



Accreditation Manual

Section II Policies

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POLICIES

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POLICY #1

CODE OF CONDUCT AND CONFLICT OF INTEREST

To ensure that all matters dealing with the accreditation of programs by the Accreditation Commission for Education in Nursing (ACEN) are conducted with integrity, fairness, impartiality, and objectivity, the ACEN has adopted this policy addressing conflict of interest, conduct, and confidentiality.

CONFLICT OF INTEREST FOR PEER EVALUATORS

In all circumstances, not only conflicts of interest but also the appearance of conflicts of interest must be avoided. All peer evaluators (site visitors, Evaluation Review Panel members, Commissioners, Appeal Panel members) and any other individuals who act on behalf of the ACEN shall not have direct involvement with and/or participate in any decision-making capacity for a nursing program if they have an actual or potential conflict of interest with the program. Actual or potential conflicts of interest may include but are not limited to the following:

1. Being a current or former employee of the governing organization that is under review
2. Being a current student, former student, or graduate of the governing organization that is under review
3. Maintaining employment in the same state (U.S. and U.S. Territories) or in the same non-U.S. country as the nursing education unit and/or nursing program that is under review
4. Having served as a peer evaluator in the past five years on any ACEN accreditation matter involving the nursing program that is under review
5. Having served as a consultant in the past five years on any accreditation matter involving the governing organization, nursing education unit, or nursing program that is under review
6. Having served in an evaluation role in the past five years for an agency other than the ACEN regarding the same governing organization, nursing education unit, or nursing program that is under review, including but not limited to membership on the state regulatory agency for nursing site visit teams, institutional accreditation teams, or evaluation committees for boards of trustees or regents, or similar entity for non-U.S. governing organization/nursing program
7. Having been paid or otherwise profited or appeared to profit from service in the past five years to the governing organization, nursing education unit, or nursing program that is under review
8. Having affiliations or close personal or professional relationships in the past five years with key personnel in the governing organization, nursing education unit, or nursing program that is under review
9. Having immediate family members who are current employees, board members, or students enrolled at the governing organization that is under review
10. Having a current financial interest in the governing organization that is under review, including but not limited to ownership of shares of stock in the governing organization or any parent of the governing organization, excepting shares or interests held indirectly (such as but not limited to in mutual funds, insurance policies, or blind trusts); in addition, having any immediate family members with any of the above financial interests
11. Having primary employment as a nurse educator at a non-ACEN-accredited nursing program

12. Having any other relationship or reason that could serve as an impediment to rendering an impartial, objective, and professional judgment regarding the nursing program that is under review

CONDUCT AND ETHICAL GUIDELINES FOR NURSING PROGRAMS AND PEER EVALUATORS

Responsibilities of Nursing Programs Seeking Accreditation

1. It is the responsibility of each nursing program to facilitate a thorough and objective appraisal of its nursing program.
2. Nursing programs may veto a peer evaluator if it can be demonstrated in writing to the ACEN Chief Executive Officer that an actual or a potential conflict of interest exists.
3. Any perceived inadequacies of the ACEN procedures or processes should be reported by the nurse administrator of the nursing program to the ACEN Chief Executive Officer at the time of the occurrence rather than withheld until after the ACEN Board of Commissioners makes an accreditation decision.

Responsibilities of Peer Evaluators

1. Any Commissioner or member of the Evaluation Review Panel who was a member of a site visit team for a nursing program under consideration or resides in or is currently employed in the same state as the program under consideration must recuse her/himself from the Evaluation Review Panel or Commission discussion about the program and abstain from voting.
2. When the nursing program with which a Commissioner is employed is being considered for accreditation or appeal, the Commissioner will recuse her/himself from the portion of the ACEN Board of Commissioners' meeting agenda concerned with the evaluation of that program and abstain from voting.
3. Peer evaluators are required to refrain from accepting membership on a team, recuse themselves from the discussion during the review of any program if their presence would constitute or appear to constitute a conflict of interest, and abstain from voting if a conflict of interest is identified.

Actions to be Avoided by Peer Evaluators

1. Advertising of one's status as an ACEN peer evaluator for the purpose of consulting
2. Soliciting consultation arrangements with programs preparing for accreditation review
3. Giving advice to a nursing program or consulting for a nursing program for a period of two years after serving as a peer evaluator on any ACEN accreditation matter related to that nursing program
4. Offering definitive answers related to ACEN policies and procedures or Standards and Criteria

CONFLICT OF INTEREST, CONDUCT, AND ETHICAL GUIDELINES FOR ACEN STAFF

In all circumstances, not only conflicts of interest but also the appearance of conflicts of interest must be avoided. No staff member shall have direct involvement with a nursing program if they have an actual or potential conflict of interest with the program.

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Staff members should inform the ACEN Chief Executive Officer where an actual or potential conflict of interest exists. A conflict of interest exists if a staff member:

1. Was a compensated consultant, appointee, employee of, or candidate for employment at the governing organization, nursing education unit, or nursing program within the past five years
2. Is a graduate of the governing organization
3. Has a close personal or familial relationship with persons at the governing organization
4. Has a strong bias regarding the governing organization, nursing education unit, or nursing program
5. Has any other relationship or reason that could serve as an impediment to acting in an impartial, objective professional manner toward the governing organization, nursing education unit, or nursing program
6. Has a current financial interest in the governing organization under review, including but not limited to ownership of shares of stock in the governing organization or any parent of the governing organization, excepting shares or interests held indirectly (such as but not limited to in mutual funds, insurance policies, or blind trusts), or has any immediate family members with any of the aforementioned financial interests

In addition, staff members are prohibited from accepting fees, awards, or honorary degrees from a governing organization with a nursing program that is accredited by the ACEN.

CONFIDENTIALITY AND COMMUNICATIONS FOR PEER EVALUATORS AND ACEN STAFF

To ensure that all matters dealing with the accreditation of nursing programs are conducted with integrity, fairness, impartiality, and objectivity, individuals who participate in ACEN activities, including but not limited to peer evaluators and ACEN staff members, must maintain confidentiality with regards to all non-public information related to the accreditation review and consideration of a nursing program by the ACEN. Accordingly, peer evaluators and ACEN staff members shall conduct themselves as follows:

1. Documents, reports, and other materials prepared by the program for the ACEN must be treated as confidential materials in the absence of specific policies that make clear the degree and extent of their exposure. The ACEN will release materials only in response to a valid court order or otherwise as may be required by law.
2. All materials pertinent to the nursing program under review are considered confidential materials prepared for use by the ACEN and should not be shown to or discussed with anyone other than peer evaluators and ACEN staff members as appropriate and when necessary.
3. Hold confidential the accreditation decision issued by the ACEN Board of Commissioners must be held confidential. The decision will be communicated to the program in writing only by the ACEN Chief Executive Officer.
4. A peer evaluator or ACEN staff member shall not share with a governing organization/nursing program employee or any other person of the review proceedings.
5. Any request by a peer evaluator for additional information from the governing organization/nursing program following a site visit or related to an Evaluation Review Panel must be directed to the ACEN staff. There will be no direct communication

between a peer evaluator and the governing organization and/or nursing program under review except in preparation for an upcoming site visit.

DISCLOSURE AND COMMITMENT TO COMPLY WITH ACEN CODE OF CONDUCT AND CONFLICT OF INTEREST POLICY #1

Prior to each site visit, Evaluation Review Panel meeting, or Board of Commissioners meeting, each peer evaluator will sign electronically or by hand an attestation that they agree to comply with all aspects of the [ACEN Code of Conduct and Conflict of Interest Policy #1](#). Annually, each ACEN staff member will sign electronically or by hand an attestation that they agree to comply with all aspects of the [ACEN Code of Conduct and Conflict of Interest Policy #1](#).

Policy #1 History
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POLICY #2

REPRESENTATION ON SITE VISIT TEAMS, EVALUATION REVIEW PANELS AND THE BOARD OF COMMISSIONERS

Site visit teams and the Evaluation Review Panels are composed of nurse educators and nursing clinicians/practitioners. The ACEN Board of Commissioners is composed of nurse educators, nursing clinicians/practitioners, and members of the public.

NURSE EDUCATORS

Nurse educators work in the classroom, laboratory, and/or practice settings. They are responsible for educating nursing students at all levels of nursing practice. Nurse educators are responsible for designing, implementing, evaluating, and revising nursing education programs that lead to a certificate, diploma, associate degree, baccalaureate degree, master's degree, post-master's certificate, clinical doctorate, and/or DNP specialist certificate.

Nurse educators are individuals who:

1. Currently hold a full-time faculty, part-time faculty, or administrative appointment in an ACEN-accredited program;
2. Previously held a full-time faculty or administrative appointment in an ACEN-accredited program and now hold a part-time faculty or administrative appointment in an ACEN-accredited program;
3. Previously held a full-time faculty, part-time faculty, or administrative appointment in an ACEN-accredited program and have been retired for no more than two (2) years from this position; or
4. Previously held a full-time faculty or administrative appointment in an ACEN-accredited program and subsequently held a part-time faculty or administrative appointment in an ACEN-accredited program and have been retired for no more than two (2) years from the part-time position.

Nurse educators are eligible to serve on a site visit team as a team member or team chair, the Evaluation Review Panel as a member, and the ACEN Board of Commissioners. Nurse educators elected to the ACEN Board of Commissioners may serve as chair of an Evaluation Review Panel. The chair is responsible for facilitating the ERP proceedings and has no voting rights.

NURSING CLINICIANS/PRACTITIONERS

Nurse clinicians/practitioners are licensed nurses who currently hold a full- or part-time position in a clinical practice environment. Nurse clinicians/practitioners are responsible and accountable for organizing, planning, assigning, and overseeing care of individuals, families, groups, and communities.

Nurse clinicians/practitioners are eligible to serve on a site visit team as a team member or team chair, Evaluation Review Panel as a member, and the ACEN Board of Commissioners. Nurse

clinicians/practitioners elected to the ACEN Board of Commissioners may serve as chair of an Evaluation Review Panel. The chair is responsible for facilitating the ERP proceedings and has no voting rights.

PUBLIC MEMBERS

Public members are individuals with no connection to the discipline of nursing. An individual representing the public may not be:

1. An employee, owner, or shareholder of a governing organization with any accredited or non-accredited nursing program or candidate/applicant nursing program;
2. A member of the governing board for a governing organization with any accredited or non-accredited nursing program or candidate/applicant nursing program;
3. A consultant to any accredited or non-accredited nursing program or candidate/ applicant nursing program;
4. Affiliated or associated with any nursing accreditation agency or nursing organization, such as the American Association of Colleges of Nursing (AACN), *American Nurses Association* (ANA), or National League for Nursing (NLN); or
5. A spouse, parent, child, or sibling of an individual identified in the above statements.

Public members are eligible to serve on the ACEN Board of Commissioners. Public members elected to the ACEN Board of Commissioners may serve as chair of an Evaluation Review Panel. The chair is responsible for facilitating the ERP proceedings and has no voting rights.

The ACEN Chief Executive Officer reserves the right to appoint one (1) or more special members who may not be a nurse educator or clinician to (1) a site visit team or (2) an Evaluation Review Panel. The special member or members may have expertise in an area that a nurse educator and/or clinician typically would not have. The governing organization/nursing program is responsible for all costs of the special members serving on the site visit team.

The ACEN Chief Executive Officer reserves the right to:

- a. Have an ACEN staff member accompany a site visit team. If an ACEN staff member accompanies a site visit team, the staff member would offer guidance to the peer evaluators. The governing organization/nursing program is responsible for all costs of the professional staff member accompanying the site visit team.
- b. Have an ACEN staff member serve on a site visit team. If an ACEN staff member serve on a site visit team, the staff member would serve as a peer evaluator. The governing organization/nursing program is responsible for all costs of the professional staff member serving on the site visit team.

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Policy #2 History

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POLICY #3

ELIGIBILITY FOR INITIAL AND CONTINUING ACCREDITATION

To be eligible for initial or continuing accreditation, the governing organization and nursing program must demonstrate that it meets or continues to meet all of the eligibility and continuing eligibility requirements of the ACEN.

GOVERNING ORGANIZATION/INSTITUTION

A. Eligibility requirements for the governing organization/institution offering the nursing program seeking initial accreditation with the ACEN

1. The governing organization/institution is legally authorized to provide a postsecondary education program in the state or country in which the governing organization/institution and nursing program is physically located.
2. The governing organization/institution is legally authorized to grant the credential (degree, diploma, or certificate) for the nursing program seeking accreditation.
3. The governing organization/institution is accredited or approved to pursue accreditation by a [governing organization/institutional accrediting agency recognized by the ACEN](#); however, this does not apply to programs outside the U.S. or its territories.
4. For governing organizations/institutions included in section C, subsections 1, 2, 3, and 4, that do not hold governing organization/institutional accreditation by a governing organization/ institutional accrediting agency recognized by the ACEN:
 - a. The governing organization/institution must be approved to pursue accreditation by a governing organization/institutional accrediting agency recognized by the ACEN; and,
 - b. The governing organization/institution must be accredited with a governing organization/ institutional accrediting agency recognized by the ACEN before the ACEN Board of Commissioners makes its initial accreditation decision for the nursing program(s) seeking initial accreditation with the ACEN.
5. For governing organizations/institutions included in section C, subsection 2, that do not hold or are ineligible to hold governing organization/institutional accreditation by a governing organization/institutional accrediting agency recognized by the ACEN, the governing organization/institution must be approved by a supervisory state education department/public school system/district before the ACEN Board of Commissioners makes its initial accreditation decision for the nursing program(s) seeking initial accreditation with the ACEN.
6. The nurse administrator of the nursing program is responsible for immediately informing the ACEN Chief Executive Officer (CEO), in writing, of any change of status with any agency that accredits and/or approves the governing organization/institution. The notification must occur before the ACEN Board of Commissioners makes its initial accreditation decision.

B. Continuing eligibility requirements for the governing organization/institution offering the nursing program seeking continuing accreditation with the ACEN

1. The governing organization/institution must continuously hold legal authorization to provide a postsecondary education program in the state or country in which the governing organization/institution and nursing program are physically located.
2. The governing organization/institution must continuously hold legal authorization to grant the credential (degree, diploma, or certificate) for the nursing program seeking accreditation.
3. For governing organizations/institutions included in section C, subsections 1, 2, 3, and 4, the governing organization/institution must continuously hold an accredited status with an [ACEN-recognized governing organization/institutional accrediting agency](#).
4. For governing organizations/institutions included in section C, subsection 2, the governing organization/institution must continuously hold approval by a supervisory state education department/public school system/district.
5. The nurse administrator of the nursing program is responsible for immediately informing the ACEN CEO, in writing, of any change of status with any agency that accredits and/or approves the governing organization/institution. The notification must occur before the ACEN Board of Commissioners makes its continuing accreditation decision.

C. The ACEN will accredit a nursing program when it:

1. Is administered by a college, university, or technical/vocational governing organization/institution that is part of the system of higher education; grants a diploma, certificate, associate degree, baccalaureate degree, master's degree, post-master's certificate, clinical doctorate degree in nursing, or DNP specialist certificate; and the college, university, or technical/vocational governing organization/institution holds governing organization/institutional accreditation through an [ACEN-recognized governing organization/institutional accrediting agency](#). Programs outside the U.S. or its territories must be administered by a college, university, or technical/vocational governing organization/institution that is a part of a system of higher education and grant a diploma, certificate, associate degree, baccalaureate degree, master's degree, post-master's certificate, clinical doctorate degree in nursing, or DNP specialist certificate.
2. Is administered by a vocational/technical/career school or public school system/district; grants a postsecondary certificate; and the vocational/technical/career school or public school system/ district holds governing organization/institutional accreditation through an [ACEN-recognized governing organization/institutional accrediting agency](#), or the governing organization is supervised by a state education department/public school system/district. Programs outside the U.S. or its territories must be administered by a college, university, or technical/vocational governing organization/institution that is a part of a system of higher education and grant a diploma, certificate, associate degree, baccalaureate degree, master's degree, post-master's certificate, clinical doctorate degree in nursing, or DNP specialist certificate.

If the nursing program is administered by a vocational/technical/career school or public school system/district and grants a postsecondary certificate, the governing organization/institution and nursing program may use ACEN accreditation to establish eligibility to participate in Title IV programs of the Higher Education Act of 1965 as amended. If the governing organization's/institution's accrediting agency is recognized by the U.S. Department of Education to establish Title IV eligibility, the ACEN may not be used to establish Title IV eligibility.

3. Is administered by a hospital; grants a diploma, certificate, associate degree, baccalaureate degree, master's degree, post-master's certificate, clinical doctorate in nursing degree, or DNP specialist certificate; and the hospital holds governing organization/institutional accreditation through an [ACEN-recognized governing organization/institutional accrediting agency](#). Programs outside the U.S. or its territories must be administered by a college, university, or technical/vocational governing organization/institution that is a part of a system of higher education and grant a diploma, certificate, associate degree, baccalaureate degree, master's degree, post-master's certificate, clinical doctorate degree in nursing, or DNP specialist certificate.

If the nursing program is administered by a hospital and grants a diploma, certificate, associate degree, baccalaureate degree, master's degree, post-master's certificate, clinical doctorate in nursing, or DNP specialist certificate, the governing organization/institution and nursing program may use ACEN accreditation to establish eligibility to participate in Title IV programs of the Higher Education Act of 1965 as amended. If the governing organization's/institution's accrediting agency is recognized by the U.S. Department of Education to establish Title IV eligibility, the ACEN may not be used to establish Title IV eligibility. Title IV does not apply to programs outside the U.S. or its territories.

4. Is administered by an independent college, university, or technical/vocational governing organization/institution; grants a diploma, certificate, associate degree, baccalaureate degree, master's degree, post-master's certificate, clinical doctorate in nursing degree, or DNP specialist certificate; and the college, university, or technical/vocational governing organization/institution holds governing organization/institutional accreditation through an [ACEN-recognized governing organization/institutional accrediting agency](#). Programs outside the U.S. or its territories must be administered by a college, university, or technical/vocational governing organization/institution that is a part of a system of higher education and grant a diploma, certificate, associate degree, baccalaureate degree, master's degree, post-master's certificate, clinical doctorate degree in nursing, or DNP specialist certificate.

NURSING PROGRAMS

D. Eligibility requirements for nursing programs seeking initial accreditation with the ACEN

1. The nursing program must be approved without qualification by the state or country agency or agencies that has or have legal authority for education programs in nursing. This is not applicable to those programs in nursing over which a state or country regulatory agency that has legal authority for education programs in nursing has no jurisdiction (e.g., selected master's degree programs or programs admitting previously licensed registered nurses).

2. The nurse administrator of the nursing program is responsible for immediately informing the ACEN CEO, in writing, of any change of status with any state or country agency that has legal authority for education programs in nursing. The notification must occur before the ACEN Board of Commissioners makes its initial accreditation decision.

E. Continuing eligibility requirements for nursing programs seeking continuing accreditation with the ACEN

1. The nursing program must be approved with or without qualification by the state or country agency or agencies that has or have legal authority for education programs in nursing. This is not applicable to those programs in nursing over which a state or country regulatory agency that has legal authority for education programs in nursing has no jurisdiction (e.g., selected master's degree programs or programs admitting previously licensed registered nurses).
2. The nurse administrator of the nursing program is responsible for immediately informing the ACEN CEO, in writing, of any change of status with any state or country agency that has legal authority for education programs in nursing. The notification must occur before the ACEN Board of Commissioners makes its continuing accreditation decision.

F. Recommendations for governing organizations (institutions)/nursing programs seeking initial accreditation with the ACEN

1. For nursing programs without previous graduates, the program should seek approval to pursue ACEN accreditation and host the initial accreditation site visit that would facilitate that all students are graduates of an accredited program.
2. For nursing programs with previous graduates, the program should seek approval to pursue ACEN accreditation and host the initial accreditation site visit as soon as possible to facilitate students graduating from an accredited program.

Note: Upon granting of initial accreditation by the ACEN Board of Commissioners, the effective date of initial accreditation is the date on which the nursing program was approved by the ACEN as a Candidate program that concluded in the Board of Commissioners granting initial accreditation.

G. Requirements for governing organizations (institutions)/nursing programs seeking initial or continuing accreditation with the ACEN

1. If a governing organization offers the same certificate or degree nursing program with more than one option/track then that nursing program and all options/tracks must be reviewed in its entirety for initial or continuing accreditation by the ACEN. All nursing program options/tracks that lead to the same degree or certificate within a governing organization/institution must be accredited by the ACEN for any one of the options/tracks to be accredited. The nursing program may not select individual options/tracks within the same certificate or degree to be reviewed for accreditation.

For example:

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- a. The accreditation of a master’s degree program that includes several options/tracks such as Family Nurse Practitioner, Adult Gerontology Acute Care Nurse Practitioner, Nurse Educator, and Nurse Leader must be inclusive of all options/tracks. The nursing program may not select only the Family Nurse Practitioner and Adult Gerontology Acute Care Nurse Practitioner options/tracks to be reviewed for accreditation. [Rationale: Students graduate from a master’s degree program, not an option/track; therefore, the accreditation applies to the entire nursing program.]
 - b. The accreditation of an associate degree program that includes two options/tracks such as pre-licensure and LPN-to-RN must be inclusive of all options/tracks. The nursing program may not select only the pre-licensure option/track to be reviewed for accreditation. [Rationale: Students graduate from an associate degree program, not an option/track; therefore, the accreditation applies to the entire nursing program.]
2. If a governing organization/program offers a graduate-level certificate or certificates composed of only the specialty courses for an option/options or track/tracks, the ACEN will automatically include the graduate-level certificate program option(s)/track(s) in its review of the graduate-level degree program in the accreditation process.
 - a. For example, if the governing organization/program seeks accreditation of a master’s program that includes several options/tracks such as Family Nurse Practitioner, Adult Gerontology Acute Care Nurse Practitioner, Nurse Educator, and Nurse Leader, **and** the governing organization/program offers a certificate or certificates composed of only the specialty courses from an option/options or track/tracks such as Family Nurse Practitioner, then the ACEN will automatically include the certificate program option(s) in its review of the degree program in the accreditation process. [Rationale: The options/tracks that compose the certificate(s) are a subset of the degree program, and the accreditation applies to the entire nursing program, including the certificate(s).]

Note: The ACEN supports models whereby one nursing program is “nested” within another nursing program, which facilitates graduates being able to progress seamlessly from one level of licensure to another level of licensure such as practical nursing to registered nursing. A “nested” practical nursing is an educational program leading to a specific level of licensure and must have its own program-specific end-of-program student learning outcomes. Graduates from a practical nursing program embedded within an ACEN-accredited registered nursing program are not graduates of an ACEN-accredited practical nursing program unless the practical nursing program holds ACEN accreditation specifically for the practical nursing program.

3. If a governing organization offers the same certificate or degree nursing program at more than one location, then that nursing program and all locations must be reviewed in its entirety for initial or continuing accreditation by the ACEN. The nursing program may not select individual locations within the same certificate or degree nursing program to be included in the ACEN accreditation.
4. In accordance with federal regulation 34 CFR §602.28 and consistent with ACEN policy:

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- a. The ACEN may not grant initial accreditation or continuing accreditation to a governing organization/institution or a nursing program offered by a governing organization/ institution if the ACEN knows, or has reasonable cause to know, that a governing organization/institution or a nursing program is the subject of:
 - i. A pending or final action brought by a state agency to suspend, revoke, withdraw, or terminate a governing organization's/institution's legal authority to provide postsecondary education in the state;
 - ii. A decision by a recognized agency to deny accreditation or pre-accreditation;
 - iii. A pending or final action brought by a recognized accrediting agency to suspend, revoke, withdraw, or terminate a governing organization's/governing organization/institution's accreditation or pre-accreditation; or
 - iv. Probation or an equivalent status imposed by a recognized agency.
- b. The ACEN may grant initial accreditation or continuing accreditation to a governing organization/institution or nursing program only if ACEN provides to the Secretary of the U.S. Department of Education, within 30 calendar days of its action, a thorough and reasonable explanation, consistent with the Standards and Criteria, why the action of the other body does not preclude the granting of initial accreditation or continuing accreditation by the ACEN.
- c. If the ACEN learns that a governing organization/institution or nursing program it accredits is the subject of an adverse action by another recognized accrediting agency or has been placed on probation or an equivalent status by another recognized agency, the ACEN must promptly review its accreditation of the governing organization/institution or nursing program to determine if it should also take adverse action or place the governing organization/institution or nursing program on conditions or warning. See [ACEN Policy #14 Reporting Substantive Changes](#) and [ACEN Policy #18 Accreditation Status of the Governing Organization](#) for details regarding a negative or adverse action by an appropriate governing organization/institutional accrediting agency.

Policy #3 History
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POLICY #4

TYPES OF COMMISSION ACTIONS

FOR INITIAL AND CONTINUING ACCREDITATION

INITIAL ACCREDITATION

The ACEN Board of Commissioners may grant initial accreditation or deny initial accreditation.

Granted

Initial accreditation of a nursing program is granted when the ACEN Board of Commissioners determines a program demonstrates compliance with all Accreditation Standards. The next review process shall be in five years from the accreditation cycle that resulted in the ACEN Board of Commissioners granting initial accreditation.

Denied

Initial accreditation of a nursing program is denied when the ACEN Board of Commissioners determines a program does not demonstrate compliance with all Accreditation Standards. Denial of initial accreditation is an appealable action.

The nursing program may restart the Candidacy process at any time after the denial of initial accreditation.

CONTINUING ACCREDITATION

The ACEN Board of Commissioners may grant continuing accreditation or deny continuing accreditation.

Granted

The maximum amount of time between continuing accreditation cycles shall be eight years.

1. Continuing accreditation is granted when the ACEN Board of Commissioners determines that a nursing program is in compliance with all Accreditation Standards.
2. Continuing accreditation with conditions is granted when the ACEN Board of Commissioners determines that a nursing program is in non-compliance with one (1) or two (2) Accreditation Standards. The next review and follow-up action(s) are determined by the ACEN Board of Commissioners.
3. Continuing accreditation with warning is granted when the ACEN Board of Commissioners determines that a nursing program is in non-compliance with three (3) or more Accreditation Standards. The next review and follow-up action(s) are determined by the ACEN Board of Commissioners.
4. Continuing accreditation with a removal of conditions is granted when the ACEN Board of Commissioners determines that a nursing program is in compliance with the Accreditation Standards.

