

AMENDMENT TO RULES SECTION 1.2

Section 1.2 Institutional General Eligibility Requirements

- (a) **Except as provided in Section 4.9(f) and 4.9(h) below, an** institution may not be granted accredited status **as a Main Campus** before it has been in operation **as an independent institution (i.e., not as an additional location of another institution)** for two years.

AMENDMENT TO RULES SECTION 1.2 AND GLOSSARY

Section 1.2 Institutional General Eligibility Requirements

- (a) **Disqualified Owner. An institution shall not be granted accredited status if a Controlling Voting Interest in the institution is owned or controlled, directly or indirectly, by Disqualified Owners.**

GLOSSARY

Disqualifying Events – (1) Final withdrawal of accreditation (all appeal rights exhausted) and (2) voluntary relinquishment while in withdrawal.

Disqualified Institution – An institution that has undergone two (2) Disqualifying Events in any five (5) year period.

Disqualified Owner – If an institution becomes a Disqualified Institution, then each of the following persons or entities shall be a Disqualified Owner if that person or entity met the applicable description below at the time of both of the Disqualifying Events that caused the institution to become a Disqualified Institution:

1. **If the Disqualified Institution has no Controlling Owner, then each person who owns or Controls at least 25% of the Voting Interests of the Disqualified Institution.**
2. **If the Disqualified Institution has a Controlling Owner, then**
 - a. **the Controlling Owner; and**
 - b. **if the Controlling Owner of the Disqualified Institution is a Business Entity, then each person who owns or Controls at least 25% of the Voting Interests of the Disqualified Institution’s Controlling Owner.**

AMENDMENT TO RULES SECTION 2.8

Section 2.8 Processes That Include a Self-Study Requirement

- (a) Schools in the following application processes must submit an institutional self-study to NACCAS:

(1) Candidate for accreditation;

~~(2)~~ Applicant for initial accreditation;

~~(23)~~ Applicant for renewal of accreditation;

~~(34)~~ Applicant for Additional Location accreditation;

~~(45)~~ Institution ~~that is~~ called up for early renewal of accreditation;

~~(56)~~ Category 2 Change of Location; **and**

(7) Category 3 Change of Control.

- (b) Other processes require a variation on the ~~ISS~~ **institutional self-study**:

~~(1) Candidate for accreditation: preliminary institutional self study, and~~

~~(21)~~ Applicant for addition or change of program: program self-study.

~~(3) Category 3 Change of Control.~~

AMENDMENT TO RULES SECTION 3.3

Section 3.3 On-Site Evaluators

- (a) Evaluator in the Academic Field: In order to qualify as an evaluator in the Academic Field, a candidate must ~~have~~:
- (1) Have ~~expertise and teaching experience in post-secondary education, and~~ **a bachelors (or higher level) degree in education with training and background in educational concepts; or**
 - (2) Have:
 - (i) **a minimum of four years of experience in teaching in secondary and/or in post-secondary education in an accredited institution; and**
 - (ii) Have knowledge **and experience** in pedagogy ~~and in the development of curriculum.~~
- (b) Evaluator in the Field of Administration: In order to qualify as an evaluator in the Field of Administration, a candidate must:
- (1) Have a minimum of two years of experience in an administrative position in a NACCAS-accredited school and be **currently** active in **the day-to-day** school operations **of a NACCAS accredited school**; or
 - (2) Have five years' experience in **the day-to-day school operations** in an administrative position in a NACCAS accredited school and demonstrate relevant industry involvement by:
 - (i) Active membership in professional organization(s) in the field, or
 - (ii) Recent authorship of professional publications, or
 - (iii) Evidence of continuing education in the field.

* * * * *

(d) The requirements under Section 3.3(a)-(c) above may be waived by the NACCAS Executive Director (subject to final approval by the Executive Committee) upon review of the applicant's resume.

AMENDMENT TO RULES SECTIONS 4.5-4.7

Section 4.5 Requirements Specific to Category 1 Relocation

- (a) 30 Days: An application for Change of Location (Application #11, found on the NACCAS website under “Applications and Forms”) must be completed and returned to the Executive Director of NACCAS thirty (30) days prior to the date the school plans on relocating.
- (b) Visit within ~~Six Months 90 days~~ **six (6) months** 90 days: Within **six (6) months** 90 days of the category 1 relocation, the institution shall undergo an on-site evaluation, in accordance with Part 3 of these *Rules*, to review the institution’s compliance with all NACCAS standards, in accordance with the Category 1 Relocation Visit Check List. The visit shall be conducted by a NACCAS staff person and a Practitioner Evaluator. The institution must have available to the evaluation team all of the documents and information listed in Appendix #14A. The visit shall be conducted at the school’s expense.

