



Accrediting Commission of Career Schools and Colleges

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May 23, 2023

ELECTRONIC DELIVERY

██████████
Chief Executive Officer
International Education Corporation
16485 Laguna Canyon Road
Irvine, California 92618

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System-Wide Warning

- Re:
- UEI College – Fresno, California (School #M066364)
 - UEI College – Gardena, California (School #M070735)
 - UEI College – Riverside, California (School #B072331)
 - UEI College – Bakersfield, California (School #B072368)
 - UEI College – Sacramento, California (School #B072790)
 - UEI College – Tacoma, Washington (School #B076002)
 - United Education Institute – Las Vegas, Nevada (School #B072812)
 - United Education Institute – Stone Mountain, Georgia (School #B076006)
 - United Education Institute – Dallas, Texas (School #B076011)
 - United Education Institute – Albuquerque, New Mexico (School #B076013)

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At its May 2023 meetings, the Accrediting Commission of Career Schools, and Colleges (“ACCSC” or “the Commission”) considered:

- ACCSC’s April 13, 2023 Letter;
- International Education Corporation’s (“IEC”) response;
- The press release regarding the United States Department of Education’s (“the Department” or “USDE”) decision to deny recertification of Florida Career Colleges’ (“FCC”) participation in Title IV federal student financial aid programs; and
- The Department’s April 11, 2023 letter.

Upon review of this matter, the Commission voted to place the above-listed schools on System-Wide Warning with a subsequent review scheduled for ACCSC’s August 2023 meeting. The reasons for the Commission’s requirements for the system of schools to demonstrate compliance are set forth below.

ACCSC Review and Findings:

The Commission considered IEC’s response to the Commission’s April 13, 2023 letter and IEC’s response. The Commission’s letter requested information on the basis that the Department’s press release stated that IEC employees and senior leaders knew of, and encouraged violations of, ability-to-benefit (“ATB”) testing and that IEC owns the above-listed ACCSC accredited institutions (“the schools”). The Commission’s decision and the Commission’s requirements for IEC to demonstrate compliance are set forth below.

IEC must demonstrate that the schools’ owners, members of school management, and administrative employees have past records that demonstrate a commitment to providing quality education to students; ethical, fair and honest practice; and compliance with accrediting standards and applicable federal, state, and local requirements (*Section I (A)(2), Substantive Standards, Standards of Accreditation*). ACCSC previously stated that “[t]he Department’s findings that IEC employees and senior leaders knew and approved of violations of ATB regulations raises immediate questions regarding whether the above

referenced schools owned by IEC and accredited by ACCSC meet this standard (April 13, 2023 Commission Letter, pg.2). ACCSC requested information as to whether the schools had been contacted by the Department, information and clarification as to shared oversight, management, or performance of ATB testing between FCC and the schools, policies and procedures for ATB testing, and a breakdown by campus of ATB enrollment.

IEC provided a narrative response, stating that the Department's decision was limited to FCC¹ and that while the Department had not contacted any of the schools regarding this matter, UEI's Eligible Career Pathways Program ("ECPP") had been under audit by the Department and the Department did not indicate any ECPP or ATB findings in a March 9, 2022 email or in a May 2, 2022 exit interview. The Department then informed IEC that the audit was extended in 2023. IEC stated that the decision was made to voluntarily pause ATB enrollments and testing at the schools as of April 13, 2023 "out of an abundance of caution to allow the opportunity to re-evaluate our policies and processes regarding the ECPP program" (April 26, 2023 IEC Response, pg. 8). IEC explained that per 34 CFR § 668.142 the school group uses entirely separate third parties to administer the ATB tests, contracting [REDACTED] to administer the tests (with Accuplacer replacing Wonderlic in 2022) for both FCC and the above-listed schools. IEC stated that it trains its admissions staff and provided documentation of the training in its response to the Commission. Regarding shared management and administrative staff between FCC and the above-listed schools, IEC identified one Regional Vice President of Operations (Sunbelt region) with oversight of five FCC campuses and one United Education Institute campus in Stone Mountain, Georgia. IEC provided a copy of its policies and procedures for ATB testing and admissions, enrollment, and re-entry which include the requirement for scheduling ATB tests for applicable students. IEC also stated that it had not received any formal or informal complaints regarding ATB testing and provided a breakdown by campus of the ATB enrollments at the schools.