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5. Continuing accreditation with a removal of warning is granted when the ACEN Board of Commissioners determines that a nursing program is in compliance with the Accreditation Standards.
6. Continuing accreditation with a removal of good cause is granted when the ACEN Board of Commissioners determines that a nursing program is in compliance with the Accreditation Standards.
7. Continuing accreditation for good cause – see below.

Denied

A nursing program seeking continuing accreditation may be denied continuing accreditation. A nursing program denied continuing accreditation will be removed from the list of accredited programs. Denial of continuing accreditation is an appealable action.

The nursing program may start the Candidacy process at any time after the denial of continuing accreditation and removal from the list of accredited programs.

EFFECTIVE DATE

1. Initial Accreditation
 - a. Upon granting initial accreditation by the ACEN Board of Commissioners, the effective date of initial accreditation is the date on which the nursing program was approved by the ACEN as a Candidate program that concluded in the ACEN Board of Commissioners granting initial accreditation.
 - b. Upon denying initial accreditation by the ACEN Board of Commissioners, the effective date of denying initial accreditation will be the date on the Board of Commissioners decision letter.
2. Continuing Accreditation
 - a. Upon granting continuing accreditation by the ACEN Board of Commissioners, the effective date of granting continuing accreditation will be the date on the Board of Commissioners decision letter.
 - b. Upon denying continuing accreditation by the ACEN Board of Commissioners, the effective date of denying continuing accreditation will be the date on the Board of Commissioners decision letter.

CONTINUING ACCREDITATION WITH CONDITIONS OR WARNING STATUS

Continuing Accreditation with Conditions

- I. When the ACEN Board of Commissioners determines that a nursing program is non-compliant with one (1) or two (2) Accreditation Standards, the ACEN Board of Commissioners may grant a nursing program continuing accreditation with conditions for up to the maximum monitoring period for the program type.

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- a. When a nursing program has been granted continuing accreditation with conditions, the program must submit a Follow-Up Report addressing the Standard(s) with which the nursing program was found to be in non-compliance; a follow-up visit may be required within a specified period of time. The Follow-Up Report, or Follow-Up Report and Follow-Up Site Visit Report, and Evaluation Review Panel Summary constitute a basis for the ACEN Board of Commissioners' decision.

The length of the monitoring period defines the ACEN Board of Commissioners' action the next time a nursing program is reviewed. At the next review,

- b. If the ACEN Board of Commissioners determines that a nursing program is in compliance with the identified Accreditation Standards, the ACEN Board of Commissioners may grant continuing accreditation with a removal of conditions.
- c. If the ACEN Board of Commissioners determines that a nursing program is non-compliant:
 - i) With one (1) or two (2) Accreditation Standards, the ACEN Board of Commissioners may grant continuing accreditation with conditions if the maximum monitoring period for continuing accreditation has not concluded.
 - ii) With three (3) or more Accreditation Standards, the ACEN Board of Commissioners may grant continuing accreditation with warning if the maximum monitoring period for continuing accreditation has not concluded.
 - iii) With any Accreditation Standard, the ACEN Board of Commissioners may grant continuing accreditation for good cause if the maximum monitoring period for continuing accreditation has concluded and the program meets the requirements for good cause.
 - iv) With any Accreditation Standard, the ACEN Board of Commissioners may deny continuing accreditation and remove the program from the list of accredited programs, whether the maximum monitoring period for continuing accreditation has or has not concluded.

Continuing Accreditation with Warning

- I. When the ACEN Board of Commissioners determines that a nursing program is non-compliant with three (3) or more Accreditation Standards, the ACEN Board of Commissioners may grant a nursing program continuing accreditation with warning for up to the maximum monitoring period for the program type.
 - a. When a nursing program has been granted continuing accreditation with warning, the program must submit a Follow-Up Report addressing the Standard(s) with which the nursing program was found to be in non-compliance, and a follow-up visit is required within a specified period of time. The Follow-Up Report, Follow-Up Site Visit Report, and Evaluation Review Panel Summary constitute a basis for the ACEN Board of Commissioners' decision.

The length of the monitoring period defines the ACEN Board of Commissioners' action the next time a nursing program is reviewed. At the next review,

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- b. If the ACEN Board of Commissioners determines that a nursing program is in compliance with the identified Accreditation Standards, the ACEN Board of Commissioners may grant continuing accreditation with a removal of warning.
- c. If the ACEN Board of Commissioners determines that a nursing program is non-compliant:
 - i. With one (1) or two (2) Accreditation Standards, the ACEN Board of Commissioners may grant continuing accreditation with conditions if the maximum monitoring period for continuing accreditation has not concluded.
 - ii. With three (3) or more Accreditation Standards, the ACEN Board of Commissioners may grant continuing accreditation with warning if the maximum monitoring period for continuing accreditation has not concluded.
 - iii. With any Accreditation Standard, the ACEN Board of Commissioners may grant continuing accreditation for good cause if the maximum monitoring period for continuing accreditation has concluded and the program meets the requirements for good cause.
 - iv. With any Accreditation Standard, the ACEN Board of Commissioners may deny continuing accreditation and remove the program from the list of accredited programs, whether the maximum monitoring period for continuing accreditation has or has not concluded.

Maximum Monitoring Period – Conditions and Warning

- 1. The maximum monitoring period for continuing accreditation with conditions or continuing accreditation with warning for clinical doctorate, master's, baccalaureate, associate, and diploma programs is two (2) years from the ACEN Board of Commissioners' determination of this accreditation status.
- 2. The maximum monitoring period for continuing accreditation with conditions or continuing accreditation with warning for practical nursing programs is 18 months from the ACEN Board of Commissioners' determination of this accreditation status.
- 3. The maximum monitoring period for continuing accreditation with conditions or continuing accreditation with warning for standalone certificate nursing programs that are not a practical nursing program is determined by the length of the certificate nursing program.
 - a. If the shortest period of time in which a student could complete a standalone certificate nursing program is less than 12 months, then the maximum monitoring period for continuing accreditation with conditions or continuing accreditation with warning is 12 months from the ACEN Board of Commissioners' determination of this accreditation status.
 - b. If the shortest period of time in which a student could complete a standalone certificate nursing program is at least one (1) year but less than two (2) years, then the maximum monitoring period for continuing accreditation with conditions or continuing accreditation with warning is 18 months from the ACEN Board of Commissioners' determination of this accreditation status.
 - c. If the shortest period of time in which a student could complete a standalone certificate nursing program is at least two (2) years, then the maximum monitoring period for continuing accreditation with conditions or continuing

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accreditation with warning is two (2) years from the ACEN Board of Commissioners' determination of this accreditation status.

Maximum Monitoring Period – Good Cause

- I. If the ACEN Board of Commissioners determines that a nursing program has not remedied deficiencies at the conclusion of its maximum monitoring period on continuing accreditation with conditions or continuing accreditation with warning, the ACEN Board of Commissioners must (1) deny continuing accreditation and remove the nursing program from the list of accredited programs, or (2) grant continuing accreditation for good cause.
 - a. The maximum monitoring period for continuing accreditation for good cause for clinical doctorate, master's, baccalaureate, associate, and diploma programs is two (2) years from the ACEN Board of Commissioners' determination of this accreditation status. If compliance with all the Accreditation Standards is not demonstrated within two (2) years, the ACEN Board of Commissioners must deny continuing accreditation and remove the nursing program from the list of accredited programs.
 - b. The maximum monitoring period for continuing accreditation for good cause for practical nursing programs is 18 months from the ACEN Board of Commissioners' determination of this accreditation status. If compliance with all the Accreditation Standards is not demonstrated within 18 months, the ACEN Board of Commissioners must deny continuing accreditation and remove the nursing program from the list of accredited programs.
 - c. The maximum monitoring period for continuing accreditation for good cause for standalone certificate nursing programs that are not a practical nursing program is determined by the length of the certificate nursing program.
 - i. If the shortest period of time in which a student could complete a standalone certificate nursing program is 12 months, then the maximum monitoring period for continuing accreditation for good cause is 12 months from the ACEN Board of Commissioners' determination of this accreditation status. If compliance with the Accreditation Standards is not demonstrated within 12 months, the ACEN Board of Commissioners must deny continuing accreditation and remove the nursing program from the list of accredited programs.
 - ii. If the shortest period of time in which a student could complete a standalone certificate nursing program is at least one (1) year but less than two (2) years, then the maximum monitoring period for continuing accreditation for good cause is 18 months from the ACEN Board of Commissioners' determination of this accreditation status. If compliance with all the Accreditation Standards is not demonstrated within 18 months, the ACEN Board of Commissioners must deny continuing accreditation and remove the nursing program from the list of accredited programs.
 - iii. If the shortest period of time in which a student could complete a standalone certificate nursing program is at least two (2) years, then the maximum monitoring period for continuing accreditation for good cause

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is two (2) years from the ACEN Board of Commissioners' determination of this accreditation status. If compliance with all the Accreditation Standards is not demonstrated within two (2) years, the ACEN Board of Commissioners must deny continuing accreditation and remove the nursing program from the list of accredited programs.

Good Cause

1. The ACEN Board of Commissioners can extend a nursing program's continuing accreditation for good cause if the ACEN Board of Commissioners determines the program satisfies all of the following principles:
 - a. The nursing program has demonstrated significant recent accomplishments in addressing non-compliance;
 - b. The nursing program has documented that it has the potential to remedy all deficiencies within the extended period as defined by the Commission; that is, that the program provides evidence which makes it reasonable for the ACEN Board of Commissioners to determine it will remedy all deficiencies within the extended time defined by the Commission;
 - c. The nursing program provides assurance to the ACEN Board of Commissioners that it is not aware of any other reasons, other than those identified by the Commission, why the accreditation of the nursing program could not be continued for good cause.
2. The nursing program has the responsibility for making its case for good cause. To demonstrate good cause, the Chief Executive Officer of the governing organization and the nurse administrator of the nursing program must submit a report attesting that the program satisfies all three (3) principles for good cause. The report must be received by the ACEN Chief Executive Officer no later than 14 calendar days before the ACEN Board of Commissioners' meeting. Along with the Good Cause Report, the nursing program may submit selected new, updated information and evidence (e.g., faculty profile table, verification of faculty credentials, and performance on licensure examination) to demonstrate that the program has made significant recent accomplishments in addressing the Standard(s) with which the program was found to be in non-compliance.

FINAL ACCREDITATION DECISION

1. The ACEN Board of Commissioners decision is the final accreditation decision if the governing organization/nursing program **does not appeal** the denial of initial or continuing accreditation. The effective end date of the nursing program's accreditation is the end date per the Board of Commissioners' decision letter.
2. If the governing organization/nursing program **does appeal**, the ACEN Board of Commissioners decision is the final accreditation decision if the governing organization/nursing program withdraws its appeal before the Appeal Committee renders a decision. The effective end date of the nursing program's accreditation is the original effective end date per the Board of Commissioners' decision letter.
3. If the governing organization/nursing program **does appeal**, the decision of the Appeal Committee is the final accreditation decision. If the result of an appeal is to affirm the ACEN Board of Commissioners' decision, the original effective end date of the nursing

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- program's accreditation is also affirmed, which is the original effective end date per the Board of Commissioners' decision letter.
4. If the governing organization/nursing program **pursues binding arbitration**, the Appeal Committee's decision is the final accreditation decision if the governing organization/nursing program withdraws from binding arbitration before the arbitrators render a decision letter. The effective end date of the nursing program's accreditation is the original effective end date per the Board of Commissioners' decision letter.
 5. If the governing organization/nursing program **pursues binding arbitration**, the decision of the arbitrators is the final accreditation decision. If the result of binding arbitration is to affirm the decision of the Appeal Committee, the effective end date of the nursing program's accreditation is also affirmed, which is the original effective end date per the Board of Commissioners' decision letter.
 6. The ACEN Board of Commissioners decision is the final accreditation decision if the governing organization/nursing program **fails to meet any deadline** in the appeal process or binding arbitration process. The effective end date of the nursing program's accreditation is the original effective end date per the Board of Commissioners' decision letter.

Within one business day of sending written notification, the final accreditation decision will be posted on ACEN website.

Within 60 calendar days of a final accreditation decision to deny initial accreditation or deny continuing accreditation, the ACEN will make available to the Secretary of Education, U.S. Department of Education, the nurse administrator of the program, chief executive officer of the governing organization, appropriate state regulatory agency for nursing, governing organization's accrediting agency, and the public, a brief statement summarizing the reasons for the decision and the official comments that the affected governing organization/nursing program may wish to make with regard to the decision, if any, or the ACEN will provide evidence that the governing organization/nursing program was offered the opportunity to provide official comment.

Policy #4 History
Revised July 2015
Revised July 2017
Revised October 2017
Revised July 2018
Revised November 2018
Edited July 2020

POLICY #5

NOTIFICATION OF COMMISSION DECISIONS

A nursing program seeking ACEN initial or continuing accreditation explicitly agrees that information pertaining to the program shall be made available within 30 calendar days of the accreditation decisions made at the Board of Commissioners’ meetings. Per the table below, the ACEN will provide written notification to:

- The nurse administrator of the nursing program^{1,5}
- The Chief Executive Officer of the governing organization^{1,5}
- U.S. Department of Education Secretary^{1,2,4,5}
- U.S. Department of Education Case Management Teams^{1,2,5}
- State regulatory agencies for nursing^{1,2,5}
- State Departments/Ministries of Education (as applicable)^{1,2,5}
- Council for Higher Education Accreditation (CHEA)^{1,2,5}
- Institutional accrediting agencies recognized by the ACEN for governing organizations^{1,2,5}
- Peer evaluators that reviewed the program¹
- Higher Education Publications, Inc.^{1,2,5}
- The public (through posting on the ACEN website)^{1,2,3,4,5}

The reporting of the following information applies to all governing organizations/nursing programs seeking initial or continuing accreditation.

Report Category	Time for Submission	
	Other	Annually
ACEN Board of Commissioners’ accreditation decision ¹ <ul style="list-style-type: none"> • Initial Accreditation <ul style="list-style-type: none"> ○ Granted ○ Denied • Continuing Accreditation <ul style="list-style-type: none"> ○ Granted ○ Granted with Conditions ○ Granted with Warning ○ Granted for Good Cause ○ Granted with a Removal of Conditions ○ Granted with a Removal of Warning ○ Granted with a Removal of Good Cause ○ Denied 	Within 30 calendar days of decision	June (aggregated – Report to Constituents)
Outcome of appeal process and reason(s) following outcome of appeal ⁵	Within 30 calendar days of receiving Appeal Committee decision	June (aggregated – Report to Constituents)

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Outcome of binding arbitration process and reason(s) following outcome of binding arbitration ⁵	Within 30 calendar days of receiving Arbitration Panel award	June (aggregated – Report to Constituents)
Voluntary withdrawal of a governing organization/nursing program from ACEN accreditation ²	Within 10 business days of receiving voluntary withdrawal letter	Available Online
Summary of major accreditation activities ^{3, 4}		June (aggregated – current Report to Constituents)
Directory of accredited programs ^{3, 4}		Available Online
Directory of candidate programs ³		Available Online
ACEN Board of Commissioners' or ACEN Chief Executive Officer substantive change decision ¹	Within 30 calendar days of decision	
Proposed changes within the ACEN that alter the scope of recognition or compliance with requirements ^{3, 4} <ul style="list-style-type: none"> • Policy • Procedures • Standards and Criteria 	As necessary	As necessary

The ACEN will submit to the U.S. Department of Education Secretary information regarding a program's compliance with federal student aid program requirements if the Secretary requests such information, or if the ACEN believes that the program is failing to meet its Title IV responsibilities or is involved in fraud and abuse with respect to its activities. If circumstances permit and to the extent feasible, prior to submission of information, the program will be provided an opportunity to comment on findings.

Policy #5 History
 Revised July 2015
 Revised March 2019
 Revised June 2020

POLICY #6

DELAY/ADVANCEMENT OF CONTINUING ACCREDITATION VISIT

The nurse administrator may formally request a delay or advancement of a site visit for continuing accreditation. The ACEN Chief Executive Officer makes the decision to grant or deny the request based on the reasons provided. Denial of a delay or advancement of a site visit for continuing accreditation is not appealable.

The ACEN Chief Executive Officer may also initiate the delay or advancement of a site visit for continuing accreditation.

Delay of a Site Visit for Continuing Accreditation

Delays are granted only when circumstances beyond the control of the nursing program occur; typically, these involve a major disruption (e.g., natural disaster, catastrophic fire) that interrupts the education of currently enrolled students. The timeframe considered for a visit delay is six months/one accreditation cycle. A change in the nurse administrator or implementation of a substantive change is not considered beyond the control of the nursing program.

Delays are not granted to nursing programs:

1. Granted a delay in the most recent accreditation cycle.
2. With a current status of continuing accreditation with warning or continuing accreditation for good cause.
3. Having an outstanding Follow-Up Report as requested by the Commission.¹
4. On stipulation (including but not limited to conditional, provisional, probationary status) by the program's state regulatory agency for nursing.
5. Due for review following the granting of initial accreditation by the Commission.

¹If a nursing program does not submit the Follow-Up Report by the date requested, the program will be presented for action to the ACEN Board of Commissioners at the next Board of Commissioners meeting. The ACEN will deem as a voluntary withdrawal from accreditation any refusal or failure of an accredited program to submit to a required Follow-Up Report. See [ACEN Policy #7 Voluntary Withdrawal](#).

If the request for a delay is made six weeks or less prior to the site visit, the reprocessing/rescheduling site visit fee is applicable.

A nursing program that is granted a delayed accreditation visit will be returned to its original visit schedule for the next accreditation visit.

Advancement of a Site Visit for Continuing Accreditation

Advancements are granted when circumstances facilitate the review of two or more nursing programs offered by a governing organization/nursing education unit. For the nursing program(s) seeking advancement, the request for an advancement must be made no later than 18 months

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prior to the next comprehensive continuing accreditation site visit for the nursing program(s) that the nursing program(s) seeking advancement desires to synchronize with. A nursing program that is granted an advancement of a comprehensive continuing accreditation site visit will not be returned to its original comprehensive continuing accreditation site visit cycle; instead, the comprehensive continuing accreditation site visit cycle for the advanced nursing program will be reset per [ACEN Policy #4 Types of Commission Actions for Initial and Continuing Accreditation](#).

Policy #6 History
Revised July 2015
Edited March 2019
Revised July 2020

POLICY #7

VOLUNTARY WITHDRAWAL FROM ACEN ACCREDITATION

Accredited programs voluntarily withdrawing from ACEN accreditation must submit written notification of their decision signed by the chief executive officer of the governing organization and the nurse administrator of the nursing program to the attention of the ACEN Chief Executive Officer. When a nursing program voluntarily withdraws from the ACEN, the program's accreditation will continue through (1) the end of the nursing program's current initial or continuing accreditation period, (2) the end of the current ACEN fall or spring accreditation cycle*, or (3) a date specified by the program prior to the end of the current ACEN fall or spring accreditation cycle*. The program must specify the intended accreditation withdrawal date in its written notification to the ACEN. At the selected date of withdrawal, the nursing program will be removed from the ACEN's listings of accredited programs. The nursing program must remove all references to ACEN accreditation intended to inform the public including all print and electronic documents.

The ACEN will deem as a voluntary withdrawal from accreditation any refusal or failure of an accredited program to submit to a required (1) Site Visit, Follow-Up Visit, or Focused Visit, (2) Self-Study Report, Follow-Up Report, or Focused Visit Report, or (3) other requested information. The effective date of the withdrawal will be the last day of the current ACEN accreditation cycle*. The program will be so notified, in writing, by the ACEN Chief Executive Officer within 30 calendar days of an accredited program refusing or failing to submit to a required (1) Site Visit, Follow-Up Visit, or Focused Visit, (2) Self-Study Report, Follow-Up Report, or Focused Visit Report, or (3) other requested information.

ACEN will deem as a voluntary withdrawal from accreditation any refusal or failure of an accredited program to pay its fees and expenses when due. The effective date of the withdrawal will be the last day of the current ACEN accreditation cycle*. The program will be so notified, in writing, by the ACEN Chief Executive Officer within 30 calendar days of an accredited program refusing or failing to pay its fees and expenses on a timely basis.

A nursing program may initiate the Candidacy process for initial accreditation at any time after voluntarily withdrawing from accreditation and being removed from the list of accredited programs.

A nursing program may reinitiate the Candidacy process for initial accreditation at any time after voluntarily withdrawing from its initial accreditation process. A nursing program must voluntarily withdraw from the Candidacy process for initial accreditation before reinitiating the Candidacy process.

**Fall Cycle: July 1 to December 31*

Spring Cycle: January 1 to June 30

Policy #7 History
Revised July 2015
Revised March 2016
Revised July 2017

POLICY #8
OPPORTUNITIES FOR THIRD-PARTY COMMENTS
ON NURSING PROGRAMS SCHEDULED FOR INITIAL
OR CONTINUING ACCREDITATION

As part of ongoing efforts to make the accreditation process responsive to a broad range of constituents, the ACEN invites written and oral third-party comments on nursing programs being reviewed for initial or continuing accreditation. The ACEN welcomes comments from interested individuals from the nursing community, students, and graduates as well as the public.

All nursing programs seeking initial or continuing accreditation must provide an opportunity for written and oral third-party comments from the public. This applies only during a program's comprehensive review or required follow-up visit review and does not apply during a focused visit review.

The ACEN expects a sincere and thoughtful attempt by nursing programs seeking initial or continuing accreditation to identify their constituents and invite written and oral third-party comments on the program. The ACEN requires nursing programs to publish information about the visit in appropriate outlets (e.g., nursing program newsletter, governing organization publications, governing organization/nursing program website, email, social media, postings at clinical agencies used by the program).

During the accreditation site visit, a time is to be set aside for the peer evaluators on the site visit team to meet with and receive oral comments from interested members of the public.

Constituents must submit written third-party comments directly to the ACEN. The ACEN will share written third-party comments with the peer evaluators on the site visit team. Written third-party comments may not be given to the peer evaluators during the site visit.

Policy #8 History
Revised November 2015
Edited March 2019
Revised July 2020

POLICY #9

DISCLOSURE OF INFORMATION ABOUT AN ACCREDITED PROGRAM

When a governing organization and/or nursing education unit makes a disclosure regarding the ACEN accreditation status of a nursing program, it must (1) accurately cite each program (e.g., clinical doctorate, DNP specialist certificate, master’s, post-master’s certificate, baccalaureate, associate, diploma, and/or practical) and (2) accurately identify each nursing program’s accreditation status with ACEN.

The governing organization/nursing program must disclose the following information as a single disclosure to all current and prospective students within seven business days of receipt of the decision letter from the ACEN:

1. The disclosure must include the name, address, telephone number, and web address of the ACEN.
2. Per U.S. Department of Education regulation, the disclosure must include the most recent Board of Commissioners accreditation decision, which will be one of the following:
 - a. Initial Accreditation
 - b. Continuing Accreditation
 - c. Continuing Accreditation with Conditions
 - d. Continuing Accreditation with Warning
 - e. Continuing Accreditation for Good Cause
 - f. Denial of Continuing Accreditation
3. If the Board of Commissioners grants a nursing program initial or continuing accreditation, the governing organization/nursing program shall not use “fully accredited” as partial accreditation is not possible.

The single disclosure must be exactly as illustrated below:

The [insert type of program*] nursing program at [insert name of governing organization this is in accordance with ACEN records] at the [insert name of campus that is in accordance with ACEN records, if applicable] located in [city, state that is in accordance with ACEN records] is accredited by the:

Accreditation Commission for Education in Nursing (ACEN)
3390 Peachtree Road NE, Suite 1400
Atlanta, GA 30326
(404) 975-5000

The most recent accreditation decision made by the ACEN Board of Commissioners for the [insert type of program*] nursing program is [insert one of the following here]

- a. Initial Accreditation
- b. Continuing Accreditation
- c. Continuing Accreditation with Conditions
- d. Continuing Accreditation with Warning
- e. Continuing Accreditation for Good Cause

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View the public information disclosed by the ACEN regarding this program at <http://www.acenursing.us/accreditedprograms/programSearch.htm>

*Type of program: practical, diploma, associate, baccalaureate, master's, master's/post-master's certificate, post-master's certificate, clinical doctorate, clinical doctorate/DNP clinical doctorate specialist certificate, or DNP clinical doctorate specialist certificate.

4. If a nursing program is denied continuing accreditation and the program appeals the Board of Commissioners' decision, the governing organization/nursing program must disclose the following information as a single disclosure to all current and prospective students within one business day of initiating the appeal per [Policy #10 Appeal Process and Submission and Review of New Financial Information Subsequent to Adverse Action](#).

The single disclosure must be exactly as illustrated below:

The most recent accreditation decision made by the ACEN Board of Commissioners for the [insert type of program*] nursing program is denial of continuing accreditation, which [insert name of governing organization] is appealing per [Policy #10 Appeal Process and Submission and Review of New Financial Information Subsequent to Adverse Action](#). The [insert type of program*] nursing program will remain accredited with the status of [insert the accreditation status immediately prior to denial decision*] in accordance with [Policy #10](#) pending the outcome of the appeal process.

Accreditation Commission for Education in Nursing (ACEN)
3390 Peachtree Road NE, Suite 1400
Atlanta, GA 30326
(404) 975-5000

View the public information disclosed by the ACEN regarding this program at <http://www.acenursing.us/accreditedprograms/programSearch.htm>

Based on the outcome of the appeal process, the disclosure of accreditation status information must be updated within one business day of the effective date of the accreditation decision becoming final.

5. If a nursing program is denied continuing accreditation and the program pursues binding arbitration per [Policy #28 Binding Arbitration](#) related to the Board of Commissioners' decision, the governing organization/nursing program must disclose the following information as a single disclosure to all current and prospective students within one business day of initiating the binding arbitration process.

The single disclosure must be exactly as illustrated below:

The most recent accreditation decision made by the ACEN Board of Commissioners for the [insert type of program*] nursing program is denial of continuing accreditation, which [insert name of governing organization] is pursuing binding arbitration per [Policy #28 Binding Arbitration](#). The [insert type of program*] nursing program will remain accredited with the status of [insert the accreditation status immediately prior to denial decision*] in accordance with [Policy #10](#) pending the outcome of the binding arbitration process.

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Accreditation Commission for Education in Nursing (ACEN)
3390 Peachtree Road NE, Suite 1400
Atlanta, GA 30326
(404) 975-5000

View the public information disclosed by the ACEN regarding this program at
<http://www.acenursing.us/accreditedprograms/programSearch.htm>

Based on the outcome of the binding arbitration process, the disclosure of accreditation status information must be updated within one business day of the effective date of the accreditation decision becoming final.

