed and signed by both parties. However, as indicated under Standard VII-A: Recruitment, the enrollment agreement lacks numerous components of ACCET Document 31 - Cancellation and Refund Policy and that a link to the ACCET refund policy is not compliant

with ACCET Document 29.1 – Enrollment Agreement Checklist, which specifically requires the inclusion of an ACCET compliant refund policy in the institution’s enrollment agreement. Further, the response provided no documentation that the institution’s refund policy is always more beneficial to the student than either the ACCET or BPSS refund policies. Additionally, the inclusion of the payment methods and terms of payment of monies owed in the school catalog does not meet the requirements of Document 29.1, which specifically requires this information to be included in the enrollment agreement as well.

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

11. Standard VII-C Transfer of Credit

The institution did not demonstrate that has written policies and procedures that ensure the fair and equitable treatment of students relative to the transfer of credit to and from the institution and that it provides clear, complete, factual, and timely information regarding its transfer policies and practices.

The team report indicated that the institution’s transfer of credit policy did not allow students to bring previously earned credits to the institution and have them applied towards the Data Science Bootcamp program, and that the policy did not address the requirements of ACCET Document 16 - Transfer of Credit Policy.

In its response, the institution indicated that it has made it a priority to create a transfer of credit policy as is required by ACCET Document 16, but to do so by the time of submission of the team report response was not possible. Therefore, the institution’s response did not address the requirements of this standard or demonstrate effective implementation.

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

12. Standard VIII-A: Performance Measurements

The institution failed to demonstrate that its performance measurements are written, periodically evaluated, and updated to ensure instructional effectiveness, that it has a sound, written assessment system that contains a set of defined elements, such as grading scale, weighting factors, tests, quizzes, reports, projects, attendance, and participation, that are appropriately related to the performance objectives of the program or course, and that it clearly and effectively communicates the assessment system to students at orientation and/or the beginning of the course/program.

The team report indicated that instructors were not following the grading scale stated in the catalog and syllabi for its vocational programs. While the grading scale indicated a GPA and percentage requirements, the institution was reviewing projects, worth a combined 80% of a student’s grade, holistically and without a rubric, and there was no score assigned to these projects to determine whether a student was meeting requirements. (Class participation (10%)

and a final exam (10%) provided the balance of the combined program grade.)

The team report also indicated that the grading criteria in the catalog, which included four projects, participation, and a final exam, was not being implemented. The institution's definition of program completion was only that the student completed the four projects and published them to an online portfolio, with no mention of successful scoring of the projects or the participation and exam elements.

Further, based on interviews with students and instructors, students were not provided with quantitative feedback on their performance, but only narrative feedback on what went well and what could be improved for projects. The team found that instructors were using a grading scale (High Pass/Pass/Fail), but the rubric for this scoring was not being used, that students did not receive any information about this scoring, and that students were not given their grades until they completed the full program.

Finally, the institution was not able to provide evidence of forum discussions, which the institution indicated constituted the 10% class participation element for the overall program grade for IDL students. The institution did not employ a rubric for determining participation grades to ensure consistency and fairness in either the IDL or residential programs.

In its response, the institution indicated that it had traditionally graded student work using a pass/fail system but had recently updated the grading policy to meet ACCET standards, which had not yet been fully implemented at the time of the visit because the institution was awaiting approval from BPSS. The response stated that the current cohort of students has been given grades based on the updated policy, with instructors using the grading rubric (Exhibit BB provided) to assign quantitative grades to course projects. This rubric included four categories for project evaluation: Design, Data, Algorithm, and Tools, with grading ranges from Unsatisfactory (0) to Excellent (100). However, while providing one sample Progress Record Form for ██████████, which showed the student earning an A on Project 1, no documentation was provided to indicate that the rubric was implemented for this or any other student, or that instructors were trained on, and following, the new grading system.

The response also indicated that the institution has decided to eliminate participation from students' overall grade as it is difficult to measure objectively. However, a revised performance assessment was not provided showing how student grades would now be weighted and calculated without class participation, nor did the response address how discussion forums for IDL students would be facilitated and graded. As noted above under Standard V-A: Instructional Methods, no plan was provided and no documentation was included to indicate that the lack of substantive interaction in the IDL program has been addressed or implemented.