In reviewing the submitted information and management and organizational chart, the Commission noted that the management and administrative organizational chart shows a Regional Vice President with oversight of both FCC campuses and a United Education Institute campus. The chart provided, however, appears to be incomplete as the chart does not contain [REDACTED] or any other individual in the CEO role. Additionally, the Commission noted that the Department's audit of the UEI groups ECPP program is ongoing.

USDE Findings and Decision:

Subsequent to the Commission's May 2023 decision, ACCSC became aware of the Department's April 11, 2023 letter² sent to [REDACTED] in regard to Florida Career College – Denial of Recertification Application to Participate in the Federal Student Financial Assistance Programs. While this letter details the Department's findings regarding FCC, the letter also contains specific allegations regarding both IEC and the ACCSC-accredited schools listed above.

The Department alleges IEC's influence over test administration and proctoring inconsistent with requirements for independent test administrator ("ITA") or proctor independence. Specifically the Department's letter states:

IEC paid for a trainer to conduct in-person training for FCC and UEI proctors, and three former proctors reported that this training taught and encouraged misconduct. The contract ("Training Proposal") executed by IEC states "The purpose of this proposal is to have [Proctor 21] provide

¹ The Commission understands that FCC has appealed the Department's decision and signed an agreement with the Department extending FCC's certification to January 31, 2024.

² Available publicly at this link: <https://www2.ed.gov/policy/gen/leg/foia/florida-career-college-denial-apr-2023.pdf>

the proper training to all FCC & UEI campuses. She has the expertise that will create better performance so that we can quickly start to see an increase in passing rates.” The plan provides for “in-person training to each individual proctor” at a rate of \$60 per hour, funded by the school, rather than their purported employer, ██████████ (USDE Letter April 11, 2023, pg. 15).

Importantly, the letter specifically references a proctor at UEI campuses in California changing answers:

Proctor 20, who is related to ██████████ and who proctored tests at UEI's California campuses in 2018 and 2019, stated that she was terminated at the direction of UEI officials when she failed to change answers and “cheat” on the ATB exam. She stated this came at the direction of “█████████.” Proctor 20 further stated that ██████████ directed ██████████ and his company to pass students and that if he did not, they would fire him (Id., pg. 9).

The Department’s letter further notes Proctor 20’s experience at UEI:

Proctor 20 reported that IEC directed ██████████ to assist students on the ATB exam to ensure students passed. Proctor 20 reported “IEC corporate controlled Art by saying that if they didn’t ensure pass rates by cheating, then they would give the contract to someone else.” She stated that ██████████ would teach new proctors how to assist students and told them that the expectation was to pass students (Id., pg. 18).

Proctor 20 made a complaint to Wonderlic wherein “she specified that this conduct occurred at FCC schools in Orlando, Florida and Houston, Texas, in addition to other schools operated by IEC in California and Georgia” (Id.).

The Department’s letter further notes the continuing practice of proctors sending score reports to FCC and/or UEI admissions staff even after ██████████ owner of ██████████ instructed proctors that there should not be more communication between proctors and admissions staff and IEC instructed admissions staff to cease communications with proctors (Id., pg. 19). Moreover, the Department alleged that the independent nature of ██████████ “was largely a fiction,” contradicting IEC’s assertion to ACCSC and even that the Department’s investigation included “evidence suggesting IEC and FCC leaders attempted to interfere in the Department’s investigation” (Id., 35).