Section 4.6 Requirements Specific to a Category 2 Relocation – Phase 1

- ~~(a) 60 Days: A school must notify the Commission of an anticipated category 2 relocation at least 60 days prior to the relocation. Such notification shall be in writing and be sent to the Executive Director of NACCAS.~~
- (a b)** 45 Days: At least forty-five (45) days before the date the school plans to relocate, the school must submit an application for a category 2 relocation with a business plan prepared according to the “Requirements for Development of a Business Plan for an Institution Undergoing a Category 2 Relocation” (see page 195) to the Executive Director of NACCAS. The Executive Director of NACCAS shall require the school to submit any additional information needed to complete the record and provide the Commission with the information it needs to make a decision on the application.

Section 4.7 Requirements Specific to a Category 2 Relocation – Phase 2

- (a) Visit Within ~~6 Months 90 days~~ **six (6) months** 90 days: Within **six (6) months** 90 days of the category 2 relocation, the institution shall undergo an on-site evaluation, in accordance with Part 3 (see page 68) of these *Rules*, to review the institution’s compliance with all NACCAS standards, with special attention to quality education and administrative capability, in accordance with the category 2 Relocation Visit Check List. The institution must have available to the evaluation team all of the documents and information listed in Appendix #14A (see page 199). The visit shall be conducted at the school’s expense.
- (b) Renewal Within 24 months: Within 24 months of the category 2 relocation or prior to the institution’s anniversary date, whichever comes first, the institution shall submit an Institutional Self-Study and undergo a full-team on-site evaluation. The visit shall be conducted at the school’s expense.
- (c) Commission Action: While the Commission processes a change of location application, the institution’s current grant of accreditation continues at the new location only. Upon denial of an application for change of location becoming final, neither the old nor the new location has accredited status. The institution may submit an application for initial accreditation in accordance with Section 2.5 (see page 64) of these *Rules*.

AMENDMENT TO RULES SECTIONS 1.0 AND 4.9

Section 1.0 Definitions

- (g) The term “in operation” means being continuously licensed by the state and training students, as a cosmetology school, a massage school, (or department or program of study of cosmetology or massage) or as a school in a related discipline, ~~and such~~ **Such** operation must be **as a freestanding institution (i.e., not as an additional location of another institution), and must be** immediately preceding and contiguous to the submission of the application for accreditation.

Section 4.9 Additional Location

- (c) Visits to Additional Locations and Institutional Self-Study: **Except as provided in Section 4.9(k):**
- (1) Visit within 6 months: Within six months of the Additional Location receiving provisional Additional Location accreditation, the institution shall undergo an on-site evaluation .
 - (2) Institutional Self-Study within 6 months: Within six months after the Additional Location receives provisional initial accreditation, it must submit to the Commission an institutional self-study.
 - (3) Between 12 and 18 months: Between 12 and 18 months after provisional Additional Location accreditation status is granted the institution shall undergo a regular on-site evaluation.

* * * * *

(k) Accreditation of Main Campus and Additional Locations Currently Accredited by Another Accrediting Agency.

- (1) If an institution in good standing with another accrediting agency is granted initial accreditation by NACCAS, the institution may immediately seek provisional accreditation as an additional location for any of its then-existing additional locations that are also in good standing with the other accrediting agency.**
- (2) The existing additional locations shall (i) submit an institutional self-study at the same time as the main campus submits its Application for Initial Additional Location, (ii) undergo an on-site evaluation at the same time as the initial accreditation visit for the main campus (i.e., prior to the grant of provisional Additional Location accreditation) and (3) undergo a regular on-site evaluation within 6 months of receiving Additional Location accreditation.**

AMENDMENT TO RULES SECTION 4.10

Section 4.10 Definitions

- (a) The following additions or changes to program offerings are substantive:
 - (6) A change in the way a program is delivered. (Examples: School-based program converts to online modality; **approved program is offered in a new language**);

AMENDMENT TO RULES SECTION 4.14(h) AND GLOSSARY

Section 4.14 Teach-Out and Teach-Out Agreements

- (h) For purposes of these Rules, the term “Teach-Out Event” shall mean the occurrence of any one or more of the following events involving a NACCAS-accredited institution:
1. The U.S. Department of Education notifies the Commission that the Secretary of Education has initiated an emergency action against the institution, in accordance with section 487(c)(1)(G) of the Higher Education Act (or a successor statute)(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 (or a successor Statute), and that a Teach-Out Plan is required.
 2. The Commission acts to withdraw the accreditation of the institution.
 3. The Commission acts to place the institution’s accreditation on Probation.
 4. The institution notifies the Commission that it intends to ~~(a) cease operations entirely or~~ ~~(b) cancel a program after students are enrolled.~~
 5. A State licensing or authorizing agency notifies the Commission that an institution's license or legal authorization to provide an educational program has been or will be revoked.

