



Transmitted by electronic mail only: [REDACTED]

August 11, 2022

ID#: I-175-01

[REDACTED]  
Campus Director  
Midwest Institute  
4260 Shoreline Drive  
Earth City, MO 63045

Dear [REDACTED]:

The Commission, at its July 2022 meeting, reviewed the record<sup>1</sup> of your institution's outcomes reporting. Based on review and discussion, the Commission acted to **withdraw** the Surgical Technology – Associate of Applied Science program approval from the institution's grant of accreditation, subject to appeal in accordance with Chapter III, Section C, Subsection 6 of the *Accreditation Manual*.

#### **Reason for the Withdrawal of Program Approval**

- The **Surgical Technology – Associate of Applied Science** program does not administer to each student an examination by a nationally recognized and accredited credentialing agency after completion of curricula content and prior to graduation, and its pass rate is below the 70 percent threshold under standard, ST.A.3., of the *Accreditation Manual*.

Chapter III, Section C, states the Commission may withdraw accreditation at any time if it determines that an institution or program is not complying with its policies or standards or determines that the retention, credentialing, or placement rates fall below 70 percent. The Commission may, in its discretion, provide an opportunity for the institution or program to bring itself into compliance within a maximum time period specified by the Commission.

In this instance, the program was initially placed on Program Specific Warning in August 2020 and has continued in that status. In a letter dated February 17, 2022, the program was directed to demonstrate compliance with a final response due on May 1, 2022, for review at the Commission's July 2022 meeting. As the reports below indicate, the institution failed to demonstrate a 70 percent placement rate within the maximum timeframe. Therefore, the approval of the program has been withdrawn subject to appeal.

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<sup>1</sup> The record includes the 2016-2017, 2017-2018, 2018-2019, 2019-2020, and 2020-2021 Annual Reports, outcomes reporting letters dated August 2018, February 2019, August 2019, and February 2020, and the institution's response to the letters, the response to the Commission's August 2020, February 2021, August 2021, and February 2022 program-specific warning letters, and other relevant correspondence and documentation.

**Credentialing Pass Rates for the Surgical Technology – Associate of Applied Science program  
Reported to ABHES:**

- November 2017 – The institution reported a pass rate of 0% on its 2016-2017 Annual Report.
- November 2018 – The institution reported a pass rate of 38% on its 2017-2018 Annual Report.
- November 2019 – The institution reported a pass rate of 38% on its 2018-2019 Annual Report.
- May 2020 – The institution reported an updated pass rate of 38% for the 2018-2019 reporting period.
- November 2020 – The institution reported an updated pass rate of 38% for the 2018-2019 reporting period.
- December 2020 – The institution reported a pass rate of 62% on its 2019-2020 Annual Report.
- May 2021 – The institution reported an updated pass rate of 69% for the 2019-2020 reporting period.
- October 2021 – The institution reported an updated pass rate of 69% for the 2019-2020 reporting period.
- November 2021 – The institution reported a pass rate of 35% on its 2020-2021 Annual Report.<sup>2</sup>
- May 2022 – The institution reported an updated pass rate of 35% rate for the 2020-2021 reporting period.

**Appeal of Action, Notice of Intent to Appeal and Required Fees**

If the institution wishes to appeal the action of the Commission, it may do so by filing its intent to appeal the Commission action online via [DropBox Commission Responses](#) within 10 calendar days of the date of this letter and named “ABHES ID#\_Intent\_to\_Appeal” for receipt by ABHES by **August 22, 2022**. A non-refundable \$5,000 appeal fee plus an Appeal Hearing expense deposit of \$10,000 are to be remitted to ABHES to accompany the statement of intent to appeal.

All fees are to be remitted electronically. Please contact the Accounting Department at [accounting@abhes.org](mailto:accounting@abhes.org) or (703) 917-9503 to obtain an invoice. The institution will be provided a summary of expenses following the appeal hearing and will be refunded or charged the difference from the \$10,000 deposit.

**Written Statement of Grounds for Appeal**

The *Written Statement of Grounds for Appeal*, including a cover letter, narrative, and exhibits, must be submitted to ABHES online via [DropBox Commission Responses](#) within 45 calendar days of the Commission action, **September 26, 2022, in accordance with the instructions in Preparing Your Response**. It is imperative that the file name include ABHES ID#, RSP to Feb 2022 Program Approval

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<sup>2</sup> It was further noted that the institution did not administer the credentialing exam to each student prior to graduation for the 2020-2021 reporting year, which is a requirement of standard, ST.A.3. of the *Accreditation Manual*.

Withdrawal Letter - APPEAL, and date of submission (ex: I-100\_RSP to Aug 2022 Withdrawal APPEAL Letter\_92022). The institution should review carefully all procedures governing its appeal, in accordance with Chapter III, Section E, Subsection 3 of the *Accreditation Manual*. Note that the appeal is based upon the information available to the Commission at the time of its action. Unless specifically provided for in Chapter III, Section E, Subsection 3, (f), the Appeals Panel has no authority to consider evidence outside of the record reviewed by the Commission at its July 2022 meeting. The institution has the burden of demonstrating that the action of the Commission was not supported by the record or was otherwise erroneous.

**In accordance with Chapter III, Section E, Subsection 3 of the *Accreditation Manual*, the institution retains its program approval status during any pending appeal.**

Should the institution elect not to appeal, the decision to withdraw the program approval will be effective as of **August 22, 2022**, unless the institution submits a Teach-Out Agreement in accordance with item 1 B under **Required Submissions** below. The institution may not reapply to ABHES for the same or a substantively similar program within one year from the effective date of withdrawal.

### **Required Submissions**

The institution is directed to submit the following:

#### **1. Teach-Out Plan or Teach-Out Agreement**

- A. If the institution intends to appeal, it must submit by **August 22, 2022**, online via [DropBox Forms/Applications](#), a Teach-Out Plan and the corresponding *Teach-out Plan Form* (available for download from the ABHES website at <https://abhес.org/resources/#Forms>).
- B. If the institution elects not to appeal, it must submit by **August 22, 2022**, online via [DropBox Forms/Applications](#), an Teach-Out Agreement, using the corresponding *Teach-out Agreement Form* (available for download from the ABHES website at <https://abhес.org/resources/#Forms>). Upon receipt, the Commission will consider extending the effective date of its action to permit the program to accommodate current students in the program.

#### **2. Student disclosure**

By **August 22, 2022**, the institution must also include in its submission evidence it has published a new student disclosure notice **within seven business days of the date of this letter** informing enrolled and prospective program students of the Withdrawal of Program Approval as the reason the Teach-Out Plan or Agreement is being required.<sup>3</sup>

### **Disclosures**

The U.S. Department of Education, the appropriate State licensing or authorizing agency, the appropriate accrediting agency, and the public have been notified of this action to withdraw the institution's accreditation and that the action is subject to appeal in compliance with 34 Code of Federal Regulations § 602.26 *et seq* and Chapter III of the *Accreditation Manual*.

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<sup>3</sup> This disclosure is also required under 34 Code of Federal Regulations § 668.43(a) (19) which states: "If the institution is required to maintain a teach-out plan by its accrediting agency, notice that the institution is required to maintain such teach-out plan and the reason that the accrediting agency required such plan under § 602.24(c)(1). . ."

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If you have any questions concerning this correspondence, please feel free to contact me directly.

Sincerely,

A handwritten signature in cursive script that reads "India Y. Tips". The signature is written in black ink and is positioned above the typed name and title.

India Y. Tips  
Executive Director

c: Herman Bounds, U.S. Department of Education  
Laura Vedenhaupt, Missouri Department of Higher Education