The Department’s letter also identifies an October 20, 2022 FSA Investigations Group communication to FCC containing a summary of evidence. Accrediting standards require that each accredited school and each applicant for initial accreditation must notify ACCSC of any material event, such as investigations or open actions by state or federal authorities, beyond those required in the normal course, related to a school’s licensure, approval to operate, program approval(s), or participation in federal programs (e.g., issuance of a Civil Investigative Demand or subpoena by a state or federal agency) Such notification must be in writing, made within 10 calendar days of the event’s occurrence, and is in addition to disclosures that are required in the applications for initial or renewal of accreditation or any substantive change report *Section V (E)(1) & Section V (E)(2)(g), Rules of Process and Procedure, Standards of Accreditation*). If the Department’s October 20, 2022 communication to FCC contained reference to IEC senior leadership or any reference to UEI – which given the content of the April 13, 2023 letter seems most likely – then certainly this should have been considered a material event and thus required notification to ACCSC within ten days. IEC made no notification to ACCSC after the October 20, 2022 communication, potentially violating the requirements of *Section V (E)(1) & Section V (E)(2)(g), Rules of Process and Procedure, Standards of Accreditation*.

A review of the Department's April 11, 2023 letter gives much clearer information than first reviewed by the Commission in the press release. The Department's findings and allegations call into question the schools' compliance with the following ACCSC standards (in addition to those cited above):

- *Section I (G)(1), Rules of Process and Procedure, Standards of Accreditation:* The burden rests with the school to establish that it is meeting the standards and a school must supply the Commission with complete, truthful, and accurate information and documentation showing the school's compliance with all accrediting standards if the school is to be granted and maintain accreditation.
- *Section I (G)(2)(a&d), Rules of Process and Procedure, Standards of Accreditation:* In order for a school to maintain its eligibility for accreditation, it must comply on a continuous basis with accreditation standards and requirements and maintain all necessary authorizations from the state(s) in which it operates and maintain compliance with all applicable local, state, and federal requirements.
- *Section V (A)(1), Substantive Standards, Standards of Accreditation:* The schools must develop admissions criteria that are designed to admit only those students who are reasonably capable of successfully completing and benefiting from the training offered.
- *Section V (A)(3), Substantive Standards, Standards of Accreditation:* A school must consistently and fairly apply its admissions requirements.
- *Section V (B)(1), Substantive Standards, Standards of Accreditation:* If the school enrolls a person who does not possess a high school diploma or recognized equivalency certificate, the school must determine the applicant's ability to benefit from the training offered confirmed by documentation of the applicant's achievement of an approved score on an appropriate.
- *Section V (B)(2), Substantive Standards, Standards of Accreditation:* The acceptable score to enroll on the ability-to-benefit test must ensure that students will benefit from the training provided and that a substantial number of students will complete the training and be employed in the field for which training was provided.

The Department's investigation and action create immediate questions regarding the schools' compliance with accrediting standards. The issues set forth above demand the Commission's heightened scrutiny and as such the Commission has elected to take additional steps. While the Commission recognized IEC's decision to cease ATB testing and enrollment at the UEI and United Education Institutes, the Commission voted to direct IEC to cease all ATB testing and enrollment at each of the schools until such time as the Commission releases IEC from this directive. Additionally, the Commission questioned the timing of IEC's cease enrollment directive and whether the Commission's letter or other information spurred that action, (i.e., why did IEC not make this decision sooner knowing of the Department's investigation and findings at FCC.) Furthermore, the Commission voted to hold in abeyance any awards of accreditation at the above-listed schools until this issue is resolved. Finally, the Commission is closely interested in the disposition of the school's ATB students (their retention, graduation, and employment rates) and will, in the course of the review of this issue, request detailed campus-by-campus data in these areas.

Based on the foregoing, the Commission directs IEC to submit the following:

- a. A complete Management and Administrative Organizational Chart inclusive of IEC's Chief Executive Officer;
- b. Any updates on the Department's audit over UEI's ECPP program, to include any correspondence with the Department;