6. If the nursing program is denied continuing accreditation and does not appeal the Board of Commissioners decision, the governing organization/nursing program must disclose the denial to all current and prospective students within seven business days of receipt of the decision letter from the ACEN that the Board of Commissioners denied the nursing program initial accreditation.
7. If a nursing program voluntarily withdraws from ACEN accreditation, the disclosure of accreditation status information must be deleted within one business day of the effective date of the voluntary withdrawal.

If the governing organization and/or nursing education unit publishes incorrect or misleading information about the accreditation status of a nursing program or any action by the ACEN relative to the accreditation status of a nursing program, the governing organization and/or nursing education unit must immediately provide public correction via a news release or through other media.

If a governing organization and/or nursing education unit makes public the contents from a Site Visit Report, Follow-Up Site Visit Report, Focused Site Visit Report, Summary of Deliberations of the Evaluation Review Panel, or Board of Commissioners decision letter, it must provide full sentences and context. Characterizing, quoting, and/or providing excerpts from a Site Visit Report, Follow-Up Site Visit Report, Focused Site Visit Report, Summary of Deliberations of the Evaluation Review Panel, or Board of Commissioners decision letter must also be accompanied by a note stating that a copy of the complete document(s) can be obtained from the nursing education unit. Should the statements be misinterpreted, the program must correct this misinterpretation through a clarifying release to the same audience that received the information.

If it is determined that a governing organization and/or nursing education unit is in violation of this policy, the ACEN Chief Executive Officer will inform the governing organization and/or nursing education unit through a formal letter. If the violation is not corrected immediately, the CEO shall report the matter to the ACEN Board of Commissioners for appropriate action.

Policy #9 History
Revised November 2015
Edited July 2017
Edited March 2019
Revised July 2020

POLICY #10

APPEAL PROCESS AND SUBMISSION AND REVIEW OF NEW FINANCIAL INFORMATION SUBSEQUENT TO ADVERSE ACTION

The purpose of this policy is to provide the opportunity for review of an adverse action. The appeal process allows a program to appeal an adverse action taken by the ACEN Board of Commissioners.

DECISIONS ELIGIBLE FOR APPEAL

A program may only appeal an adverse action taken by the ACEN Board of Commissioners. An adverse action is defined as a denial of initial accreditation or a denial of continuing accreditation.

GROUNDINGS FOR APPEAL

There are two grounds for appeal:

1. The ACEN Board of Commissioners' decision was arbitrary; that is, it was unreasonable and not based on, or consistent with, the published Standards and Criteria or the ACEN published policies and/or procedures; or
2. The ACEN Board of Commissioners failed to follow its published policies and/or procedures, and this failure was significant in leading to the Board of Commissioners' decision.

SUBMISSION AND REVIEW OF NEW FINANCIAL INFORMATION SUBSEQUENT TO ADVERSE ACTION

If an adverse action is taken by the ACEN Board of Commissioners based solely on financial grounds, including Commissioners action to deny initial accreditation or to deny continuing accreditation, a nursing program may submit and seek review of new financial information prior to the action becoming final if the following conditions are met:

1. The financial information was unavailable to the program until after the adverse action was taken; and
2. The financial information is significant and bears materially on the financial deficiencies identified in support of the adverse action.

A nursing program shall seek the review of new financial information only once. A nursing program may seek review of new financial information prior to appealing the adverse action. In such case, any determination by the ACEN Board of Commissioners made with respect to the

review of new financial information shall not provide a basis for an appeal. Alternatively, a nursing program may submit and seek review of new financial information as part of the appeal of the adverse action consistent with this policy and the procedures set forth below.

NOTICE OF APPEAL

An adverse action taken regarding the accreditation status of a nursing program may be appealed within 30 calendar days of the program's receipt of notice of such adverse action. A program shall initiate an appeal by filing a written notice of intent to appeal via hand delivery, certified/registered mail, or another means that provides written evidence of the delivery. The notice of appeal shall be sent by the Chief Executive Officer of the appellant program's governing organization to the ACEN Chief Executive Officer. Upon receipt of the notice, the ACEN shall maintain the prior accreditation status of the nursing program until the disposition of the appeal.

The request of a program for an appeal process must identify the specific alleged procedural failures or the specific manner in which the decision was arbitrary: that is, it was unreasonable and not based on, or consistent with, the published ACEN Standards and Criteria or ACEN published policies and/or procedures.

The appeal process will be completed within a reasonable amount of time following the date of receipt of the notice of intent to appeal. The date for the Appeal Hearing will be determined by the availability of Appeal Committee members to hear the case and by the establishment of a quorum.

The final determination of the date will be made by the Chief Executive Officer after consultation with the Appeal Committee members and the appellant program. The ACEN will make every effort to honor the preference of the appellant program but cannot guarantee the date.

The notice of intent to appeal fee must be submitted with the written notice of intent to appeal. The appeal process fee is due within 45 calendar days of the submission of the notice of intent to appeal. The appeal will be considered withdrawn if the program fails to submit the appeal process fee within 45 calendar days of the submission of the notice of intent to appeal.

The Appeal Hearing will not be scheduled until the appeal process fee has been paid in full. Additionally, the appellant program will be charged a non-refundable administrative appeal fee, which must be submitted with the written notice of intent to appeal. Credit cards are not an acceptable form of payment for the notice of intent to appeal fee, the appeal process fee, or the non-refundable administrative appeal fee.

If the travel, lodging, meal, legal, and other expenses directly related to the appeal process incurred by the ACEN exceed the cumulative total of the notice of intent to appeal fee and appeal process fee, the program will be responsible for the difference and will receive a subsequent invoice for the additional expenses not covered by the fees. Credit cards are not an acceptable form of payment for invoices for appeal-related expenses. If the travel, lodging, meal, legal, and other expenses directly related to the appeal process incurred by the ACEN are less than the cumulative total of the notice of intent to appeal fee and appeal process fee, the program will be refunded the difference. The appellant program is responsible for all of the travel, lodging, meal, legal, and other expenses directly related to the appeal process incurred by the ACEN regardless of the outcome, disposition, and/or cancellation of the Appeal Hearing.

APPOINTMENT OF AN APPEAL COMMITTEE

Seven members from the Appeal Committee membership shall be appointed to an Appeal Committee to examine a specific appeal. Five members of the Appeal Committee shall represent nursing education of the same program type as the appellant program; one member of the Appeal Committee shall represent nursing practice; one member of the Appeal Committee shall represent the public. Current members of the ACEN Board of Commissioners may not serve on the Appeal Committee.

The ACEN Chief Executive Officer shall appoint the Appeal Committee. A member of the Appeal Committee shall recuse him/herself from the Appeal Committee if there is a conflict of interest or an appearance of a conflict of interest. Appeal Committee members are subject to the requirements of [ACEN Policy #1 Code of Conduct and Conflict of Interest](#).

The ACEN Chief Executive Officer shall provide notice of the Appeal Committee membership to the appellant program. The appellant program will have the opportunity to review the proposed Appeal Committee members for any conflicts of interest. Within three business days of appellant program's receipt of the names of the proposed Appeal Committee membership, the appellant program shall provide written notice of any assertions that a proposed Appeal Committee member has a conflict of interest to the ACEN Chief Executive Officer. If the ACEN Chief Executive Officer determines a conflict of interest exists, another Appeal Committee member shall be appointed within three business days with notification to appellant program. The appellant program shall have an opportunity to review the appointed Appeal Committee member for any conflict of interest. Within three business days of the appellant program's receipt of the name of the appointed panel member, the appellant program shall provide written notice of any assertion that the substituted Appeal Committee member has a conflict of interest to the ACEN Chief Executive Officer. If the ACEN Chief Executive Officer determines that the panel member has a conflict of interest, the procedures of this paragraph shall be repeated until an Appeal Committee member is secured and the Appeal Committee is determined. The ACEN Chief Executive Officer's determination of a conflict of interest shall be final.

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Where necessary to avoid a conflict of interest or in other exceptional circumstances, the ACEN Chief Executive Officer may, in consultation with the appellant program, select individuals outside of the approved list maintained by the ACEN of persons qualified to serve as Appeal Committee members as long as such panel member otherwise meets the qualifications to be a panel member.

PROCEDURES FOR GOVERNING THE APPEAL PROCESS AND APPEAL HEARING

The Appeal Process and Appeal Hearing is a collegial one, and it shall not be bound by technical or formal rules of evidence or pleading. The Appeal Hearing is an administrative process, not judicial hearing, with each party to the appeal advocating its position. Therefore, legal Rules of Evidence and legal procedures, such as the examination of the competency of members of the Appeal Committee, the use of sidebars, or cross-examining those present, are prohibited.

Throughout the Appeal Process and Appeal Hearing, the appellant program will bear the burden of proof.

The ACEN is responsible for sending all material concerning the appeal to members of the Appeal Committee; for providing support services, including lodging, transportation and meeting space for the Appeal Committee members; for confirming the date of the Appeal Hearing; and for securing the services of a court reporter.

The following procedures must be adhered to in an appeal.

DOCUMENTS FOR THE HEARING

- I. At least 30 calendar days before the date of the Appeal Hearing, the ACEN must submit to the appellant program and the Appeal Committee documents (administrative record) used by the ACEN Board of Commissioners leading to and arriving at the decision regarding the program. The administrative record includes the following:
 - a. materials pertaining exclusively to the appellant program case that were used by the Board of Commissioners as the basis for its decision;
 - b. minutes of the ACEN Board of Commissioners pertaining exclusively to the appellant program case;
 - c. a historical summary of the actions taken by the ACEN involving the appellant program;
 - d. the official ACEN correspondence leading to the adverse action and also related to the appeal;
 - e. materials pertaining exclusively to the appellant program case that were used by the Evaluation Review Panel as the basis for its recommendation; and

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- f. other documents bearing on the substance of the appeal.
2. At least 14 calendar days before the date of the Appeal Hearing, the appellant program must submit to the ACEN Chief Executive Officer the brief it intends to present at the Appeal Hearing. The brief must specifically direct Appeal Committee members to citations in the administrative record which justify the appellant program's grounds for appeal. The appellant program must cite page numbers of the text supporting its position. The appellant program is required to submit 10 copies of its brief. Failure of the appellant program to provide a brief within the specified period time shall be cause for case dismissal by the Appeal Committee.
3. At least 10 calendar days before the date of the Appeal Hearing, the ACEN must submit the appellant program's brief to the Appeal Committee.
4. At least seven calendar days before the date of the Appeal Hearing, the ACEN must submit to the appellant program and Appeal Committee, its response to the appellant program's brief.
5. Neither the appellant program nor the ACEN may submit additional briefs or any other materials during or following the Appeal Hearing.

THE HEARING

1. The appeal hearing shall be held in the Atlanta, Georgia, Metropolitan Area or some/all of the proceedings may take place remotely, by telephonic or other electronic means, so long as both parties and all Appeal Committee members can participate equally. The ACEN Chief Executive Officer shall decide the specific location or format of the appeal hearing; hearing location or format shall not be disputable by the governing organization/nursing program.
2. The Appeal Committee will select a Chair who will be responsible for ensuring effective implementation of the appeal process and for filing the Appeal Committee's decision with the ACEN Chief Executive Officer.
3. The Chair of the Appeal Committee may have a preliminary conference, in person or by telephone, either at the Chair's request or at the request of a party, to discuss the procedures for the appeal. The conference will be conducted by the Chair with representatives from both parties in attendance.
4. At least 14 calendar days before the date of the Appeal Hearing, the appellant program and the ACEN must submit to each other the names and titles of those individuals selected to appear as witnesses, representatives, and counsel, one of whom must be the Nurse Administrator. Once the names are submitted to each other there may be no substitutions, except as may be approved by the Chair.
5. The ACEN Board of Commissioners bases its adverse action on reports, institutional responses, documentation, and evidence presented by the institution at the time of its review. The Appeal Committee bases its decision on the published Standards and Criteria or the ACEN published policies and/or procedures in effect at the time of the ACEN Board of Commissioners' review.

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6. If the appellant program failed to present documentation and evidence available at the time the ACEN Board of Commissioners took adverse action, it cannot make that information available for consideration by the Appeal Committee under any circumstances. In addition, neither the ACEN nor the appellant program may include new information/materials as part of their briefs presented to the Appeal Committee nor may they introduce new evidence during the Appeal Hearing unless, in the case of an institution removed from accreditation based solely on finances, it may make available new and verifiable financial information that became available since adverse action was taken and that is material to the reason for the ACEN Board of Commissioners' adverse action. It is incumbent upon all parties to ensure that all evidence to be presented at the Appeal Hearing is submitted as required by [ACEN Policy #10 Appeal Process and Submission of New Financial Information Subsequent to Adverse Action](#).
7. The Appeal Hearing is closed to the public and shall include only those persons who can speak to the grounds for appeal.
8. Both parties are present during the Appeal Hearing. If the governing organization/nursing program or the ACEN does not attend the Appeal Hearing after receiving proper notice of the date, time, and location, the Appeal Committee shall proceed with the Appeal Hearing in the absence of all/some representatives of the party. The Appeal Committee will consider an emergency or other unforeseen relevant circumstance (e.g., natural disaster) that prevents a representative(s) from a party from attending the Appeal Hearing face-to-face as scheduled; only in these cases, technology may be used to allow a party to present its case. If a party fails to present its case, the Appeal Committee shall make a decision without the party's presentation of its case.
9. No more than five persons and one counsel shall appear for each of the parties. The nurse administrator of the appellant program shall appear before the Appeal Committee.
10. Attendees will be seated with counsel and may testify from where they sit. There will be no sequestration of witnesses.
11. The Appeal Committee may ask questions of the attendees, and their questions shall not count against the time allowed either side.
12. Counsel may not cross-examine witnesses for the other party and may not voice objections.
13. The presentation of the parties, including any questions of the Appeal Committee, shall be transcribed by a court reporter provided by the ACEN.
14. Since the appellant program bears the burden of proof, the appellant program will be the first party to present its case during the Appeal Hearing.
15. The Chair of the Appeal Committee will limit the presentation of the appellant program and the ACEN to one hour each and shall notify both before the Appeal Hearing of such time limit. The one hour does not include a time period for questioning from the members of the Appeal Committee. At the request of the appellant program or the ACEN, the Chair may allow time for final response by either party, not to exceed one-half hour. These time limits can be extended only by the Chair. Since the institution bears

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the burden of proof, the institution will be the first party to present a final response and may reserve some time to conclude.

16. Within seven calendar days of the conclusion of the Appeal Hearing, the Chair of the Appeal Committee shall inform the ACEN Chief Executive Officer and Chair of the ACEN Board of Commissioners in writing of the Appeal Committee's decision. This notification must include specific reasons for the decision, must address each of the grounds for appeal identified by the appellant program, and must address the findings with regard to standards on which the ACEN Board of Commissioner's decision was based. A PDF version of the letter of notification will be emailed and will be deemed acceptable by transmission. The original letter will be next-day express mailed to the chief executive officer of the appellant program's governing organization and to the ACEN Chief Executive Officer.
17. Within 30 calendar days of receiving the decision from the chair of the Appeal Committee, the ACEN will notify the U.S. Department of Education of the final decision.
18. Within 30 business days of receiving the decision from the chair of the Appeal Committee, the ACEN will notify the governing organization/nursing program of the final decision.

CONDITIONS

- I. The appellant program bears the burden of proof.
 - a. To gain an AMENDMENT of the ACEN Board of Commissioners' decision, the appellant program must present evidence which, in the judgment of the Appeal Committee, demonstrates that the ACEN Board of Commissioners' decision was arbitrary, that is, was unreasonable and not based on, or consistent with, the published Standards and Criteria or ACEN published policies and/or procedures.
 - b. In order to gain a REMAND, the appellant program must present evidence which, in the judgment of the Appeal Committee, demonstrates that the ACEN Board of Commissioners failed to follow its published policies and/or procedures and that this failure was significant in leading to its decision. An appellant program removed from accreditation based solely on finances may also gain a remand if it presents new and verifiable financial information that has become available since the adverse action was taken and that is material to the reason for the ACEN Board of Commissioners' decision.
 - c. If the appellant program fails to provide evidence adequate to gain an AMENDMENT or a REMAND, the initial decision of the ACEN Board of Commissioners must be AFFIRMED.

The accreditation status of an appellant program for which an appealable action has been taken shall remain as it was before such action until the 30-calendar-day period for filing an appeal has expired. Receipt of a notification of an appeal from an appellant program by the ACEN Chief Executive Officer during this 30-calendar-day period will cause that previous status to be

continued until a final decision is made on the appeal. Final Accreditation Decision section in [Policy #4 Types of Commission Actions for Initial and Continuing Accreditation](#).

RIGHTS AND LIMITATIONS

- I. The appellant program and the ACEN have the following rights in an appeal:
 - a. To have available counsel or a representative of their choice to advise them at the Appeal Hearing. Counsel representing each of the parties will be permitted to present or assist in the presentation of the case during the Appeal Hearing. Counsel will not be permitted to conduct a cross-examination of representatives from the opposing party.
 - b. If the Chair of the Appeal Committee, the appellant program, or the ACEN requests a pre-hearing conference, the conference will be conducted by the Chair with representatives from both parties in attendance.
 - c. To present written or oral testimony and/or evidence pertinent to the grounds for the appeal consistent with this [ACEN Policy #10 Appeal Process and Submission of New Financial Information Subsequent to Adverse Action](#). Only the Appeal Committee has the right to question individuals present at the Appeal Hearing. All individuals who testify will testify under oath as administered by the court reporter.
 - d. To receive a transcript and any other related records of the Appeal Process and Appeal Hearing, upon payment of the costs of reproduction.
 - e. The Appeal Committee's discussions and deliberations, all votes taken, and the discussion on the final decision itself are not conducted on the record.
 - f. Presentations by the appellant program and the ACEN, questions asked of these representatives by the Appeal Committee, and responses to such questions are to be recorded and transcribed. Transcripts are a matter of record of the proceedings.
2. The decision of the ACEN Board of Commissioners shall be reviewed based exclusively upon the conditions existing at the time of that decision, except in the case of an appellant program removed from accreditation based solely on finances that has available new and verifiable financial information that is material to the ACEN Board of Commissioners' adverse action, and shall be subject to the following limitations:
 - a. No evidence concerning the remedying of deficiencies since the time of the ACEN Board of Commissioners' adverse action shall be presented at or before the Appeal Hearing under any circumstances. The Appeal Committee is prohibited from considering such evidence in reaching its decision. No new evidence made available since the time of the ACEN Board of Commissioners' adverse action shall be presented at or before the Appeal Hearing. The Appeal Committee is prohibited from considering such evidence in reaching its decision. The only exception is that of the case of an appellant program removed from accreditation based solely on finances that has available new and verifiable financial information that is material to the ACEN Board of Commissioners' adverse action, in which case the matter shall be remanded for further review.

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- b. The Appeal Committee shall not, in its decision or otherwise, instruct the ACEN staff, the Evaluation Review Committee, or the ACEN Board of Commissioners to consider evidence concerning the remedying of deficiencies since the date of the ACEN Board of Commissioners' original decision, except in the case of an appellant program removed from accreditation based solely on finances for which the matter is remanded.
3. The Chair of the Appeal Committee **must disallow** evidence presented by the appellant program or the ACEN:
 - a. Which is not pertinent to the grounds for appeal;
 - b. Which concerns the remedying of deficiencies since the time of the ACEN Board of Commissioners' decision;
 - c. Which was not available to the Board of Commissioners at the time of its decision, except in the case of an appellant program removed from accreditation based solely on finances that has available new and verifiable financial information that is material to the ACEN Board of Commissioners' decision.
4. The Appeal Committee members may not disclose the content of confidential discussions or deliberations leading to its decision.
5. The Appeal Committee members may not disclose its decision prior to the Chair's notification to the ACEN Chief Executive Officer and the Chair of the ACEN Board of Commissioners.

ACTIONS

1. The Appeal Committee, after the presentation of oral and/or written testimony, must determine whether the appellant program has demonstrated either of the following:
 - a. That the ACEN Board of Commissioners failed to follow its published policies and/or procedures and that this failure was significant in leading to the Board of Commissioners' decision; or
 - b. That the ACEN Board of Commissioners' decision was arbitrary, that is, was unreasonable and not based on, or consistent with, the published Standards and Criteria or ACEN published policies and/or procedures.
2. The Appeal Committee shall act within the following limitations:
 - a. **AFFIRM** the ACEN Board of Commissioners' decision
 - i. The Appeal Committee shall AFFIRM the Commission's decision, unless it finds that the appellant program:
 1. Demonstrated that the ACEN Board of Commissioners failed to follow its published policies and/or procedures and that this failure was significant in leading to the Board of Commissioners' decision;
 2. Demonstrated that the ACEN Board of Commissioners' decision was arbitrary, that is, was unreasonable and not based on, or

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- consistent with, the published Standards and Criteria or ACEN published policies and/or procedures;
3. Removed from accreditation based solely on finances, produced evidence that it has available new and verifiable financial information and that the financial information is material to the ACEN Board of Commissioners' decision.
- ii. The decision by the Appeal Committee to AFFIRM the ACEN Board of Commissioners' decision is final and is not subject to further appeal.
- b. **AMEND** the ACEN Board of Commissioners' decision
- i. The Appeal Committee shall AMEND the decision of the ACEN Board of Commissioners if it finds that the appellant program has demonstrated that:
 - I. The ACEN Board of Commissioners' decision was arbitrary, that is, was unreasonable and not based on, or consistent with, the published Standards and Criteria or ACEN published policies and/or procedures.
 - ii. The decision by the Appeal Committee to AMEND the ACEN Board of Commissioners' decision is final and is not subject to further appeal.
- c. **REMAND** the ACEN Board of Commissioners' decision
- If the appellant program demonstrated that the ACEN failed to follow its published policies and/or procedures, the Appeal Committee shall remand to the specific group where the failure occurred.
- i. The Appeal Committee shall REMAND the decision of the ACEN Board of Commissioners if it finds that the appellant program has demonstrated that the ACEN failed to follow the its published policies and/or procedures, that the failure was significant in leading to the ACEN Board of Commissioners' decision, and that the failure was significant in leading to the adverse action.
 - ii. The Appeal Committee shall REMAND the case to the specific group (i.e., peer evaluators on site visit team, Evaluation Review Panel, or Board of Commissioners) where the failure occurred. The Appeal Committee will explain its basis for a ruling that differs from that specific group. The peer evaluators on the site visit team and/or Evaluation Review Panel will reconsider the case and forward its recommendation to the next level of review.
 - iii. The Appeal Committee must act in a manner consistent with the Committee's decision(s) or instruction(s)
 - iv. When remanded to the site visit team, to the extent reasonably possible, all the original peer evaluators on the site visit team will reconsider the case. The peer evaluators will reconsider the case and make a second accreditation recommendation, which may or may not be the same as the first recommendation.
When remanded to the Evaluation Review Panel, there is no guarantee that the Evaluation Review Panel will be any of the original peer evaluators that made the previous recommendation. The Evaluation

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Review Panel assigned the case will reconsider the case and make a second accreditation recommendation, which may or may not be the same as the first recommendation.

When remanded to the Board of Commissioners, there is no guarantee that the Board of Commissioners will be the exact same peer evaluators that made the original decision. The current Board of Commissioners will reconsider the case and make a second accreditation decision, which may or may not be the same as the first decision.

- v. If the Appeal Committee REMANDS the case, the reconsideration shall occur at the next realistic accreditation review cycle following the decision of the Appeal Committee.

If the ACEN Board of Commissioners affirms its original decision, the appellant program may again appeal based on the Grounds for Appeal. The case will be heard again by an Appeal Committee composed of different members, which will then make a final decision to AFFIRM or AMEND. The Appeal Committee cannot REMAND again.

Policy #10 History

Revised July 2015

Revised July 2020

POLICY #11
PUBLIC NOTICE OF PROPOSED POLICY CHANGES

The ACEN provides notice of proposed new or revised policies. Interested parties have an opportunity to comment prior to implementation.

Policy #11 History
Revised April 2014

POLICY #12

NURSING PROGRAM RECORDS ON FILE

The Accreditation Commission for Education in Nursing (ACEN) will retain and destroy governing organization/nursing program accreditation records, non-accreditation records, and official correspondence as required by law, applicable regulations, and ACEN policies.

This policy does not seek to provide obligations that may conflict with federal law or regulations, State Sunshine laws, Open Records, or other record retention laws, and shall be construed wherever possible consistent with such laws; should an apparent conflict arise between this policy and federal or state law, in all instances such law shall prevail.

A. Accreditation Records

Accreditation records means those documents (paper or digital) created by the governing organization/nursing program or created by the ACEN and are in the possession of the ACEN that relate to the review of a governing organization's/nursing program's seeking initial accreditation, continuing accreditation, or approval of a substantive change.

1. Initial or Continuing Accreditation Records

Initial or continuing accreditation records shall be retained for one accreditation cycle; five years for initial accreditation or eight years for continuing accreditation and then destroyed. In the case of appeal or binding arbitration, required records shall be retained until the conclusion of the respective process and then destroyed in five years for initial accreditation or eight years for continuing accreditation, whichever is later. These records include the following:

- a. Nursing program's written report (i.e., Self-Study Report, Follow-Up Report, or Focused Visit Report) excluding supporting evidence
- b. Site visit team report, if applicable (i.e., Site Visit Report, Follow-Up Site Visit Report, Focused Site Visit Report)
- c. Nurse Administrator Response Form, if applicable
- d. Evaluation Review Panel Summary

2. Substantive Change Records

Substantive change records shall be retained for three years and then destroyed. These records include the following:

- a. Written documents (paper or digital) created by the governing organization/nursing program as required at the time of submission for Procedure 1, 2, 3, or 4 per [ACEN Policy #14 Reporting Substantive Changes](#).

3. Candidacy Records

Candidacy records shall be retained for three years or until initial accreditation is earned, whichever occurs first and then destroyed. These records include the following:

- a. Written documents (paper or digital) created by the ACEN or created by the

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governing organization/nursing program as required at the time of submission per [ACEN Policy #34 Candidacy for a Governing Organization/Nursing Program Seeking Initial Accreditation](#) and candidacy process.

4. Annual Report

Annual Report records shall be retained for eight years. These records include the following:

- a. Written documents (paper or digital) created by the governing organization/nursing program as required at the time of submission for the ACEN Annual Report.

B. Non-Accreditation Records

1. Complaint Records

All complaint records shall be retained for eight years. These records include the following:

- a. Written documents (paper or digital) created by the complainant or created by the governing organization/nursing program at the time of submission as required per [ACEN Policy #20 Complaints Against an Accredited Program](#) and the complaint process.