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

13. Standard VIII-B: Attendance

The institution failed to demonstrate that it establishes and implements written policies and procedures for monitoring and documenting attendance or that it informs students of their attendance on a regular and timely basis.

The team report indicated that the attendance policy did not include procedures for taking, monitoring and recording attendance, nor did it identify who was responsible for monitoring the student's status and sending warnings to students. As a result, the residential Bootcamp students were not provided regular and timely notification of their attendance, being notified only after hitting a warning benchmark for missing class. Further, attendance records reviewed on-site lacked any information on tardies and early departures as required by this standard.

While the institution indicated to the team that Online Bootcamp students were advised of their progress in completing weekly assignments during their weekly one-on-one with their assigned Teaching Assistant, no documentation of this communication was provided.

The team report also indicated that make-up time for a missed class day was credited when the student completed that day's assignment, which is not compliant with ACCET Document 35 – Policy on Attendance Requirements, which requires that make-up work is comparable to the content, time, and delivery of the classes missed.

Finally, the team found that the withdrawal form, used by the institution for leaves of absence, was not compliant with the requirements of ACCET Document 36 – Leave of Absence Policy.

In its response, the institution indicated that its procedure for taking and recording attendance has been updated and streamlined, added to the school catalog, and that instructors will take and record attendance on the updated roster daily, and submit the roster to administrative personnel every Friday, who are responsible for monitoring student's status and sending warning notices to students. Students falling below 90% attendance, on a weekly basis, will be notified by administrative staff. For students falling below 85% attendance, make-up classes are required by the end of the following week. Further, the updated student progress record form (sample provided) included the student's current attendance rate and is sent to each student by e-mail at the end of each SAP period. The response included the updated attendance policy, a sample completed attendance roster for the week of October 22 – 26, 2018, which included a code for late students (although none were recorded as such), a sample attendance warning notification, sample e-mail for students, and a completed sample of the revised Leave of Absence form.

Relative to the make-up policy weakness, the response indicated that it is incredibly difficult to replicate the active instruction and delivery methods of the classes missed during make-up sessions and that the quality of instructional videos and availability of instructors via email and Slack channel provide sufficient opportunity to master the materials covered in class.

However, the response did not demonstrate that the make-up policy was in accordance with ACCET Document 35 - Policy on Attendance Requirements, which specifically requires that the make-up is to be comparable to the content, time, and delivery of the classes missed. No guidance or samples were provided to demonstrate who is responsible for preparing and delivering the make-up work, who approves it, how it is delivered, and how it is comparable in content, time, and delivery, for both residential and online students, nor was any documentation provided relative to the assertion that the quality of videos and availability of instructors provides the structure for students making up class work to demonstrate mastery of the missed material.

The response also stated that the institution is committed to improving the Remote (Online) Data Science Bootcamp Program in the coming weeks and months, but that updated procedures are still being developed. However, this response does not address the weakness relative to Online Bootcamp students being advised of their progress in completing weekly assignments during their weekly one-on-one with their assigned Teaching Assistant, which was wholly undocumented at the time of the visit.

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

14. Standard VIII-C: Student Progress

The institution failed to demonstrate that it publishes a clear description of its requirements for satisfactory student progress and utilizes sound written policies and procedures to determine student compliance with these requirements and to document the results.

The team report indicated that there was no documentation to support the Pass/Fail grading system in use at the time of the visit or to demonstrate that a “pass” grade was equivalent to a C or 70% grade, as required by ACCET Document 18 - Satisfactory Academic Progress Policy. The team report also indicated that the institution’s processes did not ensure that students were informed of their progress on a regular and timely basis after each quarterly evaluation, as required by ACCET Document 18, as students were only provided SAP information when they failed to meet SAP requirements.

In its response, the institution provided its revised grading system which is detailed under Standard VIII-A: Performance Measurements. Further, the response indicated that administrative personnel now inform students of their SAP at the end of each SAP period as well as after each of the four required projects are graded. However, the institution’s SAP policy still lacks the specificity required by ACCET Document 18 – Satisfactory Academic Progress Policy, which was detailed by the team in Document 18.1 as an exhibit. For example, the institution’s response did not address the following items in Document 18.1:

- a. #4: Is the SAP policy cumulative, does it include all periods of attendance, and is it consistently applied to all students attending similar programs?*
- b. #6: Are students required to demonstrate that they meet the SAP standards established by the institution or be dismissed from training (following an appeal, if applicable) in*

accordance with the institution's policy, including when it is no longer feasible for students to meet the requirements to successfully complete their programs?

