

RECOMMENDATION VERSUS RECOMMENDATION

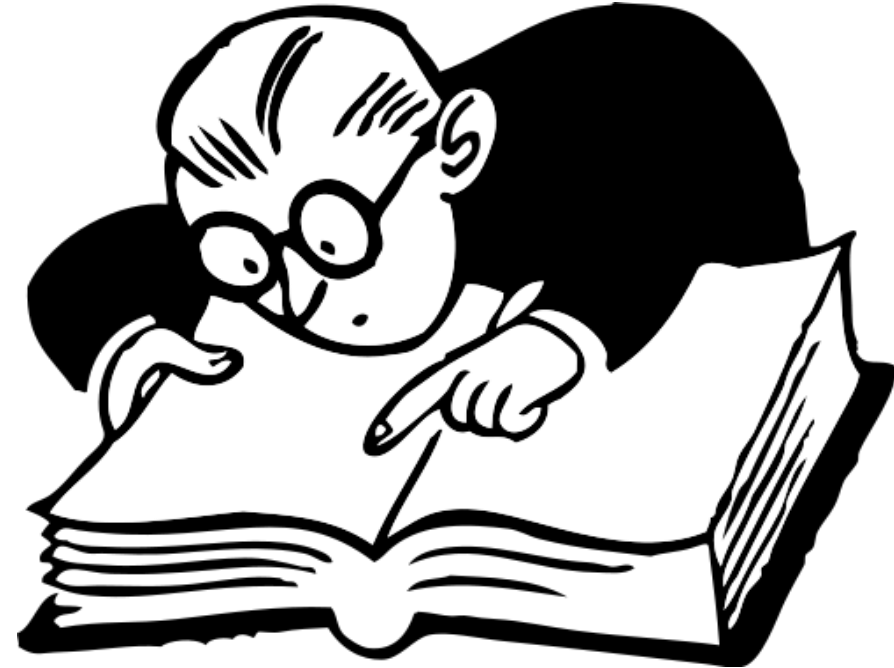
When to Apply the Two-Year Rule

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Dictionary Definition



recommendation
(,rɛk ə mən 'deɪ ʃən, -mən-)

noun. a suggestion or proposal as to the best course of action, especially one put forward by an authoritative body.

Conclusion of Accreditation Evaluation

Colleges may get:

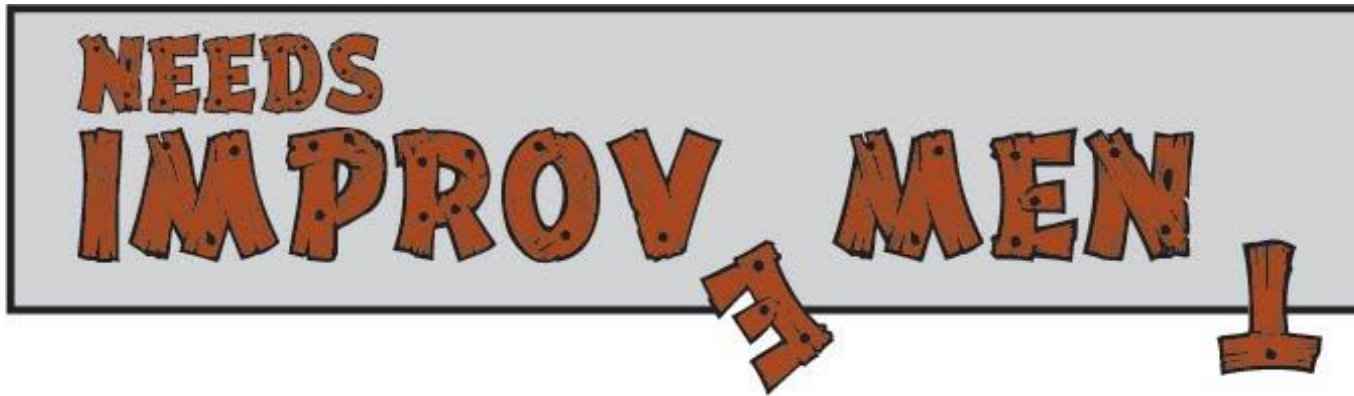


COMMENDATIONS

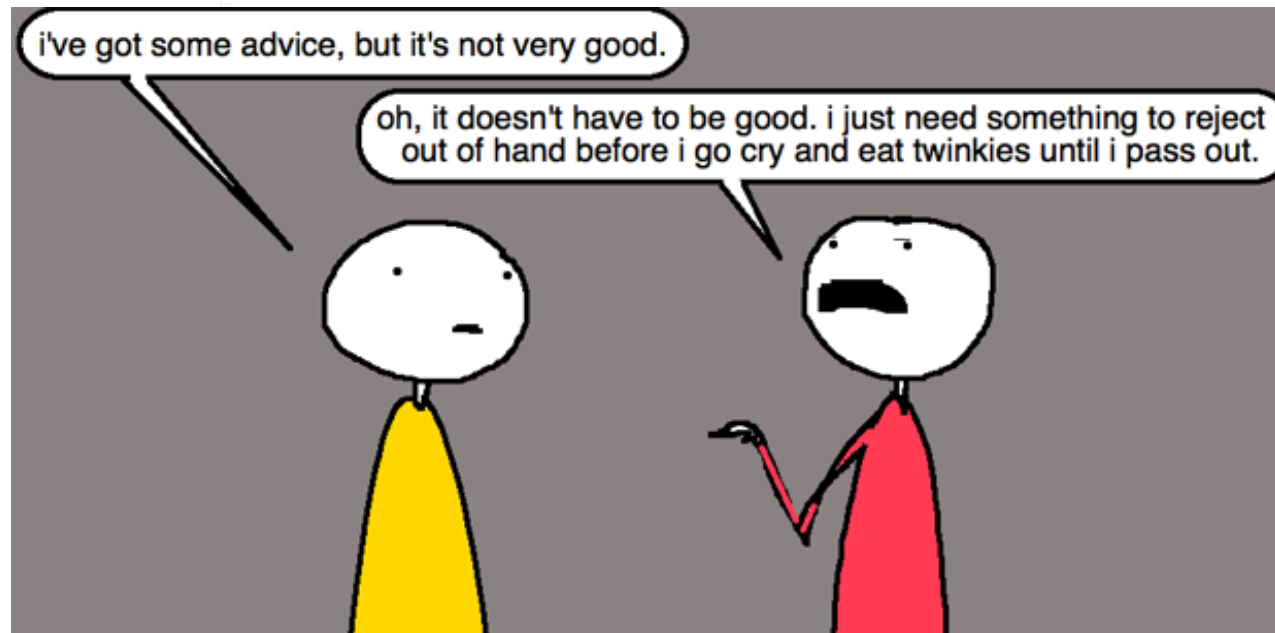


Conclusion of Accreditation Evaluation

And colleges may get:

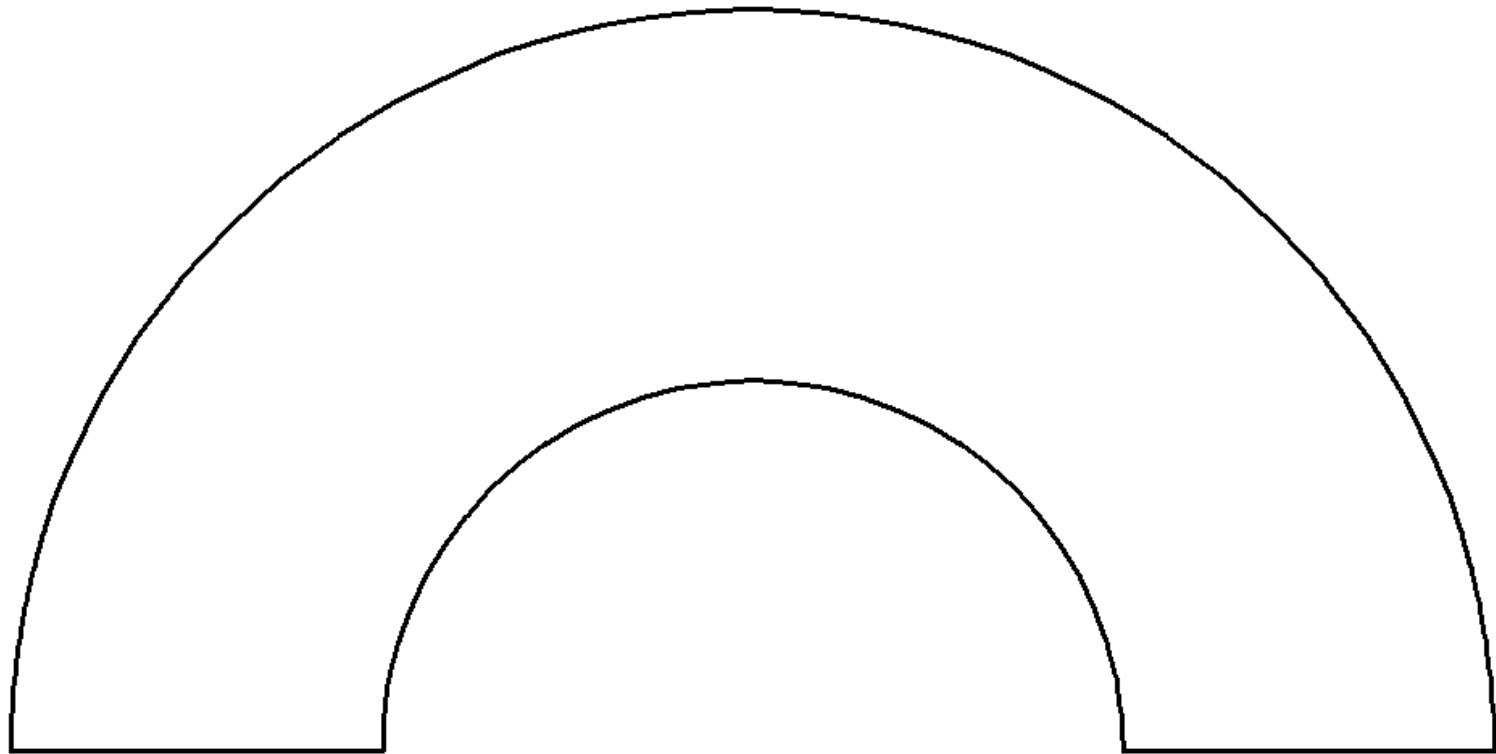


RECOMMENDATIONS



Recommendation: Continuum

MAY ←————→ MUST



SUGGESTIONS

REQUIREMENTS

Recommendation: May versus Must

It's within the purview of the Accreditation Commission to provide colleges with two types of recommendation:

- A suggestion from peers about a college's organization, policies, or procedures that the college **may** want to consider implementing.
- A requirement from the ACCJC that **must** be addressed in a timely manner at the risk of losing accreditation.

Two-Year Rule: Background

- In order to receive Federal financial aid, students must attend a college or university accredited by an agency **recognized** by the Federal Government.
- In order to be recognized, accrediting agencies must comply with the United States Department of Education Secretary's **Criteria for the Recognition of Accrediting Agencies (CFR)**.
- The CFR includes a criterion about what an accrediting agency **must do** when a member institution does not comply with the agency's Standards.



34 CFR § 602.20 (a.k.a. the Two-Year Rule)

602.20 Enforcement of standards.

- (a) If the agency's review of an institution or program under any standard indicates that the institution or program is not in compliance with that standard, the agency **must**
- (1) Immediately initiate adverse action against the institution or program; or



Wait, What's an **Adverse Action**?

“Adverse accrediting action” or **“adverse action”** is defined as:



“the denial, withdrawal, suspension, revocation, or termination of accreditation or preaccreditation, or any comparable accrediting action an agency may take against an institution or program.”

—34 CFR 602.3

34 CFR § 602.20 (a.k.a. the Two-Year Rule)

602.20 Enforcement of standards. (cont'd)

(2) Require the institution or program to take appropriate action to bring itself into compliance with the agency's standards within a time period that **must not exceed**—

- (i) Twelve months, if the program, or the longest program offered by the institution, is less than one year in length;
- (ii) Eighteen months, if the program, or the longest program offered by the institution, is at least one year, but less than two years, in length; or
- (iii) **Two years**, if the program, or the longest program offered by the institution, is at least two years in length.

34 CFR § 602.20 (a.k.a. the Two-Year Rule)

602.20 Enforcement of standards. (cont'd)

(b) If the institution or program does not bring itself into compliance within the specified period, the agency **must take immediate adverse action** unless the agency, for good cause, extends the period for achieving compliance.



ACCJC Recommendation Language

*As noted in ACCJC training materials, recommendations are written for **two basic purposes**:*

First, they are written when the evaluation and team discovers that the institution is deficient in meeting certain Eligibility Requirements (ERs) or Standards. The ERs/Standards that are not met are listed at the end of the recommendation as **deficiencies**.

An introductory phrase, such as “**In order to meet Standards, the team recommends....**,” will assist the college and the Commission in understanding that the Standards listed are not met.

In instances when the recommendation renews an issue raised in a previous team’s recommendations, the introductory phrase could begin, “**As was noted by the (year) evaluation team, in order to meet Standards, the team recommends**” The resulting recommendation, which should be written using the language of the Standard as much as possible, will assist the college in correcting the deficiency and meeting those ERs or Standards.

ACCJC Recommendation Language

*As noted in ACCJC training materials, recommendations are written for **two basic purposes**:*

Second, recommendations can be written when the team finds that the Standards are met and believes that modifications could be made to take the college beyond mere compliance.

An introductory phrase, such as “**In order to increase effectiveness (or excel), the team recommends ...**” will signal that this recommendation is intended to strengthen a condition that already meets the Standard.