C. Official Correspondence Records

Official correspondence includes correspondence on ACEN letterhead signed by the ACEN Chief Executive Officer and addressed to the governing organization chief executive officer and/or nursing program administrator.

1. Initial or continuing accreditation official correspondence shall be retained permanently. These include the following:
 - a. Accreditation decision letter to the governing organization's chief executive officer and nursing program's nurse administrator
 - b. Letter of voluntary withdrawal from initial or continuing accreditation process if the governing organization/nursing program withdraws before Board of Commissioners' decision; see [ACEN Policy #7 Voluntary Withdrawal from ACEN Accreditation](#). In this case, only the governing organization's/nursing program's withdrawal letter and ACEN acknowledgement letter are retained permanently, and all other documents (paper or digital) created by the governing organization/nursing program or created by the ACEN are destroyed.
 - c. Letter of voluntary withdrawal from candidacy process. In this case, only the governing organization's/nursing program's withdrawal letter and ACEN acknowledgement letter are retained permanently, and all other documents (paper or digital) created by the governing organization/nursing program or created by the ACEN are destroyed.
2. Substantive change official correspondence shall be retained permanently. This includes the following:
 - a. Board of Commissioners' or Chief Executive Officer's decision letter.

3. Other official correspondence shall be retained permanently as determined by the Chief Executive Officer or designee.
 - a. Correspondence deemed critical to the accreditation functions of the ACEN.

D. Applicability

1. This policy applies to paper or digital accreditation records, non- accreditation records, and official correspondence wherever and however they are retained.
2. Accreditation records, non-accreditation records, and official correspondence do not include any other type of records (e.g., administrative, business, corporate) created by the governing organization/nursing program or created by the ACEN and are in the possession of the ACEN.

Policy #12 History
Revised November 2015
Revised July 2020

POLICY #13
INTERIM REPORT (NOT IN EFFECT)

Policy #13 History
Revised April 2014

POLICY #14

REPORTING SUBSTANTIVE CHANGES

GLOSSARY OF TERMS

Please see the **ACEN Glossary** for the definition of the following terms:

- Alternative Methods of Delivery
- Branch Campus
- Closing Report
- Contractual Agreement
- Consortia Relationship
- Distance Education
- Distance Technology
- Geographic Region
- Geographically Separate
- Governing Organization
- Inactivation of a Nursing Program
- Inactivation of a Branch Campus/Off-Campus Instructional Site
- Letter of Notification
- Nursing Education Unit
- Nursing Program
- Off-Campus Instructional Site
- Nursing Program Length
- Nursing Program Locations
- Nursing Program Option
- Nursing Program Type
- Reactivation of a Nursing Program
- Reactivation of a Branch Campus/Off-Campus Instructional Site
- Teach-Out Agreement

POLICY STATEMENTS REGARDING SUBSTANTIVE CHANGE

1. The Standards and Criteria apply to all ACEN-accredited nursing programs wherever the nursing program is located or however the nursing program is delivered. Failure to comply with the Standards and Criteria or with the procedures referred to in this policy could result in the imposition of a stipulation (i.e., conditions, warning, good cause) or the nursing program being removed from the list of accredited nursing programs.
2. ACEN staff will conduct a preliminary review of all Procedure I changes to verify that approval or denial by the ACEN Board of Commissioners or ACEN Chief Executive Officer is required. The Chief Executive Officer may approve or deny the Procedure I substantive changes as delegated by the Board of Commissioners to the Chief Executive Officer per 34 CFR 602.22(a)(3i).

Verified Procedure I substantive changes not delegated by the Board of Commissioners to the Chief Executive Officer per 34 CFR 602.22(a)(3i) are referred to the Board of Commissioners for approval or denial. Additionally, the following are referred to the

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Board of Commissioners for approval or denial:

- a. Any proposed substantive change submitted by a nursing program currently on continuing accreditation with warning or continuing accreditation for good cause.
 - b. A proposed substantive change submitted by an institution placed on advanced payment method, reimbursement payment method, or heightened cash management payment method per 34 CFR 668.162 by the U.S. Department of Education for Title IV federal funding when the ACEN is the Title IV gatekeeper for the nursing program.
3. ACEN staff review all Procedure 2, 3, and 4 substantive changes. These substantive changes may be accepted or not accepted by the Chief Executive Officer or referred to the Board of Commissioners for further action.
4. Denial or non-acceptance of a substantive change is not appealable. A nursing education unit that fails to gain approval of a substantive change may resubmit a revised prospectus or letter of notification following the guidelines and timeframes described in this document.
5. A governing organization/nursing program in the appeals process or in binding arbitration with the ACEN is not eligible for consideration of any substantive change.
6. Nursing programs that were granted continuing accreditation with warning or continuing accreditation for good cause by the Board of Commissioners as a result of the last accreditation review may not implement a substantive change until the continuing accreditation with warning or continuing accreditation for good cause status has been resolved. Exceptions may be made for substantive changes deemed necessary to ensure the nursing program's compliance with the Standards and Criteria with which the program was found to be in non-compliance. For example, a nursing program may implement a curriculum change to address non-compliance with Standard 4 Curriculum. However, a nursing program may not increase student enrollment, add new nursing program options, add new teaching locations, implement distance education, or add new nursing program types until the continuing accreditation with warning or continuing accreditation for good cause status has been resolved.
7. The ACEN substantive change policy applies only to accredited nursing programs. Programs that have achieved Candidacy status should refer to [Policy #34](#) for information about program changes that should be reported to the ACEN prior to initial accreditation.
8. Procedures 1, 2, 3, and 4 may not address all substantive changes that ACEN will review in the interim between a nursing program's reaccreditation cycles. Therefore, the ACEN reserves the right to classify significant changes other than those described below as substantive in nature and to follow up accordingly. The follow-up procedure may include a focused visit.
9. A nursing program may withdraw/discontinue a substantive change at any time prior to the decision by the Board of Commissioners or the Chief Executive Officer by

submitting a formal letter to the Chief Executive Officer withdrawing the substantive change.

10. Once a nursing program submits a substantive change and the document is reviewed by either the ACEN staff or the decision by the Board of Commissioners or the Chief Executive Officer, any information included therein that indicates possible non-compliance with any of the Standards and Criteria may lead ACEN to further review the nursing program, even if the prospectus is withdrawn or approval of the substantive change is denied.
11. Submission and acceptance of a substantive change for the addition of a new degree level does not constitute approval of a new degree level at an ACEN-accredited program. In order for a program to be ACEN accredited, the program must achieve Candidacy and be granted initial accreditation by the Board of Commissioners. Information about the Candidacy and initial accreditation process is available at: <https://www.acenursing.org/candidacy>.

The Board of Commissioners' or Chief Executive Officer approval or denial of a substantive change is effective as of the date of the Board's/CEO's approval or denial; this date will be noted in the approval or denial letter sent to the governing organization/nursing program. The Chief Executive Officer's acceptance or non-acceptance of a substantive change is effective as of the date of the acceptance or non-acceptance letter sent to the governing organization/nursing program.

- a. The effective date may not pre-date either an earlier denial of the substantive change or the current review and subsequent approval/denial or acceptance/non-acceptance of the substantive change.
 - b. Acceptance, non-acceptance, approval, or disapproval of a substantive change is based on a review of written documentation submitted by the nursing program and the understanding and application of the current ACEN policies and the current Standards and Criteria. The acceptance or approval of a substantive change at the time of submission does not guarantee that, after a review of the program by peer evaluators in the future (i.e., focused visit or continuing accreditation visit), the Board of Commissioners will determine that the program is in compliance with all related Standards and Criteria affected by the substantive change.
 - c. The effective date of a change of ownership is the date the Board of Commissioners approves the change of ownership; the effective date of a change of ownership may not be more than 30 calendar days prior to the change of ownership.
12. Extensive substantive changes by a nursing education unit may accelerate the date for the nursing program's next comprehensive continuing accreditation visit. Examples of triggers for an accelerated reaccreditation include the following changes: proliferation of branch campuses or off-campus instructional sites where the nursing program is offered, frequent change of ownership, merger or consolidation with other nursing programs, significant increase in enrollment in the nursing program, or rapid

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proliferation of new nursing program options.

13. If the ACEN is the Title IV gatekeeper for the nursing program and the nursing program fails to follow the ACEN substantive change policy and procedures, the nursing program may lose its Title IV funding or be required by the U.S. Department of Education to reimburse it for money received for nursing programs related to the unreported substantive change. In addition, the nursing program may be referred to the Board of Commissioners for the imposition of a stipulation (e.g., conditions or warning) or removal from the list of accredited nursing programs.

NURSING PROGRAM RESPONSIBILITIES AND OBLIGATIONS

A substantive change is a significant modification or expansion of the nature and scope of a nursing program and/or nursing education.

It is the responsibility of each nursing education unit to notify the ACEN of major changes in a nursing program to ensure maintenance of accreditation status and protection of students in accordance with [Policy #14 Reporting Substantive Changes](#) and, when required, seek approval prior to the initiation of the substantive change. Failure to report a substantive change places the accreditation status of a nursing program in jeopardy and may have consequences related to Title IV certification and eligibility. If a nurse administrator is unclear as to whether a change is substantive in nature, she/he should contact ACEN staff for consultation.

The ACEN reserves the right to reconsider the accreditation status of a nursing program at any time. The Board of Commissioners may also take action to require monitoring of a nursing program due to non-compliance with any Accreditation Standard.

REPORTING THE VARIOUS TYPES OF SUBSTANTIVE CHANGE

The different types of substantive change, the specific procedure to be used for each, the respective approval/notification requirement, and the reporting timeline are included in the following table. Submission procedures are explained in more detail following the table. Please read the full text under the appropriate procedure for details regarding reporting. Based on federal regulations and ACEN policy, a substantive change includes:

Type of Substantive Change	Prior Approval from ACEN Required	Review Procedure ¹	Focused Visit	Timeframe for Submission to the ACEN
CURRICULUM				
Changing the way a governing organization or nursing program measures academic progress toward program completion, in clock hours, credit hours, semesters, trimesters, or quarters; or uses time-based or non-time-based methods ²	Yes	Procedure I	Possible	Four months prior to implementation of the change

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Type of Substantive Change	Prior Approval from ACEN Required	Review Procedure ¹	Focused Visit	Timeframe for Submission to the ACEN
Adding undergraduate or graduate nursing programs of study at a degree or credential level different from that which is included in the nursing education unit's current accreditation	Yes	Procedure 2	No	Prior to implementation See candidacy process for adding a new undergraduate or graduate nursing program at the new degree or credential level different from that which is currently included in the nursing education unit's current accreditation
An increase, decrease, or substitution of 25% to 49% of the nursing credit/quarter/clock hours that represents a significant departure in the nursing content from the currently accepted/approved nursing courses required for completion of a nursing program	No	Procedure 2 ⁵	Possible	Four months prior to implementation of the change
An increase, decrease, or substitution of 50% or greater of the nursing credit/quarter/clock hours that represents a significant departure in the nursing content from the currently accepted/approved nursing courses required for completion of a nursing program ²	Yes	Procedure 1	Possible	Four months prior to implementation

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Type of Substantive Change	Prior Approval from ACEN Required	Review Procedure ¹	Focused Visit	Timeframe for Submission to the ACEN
Curriculum revisions involving an increase or decrease of 20% or greater of the total credit/quarter/clock hours for the nursing program of study from the currently accredited program of study ²	Yes	Procedure 1	Possible	Four months prior to implementation of the change
PROGRAM OUTCOMES				
The program's overall (aggregated for the program as a whole) annual licensure examination/certification pass rates not meeting the benchmark established in Criterion 6.2	No	Procedure 4	Possible	Within 60 calendar days of the program knowing pass rate does not meet benchmark
The program's overall (aggregated for the program as a whole) annual program completion rate over two consecutive academic years falling 25% or more below the program's established expected level of achievement (ELA); or the annual program completion rate in a single year falling more than 40% below the program's established ELA	No	Procedure 4	Possible	Within 60 calendar days of the program knowing completion rate does not meet benchmark

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Type of Substantive Change	Prior Approval from ACEN Required	Review Procedure ¹	Focused Visit	Timeframe for Submission to the ACEN
The program's overall (aggregated for the program as a whole) annual job placement rate over two-consecutive academic years falling 30% or more below the program's established expected level of achievement (ELA); or the annual job placement rate in a single year falling more than 45% below the program's established ELA	No	Procedure 4	Possible	Within 60 calendar days of the program knowing graduation rate does not meet benchmark
DISTANCE EDUCATION				
Offering 50% to 100% of the number of nursing credit/quarter/clock hours via distance education ² . Once approved to offer any nursing program via distance education, approval is not required to offer subsequent nursing program(s) via distance education.	Yes	Procedure 1	Possible	Four months prior to implementation of the change
Offering 25% to 49% of the number of nursing credit/quarter/clock hours via distance education	No	Procedure 2 ⁵	No	Prior to implementation
Offering 1% to 24% of the number nursing credit/quarter/clock hours via distance education	N/A	N/A	No	N/A
PROGRAMS/PROGRAM OPTIONS				
Adding undergraduate or graduate nursing programs of study at a degree or credential level different from that which is included in the nursing education unit's current accreditation	Yes	Procedure 2	No	Prior to implementation See candidacy process

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Type of Substantive Change	Prior Approval from ACEN Required	Review Procedure ¹	Focused Visit	Timeframe for Submission to the ACEN
Adding a nursing program option within a nursing program by deleting and/or substituting 50% or more of the existing nursing courses to form the new nursing program option ²	Yes	Procedure 1	Possible	Four months prior to implementation of the change
Adding a nursing program option within a nursing program by deleting and/or substituting 1-49% of the existing nursing courses to form the new nursing program option	No	Procedure 2 ⁵	Possible	Prior to implementation
Inactivating a nursing program	No	Procedure 2	No	Four months prior to implementation of the change
Reactivating a nursing program	No	Procedure 2	No	Four months prior to implementation of the change
Closing a nursing program	Yes	Procedure 3	Possible	Four months prior to implementation of the change
Acquiring another governing organization	Yes	Procedure 1	Possible	Four months prior to implementation of the change
Acquiring from another governing organization an accredited or non-accredited nursing program	Yes	Procedure 1	Possible	Four months prior to implementation of the change
Acquiring from another governing organization an off-campus instructional site where an accredited or non-accredited nursing program is offered	Yes	Procedure 1	Possible	Four months prior to implementation of the change

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Type of Substantive Change	Prior Approval from ACEN Required	Review Procedure ¹	Focused Visit	Timeframe for Submission to the ACEN
CHANGE IN STATUS: NURSING REGULATORY AGENCY/ACCREDITING AGENCY/TITLE IV				
A change in approval status with the state regulatory agency for nursing; see ACEN Policy #17	N/A	Procedure 4	Possible	Within 60 calendar days of the program receiving notification
A negative or adverse action by the institutional accrediting agency; see ACEN Policy #18	N/A	Procedure 4	Possible	Within 60 calendar days of the program receiving notification
A change in Title IV status (Applies only if ACEN is the Title IV gatekeeper for the nursing program)	N/A	Procedure 4	Possible	Within 60 calendar days of the program receiving notification
INSTRUCTIONAL SITES/BRANCH CAMPUSES/RELOCATIONS				
Establishing a branch campus at which an ACEN-accredited nursing program is offered. Once approved to offer any nursing program at a branch campus within the nursing education unit (NEU) per ACEN records, approval is not required to offer any subsequent nursing program(s) within the NEU at the branch campus. ⁴	ACEN is Title IV gatekeeper - Yes	Procedure 1	Required	Four months prior to implementation of the change
	ACEN is not Title IV gatekeeper - Yes	Procedure 2	Possible ⁴ Note: All new branch campuses must be reported whether or not a focused visit is required	

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Type of Substantive Change	Prior Approval from ACEN Required	Review Procedure ¹	Focused Visit	Timeframe for Submission to the ACEN
<p>Establishing a new off-campus instructional site at which students can obtain 50% or more of the number of nursing credit/quarter/clock hours required for completion of an ACEN-accredited nursing program. Once approved to offer any nursing program at an off-campus instructional site within the nursing education unit (NEU) per ACEN records, approval is not required to offer any subsequent nursing program(s) within the NEU at the off-campus instructional site.⁴</p>	Yes	Procedure 1	<p>Required for first two off-campus instructional sites^{3,4}</p> <p>Note: All new off-campus instructional sites must be reported whether or not a focused visit is required</p>	
<p>Establishing a new off-campus instructional site at which students can obtain 25% to 49% of the number of nursing credit/quarter/clock hours required for completion of a nursing program</p>	No	Procedure 2	No	Prior to implementation
<p>Establishing a new off-campus instructional site at which students can obtain 1% to 24% of the number of nursing credit/quarter/clock hours required for completion of a nursing program</p>	N/A	N/A	N/A	N/A

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Type of Substantive Change	Prior Approval from ACEN Required	Review Procedure ¹	Focused Visit	Timeframe for Submission to the ACEN
Relocating a currently approved branch campus or off-campus instructional site serving the same geographic region where nursing program is offered	No	Procedure 2	Possible ⁴	Prior to implementation
Relocating a nursing education unit	Yes	Procedure 2	Possible	Four months prior to implementation of the change
Adding a permanent branch campus or off-campus instructional site at which the governing organization is conducting a teach-out for students of another governing organization that has ceased operating before all students enrolled in an accredited or non-accredited nursing program have completed the nursing program of study. Once approved to offer any nursing program at a branch campus within the nursing education unit (NEU) per ACEN records, approval is not required to offer any subsequent nursing program(s) within the NEU at the branch campus. ⁴	ACEN is Title IV gatekeeper - Yes	Procedure 1	Required, for each branch campus Required, for first two off-campus instructional sites ^{3,4}	Four months prior to implementation of the change
	ACEN is not Title IV gatekeeper – Yes	Procedure 1	Possible for each branch campus ⁴ Required, for first two off-campus instructional sites ^{3,4}	

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Type of Substantive Change	Prior Approval from ACEN Required	Review Procedure ¹	Focused Visit	Timeframe for Submission to the ACEN
			Note: All new branch campuses and all new off-campus instructional sites must be reported whether or not a focused visit is required	
Inactivating a branch campus or off-campus instructional site where a nursing program or nursing program option is offered	No	Procedure 2	No	Four months prior to implementation of the change
Closing an approved branch campus or off-campus instructional site where a nursing program is offered	No	Procedure 3 See ACEN Policy #16	No	Four months prior to implementation of the change
Reactivating a branch campus or off-campus instructional site where a nursing program or nursing program option is offered	No	Procedure 2	No	Four months prior to implementation of the change
ENROLLMENT				
An increase in total enrollment of 50% or greater by headcount in one institutional fiscal year for any ACEN-accredited nursing program	Yes	Procedure 1	Possible	Four months prior to implementation of the change

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Type of Substantive Change	Prior Approval from ACEN Required	Review Procedure ¹	Focused Visit	Timeframe for Submission to the ACEN
An increase in total enrollment of 25-49% by headcount in one institutional fiscal year for any ACEN-accredited nursing program	Yes	Procedure 2	Possible	Four months prior to implementation of the change
An increase in total enrollment of 50% or greater by headcount in one academic year for the governing organization	ACEN is Title IV gatekeeper - Yes	Procedure 1	Possible	Four months prior to implementation of the change
	ACEN is not Title IV gatekeeper - No	Procedure 2		
MISSION/GOVERNANCE				
Changing the ownership, legal status or form of control of the governing organization	Yes	Procedure 1	Required, if ACEN is Title IV gatekeeper	Four months prior to implementation
			Possible if ACEN is not Title IV gatekeeper	
Merging/consolidating two or more governing organizations/nursing programs	Yes	Procedure 1	Yes	Four months prior to implementation

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Type of Substantive Change	Prior Approval from ACEN Required	Review Procedure ¹	Focused Visit	Timeframe for Submission to the ACEN
Substantial change in the established mission or objectives of the governing organization or its programs (this does not include a revision/update in the mission statement)	Yes	Procedure I	Required, if ACEN is Title IV gatekeeper Possible, if ACEN is not Title IV gatekeeper	Four months prior to implementation
A change in the nurse administrator	No	Procedure 4	No	Within 30 calendar days after permanent or interim nurse administrator assumes duties /responsibilities
Significant change in the organizational structure of the nursing education unit that would place a nursing program in non-compliance with ACEN Standards and Criteria	Yes	Procedure I	Possible	Four months prior to implementation of the change
CONSORTIA/CONTRACTUAL AGREEMENTS				
Entering into a contractual or consortium relationship with an entity to jointly offer all or part of a nursing program	Yes	Procedure I	Possible	Four months prior to implementation of the change
Entering into a relationship under 34 CFR 668.5 which an entity not certified to participate in Title IV, HEA offers 25% or more of the clock hours or credit hours required for completion of a nursing program ²	Yes	Procedure I	Possible	Four months prior to implementation of the change

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- ¹ Required template forms, additional information, and guidelines for submission located on the ACEN website at: <https://www.acenursing.org/resources-reporting-substantive-change/>.
- ² The Board of Commissioners has delegated to the Chief Executive Officer the responsibility and authority to approve or disapprove this type of request.
- ³ When a governing organization/nursing program initiates its third, fourth, fifth, sixth, etc. off-campus instructional site; has successfully completed at least one cycle of continuing accreditation; currently is not on continuing accreditation with warning or continuing accreditation for good cause or has not been placed on continuing accreditation with warning or continuing accreditation for good cause over the prior three academic years; and is under a provisional certification as provided in 34 CRF 668.1, then the governing organization/nursing program does not need to apply to the ACEN for approval of these subsequent off-campus instructional sites prior to implementation. However, the governing organization/nursing program must report these changes to the ACEN within 30 calendar days of implementation of the third, fourth, fifth, sixth, etc. off-campus instructional site. Required template forms, additional information, and guidelines for submission are located on the ACEN website at: <https://www.acenursing.org/resources-reporting-substantive-change/>.
- ⁴ The ACEN may, at its discretion, conduct a focused visit to any branch campus or off-campus instructional site at the time the governing organization/nursing program reported the implementation of the branch campus or off-campus instructional site for any nursing program or the ACEN becomes aware of the use of a location for any nursing program. Consideration will be given to whether the governing organization/nursing program has previously demonstrated a record of effective oversight of any nursing program at a branch campus and/or off-campus instructional site. All new branch campuses and off-campus instructional sites must be reported whether or not a focused visit is required.
- ⁵ When the ACEN is the Title IV gatekeeper for nursing programs that currently are on continuing accreditation with warning or continuing accreditation for good cause have been placed on continuing accreditation with warning or continuing accreditation for good cause over the prior three academic years or the governing organization/nursing program is under a provisional certification as provided in 34 CFR 668.13, the governing organization/nursing program must receive prior approval for this type of substantive change (Procedure 1).

REVIEW PROCEDURES FOR A SUBSTANTIVE CHANGE

There are four procedures for addressing the different types of substantive changes.

1. Procedure 1: Review of a substantive change requiring the approval of the Board of Commissioners or Chief Executive Officer prior to implementation.
2. Procedure 2: Review of a substantive change requiring notification prior to implementation.
3. Procedure 3: Review of the closing of a nursing program or closing of an off-campus instructional site or branch campus where a nursing program is offered; approval prior to implementation, teach-out agreement, and/or teach-out plan required.
4. Procedure 4: Review of a substantive change requiring ACEN notification.

COMMISSION RESPONSIBILITIES

The Board of Commissioners makes all final accreditation decisions for nursing programs wherever a nursing program is located or however a nursing program is delivered. ACEN staff, as delegated by the Board of Commissioners, are responsible for reviewing all substantive changes

that occur, determining whether the change has affected the quality of the nursing program, referring programs to the Board of Commissioners or Chief Executive Officer as appropriate, and assuring the public that all aspects of the nursing program continue to meet the Standards and Criteria.

The ACEN is recognized by the U.S. Department of Education as an agency whose accreditation enables nursing programs to seek eligibility to participate in Title IV nursing programs. To maintain its recognition with the U.S. Department of Education, the ACEN has incorporated federal requirements into its substantive change policy and procedures. Some of those requirements specify that a nursing education unit seek and receive approval prior to the initiation of a substantive change so that the change can be included in the nursing program's scope of accreditation.

TYPES OF COMMISSION ACTIONS

For verified Procedure I substantive changes that are approved by the Board of Commissioners or Chief Executive Officer as delegated by the Board of Commissioners, or when the ACEN staff refer a substantive change for additional consideration, the Board of Commissioners or Chief Executive Officer may take the following actions:

Board of Commissioners

1. Approve the substantive change; no focused visit required.
Approve the substantive change and authorize a focused visit for review of compliance with specified Standards and Criteria and the Focused Site Visit Report will be reviewed by the Board of Commissioners in accordance with [ACEN Policy #19 Focused Visit](#).
 - a. If the ACEN is the program's Title IV gatekeeper and the program is adding a branch campus or adding a new off-campus location where more than 50% of the of the nursing program is offered or when there is a change in legal status, form of control, or ownership the focused visit must occur within six calendar months after the implementation of the substantive change.
 - b. If the focused visit is authorized for reasons other than listed above, the focused visit may be completed up to 18 months after the implementation of the substantive change.
2. Approve the substantive change and require a written report about the status of the implementation of the substantive change within a specified timeframe.
3. Request additional information regarding areas of concern with specified Criteria; the due date for the additional information may not exceed one calendar year from the date of the request; and
 - a. Accept the additional information and approve the substantive change; no further information is required; or
 - b. Accept the additional information and approve the substantive change; authorize a focused visit for review of compliance with specified Standards and Criteria; the focused visit must occur within six calendar months. The Focused Site Visit Report will be reviewed by the Board of Commissioners in accordance with

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[ACEN Policy #19 Focused Visit.](#)

- c. Deny the substantive change. This is not an appealable action.
 - d. Deny the substantive change and authorize a focused visit for review of compliance with specified Standards and Criteria. This is not an appealable action. The Focused Site Visit Report will be reviewed by the Board of Commissioners in accordance with [ACEN Policy #19 Focused Visit.](#)
4. Deny the substantive change. This is not an appealable action.
 5. Deny the substantive change and authorize a focused visit for review of compliance with specified Standards and Criteria. This is not an appealable action. The Focused Site Visit Report will be reviewed by the Board of Commissioners in accordance with [ACEN Policy #19 Focused Visit.](#)

Chief Executive Officer

Substantive changes categorized as Procedures 2, 3, and 4 reviews, the ACEN Chief Executive Officer may take the following actions:

1. Accept or not accept the required documentation; no further information is required.
2. Request additional information; the due date for the additional information may not exceed one calendar year from the date of the request; and
 - a. Accept or not accept the additional information after review; or
 - b. Refer the substantive change submission and additional information to the Board of Commissioners for consideration and possible further action.
3. Refer the substantive change request to the Board of Commissioners for consideration and possible further action.

