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MEMORANDUM

To: ABHES-Accredited Institutions and Programs
Recognized Accrediting Agencies
State Departments of Education
Kay Gilcher, U.S. Department of Education
Interested Parties

From: Carol Moneymaker, Executive Director

Date: September 21, 2011

Subject: Notice of Amendments to *Accreditation Manual*

The Commission of the Accrediting Bureau of Health Education Schools met and acted to adopt certain amendments to the *Accreditation Manual* regarding teach-out plans and teach-out agreements to make clear that ABHES adheres to practices prescribed by the U.S. Department of Education. It is important to note that a teach-out plan differs from an agreement, yet both must be approved by ABHES.

A directive from ABHES to submit a teach-out plan requires the institution or program to identify an institution(s), meeting the requirements outlined in III.A.7.(i) of the *Accreditation Manual*, described in the attached document. It does not necessitate the institution make public this plan or arrive at a formal agreement with another institution. It is meant to assure ABHES that the institution has a plan for the appropriate teach out of its students, should it be necessary.

A teach-out agreement, which may be entered voluntarily by an institution or required by an oversight agency, including ABHES, is a legal, binding contract. See III.A.7.(ii) of the *Accreditation Manual*, described in the attached document.

The attached, amended language is **effective the date of this notice** and will soon be posted to the ABHES website, www.abhes.org.

Contact me directly at cmoneymaker@abhes.org or 866.463.0717 with any comments or questions.

Attachment (Chapter III.A.7. of the *Accreditation Manual*)

CHAPTER III – GENERAL PROCEDURES

SECTION A – Application, Evaluation, Approval Process and Recordkeeping

Subsection 7 – Teach-out requirements

(i) Teach-out Plans

1. The Commission will direct an institution or program that it accredits to submit a teach-out plan for approval upon the occurrence of any of the following events:
 - a. ABHES is notified by the Secretary that the Secretary has initiated an emergency action against an institution, in accordance with section 487(c)(1)(G) of the HEA, or an action to limit, suspend, or terminate an institution participating in any Title IV, HEA program, in accordance with section 487(c)(1)(F) of the HEA, and that a teach-out plan is required.
 - b. ABHES acts to withdraw the accreditation of the institution or program.
 - c. ABHES is notified by the agency that accredits an institution with a program that is programmatically accredited by ABHES that the agency has acted to withdraw, terminate or suspend the accreditation of the institution.
 - d. The institution notifies ABHES that it intends to cease operations entirely or close a location that provides one hundred percent of at least one program.
 - e. A state licensing or authorizing agency notifies ABHES that the institution's or program's license or legal authorization to provide an educational program has been or will be revoked.
2. The Commission may direct an institution or program to provide a teach-out plan in response to:
 - a. A show cause directive;
 - b. Low annual student retention rate that does not meet ABHES guidelines;
 - c. Low annual pass rate on required credentialing and/or licensing examinations that does not meet ABHES guidelines;
 - d. Low annual graduate placement rate that does not meet ABHES guidelines;
or,
 - e. Any circumstances in which ABHES concludes that a teach-out plan is appropriate.

3. A teach-out plan must be submitted to ABHES for approval with the required *Teach-out Approval Form*. The approval form can be found at www.abhes.org/forms.

The teach-out plan must be consistent with applicable standards and regulations and provide for the equitable treatment of students. This includes, but is not limited to, evidence that:

- a. The teach-out institution is accredited by an institutional accrediting agency recognized by the United States Department of Education.
 - b. The teach-out institution is stable, carries out its mission and meets all obligations to existing students.
 - c. The teach-out institution has the necessary experience, resources and support services to provide educational program(s) that are of acceptable quality and reasonably similar in content, structure and scheduling to those provided by the institution or program that may cease operations either entirely or at one of its locations. This includes graduates' access to the same credentialing exams, as applicable.
 - d. Students are provided access to the program and services without requiring them to move or travel substantial distances.
 - e. Students will be treated equitably with regard to any charges or refunds; and, if tuition has been paid in full, that students receive the instruction promised at no additional charge.
 - f. Students will be provided with written notification regarding their rights and opportunities for teach-out, transfer and refunds.
5. The plan may propose that the teach-out of students be accomplished by the institution or program that may cease operations, either entirely or at one of its locations, or by another institution(s), so long as the requirements listed above are met.
 6. If ABHES approves a teach-out plan that includes a program accredited by another recognized accrediting agency, ABHES will notify that accrediting agency of its approval.

(ii.) Teach-Out Agreements

A teach out agreement is a legally binding contract between an institution or program that may terminate and another institution that provides for the education of students enrolled by the former. In its discretion, ABHES may direct an institution or program to provide a teach-out agreement as part of its submitted teach-out plan.

An institution that enters into a teach-out agreement with any other institution, either on its own or at the discretion or request of ABHES or any other agency or authority, must submit that teach-out agreement to ABHES for approval using the required *Teach-out Approval Form*. The approval form can be found at www.abhes.org/forms.

ABHES will approve the teach-out agreement only if the agreement is with an institution that is accredited by an institutional accrediting agency recognized by the United States Department of Education and only if the agreement provides for the equitable treatment of students by ensuring that each of the required elements of a teach-out plan listed above are met.