- c. #10: *The effect of Incomplete Grades, Course Withdrawals, Course Repetitions, and non-credit remedial course work on SAP including qualitative/quantitative measures, when applicable.*

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

15. Standard IX-A Student Satisfaction

The institution failed to demonstrate that 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.

The team report indicated that the institution had not implemented interim and final student satisfaction evaluations for its programs, except for end-of-program surveys for the residential Data Science Bootcamp program. The institution also did not have any method of systematically and formally soliciting student feedback from its avocational courses.

In its response, the institution indicated that it did not have any student satisfaction surveys to show at this time but will work to develop and send them to the current cohort of students in the near future.

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

16. Standard IX-B Employer/Sponsor Satisfaction

The institution did not demonstrate that it establishes and implements written policies and procedures that provide an effective means to regularly assess, document, and validate employer/sponsor satisfaction relative to the quality of the education and training provided, that feedback from sponsoring organizations, agencies that fund the training of students, and employers who hire graduates is documented and utilized to improve the education, training, and student services of the institution, and that this feedback is obtained through various means such as surveys, advisory committees, and/or focus groups.

The team report indicated that the institution did not have a written policy or procedure to provide an effective means to regularly assess, document, and validate employer/sponsor satisfaction relative to the quality of training and student services. While the ASER indicated that surveys were developed to solicit employer/sponsor feedback, the institution did not demonstrate implementation of these surveys or a review of feedback to make improvements to the program.

In its response, the institution indicated that it is still working to create a policy to regularly assess, document, and validate employer feedback relative to the quality of training and

student services, but that it has maintained good relationships with hiring partners and that a new employer survey has been created and will be sent out in the future subsequent to students' graduation and to job placements. The response also indicated that, in the past, much of the feedback regarding employer/sponsor satisfaction occurred through informal meetings between HR managers and the School Director. However, the institution's stated plans to eventually implement a formalized process to regularly assess, document, and validate employer/sponsor satisfaction does not evidence ongoing and effective implementation, which can only be demonstrated over time.

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

17. Standard IX-D: Completion and Placement

The institution failed to demonstrate that the quality of its programs is validated by positive training-related outcomes consistent with the benchmarks established by the Accrediting Commission.

The team report indicated that two avocational programs fell below the ACCET benchmark of 67% for completion during the period October 1, 2017 – September 9, 2018: Machine Learning in Finance (57.14%) (seven starts/four completions), and Data Science with R: Machine Learning (60%) (15 starts, nine completions).

The team report also indicated that Data Science Bootcamp graduate [REDACTED] was placed within a Data Science related position but was not satisfied with the position and left before 30 days of employment. At the time of the visit, the graduate was in a position where she was not utilizing the skills learned in the program.

The team report also indicated that the 2018 (year-to-date January 1 – March 30, 2018) placement rate for the Data Science Bootcamp was 59.52% (42 eligible/25 placed), and 42.86% (7 eligible/3 placed) for the Data Science Bootcamp – Online program. Both were below the ACCET minimum placement benchmark of 70%.

In its response, the institution indicated that, while its placement rates for the Data Science Bootcamp programs were below ACCET benchmarks, the institution is committed to working continually with hiring partners to improve placement rates and that it is proud of the quality of the companies with which its program graduates find work. However, the response did not provide an explanation or correction regarding the erroneous placement of [REDACTED] nor did it provide any additional explanation or updated documentation relative to placement rates for calendar year 2018.

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

Since denial of initial accreditation 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.

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.

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 or withdraw 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 or withdraw 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 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.

Initial applicants are advised that, in the instance of an appeal following a denial of accreditation being initialized in accordance with ACCET policy, the institution may not make substantive changes to its operations, such as additional programs or sites, until a notice of final action is forwarded by the Commission.

Sincerely,

William V. Lombardi

NYC Data Science Academy

December 20, 2018

Page 15 of 15

William V. Larkin, Ed.D.

Executive Director

WVL/jss

CC: Mr. Herman Bounds, Chief, Accreditation Division, US ED (aslrecordsmanager@ed.gov)
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