Policy #14 History

Revised July 2015

Revised November 2018

Revised July 2020

POLICY #15

DISTANCE EDUCATION

While the definitions provided in Policy #15 may differ from those used by the governing organization of a nursing program, nursing programs seeking initial or continuing accreditation with the ACEN by the ACEN must use the following definitions for ACEN-related matters.

GLOSSARY OF TERMS

Please see the ACEN Glossary for the definition of the following terms:

1. Asynchronous Learning
2. Distance Education
3. Distance Technology
4. Hybrid Education
5. Synchronous Learning
6. Traditional Education

See [ACEN Policy #14 Reporting Substantive Changes](#) and [Policy #34 Candidacy for a Governing Organization/Nursing Program Seeking Initial Accreditation](#) for requirements related to reporting the implementation of distance education.

DISTANCE EDUCATION CRITICAL ELEMENTS:

1. Congruence with the mission of the governing organization.
2. Instructional design and delivery method of the course(s).
3. Preparation and competence of the faculty members teaching each course.
4. Quality and accessibility of the support services for students enrolled in each course.
5. Quality and accessibility of the support services for the faculty members teaching each course.
6. Accessibility, currency, and relevancy of learning resources available for the students enrolled in each course.
7. Currency and appropriateness of each course relative to the method of delivery.
8. Provision for regular and substantive faculty/student and student/student interaction in each course.
9. Ongoing evaluation of student learning in each course.
10. Provision for verification of student identity in each course.

VERIFICATION OF STUDENT IDENTITY

Nursing programs offering any course via distance education must demonstrate that the governing organization:

1. Has processes in place to establish that the student who registers in each distance education course is the same student who academically engages in the course or program. The governing organization may verify student identify through methods such as but not limited to:
 - a. assignment of a secure login and pass code,
 - b. proctored examinations, and/or

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- c. utilization of new or other technologies and practices that are effective in verifying student identity;
2. Uses processes that protect the privacy of the students enrolled in a distance education course; and
3. Notifies students of any projected additional fees associated with verification of student identity at the time of registration for or enrollment in a distance education course.

The following guidelines contain elements of the Standards and Criteria that the nursing program and leaders must consider in evaluating the use of distance education within each nursing course, nursing program option, or a nursing program.

The students enrolled in each nursing course, a nursing program option, or a nursing program must have:

1. Access to the range of appropriate student services to support their learning and academic success, such as but not limited to admissions, financial aid, academic advising, delivery of course materials, placement, and counseling comparable to those support services available to the students enrolled in non-distance education courses/programs;
2. Knowledge and equipment necessary to use the technology employed and assistance when experiencing difficulty using the required technology;
3. A means for resolving complaints;
4. Information related to advertising, recruiting, and admissions that adequately and accurately represents the course(s)/program(s), admission and completion requirements, and services available;
5. Access to learning resources and guidance in effectively using the learning resources;
6. Their use of learning resources monitored; and
7. Access to laboratory facilities, equipment, and other types of technology as appropriate to the courses or program(s).

Each nursing course, nursing program option, or nursing program provides:

1. Direct instruction by faculty that meet the qualifications per the ACEN Standards and Criteria;
2. Faculty responsibility for oversight, ensuring both the rigor and the quality of instruction;
3. Technology that is appropriate to the end-of-program student learning outcomes, role-specific graduate competencies, program outcomes, and course objectives;
4. Currency and rigor of materials;

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5. Clear policies concerning the ownership of materials, faculty compensation, copyright issues, and the utilization of revenue derived from the creation of intellectual property;
6. Faculty support services specifically related to distance education; and
7. Faculty development for faculty who teach in distance education modes of delivery;
8. Regular and substantive interaction between students and faculty and among the students. A governing organization ensures regular interaction between students and faculty members prior to the student's completion of a nursing course by:
 - a. Providing the opportunity for substantive interactions with the students on a predictable and regular basis commensurate with the length of time and the amount of content in the course; and
 - b. Monitoring the students' academic engagement and success and ensuring that faculty members are responsible for promptly and proactively engaging in substantive interaction with students when needed, on the basis of such monitoring, or upon request by a student.

Fiscal and physical provisions are made for long-range planning, budgeting, and policy development processes that reflect the facilities, staffing, equipment, and other resources essential to the viability and effectiveness of each nursing course, nursing program option, or nursing program.

Ongoing systematic evaluation is conducted to assess:

1. Student capability to succeed in each nursing course, a nursing program option, or a nursing program, and used in the review and revision of policies and procedures;
2. Achievement of end-of-program student learning outcomes, role-specific professional competencies, and program outcomes, with a comparison made to programs using traditional education; and
3. The integrity of student work and credibility of the degree and credits awarded.

Policy #15 History
Revised November 2015
Edited August 2016
Edited March 2019
Revised July 2020

POLICY #16 CLOSINGS

CLOSING AN INSTITUTION, A NURSING PROGRAM, OR AN OFF-CAMPUS INSTRUCTIONAL SITE OR BRANCH CAMPUS WHERE A NURSING PROGRAM IS OFFERED

When a governing organization makes the decision to close the institution, a nursing program, or an off-campus instructional site or branch campus where 100% of a nursing program is offered, the governing organization/nursing program must make a good faith effort to assist affected students so they experience minimal disruption in the pursuit of their nursing program of study. In all cases, nursing students should be notified of the decision as soon as possible so they can make appropriate plans. Nursing students who have not completed their nursing program of study should be advised by faculty or professional counselors regarding suitable options, including transfer to comparable programs.

When a governing organization makes the decision to close the institution, a nursing program, or an off-campus instructional site or branch campus where 100% of a nursing program is offered, a Closing Report that fully describes the plan for closing the nursing program must be submitted to the ACEN. The Closing Report must include a teach-out agreement and/or teach-out plan.

The governing organization closing the institution, nursing program, or off-campus instructional site or branch campus where 100% of a nursing program is offered may fulfill its educational commitment to currently enrolled nursing students through either:

1. A teach-out agreement with one or more governing organizations; or
2. A teach-out plan whereby the governing organization educates its currently enrolled students until all nursing students graduate from the nursing program, off-campus instructional site, or branch campus that is closing.

Arrangements for a teach-out agreement or teach-out plan must be consistent with the requirements of [ACEN Policy #14 Reporting Substantive Changes](#) and [ACEN Policy #36 Teach-out Plan and Teach-out Agreement\(s\)](#).

Based on the information provided in the Closing Report as well as a Teach-out Plan and/or all Teach-out Agreements, the accreditation status of the nursing program, and the date of the next scheduled accreditation visit, one of the following actions will be taken:

1. When the current status of the nursing program is continuing accreditation and there is no stipulation (i.e., conditions, warning, good cause), the ACEN Chief Executive Officer may:
 - a. Cancel the next visit and extend continuing accreditation if the nursing program is scheduled to close within 18 months after the the last day of the spring or fall review cycle that the Board of Commissioners would make the next decision. The last date of the spring review cycle is June 30 and the last date of the fall

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- review cycle is December 31.
- b. Reaffirm the originally scheduled visit.
 - c. Refer the nursing program to the ACEN Board of Commissioners for a determination of the action(s) that should be taken.
2. When the current status of the nursing program is continuing accreditation with conditions, the ACEN Chief Executive Officer may:
- a. Extend the conditions status and waive the requirement to submit a follow-up report if the nursing program is scheduled to close within 12 months after the last day of the spring or fall review cycle that the Board of Commissioners would make the next decision. The last date of the spring review cycle is June 30 and the last date of the fall review cycle is December 31.
 - b. Reaffirm the originally scheduled submission of the follow-up report.
 - c. Determine the date of a next follow-up report if the nursing program is scheduled to close beyond 12 months after the next scheduled review by the Board of Commissioners.
 - d. Refer the nursing program to the ACEN Board of Commissioners for a determination of the action(s) that should be taken.
3. When the current status of the nursing program is continuing accreditation with warning, the ACEN Chief Executive Officer may:
- a. Extend the warning status if the nursing program is scheduled to close within six months after the last day of the spring or all review cycle that the Board of Commissioners would make the next decision. The last date of the spring review cycle is June 30 and the last date of the fall review cycle is December 31.
 - b. Reaffirm the originally scheduled follow-up visit.
 - c. Determine the date of a next follow-up visit if the nursing program is scheduled to close beyond six months after the next scheduled review by the Board of Commissioners.
 - d. Refer the nursing program to the ACEN Board of Commissioners for a determination of the action(s) that should be taken.
4. When the current status of the nursing program is continuing accreditation for good cause, the ACEN Chief Executive Officer will refer the nursing program to the ACEN Board of Commissioners for a determination of the action(s) that should be taken.
5. If a nursing program planning to close fails to submit a Closing Report to the ACEN or comply with any requests, such action will constitute a declaration to the ACEN that the program is voluntarily withdrawing the nursing program from ACEN accreditation.

6. If a nursing program previously scheduled to close extends its operation beyond the original closing date, a site visit will be scheduled at the earliest possible date. The procedure to be followed will depend on the nursing program's status at the time the announcements about the closing and the change of plans were made.
7. If a nursing program closes in the interim between ACEN Board of Commissioners meetings and without prior notice to the ACEN, the closing automatically terminates ACEN accreditation.
8. If a governing organization/nursing program closes without a teach-out agreement or teach-out plan, the ACEN will work with the U.S. Department of Education and the appropriate state agency, to the extent feasible, to assist students in finding reasonable opportunities to complete their education without additional charges.

SUBMITTING THE CLOSING REPORT

1. Templates for Closing Reports and guidelines for submission are available on the ACEN website: <https://www.acenursing.org/resources-reporting-substantive-change/>
2. The appendix has no page limit.
3. Confidential records (e.g., faculty transcripts, student records) should not be included.

REQUIRED INFORMATION IN THE CLOSING REPORT

A. Type of Closing by Type

1. Closing a governing organization and/or closing a nursing program
2. Closing an off-campus instructional site or branch campus

Refer to [Policy #14 Reporting Substantive Changes](#) and the Closing Report Templates: <https://www.acenursing.org/resources-reporting-substantive-change/templates/>

Policy #16 History
Revised July 2015
Edited January 2018
Edited May 2018
Edited November 2018
Revised March 2019
Revised July 2020

POLICY #17 STATE REGULATORY AGENCY FOR NURSING APPROVAL

GLOSSARY OF TERMS

Please see the **ACEN Glossary** for the definition of the following terms:

- The State

If a nursing program has a change in its approval status with the state regulatory agency for nursing, the administrator of the program shall immediately submit to the ACEN a report explaining the reasons for the decision, a copy of the letter received from the state regulatory agency for nursing, and a report detailing the plans to correct the situation. The ACEN Board of Commissioners will determine appropriate follow-up actions after review of the submitted materials. The accreditation status of the nursing program may be changed. See [ACEN Policy #19 Focused Visit](#). Refer to [Policy #14 Reporting Substantive Changes](#) and the Closing Report Templates: <https://www.acenursing.org/resources-reporting-substantive-change/templates/>. See [ACEN Policy #16 Closings](#).

Policy #17 History
Revised July 2015
Edited July 2020

POLICY #18

ACCREDITATION STATUS OF THE GOVERNING ORGANIZATION

The governing organization offering an ACEN-accredited nursing program must be accredited by an agency recognized by the ACEN. See [ACEN Policy #3 Eligibility for Initial and Continuing Accreditation](#). If the institutional accrediting agency revokes its accreditation of the governing organization, the nurse administrator shall submit to the ACEN Chief Executive Officer within 24 hours of the notification of the action taken by the institutional accrediting agency, a report explaining the reasons for the decision and the effect of the decision on the program. The ACEN Board of Commissioners will determine appropriate follow-up actions following review of the submitted report.

Policy #18 History
Revised July 2015
Edited March 2019

POLICY #19

FOCUSED SITE VISIT

The ACEN Board of Commissioners or ACEN Chief Executive Officer may determine a focused site visit is warranted in order to review significant accreditation-related information disclosed about a program as a result of:

1. A substantive change;
2. Information revealed about a nursing program between periods of scheduled review;
3. Information received from the governing organization's accrediting body related to an adverse action;
4. Information received from the nursing program's state regulatory agency for nursing related to a change in its status;
5. Information revealed about a nursing program during the Evaluation Review Panel process;
6. Information received from the U.S. Department of Education regarding a governing organization's/nursing program's compliance responsibilities under Title IV of the Higher Education Act such as information related to a governing organization's/nursing program's most recent student loan default rates, the results of financial or compliance audits, program reviews, and any other information that may be provided by the U.S. Department of Education.

The Standards and Criteria pertinent to the reason for the focused site visit will be reviewed. Professional staff will determine the Standards and Criteria to be reviewed. The nursing program must prepare a Focused Visit Report based on the Standards and Criteria identified and submit the Report to the site visitors and ACEN six weeks before the focused site visit; the Focused Visit Report is the foundation for review of compliance with the identified Standards and Criteria. See the *ACEN Guidelines for Written Reports and Written Report Instructions Report Type: Focused Visit Report* available on the ACEN website. The focused site visit is typically 1–2 days in length.

The ACEN Chief Executive Officer reserves the right to:

1. Have an ACEN staff member accompany a focused site visit team. If an ACEN staff member accompanies a focused site visit team, the staff member would offer guidance to the peer evaluators. The governing organization/nursing program is responsible for all costs of the staff member accompanying the focused site visit team.
2. Have an ACEN staff member serve on a focused site visit team. If an ACEN staff member serves on a focused site visit team, the staff member would serve as a peer evaluator. The governing organization/nursing program is responsible for all costs of the staff member serving on the focused site visit team.

Following the focused site visit, the Board of Commissioners may take one of the following actions:

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1. Affirm the program's accreditation status and date of the next scheduled visit; no further information is requested.
2. Change the date of the program's next scheduled visit to a date earlier than previously scheduled. This is not an appealable action.
3. Change the program's accreditation status to one of the following statuses.
 - a. Continuing accreditation with conditions
 - b. Continuing accreditation with warning
 - c. Continuing accreditation for good cause
 - d. Deny continuing accreditation and remove the program from the list of accredited programs. This is an appealable action. See [ACEN Policy #10 Appeal Process and Submission and Review of New Financial Information Subsequent to Adverse Action](#).

See [ACEN Policy #4 Types of Commission Actions for Continuing and Initial Accreditation](#) for potential decisions and maximum monitoring period – conditions, warning, and good cause.

Focused Site Visit

The ACEN may schedule either an in-person or virtual focused site visit. The ACEN CEO reserves the right and has the authority to determine when to conduct an in-person site visit and when to conduct a virtual focused site visit. While the ACEN staff will seek input from the governing organization/nursing program representatives, the CEO's determination is not appealable.

A virtual focused site visit shall use an engaged, interactive format; it shall not rely solely on a review of documents or exchanges of emails. The rigor, quality, and process of the virtual focused site visit as well as the opportunity for the governing organization/nursing program to provide evidence as well as verify, clarify, and/or amplify evidence must be comparable to an in-person site visit. Therefore, a virtual focused site visit requires the use of video or web conferencing tools, which allow real-time synchronous communication among participants and visual display of individuals, groups, documents, and/or physical spaces.

When a virtual focused site visit is conducted by the ACEN, all or some of the peer evaluators are not physically present at the governing organization/nursing program. A virtual focused site visit will be scheduled accordingly to accommodate time zones of all ACEN peer evaluators conducting the virtual visit and the time zone of the nursing program hosting the visit, with the understanding that adjustments to schedules will be needed of all participants involved in the visit.

Full or Partial Virtual Focused Site Visits

In a full virtual focused site visit, all ACEN peer evaluators conduct their review of the governing organization/nursing program using real-time synchronous video or web conferencing tools, which can be supplemented by telephonic conferencing tools.

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In a partial virtual focused site visit, one or more ACEN peer evaluators conduct their review of the governing organization/nursing program using real-time synchronous video or web conferencing tools, which can be supplemented by telephonic conferencing tools, while one or more other ACEN peer evaluators conduct their review of the governing organization/nursing program in person.

Eligibility for a Virtual Focused Site Visit

1. The ACEN may determine that any governing organizations/nursing program seeking continuing accreditation with the ACEN is eligible for a virtual focused site visit. Continuing accreditation includes all governing organizations/nursing programs with the current accreditation status of continuing accreditation, continuing accreditation with conditions, continuing accreditation with warning, or continuing accreditation for good cause.
2. Under the direction of the CEO, ACEN staff will review a governing organization's/nursing program's accreditation history, annual reports, and the reason for considering a virtual focused site visit to determine whether a governing organization/nursing program is eligible for a virtual focused site visit.
3. For procedure 1 substantive changes where 100% of the peer evaluators conducted their review virtually, the ACEN must conduct a follow-up in-person site visit to the governing organizations/nursing programs (though not necessarily a full peer-review in-person site visit) within a reasonable period of time following the virtual focused site visit.
4. For procedure 2, 3, or 4 substantive changes where 100% of the peer evaluators conducted their review virtually, the ACEN may conduct a follow-up in-person site visit to the governing organizations/nursing programs (though not necessarily a full peer-review in-person site visit) within a reasonable period of time following the virtual focused site visit.

Evidence, Technology Infrastructure, Facilities, and Support Services

1. All virtual focused site visit activities shall be scheduled using the real-time synchronous virtual meeting system in use by the ACEN.
2. The governing organization/nursing program is responsible for ensuring that its technology infrastructure, facilities, and support services can accommodate a fully engaged, real-time interactive virtual focused site visit.
3. The governing organization/nursing program must conduct a technology test prior to the virtual focused site visit to demonstrate to the ACEN's satisfaction that it has adequate technology infrastructure and support services to conduct a virtual focused site visit that meets the ACEN's requirements, including making 100% of the program's written report inclusive of the required appendices and supporting evidence available virtually to the ACEN peer evaluators and the ACEN.
4. The governing organization/nursing program must ensure that there are adequate meeting spaces (facilities) for governing organization/nursing program representatives to meet

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with the ACEN peer evaluators, including simultaneous meetings as needed with individuals and groups.

5. The governing organization/nursing program must provide virtual access (e.g., as PDFs on a flash drive or through a learning management system) to documentation/evidence that is comparable and sufficient to the access normally found during an in-person site visit to demonstrate compliance with the ACEN Standards and Criteria. The governing organization/nursing program must provide:
 - a. Six weeks before the visit, peer evaluators with viewer access to the program's written report inclusive of the required appendices and virtual supporting evidence.
 - b. Any additional information the peer evaluators request before the visit.
 - c. Any additional information the peer evaluators request during the visit.

See the [*ACEN Guidelines for Written Reports*](#) available on the ACEN website for additional information.

6. The governing organization/nursing program must provide virtual access to all interviewees (simultaneously as needed with individuals and groups) that is comparable and sufficient to the access normally found during an in-person site visit to demonstrate compliance with the ACEN Standards and Criteria.

ACEN Reserve Rights and Applicability to Current Policies

1. Unless specifically stated in this document, all ACEN policies, processes, procedures, practices, and protocols apply and remain in force.
2. All applicable focused site visit accreditation fees, policies, processes, procedures, practices, and protocols shall be the same as for an in-person focused site visit, full virtual site visit, and partial virtual site visit.
3. ACEN reserves the right to cancel a full or partial virtual focused site visit at any time prior to or during the scheduled visit and schedule a full in-person site visit instead. An in-person site visit will be scheduled within a reasonable period of time following the canceled virtual focused site visit.
4. If there is a technology failure that significantly impairs the peer evaluators' ability to have an engaged, real-time interactive review, then the team chair shall terminate the virtual focused site visit immediately, and the governing organization/nursing program cannot be visited/accredited using the virtual focused site visit format. An in-person site visit will be scheduled within a reasonable period of time following the terminated virtual focused site visit.
5. If the team chair and team members determine that the program's written report inclusive of the required appendices and supporting evidence available virtually are inadequate and the inadequacy significantly impairs their ability to conduct a review comparable to an in-person site visit, then the team chair, in consultation with ACEN staff (before or during the virtual focused site visit), shall terminate the virtual focused site

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visit, and the governing organization/nursing program cannot be visited/accredited using the virtual focused site visit format. An in-person site visit will be scheduled within a reasonable period of time following the terminated virtual focused site visit.

6. The governing organization/nursing program shall not record (audio or video) any portion of the virtual focused site visit. Based on [ACEN Policy #31 Integrity](#), if evidence of recording is discovered, the team chair shall terminate the virtual focused site visit immediately, and the governing organization/nursing program cannot be visited/accredited using the virtual focused site visit format. Per [Policy #31](#), if evidence of recording is discovered, it may adversely affect the governing organization's/nursing program's accreditation status with the ACEN.

Policy #19 History
Revised July 2015
Edited March 2019
Revised July 2020

POLICY #20

COMPLAINTS AGAINST AN ACCREDITED PROGRAM

The ACEN will only act upon substantiated complaints against an accredited program that indicate:

1. A governing organization's and/or nursing program's non-compliance with the Standards and Criteria;
2. A governing organization's and/or nursing program's non-compliance with ACEN policy; and/or
3. A governing organization's and/or nursing program's non-compliance with its own published policy as said policy relates to the Standards and Criteria.

The ACEN will not interpose itself as a reviewing authority in individual matters such as, but not limited to, admission; grades; granting or transferability of credits; application of academic policies; fees or other financial matters; disciplinary matters; contractual rights and obligations; personnel decisions; or similar matters. The ACEN will also not seek any type of compensation, damages, re-admission, or other redress on an individual's behalf. The ACEN will not respond to or take action upon any complaint that is defamatory, hostile, or profane. In addition, the ACEN will not involve itself in collective bargaining disputes. The ACEN does not accept complaints about individuals.

In addition, the ACEN may act upon concerns from a recognized state or federal agency.

An individual interested in submitting information regarding a nursing program to be considered during an upcoming initial or continuing accreditation review should follow [ACEN Policy #8 Opportunities for Third-Party Comments on Programs Scheduled for Evaluation](#). The ACEN reserves the right to review and act upon incoming complaints or third-party comments under either [ACEN Policy #8](#) or [Policy #20](#) as appropriate to the circumstance.

Records of single complaints will be maintained by the ACEN for eight (8) years. If a number of single complaints suggest a pattern of concern not evident from any single complaint, the ACEN may renew its consideration of a matter for whatever action may be appropriate.

The ACEN expects an individual to attempt to resolve an issue through the governing organization's and/or nursing program's own published grievance policy/procedures (if applicable) before submitting a complaint to the ACEN. Therefore, an individual must use all available grievance and means of appeal within the governing organization and/or nursing education unit before filing a complaint with the ACEN. The ACEN will not consider a complaint while institutional proceedings or litigation appertaining thereto are ongoing. However, if the ACEN determines that the complainant raises issues so immediate that a delay may jeopardize the nursing program's accreditation status or cause harm to nursing students, the ACEN may, at its discretion, choose to proceed with its review.

The ACEN will not review or act upon a complaint to which the governing organization's and/or nursing program's published grievance policy/procedures apply if it is formally filed with the ACEN more than one (1) year after the completion of the policy/procedures. The ACEN will not review

or act upon a complaint to which such policies/procedures do not apply if it is formally filed with the ACEN more than one (1) year after the circumstances leading to the complaint.

SUBMITTING A COMPLAINT

1. The complaint must be presented to the ACEN as a written, signed, and dated statement with supporting documentation. The ACEN will not review or act upon complaints that are not presented in writing.
2. All complaints must be submitted using the ACEN's official Complaint Form, which must be completed in its entirety. The ACEN's official Complaint Form is available at www.acenursing.com/forms/ACENComplaintForm.docx. Complaints submitted without the official Complaint Form, completed in its entirety, will not be reviewed or acted upon.
3. The completed Complaint Form and the required supporting documentation must be submitted to the ACEN via the United States Postal Service or an express carrier (e.g., UPS, FedEx, DHL, etc.).
4. The completed Complaint Form and the required supporting documentation may be submitted to the ACEN in paper format or using a USB storage device.
5. The ACEN will not review or act upon anonymous complaints, nor will it review or act upon complaints submitted by an individual or agency on behalf of another individual. For example, the ACEN will not review or act upon a complaint from a parent, spouse, child, sibling, co-worker, or friend of a complainant, or from an attorney.
6. The ACEN must be the original intended recipient of the complaint and will not review or act upon complaints that are forwarded to the ACEN.
7. The ACEN will not accept or discuss complaints via telephone.
8. All written materials, including the submitted Complaint Form, the required supporting documentation, and any other printed materials, must be presented in English.

Each governing organization and nursing education unit is required to have in place written student complaint policies and procedures that are reasonable, fairly administered, and well publicized. All written student complaints must be resolved in a timely manner. In accordance with federal regulations, each governing organization and nursing education unit must maintain a record of complaints received. This record must be available to the ACEN upon request. The record(s) for the nursing program will be examined by the ACEN as part of the program's initial or continuing accreditation review.

ACEN PROCEDURE FOR PROCESSING COMPLAINTS

1. The ACEN will acknowledge a complaint within 15 business days of its receipt.
2. Within 60 business days after acknowledging receipt of the complaint, the ACEN staff will review the complaint and determine whether:
 - a. it is related to the program's accreditation status,
 - b. it is within the scope of ACEN policy, and/or

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- c. it demonstrates the governing organization's and/or nursing program's non-compliance with:
 - i. the Standards and Criteria,
 - ii. an ACEN policy, and/or
 - iii. the governing organization's and/or nursing program's own published policy as said policy relates to the Standards and Criteria, and
 - d. there is adequate evidence in support of the allegations made in the complaint.
3. If the complaint does not have sufficient substance to warrant further review, the ACEN will communicate this to the complainant, in writing, within 15 business days of reaching this conclusion.
4. If the complaint has sufficient substance to warrant further review, the ACEN will make every effort to expedite its review; however, the time required to conduct its review may vary considerably depending on the circumstances and nature of the complaint.
5. When a complaint is reviewed further, a copy of the complaint will be forwarded to the nurse administrator of the nursing program, who will be asked to respond to the ACEN within 20 business days. Upon receipt of a response from the nurse administrator, the ACEN reserves the right to request additional materials, as needed, from the complainant and/or nurse administrator.
6. If there is insufficient evidence of non-compliance, the complaint will not be processed further. The decision of the ACEN Chief Executive Officer is final, and the complainant and nurse administrator will be notified of this outcome.
7. If there appears to be sufficient evidence of non-compliance or if the ACEN staff are unable to determine compliance, the following actions may be taken by the ACEN Chief Executive Officer (the complainant and nurse administrator will be notified of this outcome):
 - a. The complaint may be forwarded directly to the ACEN Board of Commissioners for review and action.
 - b. The ACEN Chief Executive Officer may authorize a Focused Visit to evaluate the governing organization/nursing program. The Focused Visit Team will examine documents and interview institutional personnel to analyze and make a judgment regarding compliance, after which they will prepare a Focused Site Visit Report. This Report will be forwarded to the ACEN Board of Commissioners for review and action at the next meeting of the Board. Following that meeting, the complainant and nurse administrator will be notified of the Board's decision.
 - c. The complaint allegations may be reviewed as part of an upcoming scheduled visit to the nursing program. The peer evaluators will examine documents and interview institutional personnel to analyze and make a judgment regarding compliance, after which they will prepare a Site Visit Report. This Report will be forwarded to the ACEN Board of Commissioners for review and action at the next meeting of the Board. Following that meeting, the complainant and nurse administrator will be notified of the decision of the Board.