GLOSSARY

Teach-Out Event – The occurrence of any one or more of the following events involving a NACCAS-accredited institution:

1. The U.S. Department of Education notifies the Commission that the Secretary of Education has initiated an emergency action against the institution, in accordance with section 487(c)(1)(G) of the Higher Education Act (or a successor statute)(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 (or a successor Statute), and that a Teach-Out Plan is required.
2. The Commission acts to withdraw the accreditation of the institution.
3. The Commission acts to place the institution’s accreditation on Probation.
4. The institution notifies the Commission that it intends to ~~(a) cease operations entirely or~~ ~~(b) cancel a program after students are enrolled.~~
5. A State licensing or authorizing agency notifies the Commission that an institution's license or legal authorization to provide an educational program has been or will be revoked.

AMENDMENT TO RULES SECTION 4.16(b)

Section 4.16 Definitions of Non-Substantive Changes

- (b) Expansion of Campus Facilities: Expansion to facilities within a two (2) mile radius of the facility (facilities) evaluated by NACCAS during the most recent initial or re-accreditation process, **including additions of space contiguous to the existing approved facilities, if such additions constitute more than a 25% addition to the existing approved space.**

AMENDMENT TO RULES SECTION 4.17

Section 4.17 ~~Abbreviated Procedure to Notify~~ Notification to NACCAS of Non-Substantive Changes

- (a) Except as set forth in Sections 4.17(b) & (c) below, At least 30 days before the change, the institution must submit the appropriate Notification Form and fee to the Executive Director of NACCAS **at least 30 days before the change and NACCAS shall acknowledge the change.** The fee shall be waived where a program change is mandated by the state in which the school is located.

- (b) ~~NACCAS shall acknowledge the change.~~ **If the institution fails to notify NACCAS of a change described in Section 4.16 within ninety (90) days after the deadline for notification set forth in these Rules, the change shall no longer be considered a non-substantive change under these Rules. The Commission shall consider any such change to be a substantive change, and the institution must apply for approval of such change by the Commission in accordance with the applicable provisions of Part 4 of these Rules.**

- (c) **Notwithstanding Sections 4.17(a)&(b) above, the Executive Director shall have the authority to waive any prior notice requirement for a non-substantive change where prior notice of the change was not possible (e.g., death of a school contact person) and the institution notified NACCAS within ninety (90) days after the occurrence of the change.**

AMENDMENT TO RULES SECTION 5.0(f)

Section 5.0(f). Each accredited school **institution** shall provide the Commission with **aggregate** enrollment data, ~~by program and in the aggregate,~~ on an annual basis. ~~In the event that any school reports enrollment growth in excess of 50% for any one year period, the~~ **The** Commission shall require the school to submit **submission of** such additional reports or data as it may determine is required to effectively monitor ~~growth at such school~~ **any institution experiencing significant enrollment growth, as defined and published by the Commission.**

AMENDMENT TO RULES SECTION 8.1(b)

Section 8.1 Effective Date of Commission Decisions

The general rule is that the effective date of a Commission decision is the date on the letter notifying the institution of that decision. The effective date will be some other date for the following decisions:

- (b) Commission decisions ~~denying or withdrawing accreditation~~ that are appealable but are not appealed; shall become effective 20 days after the institution receives notification of the **decision** ~~denial or withdrawal~~, in accordance with Section 8.17 of these *Rules*.

AMENDMENT TO RULES SECTION 8.10(a)

Section 8.10 Status: Accreditation on Probation

- (a) The Commission shall assign to an institution the accreditation status of “Accreditation on Probation” whenever any one or more of the following events occurs:
- (1) The institution’s accreditation is withdrawn, with the right to appeal;
 - (2) The institution is within six (6) months of the deadline for showing compliance with NACCAS’ *Standards and Criteria, Rules* and/or other accreditation requirements (collectively, “NACCAS’ Accreditation Requirements”) established by Section 8.18 (see page 112) of these *Rules*;
 - (3) The institution has failed to respond, or to respond adequately, to a Commission show cause order or directive;
 - (4) The Commission has determined that the institution has engaged in fraud;
 - (5) **If the institution is an additional location of another institution, the institution’s main campus has been assigned the accreditation status of “Accreditation on Probation”;** or
 - (6) The Commission has otherwise determined that the institution has failed to comply with one or more of NACCAS’ Accreditation Requirements, and that the noncompliance is sufficiently serious that withdrawal of accreditation is warranted if corrective action is not taken immediately.

