

NACCAS Rules of Practice & Procedure
January 2014

Part 7 – Show Cause Proceedings

Section 7.0 Purpose of Show Cause Proceedings

The Commission reserves the right to monitor applicants, schools in candidate status and the institutions it accredits. This monitoring may be merged with any other process the school has pending before the Commission. Monitoring will be conducted through analysis of the annual report, complaints, government information and information from third parties, special and investigative visits, and by other means.

In cases where an applicant, candidate, or accredited institution is not in another process with the Commission, and the Commission has reason(s) to believe that the institution is no longer in compliance with NACCAS *Standards and Criteria, Rules of Practice and Procedure* or that the school has failed to comply with any other order or requirement of the Commission, it shall order the school to show cause why its accreditation status should not be changed.

Section 7.1 Initiation of Show Cause Proceeding

- (a) Show cause proceedings may be initiated by the Commission or a committee constituted in accordance with the requirements for committees set out in [Section 8.16](#) (see page 114) of these *Rules*.

- (b) Administrative show cause procedures shall be initiated by the Executive Director of NACCAS if an institution no longer meets basic eligibility requirements set out in [Part 1](#) (see page 55) of these *Rules*, or fails to comply with, submit, or respond, by the due date, to a Commission requirement, directive, or action such as but not limited to:
 - (1) NACCAS workshop policy;
 - (2) Application for renewal of accreditation;
 - (3) Institutional self-study;
 - (4) Annual report;
 - (5) Annual report verification study;
 - (6) Stipulation or report;
 - (7) Special report;
 - (8) Plan for improvement;
 - (9) An assessed fee; or
 - (10) Has an official default rate in excess of the threshold established by the U.S. Department of Education.

NACCAS Rules of Practice & Procedure
January 2014

Section 7.2 **Response to Show Cause Order – 15 Days or 45 Days**

- (a) 15 Days to Respond to an Administrative Show Cause Order: Within fifteen (15) days of receipt of an administrative show cause order, the school shall submit to the Executive Director of NACCAS the required fee, application, institutional self-study, annual report, workshop registration or other required document, or evidence of prior submission and compliance with the administrative requirement cited in the administrative show cause order.

- (b) 45 Days to Respond to Other Show Cause Orders: Within forty-five (45) days of receipt of a show cause order issued by the Commission or an authorized committee, the school shall submit to the Executive Director of NACCAS a Response to Show Cause Order. The Response shall contain or be accompanied by any evidence that demonstrates that the school is in compliance with the NACCAS *Standards and Criteria*, the *Rules of Practice and Procedure* and other Commission orders or requirements cited in the show cause order.

Section 7.3 **Decision on Show Cause Order**

Upon expiration of the time limits for submission of the Response to the Show Cause Order or any progress report or additional requirements placed on a school in relation to the Show Cause Order, a decision will be made on the institution's compliance with the accreditation standard, procedure or other requirement cited in the order.

- (a) Decision on administrative show cause orders: The Executive Director of NACCAS has the authority to:
 - (1) Rescind the “show cause” order if the institution’s response gives evidence that it was unwarranted;
 - (2) Remove the institution from “show cause” if the response shows the institution now complies with the accreditation standard, procedure or other requirement cited in the order; or
 - (3) Refer the institution’s record to the full Commission to take action.

- (b) A committee may recommend any of the actions listed in [Part 8](#) (see page 105) of these *Rules* that is applicable, and/or;
 - (1) Rescind the show cause order and order no change in the school’s accreditation status, where the record shows the order was unwarranted;
 - (2) Remove the show cause order if the record shows the school is now in compliance; or
 - (3) Recommend any of the actions listed in [Part 8](#) (see page 105) of these *Rules* that is applicable.

- (c) Where an administrative show cause order is issued based on an official cohort default rate in excess of the threshold established by the U.S. Department of Education, the

NACCAS Rules of Practice & Procedure January 2014

Commission or a committee shall remove the order with a reporting requirement if the institution's response shows that any one of the following was present during the 24 months preceding issuance of the show cause order:

- (1) Fifteen percent or fewer of the institution's students who are enrolled on at least a half-time basis have received any federal student loan; or
- (2) Two-thirds or more of the institution's students are individuals from disadvantaged economic backgrounds (based on the Pell grant index for zero family contribution) and the institution has complied with NACCAS' outcomes standards for the two most recent years for which annual reports were required to be submitted to NACCAS; or
- (3) One or more of the bases for waiving monitoring under the Default Management Consultation Policy is met.

Related Documents

The following documents may be helpful to you in understanding the requirements of this part of the NACCAS *Rules*. They are available on the NACCAS website at www.naccas.org, in the *NACCAS Handbook*.

[Policy #III.01](#) (see page 21)

Administrative Services: Default Management Consultation Policy