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For items 7a, 7b, or 7c above, the decision of the ACEN Board of Commissioners is final unless appealable as delineated in [ACEN Policy #10 Appeal Process and Submission and Review of New Financial Information Subsequent to Adverse Action](#).

Policy #20 History
Revised November 2015
Edited March 2019

POLICY #21

COMPLAINTS AGAINST THE ACCREDITATION COMMISSION FOR EDUCATION IN NURSING

The Board of Commissioners Executive Committee of the Accreditation Commission for Education in Nursing (ACEN) receives complaints made against the ACEN.

When a written, signed, and dated complaint is received, the Chief Executive Officer (CEO) will refer the complaint to the Executive Committee for review.

PROCEDURE	TIMELINE
The complaint is presented to the ACEN CEO as a written, signed, and dated statement.	
The CEO will review the complaint and may request, as necessary, additional information from the complainant or the ACEN staff.	Within 10 business days of the CEO's receipt of complaint.
The CEO will refer the complaint to the Executive Committee for review.	Within 10 business days of the CEO's receipt of all necessary complaint information/ materials.
If the Executive Committee determines that the complainant raises significant issues, the Executive Committee will direct the CEO to appoint a special committee to investigate the complaint in a timely, fair, and equitable manner. Conflicts of interests will be considered in the appointment of the special committee members. Commissioners shall not participate in any capacity on the special committee.	Within 10 business days of the Executive Committee's receipt of complaint information/materials.
The CEO will appoint a special committee of three persons composed of: <ul style="list-style-type: none"> • One representative from nursing education; • One representative from nursing service; and • One public member. 	Within 15 business days of the Executive Committee's referral.
The special committee meets to consider the complaint.	Within 30 business days of appointment to the special committee.
The special committee presents its findings and recommendation to the CEO for consideration.	Within seven business days of meeting.
The CEO will present the special committee's findings/recommendation to the Board of Commissioners.	At the next regularly scheduled meeting.
The complainant will be notified of the outcome of the complaint.	Within 30 business days of the Board of Commissioners meeting.

Policy #21 History
 Revised April 2014
 Edited October 2016
 Revised July 2020

POLICY #22
PROGRAM ACCREDITATION STATUS IN RELATION
TO STATE AND OTHER ACCREDITING AGENCY
ACTIONS

1. If the ACEN is notified that the accreditation status of the governing organization of an ACEN-accredited nursing program was changed by its institutional accrediting agency, the ACEN will promptly review the program to determine what action should be taken. See [ACEN Policy #19 Focused Visit](#).
2. If the ACEN is notified that the approval status of the governing organization of an ACEN-accredited nursing program was changed by a state agency, the ACEN will promptly review the program to determine what action should be taken. See [ACEN Policy #19 Focused Visit](#).
3. If the ACEN is notified that the status of an ACEN-accredited nursing program was changed by a state agency, the ACEN will promptly review the program to determine what action should be taken. See [ACEN Policy #19 Focused Visit](#).

Policy #22 History
Revised July 2015
Revised March 2019

POLICY #23
PUBLIC NOTICE OF PROPOSED NEW OR REVISED
STANDARDS AND CRITERIA

The ACEN Accreditation Standards and Criteria are developed, reviewed, and revised periodically by means of procedures that involve continuous input from accredited schools (by program type) and identified communities of interest. The ACEN ensures the circulation of proposed revisions to the Standards and Criteria and the opportunity for comment from interested parties.

[Policy #23 History](#)
Revised April 2014

POLICY #24

ASSESSMENT OF THE ADEQUACY OF STANDARDS AND CRITERIA, ACEN PROCESS, AND PRACTICES

The ACEN maintains an ongoing, systematic review designed to ensure that (1) the Standards and Criteria are valid and reliable indicators of the educational quality provided by accredited programs and are relevant to the educational needs of students; (2) ACEN processes are reliable and assess knowledge and consistency of observations, applications, decisions, and perceptions; and (3) there are broad communications and consultations across constituencies.

The findings from the ongoing review are used for development, maintenance, and revision of the Standards and Criteria, processes, and practices. Evidence to support ongoing systematic review appears in Commission minutes, annual reports, the ACEN Report to Constituents, on the ACEN website, and at the ACEN Forums.

THE PROCESS OF REVIEW

The process of review:

- Is comprehensive;
- Occurs at regular intervals;
- Examines each Standard and its accompanying Criteria as a whole;
- Involves relevant constituencies in the review;
- Affords relevant constituencies a meaningful opportunity to provide input into the review; and
- Requires that needed changes be made promptly to improve the ACEN's effectiveness and efficiency and the consumer friendliness of ACEN products and services.

ASPECTS OF THE REVIEW

A full review of the Standards and Criteria occurs every five (5) years. The process consists of:

- Review of ongoing data analysis;
- Review of literature for trends in evaluation, nursing practice, and nursing education;
- Review of U.S. Department of Education (USDE) Regulations;
- Review of Council for Higher Education Accreditation (CHEA) Recognition Policy and Procedures;
- Distribution of draft versions to constituencies for comment;
- Review of comments and revision of drafts;
- Distribution of the revised drafts for comment;
- Review of comments and revision of drafts as needed; and
- Board of Commissioners adoption of revised Standards and Criteria.

RELIABILITY OF ACEN PROCESSES

Reliability is ensured by:

- Analysis of internal consistency of the accreditation status recommendations/decisions across the three (3) levels of review by and among all program types per accreditation review cycle and trended over time;

- Identification of non-compliance and areas needing development by Criterion among all program types per accreditation review cycle and trended over time; and
- Analysis of the perceived effectiveness of the planning and conduct of the accreditation site visit by the nursing program and the site visit teams by program type per accreditation review cycle and trended over time.

COMMUNICATION AND BROAD CONSULTATION PRACTICES

Communication is ensured by:

- Solicitation of comments on proposed new or revised policies from interested parties;
- Distribution of the Annual Report findings in the Report to Constituents and on the ACEN website as aggregated data trended over time; and
- Broad consultation across constituencies.

PLANNED USE OF DATA ANALYSIS

Data analysis is used to:

- Maintain validity and relevance of the Standards and Criteria;
- Maintain reliability of the ACEN accreditation processes and practices;
- Continue to identify and disseminate information in appropriate arenas regarding specific education needs of nursing programs and peer evaluators as groups;
- Continue to identify and disseminate information in appropriate arenas regarding specific developmental needs of nursing programs and peer evaluators; and
- Continue to identify and disseminate information in appropriate arenas regarding areas in which change(s) needs to be facilitated.

EVALUATION OF THE SITE VISIT

For each site visit, the nurse administrator of the nursing program, team chair, and team members have an evaluation form to complete. The information is used to:

- Improve the quality of the accreditation process; and
- Identify potential team chairs.

ANNUAL REPORT

All accredited nursing programs are required to submit an Annual Report.

The Annual Report will request, at a minimum, the following information:

- Program completion rates;
- Job placement rates; and
- Licensure and certification examination pass rates.

The ACEN staff will review the information to ensure that nursing programs continue to comply with policies and reporting requirements. Significant changes will be referred to the ACEN Board of Commissioners and action may be taken as appropriate. Failure to submit the Annual Report could result in the ACEN Board of Commissioners taking appropriate action, including potentially altering the program's accreditation status.

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Data about individual programs will be used for monitoring purposes. Data about all programs will be reported publicly in aggregate form only, trended over time.

Programs with Title IV-HEA responsibilities must also submit information regarding compliance with their Title IV responsibilities and the result of financial or compliance audits.

Policy #24 History

Revised November 2015

Edited October 2016

Revised November 2018

Revised March 2019

POLICY #25

TRANSFER OF CREDIT

At its discretion, a governing organization and/or nursing program may accept transfer credit for a course or courses completed in other postsecondary governing organizations when comparable in scope and content to the governing organization and/or nursing program's own coursework. The acceptance of credit for transfer is primarily based on the competencies achieved by the student in previously completed coursework and whether the competencies reasonably align with the coursework and the nursing program into which the credit is to be transferred.

Accreditation of the governing organization and/or nursing program from which the student is seeking to transfer credits may be a consideration for credit transfer decisions; however, accreditation of the governing organization and/or nursing program from which the student is seeking to transfer credits may not be the sole basis for accepting or denying credit for transfer, nor should it be represented as a requirement of the ACEN.

In evaluating credit earned by students for transfer, a governing organization and/or nursing program must adhere to the following:

1. Have established appropriate criteria for the acceptance of transfer credits including, at a minimum, the currency, comparability, relevancy to degree and/or nursing program, calculation of credit (e.g., clock hours to semester or quarter hours), and grade earned for the course or courses to be transferred.
2. Apply a systematic, consistent process for determining whether to accept credit earned at other governing organizations.
3. Document in the permanent student record the basis on which the transfer credit was accepted and identification of the governing organization from which the credit was transferred.

The governing organization and/or nursing program must publish its transfer-of-credit policy, including clear communication of the criteria and process for evaluating and accepting credit for transfer earned at other governing organizations, in all documents (paper and electronic) that serve to inform the public.

Policy #25 History
Revised April 2014
Revised March 2016
Edited July 2020

POLICY #26

PROFESSIONAL STAFF RELATIONSHIP TO THE BOARD OF COMMISSIONERS AND EVALUATION REVIEW PANEL

Professional staff members of the Accreditation Commission for Education in Nursing (ACEN) are expected to advise and inform the Evaluation Review Panel and Board of Commissioners on matters relative to a nursing program. They should offer advice or provide information at their own initiative or at the request of the Evaluation Review Panel and Board of Commissioners. Such advice and information do not supplant the peer review process, but rather provide additional insight in reaching an informed judgment.

PROCEDURAL GUIDELINES

1. In order to maintain the strength and consistency of the process, professional staff members provide information and advice as appropriate when assisting the Evaluation Review Panel in making a recommendation on the accreditation status of a nursing program and Board of Commissioners in making a decision on the accreditation status of a program. Particularly germane is historical information on similarly situated nursing programs and procedural and substantive advice on how the ACEN policies and Standards and Criteria have been interpreted and could be applied to a program's case, including possible action and follow-up. This information is presented orally during the Evaluation Review Panel's and Board of Commissioner's discussion.
2. The professional staff role in the deliberations is an active role. Professional staff members provide information and advice, which may include evidence and evidence-based professional opinions on a nursing program's patterns, progress, and suggested action.
3. The professional staff's role in the process may not supplant the peer review and decision-making process.

Policy #26 History
Developed July 2015

POLICY #27

FEES AND EXPENSES

It is the obligation of every nursing program to pay all ACEN fees and expenses when due. Failure to pay ACEN fees and expenses when due shall be deemed a voluntary withdrawal from accreditation pursuant to [ACEN Policy #7 Voluntary Withdrawal from ACEN Accreditation](#).

A billing statement for annual ACEN accreditation fees shall be issued annually to every nursing program, and fees are payable upon receipt.

A billing statement of fees and expenses incurred by ACEN in carrying out its accreditation functions shall be issued and fees are payable upon receipt.

A schedule of current fees and expenses is available at <https://www.acenursing.org/resources-for-nursing-programs/>.

Policy #27 History
Developed March 2016

POLICY #28 LITIGATION

INSTITUTIONAL FINANCIAL OBLIGATIONS FOLLOWING LITIGATION

Any governing organization/nursing program that takes legal action against ACEN and withdraws its case or loses its case is responsible for assuming all costs incurred by ACEN while defending itself, including attorney's fees. These costs must be paid in full within 45 calendar days following the governing organization/nursing program's receipt of the ACEN invoice, unless other arrangements are approved by the Executive Committee acting on behalf of the Board of Commissioners.

CHOICE OF LAW, JURISDICTION, AND VENUE

Each governing organization/nursing program acknowledges that all agreements created by the ACEN granting eligibility for candidacy or granting any accreditation status shall be deemed to have been entered into in Fulton County, Georgia, and shall be interpreted in accordance with the laws of the State of Georgia. Further, each governing organization/nursing program agrees that jurisdiction and venue for any action which might arise from any agreement between the governing organization/nursing program and ACEN, regardless of which party shall initiate the action, shall be exclusively in the United States District Court for the Northern District of Georgia or the state courts of Fulton County, Georgia, whichever of these courts shall have proper subject matter jurisdiction.

Policy #28 History
Developed March 2016
Revised July 2020

POLICY #29

ADVERTISING AND RECRUITMENT OF STUDENTS

ADVERTISING, PUBLICATIONS, PROMOTIONAL LITERATURE

The governing organization/nursing program ensures in institutional and programmatic publications that:

1. The nursing program and institutional/programmatic services offered to facilitate student success are the primary emphasis of all advertisements, publications, promotional literature, and recruitment activities.
2. All statements and representations are clear, factually accurate, and current. Supporting information is kept on file and readily available for review.
3. The publications are freely accessible (e.g., website, physical copy) and accurately depict the current:
 - a. governing organization and nursing program purpose and goals
 - b. admission requirements and procedures for all nursing students
 - c. transfer of credit policy
 - d. academic calendar
 - e. tuition, fees, and other nursing program costs, including any fees associated with verification of student identity related to distance education
 - f. refund of costs policy and procedures
 - g. financial aid opportunities and requirements
 - h. grading system and related policies
 - i. curriculum for the nursing program, including all program options, with required course sequence, normal length of time required to complete the curriculum, and the frequency of which each course is offered
 - j. general education requirements
 - k. completion requirements for the nursing program, including all program options
 - l. end-of-program student learning outcomes and program outcomes
 - m. student conduct rules
 - n. student grievance policy and procedures
 - o. institutional/programmatic facilities and services readily available for educational use, including alternative methods of delivery
 - p. career opportunities
 - q. national and/or state legal requirements for eligibility for licensure or entry into the nursing profession
 - r. student achievement data

1. The following student achievement data **must be published** and must be consistent with ACEN Accreditation Standard 6 Outcomes:
 - i. graduates' success on the licensure and/or certification examination
 - ii. students' completion of the nursing program
2. The following student achievement data **may be published** and if published, must be consistent with ACEN Accreditation Standard 6 Outcomes and federal regulation:
 - i. graduates obtaining a job
 - ii. if the job placement rate is published, federal regulation requires that each item of job placement data needed to determine the job placement rate must include verification by a reliable data source that does not rely on self-reported data from students or their employers.
3. Additional student achievement data as the governing organization/nursing program considers appropriate

All student achievement data reported/published for any purpose is expected to reflect an accurate and verifiable portrayal of a nursing program's performance, which is subject to review for integrity, accuracy, and completeness. The ACEN reserves the right to request that a governing organization/nursing program provide verification by an external source of a nursing program's student achievement data that the ACEN relies on, in part, in making an accreditation decision. The governing organization/nursing program is responsible for any cost related to verification by an external sources of a nursing program's student achievement data.

STUDENT RECRUITMENT FOR ADMISSIONS

1. Student recruitment is conducted by well-qualified admissions officers and trained volunteers whose credentials, purpose, and position or affiliation with the governing organization is clearly specified.
2. Independent contractors or agents used by the governing organization for recruiting purposes are governed by the same principles as employees of the governing organization.
3. Governing organizations follow federal guidelines regarding compensation for student recruitment and admission activities.
4. Governing organizations do not engage in the following practices:
 - a. assuring employment unless employment arrangements have been made and can be verified
 - b. misrepresenting job placement and employment opportunities for graduates
 - c. misrepresenting program costs
 - d. disparaging comparisons of secondary or postsecondary institutions

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- e. misrepresenting abilities required to complete intended program
- f. offering money or inducements other than educational services of the governing organization in exchange for student enrollment (except for awards of privately endowed restricted funds, grants or scholarships are to be offered only on the basis of specific criteria related to merit or financial need)

Policy #29 History

Developed March 2016

Revised October 2016

Edited March 2018

Edited December 2020

POLICY #30

AGREEMENT FOR EDUCATION-RELATED COMPONENT FROM AN EXTERNAL SOURCE

As governing organizations/nursing programs seek ways to provide a quality education to nursing students, the governing organization/nursing program may find that it is practical or efficient to engage an external source to develop and/or deliver a component(s) of a nursing program. The component(s) of the nursing program developed and/or delivered from an external source include(s) traditional instructional delivery methods, hybrid instructional delivery methods, and distance education instructional delivery methods.

An education-related component from an external source includes, but is not limited to:

1. Engaging another college/university to teach that institution's nursing and/or non-nursing component to the governing organization's students enrolled in its nursing program.

Examples include (a) "College Z" contracting with "College X" for "College X" to teach "College X's" general education courses to students enrolled in "College Z's" nursing program or (b) "College Z" contracting with a "College Y" for "College Y" to teach "College Y's" laboratory component to students enrolled in "College Z's" nursing program.

2. Participating in a consortium to teach any nursing and/or non-nursing component that is required for the governing organization's nursing program.

Examples include multiple nursing programs sharing courses and/or faculty to teach nursing and/or non-nursing courses to students enrolled in their nursing programs.

3. Engaging another college/university to provide any nursing and/or non-nursing faculty to teach any nursing and/or non-nursing component for the governing organization's nursing program.

Examples include (a) "College Z" contracting with "College X" for "College X's" faculty to teach "College Z's" general education courses to students enrolled in "College Z's" nursing program or (b) "College Z" contracting with "College Y" for "College Y's" faculty to teach "College Z's" laboratory component to students enrolled in "College Z's" nursing program.

A governing organization/nursing program accredited by the ACEN is responsible for all activities carried out under its name. All Standards and Criteria, policies, and procedures apply to any agreement with an external source for an education-related component(s). The governing organization/nursing program should be especially mindful of [ACEN Policy #14 Reporting Substantive Changes](#), [Policy #15 Distance Education](#), [Policy #20 Complaints Against an Accredited Program](#), and [Policy #25 Transfer of Credit](#).

The following are required for a governing organization/nursing program entering into an agreement with an external source to provide an education-related component(s), whether the external source holds or does not hold institutional and/or programmatic accreditation:

- I. The primary purpose of the component(s) is educational.

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2. The governing organization/nursing program is responsible for the accuracy of all advertising, recruiting, and promotional materials.
3. The governing organization is responsible for ensuring that all legal requirements for federal and state student financial aid programs used by students are met.
4. The governing organization/nursing program is responsible for informing the external source that the agreement does not imply or extend ACEN accreditation to the external source.
5. Every component must be consistent with the governing organization's/nursing program's mission and objectives as they were at the time of the last evaluation conducted by ACEN.
6. Every education-related component must be consistent with the nursing program's published curriculum/program options, end-of-program student learning outcomes, and program outcomes.
7. If the education-related component involves a credit-bearing course(s)/content offered by the external source, then the value and level of credit must be determined by the governing organization/nursing program in accordance with the governing organization's/nursing program's established procedures, and under the usual mechanism of review. Evidence that the established governing organization's policies/procedures were followed must be available.
8. The governing organization/nursing program follows all established shared governance policies/procedures for approval of education-related components. Evidence that the established governing organization's policies/procedures were followed must be available.
9. The governing organization/nursing program follows all ACEN policies/procedures for approval of education-related components. Evidence that the ACEN policies/procedures were followed must be available.
10. While the governing organization's personnel may or may not teach the education-related component(s), the nursing faculty and appropriate governing organization representatives must retain overall accountability and control of the integrity, rigor, and currency of the nursing and non-nursing education-related component(s).
11. The governing organization/nursing program must ensure ongoing collaboration between the nursing faculty, appropriate governing organization representatives, and the external source to safeguard the integrity, rigor, and currency of the nursing curriculum. Evidence of collaboration, including periodic and adequate review of work performed by the external source, must be available.
12. The governing organization/nursing program is ultimately responsible for all aspects of its nursing program, including but not limited to:
 - a. Students' successful achievement of end-of-program student learning outcomes and program outcomes;

- b. Admissions to the nursing program;
- c. Review and approval of all nursing and non-nursing education-related component(s);
- d. Review and approval of the appointment/selection of all nursing and non-nursing faculty, whether or not the faculty member is employed by the governing organization of the nursing program;
- e. Quality of resources and services (e.g., library/information, technical support, student support, IT infrastructure, etc.);
- f. Student and faculty access to resources and services (e.g., library/information, technical support, student support, IT infrastructure, etc.);
- g. All credits that appear on the governing organization's transcript; and
- h. Ensuring the privacy of students and the security of students' records.

There must be a written agreement between the governing organization/nursing program and external source that is executed by duly designated officer(s) of the governing organization/nursing program and appropriate counterparts from the external source.

The agreement clearly establishes and defines:

- 1. The scope and nature of the work to be performed by each party;
- 2. A mechanism to account for the scope and nature of the work provided by each party;
- 3. The period of the agreement and the conditions under which any possible renewal, renegotiation, or termination could take place;
- 4. Protection for enrolled nursing students in the event that the agreement is terminated or renegotiated;
- 5. Appropriate avenue(s) for addressing perceived breaches of the agreement;
- 6. How appropriate representatives from both parties will periodically review the success of the agreement;
- 7. The compensation and other considerations for the education-related component provided by both parties;
- 8. How nursing student and faculty support services and resources will be assured;
- 9. How nursing student and faculty access to support services and resources will be assured;
- 10. The procedure for a nursing student grievance regarding any aspect of the education-related component;

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11. The governing organization’s awarding of credit for the education-related component(s), if appropriate; and
12. How outcomes assessment will be conducted on the education-related component(s), if appropriate;

The agreement is:

1. Submitted to federal and/or state agencies for approval when required;
2. Submitted to the ACEN for approval when required as specified in [ACEN Policy #14 Reporting Substantive Changes](#); and
3. Available on request to the ACEN and peer evaluators acting on its behalf.

Policy #30 History
Developed March 2016

POLICY #31 INTEGRITY

A governing organization and/or nursing program shall demonstrate honesty and integrity in all disclosures to the ACEN and its representatives, students, and the public. A governing organization/nursing program in disclosing any information to the ACEN and its representatives, students, and the public shall:

1. Disclose all voluntary, required, or requested information in a timely manner;
2. Fully, accurately, and straightforwardly disclose all voluntary, required, or requested information, including data, whether complimentary or otherwise; and
3. Comply with all of the ACEN's requirements, policies, guidelines, decisions, and requests.

The ACEN accredits selected types of governing organizations and all types of nursing programs, not individuals. Therefore, any individual who reports to the ACEN on behalf of a governing organization/nursing program, either by virtue of his or her office or as delegated by the chief executive officer of the governing organization, obligates the governing organization and nursing program in all matters regarding integrity. Additionally, in order to comply with the requirements for honesty and integrity, appropriate representatives (e.g., nurse administrator, chief executive officer, etc.) of the governing organization are obligated to review and ensure the honesty and integrity of information disclosed.

With due regard for confidentiality, a governing organization/nursing program applying for candidacy or seeking initial or continuing accreditation shall provide ACEN and its representatives with unrestricted access to all aspects of its operations, including information about the governing organization's/nursing program's affairs, including, but not limited to, reports of other accrediting, licensing, and auditing agencies.

If the ACEN has reason to believe that a governing organization/nursing program has breached this policy, the ACEN will conduct an investigation and issue a report of its findings. The investigation will utilize an appropriate process. The governing organization/nursing program will have the opportunity to respond to any alleged breach prior to the ACEN imposing a sanction.

Presenting false, distorted, or incomplete information of any type, either through intent or through failure to exercise care and diligence, is considered a breach of this policy. Failure to respond appropriately to the ACEN decisions and requests in a timely manner, or to make complete, accurate, and honest disclosure, is sufficient reason, in and of itself, for the ACEN to impose a sanction.

Verified breaches may adversely affect the governing organization's/nursing program's accreditation status with the ACEN. Depending on the seriousness of the breach, sanctions by the ACEN Board of Commissioners may result in a letter of censure, being placed on warning, being denied continuing accreditation and being removed from the listing of accredited nursing programs, or being denied initial accreditation. Only the decisions by the ACEN Board of Commissioners to deny continuing accreditation and remove a governing organization/nursing program from the listing of accredited programs or to deny initial accreditation are appealable actions.

POLICY #32

OBSERVER ON SITE VISIT TEAM

A nursing program beginning its initial or continuing accreditation review process may designate one (1) person who is to be allowed to accompany a site visit team to observe and learn from site visit team activities and from the review process experience of persons at the host nursing program.

1. A site visit team may have only one (1) observer and that observer may not have any conflict of interest as defined by [ACEN Policy #1 Code of Conduct and Conflict of Interest](#).
2. All host nursing programs must agree to have an observer accompany the site visit team.
3. The ACEN cannot guarantee that all requests can be honored due to the variability in the number of scheduled site visits.
4. Requests to have an observer accompany the site visit team will be filled on a first-come, first-served basis; nursing programs that agree to host an observer will receive priority.
5. All requests must be submitted to the ACEN staff member assigned to manage the observer process.