- c. Clarification as to the rationale behind the timing of IEC’s cease enrollment and testing of ATB students;
- d. A description and justification as to how IEC evaluates the owners’, management employees’, and administrative employees’ demonstrated commitment to ethical, fair, and honest practice and commitment to compliance with accrediting standards and all applicable federal, state, and local requirements;
- e. Information as to any internal review of ATB testing practices at the schools including any responsive documentation and communications;
- f. A detailed justification, with documentation and evidence, of the school’s compliance with the 6 standards listed on page 4 of this letter as well as well the following specific information:
 - i. Regarding *Section I (G)(1), Rules of Process and Procedure, Standards of Accreditation*, provide justification as to IEC’s commitment to provide the Commission with complete information given the Department’s inclusion of the above schools in the Department’s April 11, 2023 letter;
 - ii. Regarding *Section V (A)(1), Substantive Standards, Standards of Accreditation*, provide justification as to IEC’s commitment to ATB student success including an analysis of the rates of ATB student graduation (within 150% of the program length) and in-field employment for each above listed campus over the last 5 years;
- g. A copy of the October 20, 2022 FSA Investigations Group communication to FCC;
- h. Justification as to why IEC did not inform ACCSC of this investigation if the October 20, 2022 FSA Investigations Group letter contained reference to senior IEC leadership or any of the above-listed schools;
- i. For each above-listed school, a chart of ATB student achievement data for award years 2016-2017, 2017-2018, 2018-2019, 2019-2020, and 2020-2021 in the following format; and

Award Year	Total Enrollment	ATB Student Enrollment Count	Percent of Total School Enrollment via ATB	Institutional Average Graduation Rate	# and % of Withdrawn/Terminated ATB Students	# and % of Withdrawn/Terminated Non-ATB Students

- j. For each UEI school subject to this letter, a completed [Institutional Teach Out Plan Approval Form](#); and
- k. Any additional information that the school would like to submit in support of its compliance with the accrediting standards referenced above.

RESPONSE REQUIREMENTS:

By applying for accreditation, a school accepts the obligation to demonstrate continuous compliance with the *Standards of Accreditation*. While the Commission employs its own methods to determine a school’s compliance with accrediting standards, the burden rests with the school to establish that it is meeting the standards. The Commission’s deliberations and decisions are made on the basis of the written record and thus a school must supply the Commission with complete documentation of the school’s compliance with accrediting standards. Given the very serious nature of the findings set forth in this letter, any failure by IEC to provide complete and accurate responses to the Commission will be cause for immediate Commission action up to and including withdrawal of accreditation.

IEC must provide a response to the items expressed above that provides the information requested along with any additional information that the school believes supports a demonstration of compliance with accrediting standards.³ If the school's response contains documentation that includes personal or confidential student or staff information that is not required for the Commission's review (e.g., social security numbers, dates of birth, etc.), please remove or redact that information.

IEC must upload the school's electronic response directly to ACCSC's College 360 Database. The ACCSC College 360 database can be accessed by [clicking here](#). Please note that the password utilized by the institution to access the Annual Report Portal is the same to access the School Submission section of the College 360 database. The Instructions for Electronic Submission can be found [here](#). A detailed overview on how to upload a school submission can be found [here](#).

Keep in mind, the school's response must be prepared in accordance with ACCSC's Instructions for Electronic Submission (e.g., prepared as one Portable Document Format ("PDF") file that has been prepared using Adobe Acrobat software (version 8.0 or higher) and which has a .pdf extension as part of the file name). The school will receive an e-mail confirmation that the file has been received within 24 hours of the submission.

The response must also include a signed certification attesting to the accuracy of the information and be received in the Commission's office **on or before July 6, 2023**. If a response, the required fee,⁴ and the certificate of attesting to the accuracy of the information is not received in the Commission's office **on or before July 6, 2023**, the Commission will consider further appropriate action.

For assistance with the password or for any other questions regarding the electronic submission requirements, please contact [REDACTED]. Please note that any password requests to access College 360 must be made by the school director, or designated member of the school's management team, via e-mail.

For further assistance or additional information, please contact [REDACTED] or [REDACTED]

Sincerely,

[REDACTED]

Michale S. McComis, Ed.D.
Executive Director

c: [REDACTED]

Encl: ACCSC Institutional Review Cover Sheet

³ ACCSC has issued two modules of the **Blueprints for Success Series** – [Organizing an Effective Electronic Submission](#) and [Preparing a Comprehensive Response for Commission Consideration](#) – which provide a framework for submitting a well-documented, organized, electronic response for Commission consideration. ACCSC encourages the school to review these modules when formulating its response to this letter. More information is available in the [Resources section](#) at www.accsc.org.

⁴ ACCSC assesses a \$500 processing fee to a school placed on Warning.