TOPIC: DEGREE AUTHORIZATION ACT: AMERICAN PATHWAYS

UNIVERSITY - REQUEST TO CHANGE AUTHORIZATION

LEVEL FROM FULL TO PROBATIONARY

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### I. SUMMARY

This item recommends an authorization level change for American Pathways University, from full to probationary, based upon the institution's accrediting agency loss of status with the United States Department of Education.

## II. <u>BACKGROUND</u>

The Colorado Commission on Higher Education has statutory responsibility for administration of Title 23, Article 2 of the Colorado Revised Statutes, commonly referred to as the Degree Authorization Act, which outlines the terms by which certain types of institutions<sup>1</sup> may offer degrees or degree credits. Persons or organizations that violate the provisions of the statute are subject to legal penalties.

All private colleges and universities, out-of-state public colleges and universities, seminaries and bible colleges are required to register with the Colorado Department of Higher Education and meet criteria in CCHE Policy Section I Part J, Degree Authorization Act, in order to have authorization to offer degrees within Colorado. The institution prior to delivering instruction or awarding academic credits or degrees; opening a place of business; soliciting students or enrollees; or offering educational support services must receive authorization by CCHE.

Pursuant to state law, a private college or university is required to be accredited on the basis of an on-site review in Colorado by a nationally recognized regional or national accrediting association.

## II. STAFF ANALYSIS

American Pathways University (APU), located in Denver, is a not-for-profit, postsecondary institution authorized by the Colorado Commission on Higher Education to offer baccalaureate and master's degrees in career-oriented studies, including business, counseling, leadership and

<sup>&</sup>lt;sup>1</sup> (1) properly accredited private colleges and universities; (2) out-of-state, public institutions; (3) postsecondary seminaries and bible colleges; and (4) private occupational schools authorized by the Division of Private Occupational Schools.

management, ministerial studies, and psychology. APU has community support, including that of nineteen Denver-based non-governmental organizations.

American Pathways University (APU) received accreditation from the American Academy of Liberal Education (AALE), an accrediting body then recognized by the U.S. Department of Education, on June 4, 2010. Subsequently, at its August 2010 meeting, the CCHE authorized APU with full authorization.

In December 2010, AALE ceased to be recognized by the U.S. Department of Education. Department staff learned of this change in August 2011. APU was in good standing as an authorized institution at the time of the accrediting agency's change of status with the U.S. Department of Education. When the United States Department of Education no longer recognizes an accrediting agency, the federal government grants an 18-month grace period during which time affected institutions may seek accreditation from another accrediting agency. American Pathways University sought accreditation from the Higher Learning Commission, but recently withdrew its application. The institution has reached out to the Accrediting Commission of Career Schools and Colleges (ACCSC) as well as the Accrediting Council for Independent Colleges and Schools (ACICS) to begin the accreditation process. The U.S. Department of Education recognizes both of these accrediting agencies.

CCHE policy, Section I, Part J, Section 21.05.01 and C.R.S. 23-2-103.4 (2) (d)) state: "With regard to the authorization of a private college or university, the Commission may: (f) Revoke the private college or university's authorization or place the private college or university on probationary status if the United States Department of Education ceases to recognize the institution's accrediting body."

Pursuant to the requirements of this policy, staff recommends that APU be placed on probation for a period of 90 days. The 90 day period will allow the institution time to continue with the accreditation process with one or both of the accrediting agencies. A situation like this is rare and it is important to consider the institution's authorization and status at the time the accrediting agency no longer sought to be recognized by the U.S. Department of Education.

If APU is not able to demonstrate satisfactory progress toward accreditation from an accrediting body recognized by the U.S. Department of Education on or before June 6, 2013, Department staff shall recommend revocation of APU's authorization to operate in Colorado effective June 7, 2013. Satisfactory progress toward accreditation includes but is not limited to the demonstration of submission of application for accreditation, acknowledgement from the accrediting body, and actions by the accrediting agency.

### IV. STAFF RECOMMENDATION

Staff recommends that the Commission change American Pathways University's authorization status to "probationary" for 90 days.

# **STATUTORY AUTHORITY**

C.R.S. §23-2-103.3 C.R.S. §23-2-103.4 (2) (d)