CONDITIONS AND POLICIES

1. All observers are under the same obligation as site visit team members regarding the maintenance of confidentiality of the governing organization/nursing program information, materials, and committee discussions and proceedings. See [ACEN Policy #1 Code of Conduct and Conflict of Interest](#).
2. Every effort will be made to ensure that the observer receives from the nursing program, in advance of the visit, the same information and materials that site visit team members receive from the nursing program.
3. Every effort will be made to ensure that the observer is included in all ACEN pre-site visit conferences.
4. The observer is expected to make his/her own travel arrangements and to inform the host nursing program and site visit team chair regarding those arrangements. It is customary for the host nursing program to arrange to meet committee members at the pre-arranged airport, train station, or bus station, and transport site visit team members to the place of lodging. It will normally be possible to include observers in these arrangements.
5. Reservations for hotel rooms are customarily made by the host nursing program. The ACEN staff, in communicating with the host nursing program about the observer, will request that the host nursing program make a reservation for the observer as well. If the observer elects to make other arrangements for housing, the ACEN and the host nursing program must be informed of that fact. It is recommended that the observer stay at the same place of lodging as the site visit team so as to facilitate prompt attendance at all

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committee meetings, make most effective use of local travel arrangements, and maximize interaction with the site visit team members.

6. Neither the ACEN nor the host nursing program is responsible for any expenses (e.g., travel, lodging, meal, etc.) incurred by the observer in connection with observing the site visit team process. All expenses must be borne by the observer and/or the observer's governing organization/nursing program.
7. The observer is expected to arrive in time for the organizational meeting on the first day of the site visit and remain for the duration of the visit as well as be punctual for all committee activities scheduled by the site visit team chair.
8. Observers should not be assigned any responsibility for data gathering, evaluation, or writing of the Site Visit Report. The extent of verbal participation by the observer in executive sessions of the site visit team is at the discretion of the site visit team chair.
9. Site visit team members have a full agenda and limited time in which to carry out their responsibilities. It is anticipated that there will be numerous opportunities for the observer to interact with site visit team members as they fulfill their responsibilities; however, the observer must be flexible.
10. If the observer arranges to accompany a site visit team member on an interview, the observer should behave in a discreet manner so as not to interfere in any way with the site visit team member's ability to meet his/her responsibilities as a peer evaluator.

Policy #32 History
Developed October 2016

POLICY #33

FINANCIAL RESPONSIBILITY

(Applies to only governing organizations/nursing programs for which the ACEN serves in a Title IV financial aid gatekeeper capacity.)

FINANCIAL RESOURCES

The governing organization/nursing program is responsible for ensuring that it has, and maintains, the fiscal resources and financial stability necessary to provide a quality education to its students. This responsibility includes the appropriate management of Federal funds such as but not limited to Title IV programs, Health Resources and Services Administration (HRSA) programs, and Perkins programs. The governing organization/nursing program shall provide evidence of compliance to the ACEN as outlined below. Where the governing organization/nursing program is a component of a larger system, information and evidence shall be for the organizational unit having direct responsibility and control over the nursing program and not the larger system.

REQUIRED INFORMATION FOR INITIAL ACCREDITATION OF A NURSING PROGRAM

A. Administrative Capacity

Properly credentialed and qualified administrative leadership and managerial personnel contribute to maintaining the fiscal resources and financial stability that are essential to the achievement of the current end-of-program student learning and program outcomes of the nursing program. The governing organization/nursing program shall provide current evidence that personnel holding key leadership positions responsible for financial management, including financial aid, are qualified to carry out their responsibilities.

The governing organization/nursing program shall provide the following for the individuals directly employed by the governing organization/nursing program and/or third-party service provider contracted by the governing organization/nursing program to conduct financial aid services:

1. Current organizational charts of the financial management and financial aid units for the governing organization/nursing program and/or third-party service provider that identify the individuals appointed to administrative and managerial leadership positions.
2. Current résumés and years of service with the governing organization/nursing program and/or third-party service provider for each of these individuals.
3. Explanation of any non-traditional qualifications used by the governing organization/nursing program and/or third-party service provider to select and appoint these individuals, if relevant.
4. Overview of the current responsibilities and services provided by third-party service providers, if relevant (provide a copy of third-party service contract(s)).

B. Planning and Budget Development

The effective allocation and use of resources, both financial and human, must be based on a sound nursing program planning process to accomplish the mission of a quality nursing program. The

governing organization's/nursing program's planning process, as well as the budget development process, should be inclusive.

The governing organization/nursing program shall provide current evidence that its operational and capital budget development process is based on sound nursing program planning and that the budget is properly approved. The required evidence from the governing organization/nursing program shall include, but not be limited to, the following:

1. Overview of the governing organization's/nursing program's current planning process including evidence of objectives, tasks, intended outcomes, and use of results.
2. Explanation of how planning for the nursing program currently integrates with the governing organization's/nursing program's budget development process.
3. Overview of the governing organization's/nursing program's current budget development process.
4. Explanation of the governing organization's/nursing program's current process for prioritizing budget requests in the context of the plans for the nursing program and available funds.
5. A copy of the governing organization's/nursing program's current budget and documentation of its approval.

C. Funding Sources and Financial Stability

Financial stability is predicated on a steady stream of revenue that is properly managed with a focus on sustaining the governing organization's/nursing program's long-term ability to accomplish its current mission.

The governing organization/nursing program shall provide evidence of sufficient resources and financial stability to include, but not be limited to, the following:

1. Identification of all sources of operating revenues for the three (3) most recent fiscal years and a corresponding three-year history of the amount of funding these sources generated for the governing organization/nursing program.
2. Explanation of any fluctuations in past revenues and expected future revenues for the governing organization/nursing program.
3. Three-year budget history, including end-of-year results (budget vs. actuals) for the governing organization/nursing program.
4. Identification of any condition or event specific to the governing organization/nursing program that could affect the current or future ability to continue on-going nursing program operations.
5. Specific measures implemented and/or being implemented to ensure long-term financial stability of the governing organization/nursing program.

D. Financial Management Procedures and Internal Controls

Long-term financial stability and fulfillment of fiduciary responsibilities require that an organization have in place the proper financial management and reporting systems. Financial management includes having sufficient staff to ensure the separation of duties to achieve a proper level of internal controls; a system of record keeping and reporting supported by policies and procedures; and a process of regular review by senior management and the governing board.

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The governing organization/nursing program shall provide evidence of a system of financial management and internal controls to include but not be limited to the following:

1. Description of the governing organization's/nursing program's current system of internal controls including the separation of duties relative to the awarding and disbursement of financial aid funds.
2. Copies of current relevant policies and procedures.
3. Description of the governing organization's/nursing program's current Enterprise Resource Planning (ERP) system for recording and reporting financial activity.
4. Current examples and evidence of management reporting, analysis, and review.

E. Audits and Financial Statements

Audits performed in accordance with Generally Accepted Auditing Standards (GAAS)/Generally Accepted Government Auditing Standards (GAGAS) provide for the assessment of financial stability and a review of internal controls. Regular external audits conducted by an independent certified public accountant or appropriate governmental auditing agency are an essential component of financial management.

The governing organization/nursing program shall provide the following:

1. Audited financial statements for the governing organization (see [ACEN Glossary](#)) including management letters for the three (3) most recent fiscal years available prepared in accordance with Generally Accepted Accounting Principles (GAAP) by an independent certified public accountant or appropriate governmental auditing agency. If the governing organization/nursing program operates branch campuses (see [ACEN Glossary](#)), audited financial statements shall be submitted for each branch campus seeking initial accreditation.
2. The governing organization's/nursing program's response to and resolution of audit findings in the audits provided, if relevant.

F. Federal Requirements

A governing organization/nursing program offering Title IV financial aid for which the ACEN serves in a gatekeeper capacity shall provide evidence of authorization and compliance with program responsibilities; including, when a third-party service provider is used, evidence of authorization and compliance with program responsibilities for the third-party service provider. ACEN requires that the governing organization/nursing program submit current evidence of its current Program Participation Agreement (PPA) and all relevant correspondence from and to the U.S. Department of Education (USDE); including, when a third-party service provider is used, all relevant correspondence from and to the USDE and a third-party service provider related to the governing organization/nursing program. Additionally, the governing organization/nursing program and/or third-party service provider shall provide the following:

1. Federal award audits in conformance with Title 2 U.S. Code of Federal Regulations, Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards for the past three (3) fiscal years including management letters prepared by an independent certified public accountant or appropriate governmental auditing agency for the governing organization/nursing program and/or a third-party service

provider as it relates to those services provided to the governing organization/nursing program.

2. Governing organization's/nursing program's and/or third-party service provider's response to and resolution of audit findings in the audits provided, if relevant.
3. Non-public governing organizations: Current composite score calculation based on the prior fiscal year's audited financial statements in accordance with the USDE Federal Student Aid Handbook, using the financial ratios worksheet available from the Information for Financial Aid Professionals (IFAP) Quality Assurance Program website.

Where the composite score is less than 1.5, provide evidence of compliance with any cash monitoring requirements that have been placed on the governing organization/nursing program and, if applicable, evidence of a posted letter of credit, if so required. See [ACEN Policy #14 Substantive Changes](#). Provide copies of all correspondence between the governing organization/nursing program and the USDE since the nursing program's last submitted the ACEN annual report.

4. Attestation by the governing organization/nursing program that no financial actions have been taken to manipulate the composite score formula results.
5. Final loan default rates for the past three (3) years for the governing organization/nursing program. If the final rate for the third year has not been issued, it is acceptable to provide the preliminary default rate.
6. Current evidence of default management plans and procedures for the governing organization/nursing program and/or third-party service provider.
7. Current evidence of cash monitoring and other participation requirements, if applicable, for the governing organization/nursing program and/or third-party service provider.

REQUIRED INFORMATION AT THE TIME OF SUBMITTING THE ACEN ANNUAL REPORT

The governing organization/nursing program shall report, at the time of the ACEN Annual Report, the sufficiency of its financial resources and its compliance with Title IV requirements in accordance with [Policy #24 Assessment of Adequacy of Standards and Criteria, ACEN Process, and Practices](#).

The governing organization/nursing program shall provide the following information annually at the time the nursing program submits its Annual Report to the ACEN:

1. Identification of all the governing organization's/nursing program's operating revenue sources for the reporting year and an explanation for any changes from the previous year (e.g., changes in external funding, tuition increases, changes in enrollments, etc.)
2. A copy of the governing organization's/nursing program's approved operating budget for the reporting year and an explanation of any substantive variances between end-of-year budget and actual expenditures.
3. A copy of the governing organization's/nursing program's audited financial statements for the reporting year or most recent audited financial statements available and an explanation of actions taken to resolve audit findings in the audit provided, if relevant.
4. A copy of the governing organization's/nursing program's and/or third-party service provider's federal award audit for the reporting year and an explanation of actions taken to resolve audit findings, if relevant.

5. A copy of the U.S. Department of Education’s calculated preliminary default rate (final if available) for the governing organization/nursing program received during the reporting year.
6. Non-public governing organizations: Current composite score calculation based on the reporting fiscal year’s audited financial statements in accordance with U.S. Department of Education, Federal Student Aid Handbook, using the financial ratios worksheet available from the Information for Financial Aid Professionals (IFAP) Quality Assurance Program website.

Where the composite score is less than 1.5, provide evidence of compliance with any cash monitoring requirements that have been placed on the governing organization/nursing program and, if applicable, evidence of a posted letter of credit if so required. See [ACEN Policy #14 Substantive Changes](#). Provide copies of all correspondence between the governing organization/nursing program and the USDE since the nursing program’s last submitted ACEN annual report.

7. Attestation by the governing organization/nursing program that no financial actions have been taken to manipulate the composite score formula results.

INTERMITTENT REPORTING AT TIME OF OCCURRENCE

ACTIONS AFFECTING THE GOVERNING ORGANIZATION/NURSING PROGRAM

The governing organization/nursing program shall immediately disclose to the ACEN any actions or recommendations of other accrediting agencies related to or involving, administrative capacity, planning and budgeting, funding resources or financial stability, financial management or internal controls, audits, or federal requirements. The nurse administrator shall provide a copy of the other accrediting agency’s report and an explanation for any recommendations and plans to correct the situation. See [ACEN Policy #14 Substantive Changes](#). The accreditation status of the nursing program may be changed. See [ACEN Policy #4 Types of Commission Actions on Applications for Accreditation](#) and [Policy #19 Focused Visit](#).

If a governing organization/nursing program has a change in its financial status impacting its financial stability, the nurse administrator of the nursing program shall immediately submit to the ACEN a report explaining the reasons for the change and plans to correct the situation. The report shall identify all of the governing organization’s/nursing program’s current revenue sources including those that have changed and an explanation for the changes (e.g., changes in external funding, tuition increases, changes in enrollments, etc.) The ACEN Board of Commissioners will determine appropriate follow-up actions after review of the submitted materials. The accreditation status of the nursing program may be changed. See [ACEN Policy #4 Types of Commission Actions on Applications for Accreditation](#) and [Policy #19 Focused Visit](#).

If a governing organization’s/nursing program’s and/or third-party service provider’s status as a grantor and/or administrator of Title IV financial aid programs changes at any point, the nurse administrator of the nursing program shall immediately submit to the ACEN a report explaining the reasons for the change and plans to correct the situation. The report shall include copies of all communications from and to the USDE that relate to the change in status. The ACEN Board of Commissioners will determine appropriate follow-up actions after review of the submitted materials. The accreditation status of the nursing program may be changed. See [ACEN Policy #4 Types of Commission Actions on Applications for Accreditation](#) and [Policy #19 Focused Visit](#).

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The governing organization/nursing program shall immediately disclose to the ACEN any other actions or events related to financial resources not previously addressed in this policy that have or will impact the ability of the governing organization/nursing program to accomplish its mission of a quality nursing program. The ACEN Board of Commissioners will determine appropriate follow-up actions after review of the submitted materials. The accreditation status of the nursing program may be changed. See [ACEN Policy #4 Types of Commission Actions on Applications for Accreditation](#) and [Policy #19 Focused Visit](#).

Policy #33 History
Developed October 2017

POLICY #34

CANDIDACY FOR A GOVERNING ORGANIZATION/NURSING PROGRAM SEEKING INITIAL ACCREDITATION

A governing organization/nursing program seeking initial accreditation with the ACEN must apply for candidacy. The governing organization/nursing program seeking initial accreditation must:

1. Demonstrate that the governing organization and nursing program are eligible for ACEN accreditation (See [ACEN Policy #3 Eligibility for Accreditation](#)).
2. After the eligibility of the governing organization and nursing program have been established by ACEN staff, pay the required candidacy fee(s). [Note: International nursing programs are required to pay the fee as a component of the international application process. See *ACEN Accreditation Manual Supplement for International Programs*]
3. Demonstrate that the nursing program has the potential to achieve initial accreditation based on requirements for the Candidacy Presentation and within the timeframe established by the ACEN.
4. A governing organization/nursing program in the appeals process or binding arbitration process with the ACEN is not eligible for consideration for candidacy.

APPROVAL, DEFERRAL, OR DISAPPROVAL OF CANDIDACY

Based on the requirements established by the ACEN, the Chief Executive Officer may approve a nursing program for candidacy, defer a nursing program for candidacy, or disapprove a nursing program for candidacy.

A program may be approved for candidacy to pursue initial accreditation for a maximum of two calendar years. Once approved for candidacy, a nursing program must host an initial accreditation site visit prior to the expiration of candidacy.

Approval of Candidacy

Approval of candidacy is granted when, in the professional judgment of the ACEN Chief Executive Officer, informed by the professional judgement of the ACEN staff, the nursing program either:

- a. Makes a Candidacy Presentation that demonstrates that the nursing program is currently compliant with the requirements for the Candidacy Presentation and, based upon the Candidacy Presentation, has the potential to achieve initial accreditation.
- b. Makes a Candidacy Presentation that demonstrates that the nursing program has the potential to be compliant with the requirements for the Candidacy Presentation within two calendar years of the date of notification and, based upon the Candidacy Presentation, has the potential to achieve initial accreditation.

Being approved for candidacy informs the governing organization/nursing program and the public that the nursing program demonstrated the potential to achieve initial accreditation based upon

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the ACEN staff's professional judgement regarding requirements for the Candidacy Presentation at the time the nursing program was approved for candidacy. Being approved for candidacy does not guarantee that the ACEN Board of Commissioners will determine that the nursing program is in compliance with all the Standards and Criteria at the time the ACEN Board of Commissioners reviews the nursing program for initial accreditation. See [ACEN Policy #4 Types of Commission Actions for Initial and Continuing Accreditation](#).

Deferral of Candidacy

Deferral of candidacy is granted when, in the professional judgment of the ACEN Chief Executive Officer, informed by the professional judgement of the ACEN staff, the nursing program:

- I. Makes an inconsistent Candidacy Presentation that does not demonstrate that the nursing program is currently compliant with the requirements of the Candidacy Presentation. Deferral indicates that the nursing program may have the potential to demonstrate compliance with the requirements for the Candidacy Presentation with the opportunity to resubmit the Candidacy Presentation.

Being deferred for candidacy informs the governing organization/nursing program that the nursing program has demonstrated that it may have the potential to achieve candidacy based upon the ACEN staff's professional judgement regarding requirements for the Candidacy Presentation at the time the nursing program was deferred for candidacy. Being deferred for candidacy does not guarantee that the nursing program will be approved for candidacy if the program resubmits the Candidacy Presentation.

Deferral of candidacy is not an appealable action.

If deferred, the nursing program has up to one calendar year from the date of notification to resubmit the Candidacy Presentation for reconsideration without restarting the entire candidacy process and paying related fee(s) again. Upon resubmission of the Candidacy Presentation, the nursing program must be approved for candidacy or disapproved for candidacy.

Disapproval of Candidacy

Disapproval of candidacy is rendered when, in the professional judgment of the ACEN Chief Executive Officer, informed by the professional judgement of the ACEN staff, the nursing program either:

- a. Does not make a Candidacy Presentation that demonstrates that the nursing program is currently compliant with the requirements for the Candidacy Presentation and, based upon the Candidacy Presentation, does not have the potential to achieve initial accreditation.
- b. Does not make a Candidacy Presentation that demonstrates that the nursing program has the potential to be compliant with the requirements for the Candidacy Presentation within two calendar years of the date of notification and, based upon the Candidacy Presentation, does not have the potential to achieve initial accreditation.

Disapproval of candidacy is not an appealable action.

If disapproved, in order to seek initial accreditation with ACEN, the nursing program is required to restart the candidacy process and pay related fee(s) again. The nursing program may restart the entire candidacy process at any time after being disapproved for candidacy.

FAILURE OF AN APPROVED NURSING PROGRAM TO MEET ANY TIMELINE

Failure of an approved nursing program to meet any timeline established by the ACEN will result in a program losing its approval for candidacy status. If a nursing program fails to meet any required timeline prior to hosting an initial accreditation site visit, then the nursing program must restart the entire candidacy process, pay related fee(s) again, and submit a new Candidacy Presentation, which may result in approval, deferral, or disapproval. Submission of a new Candidacy Eligibility Application and Candidacy Presentation reinitiates the candidacy process for the program, and the effective date of initial accreditation, if achieved, will be based on the new date that the program is approved to pursue initial accreditation.

The candidacy process can be restarted at any time after a nursing program loses its approval for candidacy status or voluntarily withdraws from the candidacy process.

OBLIGATIONS OF A GOVERNING ORGANIZATION AND NURSING PROGRAM APPROVED FOR CANDIDACY

Each governing organization/nursing program making a Candidacy Presentation or approved for candidacy agrees to certain requirements concerning financial obligation; choice of law, jurisdiction, and venue; and disclosure of information. As a condition of reviewing any Candidacy Presentation or of being approved for candidacy, each governing organization/nursing program agrees to the following:

1. The governing organization/nursing program agrees to abide by [ACEN Policy #28 Litigation](#).
2. The governing organization/nursing program agrees to abide by [ACEN Policy #31 Integrity](#).
3. The governing organization/nursing program agrees to abide by [ACEN Policy #37 Third-Party Discovery Request](#).
4. The governing organization/nursing program agrees to abide by [ACEN Policy#38 Binding Arbitration](#).
5. It is the obligation of every governing organization/nursing program seeking candidacy to pay all fees and expenses when due. Failure to pay all fees and expenses when due shall be deemed a voluntary withdrawal from the candidacy process. A schedule of current fees and expenses is available at <https://www.acenursing.org/for-programs/general-resources/>.
6. The governing organization/nursing program must notify the ACEN, in writing, of all unexpected changes that occur within 30 calendar days of the change or all expected changes that are planned to occur no less than 120 calendar days prior to the change occurring. Failure to report an unexpected or expected change may delay or jeopardize a nursing program from being approved for candidacy, hosting an initial accreditation site visit, or being granted initial accreditation by the ACEN Board of Commissioners.

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Changes requiring notification include but are not limited to:

- a. change in the nurse administrator;
- b. relocation of the nursing program;
- c. change in the governing organization's and/or nursing program's status with a state regulatory agency (e.g., state education department or board of nursing) or for international programs a change in the approval status with any regulatory agency that oversees nursing in the country;
- d. change in the status with the governing organization's institutional accrediting agency
- e. change in the governing organization's institutional accrediting agency;
- f. change in the nursing program's curriculum;
- g. addition and/or deletion of a nursing program option (e.g., adding pre-licensure program option);
- h. addition and/or deletion of an off-campus instructional site or branch campus where any portion the nursing courses is offered; or
- i. implementation of distance education for the nursing program

The written notification must address the requirements for the Candidacy Presentation related to the change (e.g., for a change in the curriculum and/or new program option, all of the required criteria in the Candidacy Presentation for Standard 4 Curriculum).

If the ACEN Board of Commissioners grants initial accreditation but determines that there is an unreported change, the ACEN Board of Commissioners may decide to exclude the unreported change in its initial accreditation decision of the nursing program. If the ACEN Board of Commissioners excluded the unreported change in its initial accreditation decision, then the nursing program is required to submit the unreported change through the ACEN substantive change policy, undergo the subsequent review process, and is obligated for any related expense(s) that results from the substantive change process. See [ACEN Policy #14 Reporting Substantive Changes](#).

7. When a governing organization and/or nursing education unit makes a disclosure regarding the ACEN candidacy status of a nursing program approved for candidacy, it must accurately:
 - a. list each program (e.g., clinical doctorate, DNP specialist certificate, master's, post-master's certificate, baccalaureate, associate, diploma, and/or practical); and
 - b. identify each nursing program's candidacy status with ACEN.

The governing organization/nursing program must disclose the following information as a single disclosure to all current and prospective students within seven business days of

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receipt of the candidacy approval letter from the ACEN. The single disclosure must be exactly as illustrated below:

Effective [insert date of ACEN notification letter], the [program type*] nursing program at [insert name of governing organization this is in accordance with ACEN records] [at the [insert name of campus that is in accordance with ACEN records, if applicable] located in [city, state that is in accordance with ACEN records] is a candidate for initial accreditation by the Accreditation Commission for Education in Nursing. This candidacy status expires on [insert expiration date in ACEN notification letter].

Accreditation Commission for Education in Nursing (ACEN)
3390 Peachtree Road NE, Suite 1400
Atlanta, GA 30326
(404) 975-5000

View the public information disclosed by the ACEN regarding this candidate program at <http://www.acenursing.us/candidates/candidacy.asp>

*Type of program: practical, diploma, associate, baccalaureate, master's, master's/post-master's certificate, post-master's certificate, clinical doctorate, clinical doctorate/DNP clinical doctorate specialist certificate, or DNP clinical doctorate specialist certificate.

Note: Upon granting initial accreditation by the ACEN Board of Commissioners, the effective date of initial accreditation is the date on which the nursing program was approved by the ACEN as a candidate program that concluded in the ACEN Board of Commissioners granting initial accreditation.

8. If a candidate nursing program voluntarily withdraws from candidacy, the disclosure of candidate status information must be deleted within one calendar day of notifying the ACEN of the withdrawal.
9. If the candidate nursing program is granted initial accreditation, the governing organization/nursing program must follow [ACEN Policy #9 Disclosure of Information about an Accredited Program](#).
10. If a candidate nursing program is denied initial accreditation and the program appeals the Board of Commissioners' decision, the governing organization/nursing program must disclose the following information as a single disclosure to all current and prospective students within one business day of initiating the appeal per [Policy #10 Appeal Process and Submission and Review of New Financial Information Subsequent to Adverse Action](#).

The single disclosure must be exactly as illustrated below:

The most recent accreditation decision made by the ACEN Board of Commissioners for the [insert type of program*] nursing program is denial of initial accreditation, which [insert name of governing organization] is appealing per [Policy #10 Appeal Process and Submission and Review of New Financial Information Subsequent to Adverse Action](#). The [insert type of program*] nursing

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program will remain a candidate program pending the outcome of the appeal process.

Accreditation Commission for Education in Nursing (ACEN)
3390 Peachtree Road NE, Suite 1400
Atlanta, GA 30326
(404) 975-5000

View the public information disclosed by the ACEN regarding this program at <http://www.acenursing.us/accreditedprograms/programSearch.htm>

Based on the outcome of the appeal process, the disclosure of candidacy/accreditation status information must be updated within one business day of the effective date of the accreditation decision becoming final. See Final Accreditation Decision section in [Policy #4 Types of Commission Actions for Initial and Continuing Accreditation](#).

11. If a candidate nursing program is denied initial accreditation and the program pursues binding arbitration per [Policy #38 Binding Arbitration](#) related to the Board of Commissioners' decision, the governing organization/nursing program must disclose the following information as a single disclosure to all current and prospective students within one business day of initiating the binding arbitration process.

The single disclosure must be exactly as illustrated below:

The most recent accreditation decision made by the ACEN Board of Commissioners for the [insert type of program*] nursing program is denial of initial accreditation, for which [insert name of governing organization] is pursuing binding arbitration per [Policy #38 Binding Arbitration](#). The [insert type of program*] nursing program will remain a candidate program pending the outcome of the binding arbitration process.

Accreditation Commission for Education in Nursing (ACEN)
3390 Peachtree Road NE, Suite 1400
Atlanta, GA 30326
(404) 975-5000

View the public information disclosed by the ACEN regarding this program at <http://www.acenursing.us/accreditedprograms/programSearch.html>

Based on the outcome of the binding arbitration process, the disclosure of candidacy/accreditation status information must be updated within one business day of the effective date of the accreditation decision becoming final. See Final Accreditation Decision section in [Policy #4 Types of Commission Actions for Initial and Continuing Accreditation](#).

12. If the nursing program is denied initial accreditation and does not appeal the Board of Commissioners' decision, the governing organization/nursing program must disclose to all current and prospective students within seven business days of receipt of the decision letter from the ACEN that the Board of Commissioners denied the nursing program initial accreditation.

13. If the governing organization and/or nursing education unit publishes incorrect or misleading information about the candidacy status of a nursing program or any action by the ACEN relative to initial accreditation of a nursing program, the governing organization and/or nursing education unit must immediately provide public correction via a news release or through other media.

