



Transmitted by electronic mail only: [REDACTED]

February 16, 2023

ID#: I-407

[REDACTED]
Operations Supervisor and Compliance Officer
Felbry College School of Nursing
6055 Cleveland Avenue
Columbus, OH 43231

Dear [REDACTED]

The Commission, at its January 2023 meeting, reviewed the record¹ of your institution's outcomes reporting. Based on review and discussion, the Commission acted to **withdraw** the Nursing (1224.5 Clock Hours, 64.5 Semester Credit Hours) – Associate of Applied Science program approval from the institution's grant of accreditation, subject to appeal in accordance with III.C.7. of the *Accreditation Manual*.

The Commission further noted that of the five total programs currently offered, the Practical Nursing – Diploma program and a second Nursing (1687 Clock Hours, 89 Semester Credit Hours) – Associate of Applied Science program also have outcome rates below 70%. Therefore, the Commission directs the institution to **show cause why its current grant of accreditation should not be withdrawn**.

Reason for the Withdrawal of Program Approval and Appeal Procedures

- The **Nursing (1224.5 Clock Hours, 64.5 Semester Credit Hours) – Associate of Applied Science** placement rates are below the 70% threshold required under III.A.10.d. of the *Accreditation Manual*.

III.C.1.a. of the *Accreditation Manual* states that 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%. 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, as outlined in III.C.1.b. of the *Accreditation Manual*.

¹ The record includes the 2019-2020, 2020-2021, and 2021-2022 Annual Reports, outcome reporting letters dated February 2021, August 2021, and February 2022, and the institution's response to such letters, the response to the Commission's program specific warning letter dated August 2022, the institution's response to the letter, and other relevant correspondence and documentation.

In this instance, the program was initially placed on Program Specific Warning on August 11, 2022, and has continued in that status. In the August 11, 2022 letter, the program was directed to demonstrate compliance with a final response due on November 1, 2022, for review at the Commission's January 2023 meeting. As the reports below indicate, the institution did not demonstrate a 70% placement rate within the maximum timeframe. Therefore, the approval of the program has been withdrawn subject to appeal.

Placement rates for the Nursing (1224.5 Clock Hours, 64.5 Semester Credit Hours) – Associate of Applied Science program reported to ABHES:

- December 2020 – The institution reported a placement rate of 67% on its 2019-2020 Annual Report.
- May 2021 – The institution submitted an updated placement rate of 67% for the 2019-2020 reporting year.
- October 2021 – The institution submitted an updated placement rate of 67% for the 2019-2020 reporting year.
- November 2021 – The institution reported a placement rate of 22% on its 2020-2021 Annual Report.
- May 2022 – The institution submitted an updated placement rate of 43% for the 2020-2021 reporting year.
- October 2022 – The institution reported an updated placement rate of 53% for the 2020-2021 reporting period, which was unverifiable because students [REDACTED], all show as placed as an RN but do not reflect as having passed the licensure exam.
- November 2022 – The institution reported a placement rate of 13% on its 2021-2022 Annual Report.

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

Nursing (1224.5 Clock Hours, 64.5 Semester Credit Hours) – Associate of Applied Science

If the institution wishes to appeal the action of the Commission to withdraw the program approval of the Nursing (1224.5 Clock Hours, 64.5 Semester Credit Hours) – Associate of Applied Science program, 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 February 27, 2023. Upon receipt of the institution's intent to appeal, the institution will be assessed a non-refundable \$5,000 appeal fee plus an Appeal Hearing expense deposit of \$10,000, which must be remitted electronically within five business days. The Commission may dismiss the appeal in the event the appeal fee(s) are not timely remitted.

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, April 3, 2023, in accordance with the instructions in Preparing Your Response. It is

imperative that the file name include ABHES ID#, RSP to Feb 2023 Withdrawal APPEAL Letter, and date of submission (ex: I-100_RSP to Feb 2023 Withdrawal APPEAL Letter_42023). The institution should review carefully all procedures governing its appeal, as detailed in III.E.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 III.E.3.g., the Appeals Panel has no authority to consider evidence outside of the record reviewed by the Commission at its January 2023 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 III.E.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 **February 27, 2023**, unless the institution submits a Teach-Out Agreement in accordance with item 1 B under Submission Procedures and Requirements for Withdrawal of Program Approval 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 of accreditation.

Submission Procedures and Requirements – Withdrawal of Program Approval

Nursing (1224.5 Clock Hours, 64.5 Semester Credit Hours) – Associate of Applied Science

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 **February 27, 2023**, online via [DropBox Forms/Applications](#), its updated Teach-Out Plan and the corresponding *Teach-out Plan Form* (available for download from the ABHES website at <https://abhес.org/resources/#Forms>) for the Nursing (1224.5 Clock Hours, 64.5 Semester Credit Hours) – Associate of Applied Science program.
- B. If the institution elects not to appeal, it must submit by **February 27, 2023**, online via [DropBox Forms/Applications](#), a Teach-Out Agreement, using the corresponding *Teach-out Agreement Form* (available for download from the ABHES website at <https://abhес.org/resources/#Forms>) for the Nursing (1224.5 Clock Hours, 64.5 Semester Credit Hours) – Associate of Applied Science program. 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 **February 27, 2023**, 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 *Nursing – (1224.5 Clock Hours, 64.5 Semester Credit Hours) Associate of Applied Science* program students of the Withdrawal of Program Approval as the reason the updated Teach-Out Plan or Agreement is being required.²

² 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). . .”