ACCJC Principles Of Effective Recommendations

Following the principles of effective recommendations noted below will help the team to write recommendations that:

- specify that the **recommendations are intended to bring the institution into compliance** when it does not meet Eligibility Requirements (ERs) and Accreditation Standards (Standards) **or excel when it meets ERs and Standards;**
- **ensure that there is evidence that supports assertions that the institution meets or does not meet Standards.** This should be clearly stated in the Findings and Evidence section of the evaluation team reports; and
- **set clear and complete expectations** for college action.

ACCJC Principles Of Effective Recommendations

According to the ACCJC Team training materials (Fall 2013):

- Recommendations should make it clear whether they are designed to **bring the institution to a level that meets the Standard** or whether they are designed to **strengthen a condition that already meets the Standard**.
- Recommendations **should reference the Standards**.
- Recommendations **should flow logically and clearly from the findings and conclusions** sections of the team report, and Recommendations should be consistent with the findings and Evidence and Conclusions sections of the team report.
- Recommendations should **reference previous team recommendations if there is a continuing or recurring issue**.

Two-Year Rule: Advice

- Scrutinize all recommendations and determine which ones fall under the Two-Year Rule.
- Prioritize addressing the Two-Year Rule items first.
- To be on the safe side, address all recommendations, even if they appear to be suggestions.

The Term “Recommendation:” Concerns About ACCJC’s Dual Usage

Concerns have been raised about the ACCJC’s dual use of the term “**recommendation**” to mean both “**suggestion**” and “**requirement**,” most notably from the US Department of Education:

“Section 602.18(e) of the Secretary’s Criteria for Recognition requires that the agency provide the institution with a detailed written report that **clearly identifies any deficiencies** in the institution’s compliance with the agency’s standards. By using the term recommendation to mean both noncompliance with standards and areas for improvement, the agency **does not meet the regulatory requirement** to provide a detailed written report that clearly identifies any deficiencies in the institution’s compliance with the agency’s standards.”

Resolution About the Term Recommendation

2.04 Fall 2013

Employ “Resolve a Deficiency” Rather Than “Recommendation for Improvement” for Evaluation Findings That Must Be Addressed by the Two-Year Rule

Whereas, Section 602.20(a) of the Secretary’s Criteria for Recognition mandates that recognized accrediting agencies for institutions such as the California community colleges must either take immediate adverse action against the institution, or give the institution two years to bring itself into compliance (the so-called “Two-Year Rule”);

Whereas, The Accrediting Commission for Community and Junior Colleges (ACCJC) currently uses the term “recommendation” in two senses when communicating the Commission’s actions, namely, “to meet the standard” or “to improve institutional effectiveness,” and thus it is unclear which of the “recommendations” issued to member institutions by the ACCJC fall under the Two-Year Rule;

Resolution About the Term Recommendation

2.04 Fall 2013

**Employ “Resolve a Deficiency” Rather Than
“Recommendation for Improvement” for Evaluation
Findings That Must Be Addressed by the Two-Year Rule**

Whereas, ACCJC’s use of the term “recommendation” in two different ways concerned the Accreditation Group of the United States Department of Education enough for it to note in its memo to the ACCJC dated August 13, 2013 that “what is not clear is how the recommendations are differentiated between the two types and how an institution, an evaluation team, the Commission, or the public is to know the difference”;

Whereas, Given the high stakes involved with receiving one type of recommendation over the other, the California community colleges and their academic senates would benefit from clear distinctions between the types of findings issued them;

Resolution About the Term Recommendation

2.04 Fall 2013

Employ “Resolve a Deficiency” Rather Than “Recommendation for Improvement” for Evaluation Findings That Must Be Addressed by the Two-Year Rule

Resolved, That the Academic Senate for California Community Colleges formally request that the ACCJC adopt and employ “**requirement to resolve a deficiency**” for those ACCJC findings of non-compliance that must be addressed under the Two-Year Rule, and reserve “**recommendation for improvement**” exclusively for Commission suggestions that the institution may implement at its discretion to improve institutional effectiveness.

Resolution About the Term Recommendation

2.04.01 Fall 2013 Amend Resolution 2.04 F13

Employ “Action Required ~~Resolve a Deficiency~~” Rather Than “~~Recommendation for Improvement~~” for Evaluation Findings That Must Be Addressed by the Two-Year Rule

Resolved, That the Academic Senate for California Community Colleges formally request that the ACCJC adopt and employ two consistent terms: One, such as “action required ~~requirement to resolve a deficiency~~” for those ACCJC findings of non-compliance that must be addressed under the Two-Year Rule, and a second term reserve “~~recommendation for improvement~~” such as “recommendation,” used exclusively for Commission suggestions that the institution may implement at its discretion to improve institutional effectiveness.