If a governing organization and/or nursing education unit makes public the contents from a Candidacy Review, Site Visit Report, Summary of Deliberations of the Evaluation Review Panel, or Board of Commissioners decision letter, it must provide full sentences and context. Characterizing, quoting, and/or providing excerpts from a Candidacy Review, Site Visit Report, Summary of Deliberations of the Evaluation Review Panel, or Board of Commissioners decision letter must also be accompanied by a note stating that a copy of the complete document(s) can be obtained from the nursing education unit. Should the statements be misinterpreted, the program must correct this misinterpretation through a clarifying release to the same audience that received the information.

If it is determined that a governing organization and/or nursing education unit is in violation of this policy, the ACEN Chief Executive Officer will inform the governing organization and/or nursing education unit through a formal letter. If the violation is not corrected immediately, the CEO shall report the matter to the ACEN Board of Commissioners for appropriate action.

Policy #34 History
Approved November 2018
Revised July 2020

POLICY #35

TRADEMARKS

PURPOSE

The Accreditation Commission for Education in Nursing (ACEN) supports the use of its trademarks and service marks, and the ACEN name when used in an appropriate manner. The ACEN adopted this policy to communicate the appropriate and permissible manner in which its trademarks may be used. Doing so maintains the reputation of the ACEN and protects its trademarks and service marks, and the ACEN name.

ACEN TRADEMARKS AND SERVICE MARKS

The ACEN requires that all of its trademarks and service marks, and the ACEN name are always used properly. The ACEN maintains a portfolio of trademarks and service marks, which take various forms and include, but are not limited to: trade dress, type style, letters, words, logos, designs, images, slogans, colors, product shapes, product packaging, sound, and the look, design, and overall commercial impression. The ACEN trademarks and service marks that may be used by an entity are accessible through [this link](#). This list may be updated as other trademarks and service marks are created or registered. All other ACEN trademarks and service marks not available at this link may not be used by any entity other than the ACEN.

The ACEN acknowledges that the use of a trademark or service mark, or the ACEN name may be necessary and encourages the appropriate use of an ACEN trademark or service mark, or the ACEN name. All use must be accurate and descriptive in nature and comply with this policy. Any use of an ACEN trademark or service mark, or the ACEN name must comply with the following:

1. A reference to any ACEN trademark or service mark, or the ACEN name must be clearly identified, truthful, accurate, not misleading, and used for which the ACEN trademark or service mark, or the ACEN name was originally intended by the ACEN.
2. The use of any ACEN trademark or service mark, or the ACEN name must maintain the integrity of the ACEN trademark or service mark, or the ACEN name.
 - a. Any trademark or service mark, or the ACEN name must be used as an adjective with a noun or as a noun that properly and accurately identifies the ACEN product, service, program, material, or technology to which a user is referencing.
 - b. Always use the proper spelling for any ACEN trademark or service mark, or the ACEN name.
 - c. Always use any ACEN trademark or service mark, or the ACEN name in the singular form; do not use in the plural or possessive form.
3. The use of any ACEN trademark or service mark, or the ACEN name must be applied correctly.
 - a. Always use the registered trademark and service mark symbol "®" when referring to an ACEN registered trademark and a service mark (e.g., _____®).

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- b. Always use the unregistered trademark and service mark symbol "TM" when referring to an ACEN unregistered trademark and service mark.
 - c. Use the proper symbol ("®" or "TM") with each ACEN trademark and service mark, and apply the proper symbol consistently in every copy of communication, document, packaging, or other material in which an ACEN trademark, a service mark, or the ACEN name appears, regardless of the medium.
4. While another entity's mark can be used in context with an ACEN trademark, a service mark, or the ACEN name to indicate a relationship between the ACEN and the other entity, the ACEN trademark, service mark, or the ACEN name must remain distinct. A reference to an ACEN trademark, a service mark, or the ACEN name must be clearly, visually distinguishable and separate from any product, service, program, material, or technology, as well as any other logos, trademarks, or service trademarks.

Certain activities may constitute infringement or dilution of an ACEN trademark, a service mark, or the ACEN name and are not permitted. Prohibited and unauthorized use an ACEN trademark, a service mark, or the ACEN name include, but are not limited to the following:

1. Do not use an ACEN trademark, a service mark, or the ACEN name in a manner that is likely to dilute, defame, disparage, or harm the reputation of the ACEN.
2. Do not use an ACEN trademark, a service mark, or the ACEN name in a manner that is likely to cause confusion about the ACEN, the ACEN mission, purpose, or goals, or ACEN accreditation.
3. Do not use any designation that is confusingly similar to the ACEN, the ACEN name, or an ACEN trademark, a service mark, or the ACEN name.
4. Do not use an ACEN trademark, a service mark, or the ACEN name in any way not intended by the ACEN.
5. Do not use an ACEN trademark, a service mark, or the ACEN name in a manner that is likely to give the impression or otherwise imply an affiliation or association with another entity or the entity's product, service, program, material, or technology.
6. Do not alter, adapt, modify, animate, or morph an ACEN trademark, a service mark, or the ACEN name. Examples include, but are not limited to: abbreviating or shortening any ACEN trademark or service mark, combining or hyphenating any ACEN trademark or service mark with another prefix or word, or using a slash mark with any ACEN trademark or service mark.
7. Do not copy or imitate an ACEN trade dress, type style, letters, words, logos, designs, images, slogans, colors, product shapes, product packaging, sound, or product packaging or the look, design, or overall commercial impression of an ACEN website, blog, or other materials.
8. Do not register or use any domain name that incorporates an ACEN trademark, a service mark, or the ACEN name.

9. Do not register or seek to register an ACEN trademark, a service mark, or the ACEN name or any restricted trademark, service mark, or name that is confusingly similar to an ACEN trademark, a service mark, or the ACEN name.

HOW TO REPORT ANY MISUSE OR ABUSE OF THIS POLICY

Please report any misuse or abuse of this policy at <https://www.acenursing.org/contact-us/> and provide as much information as possible about the use that might be an infringement. The ACEN will investigate the use and take appropriate action, if warranted.

Policy #35 History
Approved March 2019

POLICY #36

TEACH-OUT

GLOSSARY OF TERMS

Please see the **ACEN Glossary** for the definition of the following terms:

- Teach-Out
 - Teach-Out Agreement
 - Teach-Out Plan
- A. The ACEN requires a teach-out agreement or a teach-out plan from a governing organization/nursing program it accredits when:
1. The United States Department of Education (USDE) or the ACEN requests the teach-out agreement or a teach-out plan as a way for a governing organization/nursing program to demonstrate its obligation to fulfill its educational commitment to currently enrolled nursing students.
 2. A governing organization decides to close the institution, a nursing program, or an off-campus instructional site or branch campus where 100% of a nursing program is offered. See [ACEN Policy #16 Closings](#).
 3. The ACEN Board of Commissioners places the governing organization/nursing program on continuing accreditation for good cause.
 4. The ACEN Board of Commissioners denies the governing organization/nursing program continuing accreditation. If the governing organization/nursing program does not appeal the denial decision, the ACEN Board of Commissioners may extend the governing organization's/nursing program's accreditation until the governing organization/nursing program has had reasonable time to complete the activities in the teach-out agreement approved by the ACEN to assist students in transferring or completing their programs; if extended, then the status during the extension period will be continuing accreditation for good cause regardless of what the status was at the time of the Board of Commissioners' decision. The ACEN Chief Executive Officer shall determine what is a reasonable amount of time to complete the activities in the teach-out agreement however, the amount of time shall not exceed 120 calendar days from the effective date of the Board of Commissioners' decision.
 5. The ACEN has reasonable cause for concern regarding the financial stability and/or continuing operations of a governing organization/nursing program it accredits.
 6. The ACEN grants candidacy to a governing organization/nursing program and the ACEN is the Title IV gatekeeper for the governing organization/nursing program.
- B. Arrangements in any teach-out agreement and teach-out plan must be consistent with the ACEN Standards and Criteria, and requirements of this policy, [ACEN Policy #14 Reporting Substantive Changes](#), and [ACEN Policy #16 Closings](#).
- C. The ACEN requires a governing organization/nursing program that enters into a teach-out agreement or teach out plan, either on its own or at the request of the ACEN, to submit every agreement and teach out plan for review. The ACEN may approve or disapprove a teach-out agreement or teach out plan; see Sections D and E below.

- I. Every teach-out agreement or teach-out plan must include, at minimum, the following information and evidence:
 - a. The names of other governing organizations that offer similar nursing programs and could potentially enter into a teach-out agreement with the governing organization.
 - b. Assurance of the equitable treatment of nursing students.
 - c. A reasonable opportunity for nursing students to complete their nursing program of study.
 - d. A complete list of currently enrolled nursing students and the program requirements each nursing student has completed.
 - e. A plan to provide all potentially eligible nursing students with information about how to obtain a closed school discharge and, if applicable, information on state refund policies.
 - f. A record retention plan to be provided to all enrolled nursing students that delineates the final disposition of teach-out records (e.g., student transcripts, billing, financial aid records).
 - g. A clear statement to nursing students of the tuition and fees of the educational program and the number and types of credits that will be accepted by the teach-out governing organization.
 - h. Information on the number and types of credits the teach-out governing organization is willing to accept prior to the nursing student's enrollment.
 2. If the ACEN approves a teach-out agreement or teach-out plan that includes a governing organization or nursing program that is accredited by another USDE-recognized accrediting agency, the ACEN must notify that accrediting agency of its approval.
 3. The ACEN requires copies of all notifications to constituents from the governing organization/nursing program related to the information in Section 3, a, i-viii. The ACEN may require corrections to such information.
- D. The ACEN may approve a teach-out agreement only if the agreement:
1. Is between governing organizations that are accredited by a USDE recognized institutional accrediting agency.
 2. Is consistent with the applicable ACEN Standards and Criteria, ACEN policies, and USDE regulations.
 3. Provides for the equitable treatment of nursing students being served by ensuring that the teach-out governing organization has the necessary experience, resources (human, financial, physical), and support services to:
 - a. Provide an educational program that is of acceptable quality and reasonably similar in content, structure, delivery modality, and scheduling to that provided by the governing organization/nursing program subject to the teach-out agreement either entirely or at one of its locations.

While an option via an alternate delivery modality may be made available to nursing students, such an option is insufficient unless an option via the same delivery modality as the original educational program is also provided.

- b. Demonstrate it has a record of stability and the capacity to carry out its mission and meet all obligations to nursing students.
- c. Provide nursing students access to the program and services without requiring them to move or travel for substantial distances or durations.
- d. Provide nursing students with information about additional charges, if any.

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- E. The ACEN shall not permit a governing organization/nursing program to serve as a teach-out governing organization/nursing program under the following conditions:
1. The USDE notifies the ACEN that it has placed the teach-out governing organization on the reimbursement payment method under 34 CFR 668.162(c) or the heightened cash monitoring payment method requiring the USDE's review of the governing organization's supporting documentation under 34 CFR 668.162(d)(2).
 2. The USDE notifies the ACEN that it has initiated an emergency action against the teach-out governing organization, in accordance with section 487(c)(1)(G) of the HEA, or an action to limit, suspend, or terminate an governing organization participating in any Title IV, HEA program, in accordance with section 487(c)(1)(F) of the HEA.
 3. The USDE notifies the ACEN that the teach-out governing organization is participating in Title IV, HEA programs under a provisional program participation agreement and the USDE has required a teach-out plan as a condition of participation.
 4. For a non-profit or proprietary governing organization, the USDE notifies the ACEN of a determination by the teach-out governing organization's independent auditor expressing doubt with the teach-out governing organization's ability to operate as a going concern or indicating an adverse opinion or a finding of material weakness related to financial stability.
 5. For a proprietary governing organization, the USDE notifies the ACEN that the teach-out governing organization has a composite score of less than 1.0 as calculated under 34 CFR 668.172.
 6. A State licensing or authorizing agency notifies the ACEN that the teach-out governing organization's license or legal authorization to provide a nursing program has been or will be revoked.
 7. A State licensing or authorizing agency notifies the ACEN that the teach-out governing organization's/nursing program's approval to provide a nursing program has been or will be revoked.
 8. A law enforcement agency notifies the ACEN that the teach-out governing organization is under investigation, action, or being prosecuted for an issue related to academic quality, misrepresentation, fraud, or other severe matters.
 9. The teach-out governing organization/nursing program is on continuing accreditation for good cause with the ACEN.
 10. The teach-out governing organization/nursing program is currently under review by the ACEN that may result in the Board of Commissioners denying continuing accreditation of the teach-out governing organization/nursing program (e.g., fall cycle site visit completed with spring Board of Commissioners decision).
 11. The teach-out governing organization/nursing program is in the appeals process or in the binding arbitration process with the ACEN.
 12. The teach-out governing organization/nursing program notifies the ACEN that it intends to cease operations entirely.
 13. The teach-out governing organization/nursing program notifies the ACEN that it intends to close the location that will be used as the teach-out location.

Policy #36 History Developed and Approved July 2020

POLICY #37
THIRD-PARTY DISCOVERY REQUEST

COSTS OF COMPLIANCE WITH THIRD-PARTY DISCOVERY REQUESTS

The costs of compliance with third-party discovery requests made on the ACEN with regard to a governing organization/nursing program can be high and cannot be reasonably anticipated for budgeting purposes. To defray costs, where reimbursement for complying with a subpoena and/or third-party discovery request is not provided by the party serving the subpoena or document request, the ACEN may charge the governing organization/nursing program that is the subject of the subpoena/document request with all associated costs, including but not limited to the costs of production, copying, and delivering the documents as well as attorney's fees incurred.

Policy #37 History
Developed and Approved July 2020

POLICY #38

BINDING ARBITRATION

This Arbitration Policy of the Accreditation Commission for Education in Nursing (ACEN) shall apply only to an adverse action by the ACEN Board of Commissioners that have been fully and finally determined by a written decision of the Appeal Committee pursuant to [ACEN Policy #10 Appeal Process and Submission and Review of New Financial Information Subsequent to Adverse Action](#).

As a condition of seeking initial accreditation or continuing accreditation with the ACEN, each nursing program seeking initial accreditation and each nursing program seeking continuing accreditation consents to resolving disputes regarding a decision by the Appeal Committee in accordance with the binding arbitration procedures set forth in this Policy as required by 20 U.S.C. §1099b(e) and 34 C.F.R. §602.20(e).

I. Binding Arbitration

a. Governing Law

The arbitration process in this Policy shall be governed by the Federal Arbitration Act, 9 U.S.C. §§1-16 (Act), which shall be deemed to pre-empt any State arbitration provisions that may otherwise be applicable.

b. Binding Award

The award of the arbitrators rendered pursuant to this Policy shall be final and binding on the parties. A judgment may be entered upon the award by the application of either party to the Atlanta Division of the United States District Court for the Northern District of Georgia in accordance with the Act.

c. Jurisdiction of the Arbitrators

The arbitrators shall have jurisdiction to determine whether the final decision of the Appeal Committee was rightly decided and to make all rulings necessary and incidental thereto. The arbitrators shall have no jurisdiction or authority to enter an award for monetary damages. The award of the arbitrators shall be limited to affirmance or reversal of the decision of the Appeal Committee and the reasons therefor.

d. Decisions by the Arbitrators

All decisions by the arbitrators shall be by majority vote.

2. Arbitrators

a. Roster of Arbitrators

The ACEN shall maintain a roster of arbitrators. An arbitrator may be nominated by any governing organization/nursing program whether accredited by the ACEN or not, by the proposed arbitrator, or by ACEN Staff. There shall be no limit to the number of persons

who may be nominated by any entity, and there shall be no limit to the number of arbitrators on the roster, though the ACEN will endeavor to have at least 12 persons listed on the roster. The term an arbitrator may remain on the roster is five years unless otherwise removed or resigned. The term of an arbitrator may be renewed, and there is no limit to the number of terms an arbitrator may serve. The ACEN will endeavor to ensure that the roster of arbitrators is representative of the diversity of ACEN-accredited programs.

b. Qualifications of Arbitrators

An arbitrator must be an educator with at least ten years' experience as an educator and with at least ten years' experience in accreditation matters.

To be considered for the roster of arbitrators:

- i. An arbitrator may have experience in nursing education and in the accreditation of nursing programs.
- ii. An arbitrator may have experience from outside nursing education and from outside the accreditation of nursing programs.
- iii. An arbitrator need not be currently affiliated with any institution of higher education, with any nursing program, or with any accredited institution.
- iv. An arbitrator need not be a lawyer or have legal training, though both are considered desired qualifications.
- v. An arbitrator need not have formal training in arbitration, though such training is considered a desired qualification.
- vi. No person who has previously been employed by the ACEN may serve as an arbitrator.

c. Acceptance of Arbitrators

The ACEN Chief Executive Officer (CEO) shall review the qualifications of any nominated arbitrator and shall accept, reject, or request further information concerning the nominated arbitrator. The CEO's decision is final and not reviewable. A person who has previously been nominated as an arbitrator and rejected may be re-nominated.

d. Removal of Arbitrators

The CEO may remove from the roster any arbitrator for good cause in the sole judgment of the CEO as stated in writing. The CEO's decision is final and not reviewable.

3. Commencement of an Arbitration Proceeding

a. Notice of Arbitration, Deposit, and Payment of Expenses

A governing organization of the nursing program shall submit a notice of arbitration in writing by its Chief Executive Officer to the ACEN CEO by email or facsimile transmission within ten business days of the governing organization's/nursing program's receipt of the written final accreditation decision of the Appeal Committee. The original notice of arbitration shall be sent by overnight delivery with proof of receipt to the ACEN CEO at the same time it is sent by email or facsimile transmission. The original

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notice of arbitration shall be accompanied by a non-refundable check [per the fee schedule](#) as a deposit payable to the ACEN for expenses such as the travel, lodging, meals, and venue charges incurred by the arbitrators and the ACEN in convening and pursuing the arbitration; credit cards are not an acceptable form of payment. The governing organization/nursing program submitting the matter to arbitration is responsible for all expenses of the arbitration, including ACEN's representation/counsel fees. If the expenses actually incurred exceed the deposit, the governing organization/nursing program will be assessed the additional amount. The arbitrators shall submit expense vouchers to the ACEN in the form and manner prescribed by the ACEN for the reimbursement of reasonable expenses incurred.

b. Contents of the Notice

The notice of arbitration need not be in any particular form but must clearly identify the decision of the Appeal Committee and state that the governing organization/nursing program submits the decision of the Appeal Committee to binding arbitration in accordance with this Policy. The notice need not specify the basis for the arbitration. The notice of arbitration is sufficient to challenge the decision of the Appeal Committee on all legal grounds.

c. Effect of the Notice

A timely notice of arbitration in accordance with this Policy shall have the immediate effect of continuing the nursing program in accreditation with the ACEN in the same status as it was prior to the Board of Commissioners adverse action until the arbitration award is rendered. The ACEN shall provide notice to any constituencies previously notified of the result of the appeal that a timely notice of arbitration has been filed and the effect thereof.

4. Selection of the Arbitrators

a. Number and Method of Selection

An arbitration proceeding under this Policy shall require three arbitrators. No arbitrator who resides in the same state as the main campus of the nursing program nor who has a conflict of interest with the nursing program per [ACEN Policy #1 Code of Conduct and Conflict of Interest](#) may be eligible for selection as an arbitrator. Upon receipt of the Notice of Arbitration, the ACEN CEO shall provide to the Chief Executive Officer of the nursing program's governing organization the names of eligible arbitrators from the current Roster of Arbitrators.

- i. The Chief Executive Officer of the nursing program's governing organization shall select one arbitrator from the current Roster of Arbitrators within five business days of receipt of the Roster, and shall so notify the ACEN CEO in writing within one business day of making a selection.
- ii. The ACEN CEO shall select one arbitrator from the current Roster of Arbitrators and shall so notify the Chief Executive Officer of the nursing program's governing organization in writing within five business days of the nursing program's selection.
- iii. The ACEN CEO shall so notify the selected arbitrators in writing with a copy of the selection letter to the Chief Executive Officer of the nursing program's governing

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organization. These two arbitrators shall confer and select one additional arbitrator from the current Roster of Arbitrators within five business days and shall so notify the ACEN CEO in writing within one business day of making a selection. The ACEN CEO shall so notify the selected arbitrator within five business days in writing with a copy of the selection letter to the Chief Executive Officer of the nursing program's governing organization.

b. Conflict of Interest and Recusal

The selected arbitrators shall be governed by the Conflict of Interest provisions of [ACEN Policy #1 Code of Conduct and Conflict of Interest](#). The ACEN CEO shall provide the selected arbitrators with a copy of [ACEN Policy #1](#) and request that any selected arbitrator who has a conflict of interest recuse themselves and so notify the ACEN CEO. In the event that a selected arbitrator discovers a conflict after the convening of the arbitration, such an arbitrator shall recuse themselves from further proceedings. In the instance of a selected arbitrator being unable to serve or continue serving for any reason, the entity originally selecting such arbitrator shall select a replacement in accordance with this Policy.

c. Convening the Arbitration and Administrative Conference

Once three arbitrators without a conflict of interest have been selected, it is the responsibility of the arbitrators to convene within a reasonable period of time by conference call, video conference, or in person; to select a chair, who shall preside at all further proceedings and shall ensure this policy is complied with; and to establish the time and manner of the arbitration proceedings within the procedures set forth in this Policy. All dates for the taking of actions under this Policy thereafter are calculated from that date. At the request of any party or upon the arbitrators' own initiative, the arbitrators may conduct an administrative conference with the parties to address timing and any other administrative matters which may coincide with the convening of the arbitration.

d. Communications with Arbitrators

No party and no one acting on behalf of any party shall communicate ex parte with any arbitrator. All communications with the arbitrators shall be with all three and shall simultaneously be provided to the other party. It shall not be deemed an ex parte communication forbidden by this Policy for staff of the ACEN to discuss logistical and procedural matters with arbitrators, including but not limited to such things as the venue of proceedings, travel, lodging, meals, and expense reimbursement.

e. Confidentiality

The arbitrators shall maintain as confidential all information provided to them by either party. After the conclusion of the arbitration the arbitrators shall destroy and not retain any documents, in whatever form, provided to them in the course of the arbitration.

5. Arbitration Procedures

a. Time for Completion of the Arbitration

The arbitration proceedings shall be completed within 90 business days of the date of the convening of the arbitration. The completion of the proceedings shall be evidenced by the written award of the arbitrators.

b. Record on Review

The review of the decision of the Appeal Committee by the arbitrators shall be on the record presented to the Appeal Committee, including the Administrative Record, the Briefs of the Parties, the Transcripts of the Appeal Hearing and any pre-hearing proceedings, any additional evidence submitted to the Appeal Committee, any rulings thereon, and the decision of the Appeal Committee. It shall be the duty of the ACEN CEO, assisted by the Chair of the Appeal Committee, to assemble the Record on Review and submit it to the arbitrators and to the representatives of the parties within 30 business days of the convening of the arbitration. The Record on Review shall be submitted electronically.

c. Discovery and the Submission of Additional Evidence

There shall be no discovery in the arbitration proceeding. There shall not be any additional evidence submitted to the arbitrators beyond the Record on Review.

d. Standard of Review

The governing organization/nursing program shall bear the burden of persuading the arbitrators that the decision of the Appeal Committee is clearly erroneous in accordance with the standards of [ACEN Policy #10](#) and in accordance with applicable law.

e. Location and Manner of the Proceedings

The arbitration proceedings shall take place in the Atlanta, Georgia Metropolitan Area at a venue arranged for by the ACEN in consultation with the arbitrators and the parties. With the unanimous consent of the parties and the arbitrators, the proceedings may take place at another venue within or outside the Atlanta, Georgia Metropolitan Area; however, financial arrangements therefor must be made and agreed to in advance. With the unanimous consent of the parties and the arbitrators, some or all of the proceedings may take place remotely, by telephonic or other electronic means, so long as all parties and all arbitrators can participate equally.

f. Representation

Any party may participate *pro se* without representation or by counsel or any other representative of the party's choosing, unless such choice is prohibited by applicable law. A party intending to be so represented shall notify the other party and the arbitrators of the name, telephone number, physical address, and email address of the representative at least seven business days prior to the date set for the hearing at which that person is first

to appear. When such a representative responds for a party, notice is deemed to have been given.

g. Preliminary Hearing

At the discretion of the arbitrators a preliminary hearing may be scheduled, and if deemed necessary, it should be scheduled as soon as practicable. The parties should be invited to attend along with their representatives. The parties and the arbitrators should be prepared to discuss and establish a procedure for the conduct of the arbitration proceedings within the procedures set forth in this Policy.

h. Briefs

The governing organization/nursing program initiating the arbitration shall submit its principal brief within 14 business days of receipt of the Record on Review. The ACEN shall submit its response brief within 14 business days of receipt of the brief of the governing organization/nursing program. The arbitrators may request briefs of the parties on such other matters and at such times as they may determine. All briefs shall be submitted electronically as determined by the ACEN CEO (e.g., email, flash drive, cloud access).

i. Hearing

The hearing shall take place per the arrangements outlined in Section 5, e. The hearing on the issues raised by the parties to the arbitration shall be heard by the arbitrators at a date scheduled by the arbitrators. The arbitrators may request argument of the parties on such other matters and at such times as they may determine.

j. Attendance at the Proceedings

All arbitration proceedings are private and are not open to the public. Any person having a direct interest in the arbitration is entitled to attend the hearings. The arbitrators shall have the discretion to determine the propriety of the attendance of any person other than the parties and their representatives.

k. Stenographic and Other Recordings

Any party desiring a stenographic record shall make arrangements directly with a stenographer and shall notify the other parties of these arrangements at least three business days in advance of the hearing. The requesting party or parties shall pay the cost of the record. No other means of recording the proceedings are permitted absent the agreement of the parties or the direction of the arbitrators.

l. Waiver

Any party who proceeds with the arbitration after knowledge that any provision or requirement of this policy has not been complied with and fails to object in writing shall be deemed to have waived the objection.

m.

Time, Form, and Delivery of the Award

The award shall be made by the arbitrators in writing no later than 90 business days from the convening of the arbitration. The award shall be signed by a majority of the arbitrators and shall be executed in the form and manner required by the Federal Arbitration Act. The award shall state the reasons for the award and shall rule on the substantial claims of the parties. The award shall either affirm the decision of the Appeal Committee or reverse it, stating the reasons therefor. The award shall be delivered electronically to the email addresses of the parties and to their representatives. The award shall take effect immediately, and upon the rendering of the award, the status of the nursing program shall be consistent with the award as determined by the arbitrators.

Policy #38 History
Developed and Approved July 2020