Reasons for the Show Cause Directive

Practical Nursing – Diploma and Nursing (1687 Clock Hours, 89 Semester Credits) – Associate of Applied Science

The Commission issues this show cause directive to the institution because it has determined that the institution does not demonstrate compliance with the procedural requirements outlined below relative to placement and credentialing outcome rates for its Practical Nursing – Diploma and second Nursing (1687 Clock Hours, 89 Semester Credit Hours) – Associate of Applied Science programs.

This constitutes notice to the institution that absent corrective action and information by and from the institution that demonstrates compliance with III.A.10.d. of the *Accreditation Manual*, its institutional accreditation may be withdrawn. The institution is being provided an opportunity to respond to the following findings of non-compliance set forth in the *Accreditation Manual*.

1. Failure to demonstrate at least a 70% placement rate. (III.A.10.d.). (Nursing (1687 Clock Hours, 89 Semester Credits) – Associate of Applied Science and Practical Nursing – Diploma programs)

The Commission found that the institution has not demonstrated compliance because the placement rates for the Nursing (1687 Clock Hours, 89 Semester Credits) – Associate of Applied Science and Practical Nursing – Diploma programs are below the 70% threshold.

According to our records, the following placement rates have been reported to date:

| Program Name | Credential Awarded | Rate Reported on the 2020-2021 Annual Report | Updated Rate Reported in May 2022 | Updated Rate Reported in October 2022 | Rate Reported on the 2021-2022 Annual Report |
|-------------------|------------------------------|--|-----------------------------------|---------------------------------------|--|
| Nursing* | Associate of Applied Science | 0 | 0 | 50 | 41 |
| Practical Nursing | Diploma | 20 | 23 | 41 | 15 |

**1687 Clock Hours, 89 Semester Credit Hours*

The institution, therefore, is directed to submit sufficient information and documentation to demonstrate these programs have achieved a placement rate of 70%, including, but not limited to, the following:

- A complete ABHES Backup Documentation Form to support an updated placement rate for each program for the time period of **July 1, 2021, through June 30, 2022**. The required form can be found on the ABHES website at <https://abhes.org/resources/#Reporting>.
- A table identifying any graduates whose placement categorization (placed, unavailable, or placed out of field/not placed) has changed since the institution's last submission. The table must include a) graduate name; b) program; c) previous category; and d) current category.
- Rationale and additional documentation to justify graduates currently categorized as:
 - i. Placed with a job title that does not match the title of the approved program.
 - ii. Unavailable for placement due to health-related issues, military obligations, incarceration, continuing education status, or death. Examples of documentation may include but are not

limited to a doctor's note, military orders, arrest documentation, enrollment agreement, acceptance letter, or death certificate.

If the institution utilizes a graduate attestation, it must provide a copy of its campus-level policy to validate the attestation in place. As a reminder, all graduate attestations must be signed and dated by the graduate.

Do not submit additional documentation for any graduate whose current category is placed, and their job title matches the title of the approved program.

An updated action plan for each program if the updated rate is below 70%. The action plan must include (1) a description of the effectiveness of the institution's action plan submitted in its last response including an analysis of its successes and failures, (2) what new activities or initiatives the institution is taking to improve the rate based on its assessment, and (3) a timeline for when the institution will achieve compliance.

2. Failure to demonstrate at least a 70% credentialing rate. (III.A.10.d.). (Nursing (1687 Clock Hours, 89 Semester Credits) – Associate of Applied Science and Practical Nursing – Diploma programs)

The Commission found that the institution has not demonstrated compliance because the credentialing rates for the Nursing – Associate of Applied Science and Practical Nursing – Diploma programs are below the 70% threshold.

According to our records, the following credentialing rates have been reported to date:

| Program Name | Credential Awarded | Rate Reported on the 2020-2021 Annual Report | Updated Rate Reported in May 2022 | Updated Rate Reported in October 2022 | Rate Reported on the 2021-2022 Annual Report |
|-------------------|------------------------------|--|-----------------------------------|---------------------------------------|--|
| Nursing* | Associate of Applied Science | 50 | 46 | 49 | 67 |
| Practical Nursing | Diploma | 29 | 31 | 37 | 52 |

**1687 Clock Hours, 89 Semester Credit Hours*

The institution, therefore, is directed to submit sufficient information and documentation to demonstrate these programs have achieved a placement rate of 70%, including, but not limited to, the following:

- A complete ABHES Backup Documentation Form to support an updated credentialing rate for each program for the time period of **July 1, 2021, through June 30, 2022**. The required form can be found on the ABHES website at <https://abhес.org/resources/#Reporting>.
- A table of graduates whose credentialing status has changed since your last submission. The table must include a) graduate name; b) program; c) previous category; and d) current category.