AMENDMENT TO RULES SECTION 8.13

Section 8.13 Relinquishment of Accreditation

- (a) An accredited institution may at any time request voluntary relinquishment of NACCAS accreditation status by submitting a written request to the Executive Director of the Commission via certified mail. Such request shall specify the date upon which the school wishes the voluntary relinquishment to be effective, **which date may not be earlier than the date of the request or later than the institution's anniversary date (unless the institution's anniversary date has already passed). In addition, the institution's request must** ~~and~~ contain a statement to the effect that the school official requesting the voluntary relinquishment of accreditation has the authority to do so.

* * * * *

- (d) The effective date of the relinquishment **shall be the date of the Commission's notice of relinquishment to the school, unless the institution has voluntarily relinquished its accreditation and has requested a later effective date that complies with the requirements of Section 8.13(a)** ~~may never be later than the institution's anniversary date, the date of the institution's request to voluntarily relinquish accreditation, or the Commission's notice, whichever comes later.~~

AMENDMENT TO RULES SECTION 8.18(b) & (c)

Section 8.18 Time Lines to Remedy Non-Compliance

- (b) If the institution does not bring itself into compliance or cure the deficiency within the specified period, the Commission must take adverse action unless ~~there is good cause to extend the period for achieving compliance~~ **is extended in accordance with Section 8.18(c) below.**
- (c) ~~Good cause shall exist, for example, when, at its discretion, the Commission determines that, throughout the period allowed under Section 8.18(a) above, the institution has been making a good faith effort to remedy existing deficiencies and a reasonable expectation exists that such deficiencies will be remedied within the period of the extension if adverse action is postponed.~~
- (c) The Commission shall not grant an extension of the deadline established under Section 8.18(a) above unless all of the following conditions are met:**
- (1) The institution requests an extension in writing in accordance with Section 1.2 of these Rules. The request must be accompanied by appropriate documentation and other evidence establishing that the institution meets the requirements for an extension set out in this Section 8.18(c).**
 - (2) The institution is in compliance with all other NACCAS Standards, Rules and other accreditation requirements and is otherwise in good standing with NACCAS.**
 - (3) The Commission determines that, throughout the period allowed under Section 8.18(a) above, the institution has been making a good faith effort to remedy existing deficiencies and bring itself back into compliance, and has shown substantial progress toward achieving that goal. This determination shall be based on review of all applicable evidence of compliance, including such interim compliance reports as may have been ordered by the Commission.**
 - (4) The institution establishes to the reasonable satisfaction of the Commission that its failure to bring itself into compliance or cure the deficiency by the deadline established under Section 8.18(a) is directly and materially attributable to an event or circumstance that:**
 - (i) is (or was) beyond the control or material influence of the institution; and**
 - (ii) could not reasonably have been anticipated, avoided or prepared for by the institution.**
 - (5) The institution establishes to the reasonable satisfaction of the Commission that it has used its good faith best efforts to mitigate the effects and consequences of the event or circumstance described above, and to bring itself back into compliance by the deadline established under Section 8.18(a).**
 - (6) The Commission determines that there is a reasonable likelihood that the institution will be able to bring itself into compliance within the period of extension, if granted.**
- (d) The Commission may not grant an extension of more than six (6) months. Although the Commission may consider requests for additional, subsequent extensions, no**

such additional extension may be granted unless the conditions for extension described above continue to be met (including, without limitation, continued significant progress toward compliance during the extension period as evidenced by applicable interim compliance reports). Under no circumstances will the Commission grant extensions that (collectively) exceed one (1) year.

- (e) **The decision to grant or not grant an extension is discretionary. The Commission reserves the right to deny a request for an extension, even if the conditions for extension described above have been** met. The decision to deny an extension request is not subject to appeal.

AMENDMENT TO RULES SECTION 9.0(e)

Section 9.0 Coverage of Appeals

- (e) Receipt: The letter officially notifying an institution of the Commission's adverse **accreditation** ~~status~~ decision shall be mailed by a traceable means.
 - (2) If the first notice from the Commission is returned as undeliverable, the Commission shall attempt to contact the institution at its telephone, facsimile and/or email address of record to obtain an alternate address for delivery of the notice and, if successful, send a second notice to that alternate address. If the institution cannot be contacted by these means (or does not respond to the Commission's request for information within three business days), the Commission shall send a second notice to the institution's address of record ~~(,)~~by an alternate traceable means, **if available**).