For graduates identified above whose credentialing status has changed, the institution must also provide supporting documentation from the credentialing/licensure body. Examples of this documentation might include state licensure information and a credentialing examination pass-fail roster.

- An updated action plan for each program if the updated rate is below 70%. The action plan must include (1) a description of the effectiveness of the institution's action plan submitted in its last response including an analysis of its successes and failures, (2) what new activities or initiatives the institution is taking to improve the rate based on its assessment, and (3) a timeline for when the institution will achieve compliance.

Maximum Timeframe for Compliance

*Nursing (1687 Clock Hours, 89 Semester Credit Hours) – Associate of Applied Science
Practical Nursing – Diploma*

Should the **May 1, 2023**, response fail to demonstrate compliance, the maximum period of time the Commission may allow for an institution to be brought into compliance with ABHES requirements is stated in III.C.1.b. of the *Accreditation Manual*. The findings of non-compliance set forth above were first identified by the Commission in its letter dated August 11, 2022. The institution must demonstrate compliance within the maximum timeframe with a final response due November 1, 2023, for review at the Commission's January 2024 meeting. However, the Commission has discretion to take a negative or adverse action at any time when warranted.

Submission Procedures and Requirements - Show Cause

*Nursing (1687 Clock Hours, 89 Semester Credit Hours) – Associate of Applied Science
Practical Nursing – Diploma*

The institution is directed to submit the following:

1. Teach-Out Plan and student disclosure

By **February 27, 2023**, the institution must submit, online via [DropBox Forms/Applications](#) its Teach-Out Plan and the corresponding *Teach-out Plan Form* (available for download from the ABHES website at <https://abhес.org/resources/#Forms>) for all active programs.

The institution must include in its submission evidence it has published a student disclosure notice **within seven business days of the date of this letter** informing enrolled and prospective students across all programs of the Show Cause action as the reason the Teach-Out Plan is being required.²

2. Additional information regarding the standard-related directives

By **May 1, 2023**, the institution must submit, online via [DropBox Commission Responses](#), its response to the standard-related directives identified within this letter. The file name must include the ABHES ID#, RSP to Feb 2023 Show Cause Letter, and date of submission (ex: I-100_RSP to Feb 2023 SC Letter_52023).

Your submission must include a cover letter, narrative, exhibits and the completed "Notice for Commissioner Recusal" form (enclosed). Please refer to the ABHES [Preparing Your Response](#) Guide for instructions on organizing and finalizing your response.

The institution is advised that failure to respond per the requirements outlined within this letter by the due dates will result in a late-fee assessment in accordance with Appendix G of the *Accreditation Manual*.

February 16, 2023

Show Cause Appearance

*Nursing (1687 Clock Hours, 89 Semester Credit Hours) – Associate of Applied Science
Practical Nursing – Diploma*

If, as part of its response to this directive, the institution wishes to appear before a panel of the Commission via teleconference, its request to appear must be submitted to ABHES online via [DropBox Commission Responses](#) by **February 27, 2023**, with file name "ABHES ID#_Request to Appear." A teleconference appearance fee of \$2,000 will be assessed in accordance with Appendix G, Fees, of the *Accreditation Manual*. **Upon receipt of the institution's request to appear by the due date, the institution will be assessed the required fee, which must be remitted electronically within five business days.** Failure to remit timely payment of the appearance fee may hinder or delay scheduling of the appearance.

Audited Financial Statement Reporting Reminder

The institution is reminded of its obligation under III.A.10.b. of the *Accreditation Manual* to submit audited financial statements to the Commission **within six months after the completion of its fiscal year end**. The audited financial statements must be emailed to financial@abhес.org. In addition, institutions that participate in a Federal Student Aid Program are required to comply with the reporting requirements under IV.D.2. of the *Accreditation Manual*.

Disclosures

ABHES will not review, consider, or process substantive changes (as defined in III.B.2. of the *Accreditation Manual*) while the institution is under a show cause directive, unless the institution demonstrates that the substantive change is likely to resolve the show cause directive. An institution's request for acceptance of the application must include justification for the change and its effect on the institution's operation.

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 as required under 34 Code of Federal Regulations § 602.26 *et seq* and set forth in Chapter III of the *Accreditation Manual*.

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

Sincerely,



India Y. Tips
Executive Director

- c: DAPIP, U.S. Department of Education
 Matt Exline, Ohio Department of Higher Education
 John Ware, Ohio State Board of Career Colleges and Schools
 Betsy J. Houchen, Ohio Board of Nursing