



Accrediting Commission of Career Schools and Colleges

2101 Wilson Boulevard, Suite 302
Arlington, Virginia 22201
703.247.4212
703.247.4533 fax
www.accsc.org

December 14, 2017

ELECTRONIC DELIVERY AND FEDERAL EXPRESS

[Redacted]

Director
Beautech Express Academy
137 Calle Villa
Ponce, Puerto Rico 00730

School #M072509
Denial of Accreditation

Dear [Redacted]:

At its November 2017 Commission meeting, the Accrediting Commission of Career Schools and Colleges (“ACCSC” or “the Commission”) considered its previous decision to defer final action on the Application for Initial Accreditation submitted by Beatech Express Academy located in Ponce, Puerto Rico. Upon review of the August 11, 2107 Commission letter, the October 23, 2017 request for additional information, and the school’s responses to the Commission’s letters, the Commission voted to deny initial accreditation of Beatech Express Academy (*Section VII (N)(1), Rules of Process and Procedure, Standards of Accreditation*).¹

Background

August 2017 Meeting

At its August 2017 meeting, the Commission considered Beatech Express Academy’s Application for Initial Accreditation. Upon review of the May 26, 2017 Team Summary Report (“TSR”) and the school’s response to that report, the Commission voted to defer final action with a subsequent review scheduled for ACCSC’s **September 2017** meeting. As a threshold matter, the Commission’s deferral letter directed Beatech Express Academy to demonstrate eligibility and compliance in the following areas:²

1. With regard to eligibility for ACCSC accreditation, the Commission directed Beatech Express Academy to show that:
 - The school’s primary educational objective is to prepare students for entrance or advancement in one or more occupations requiring technical or career orientated competencies and skills (*Section I (B)(1)(d)(i), Section I (B)(2)(a)(i); Rules of Process and Procedure; Standards of Accreditation*);
 - The school’s secondary educational objectives do not have greater priority within the school’s mission and operations than its career-oriented educational objective (*Section I (B)(1)(d)(ii), Rules of Process and Procedure, Standards of Accreditation*); and
 - The school has submitted for ACCSC for approval each of the school’s program that have career-oriented educational objectives (*Section I (B)(3)(a), Rules of Process and Procedure, Standards of Accreditation*).
2. The Commission directed Beatech Express Academy to demonstrate that the school has been training students continuously (except for regularly scheduled breaks and vacation periods) for the preceding

¹ The Commission based its review of the status of the school prior to Hurricane Maria. While the Commission understands that the school may have been negatively impacted by the hurricane, the Commission found that the school was not eligible for ACCSC accreditation prior to the hurricane’s occurrence.

² The August 11, 2017 deferral letter noted that upon satisfactory resolution of the two (2) concerns listed in the deferral letter, Beatech Express Academy will receive an additional letter detailing concerns to be resolved in the areas of Management and Administrative Capacity, Retention, Policies and Procedures, and On-going Training; Educational Records; Employment Verification; Graduate Waivers; Admissions Requirements; Refund Policy; Program Hours; Catalog; Cancellation Refunds; Advertising; Externships; Faculty Prior Work Experience; Faculty Training Prior to Teaching; Program Advisory Committee; Attendance; Satisfactory Academic Progress; and Scholarships to be reviewed at the February 2018 Commission meeting.

two years at the time of the application and can commit to operating continuously thereafter (*Section I (B)(2)(a)(iii), Rules of Process and Procedure, Standards of Accreditation*). In addition, the Commission required Beautech Express Academy to demonstrate that the school is providing education and training to students in accordance with its primary objectives on a continuous basis (*Section I (E)(2)(b), Rules of Process and Procedure, Standards of Accreditation*).

September 2017 Meeting

At its September 2017 meeting, the Commission considered its previous decision to defer final action on Beautech Express Academy's Application for Initial Accreditation. Upon review of the August 11, 2017 deferral letter and the school's response, the Commission voted to hold in abeyance final action on the school's Application for Initial Accreditation with a subsequent review scheduled for ACCSC's November 2017 meeting. The Commission reviewed the response to the August 11, 2017 deferral letter and determined it was incomplete. Due to the unknown conditions of schools in Puerto Rico as a result of Hurricane Maria, the Commission voted to continue to hold in abeyance any action to allow the school an opportunity to provide additional information.

October 2017 Request for Additional Information

On October 23, 2017, ACCSC e-mailed Beautech Express Academy and stated:

Due to Hurricanes Irma and Maria, the Commission decided to table the review of Beautech Express Academy's response in an effort to clarify that the response was complete as was originally submitted on September 11, 2017. It appeared that the original submission did not include a response for items 2(b) and 2(c). Please submit any additional information to those items by Wednesday, October 25th along with a signed statement attesting to the information submitted. If the school believes that the response was complete, please submit a response, on school letterhead, attesting to the completeness of the information originally submitted.

Beautech Express Academy submitted an updated response for items 2(b) and 2(c) on October 25, 2017.

November 2017 Review and Action

At its November 2017 meeting, the Commission considered the August 11, 2017 deferral letter and the October 23, 2017 request for additional information along with Beautech Express Academy's responses. The Commission found that the school failed to meet its burden to demonstrate continuous compliance with the *Standards of Accreditation* in several areas (*Preamble, Standards of Accreditation*) and as a result voted to deny Beautech Express Academy initial accreditation on the following grounds:

1. Beautech Express Academy failed to demonstrate that:
 - The school's primary educational objective is to prepare students for entrance or advancement in one or more occupations requiring technical or career orientated competencies and skills (*Section I (B)(1)(d)(i), Section I (B)(2)(a)(i); Rules of Process and Procedure; Standards of Accreditation*); and
 - Secondary educational objectives do not have greater priority within the school's mission and operations than its career-oriented educational objective (*Section I (B)(1)(d)(ii), Rules of Process and Procedure, Standards of Accreditation*).

Specifically, in reviewing the response to the August 11, 2017 deferral letter and October 25, 2017 additional information, the Commission found that during the period December 21, 2015³ through August 30, 2017, Beatech Express Academy enrolled 86 students who completed “short courses” of 40 hours or less as compared to seven (7) students who graduated the Security Guard program. Additionally, as of August 30, 2017 the school had seven (7) students enrolled in short courses and no students enrolled in the Security Guard program. Instead, there were “10 students in the process of enrollment” for the Security Guard program. Based on the foregoing, the Commission found that Beatech Express Academy appears to be primarily directed toward short courses outside of ACCSC’s scope with no students enrolled in its vocational career-oriented program prior to Hurricane Maria.

2. Beatech Express Academy failed to demonstrate that it has been training students continuously (except for regularly scheduled breaks and vacation periods) for the preceding two years at the time of the application and that the school can commit to operating continuously thereafter (*Section I (B)(2)(a)(iii), Rules of Process and Procedure, Standards of Accreditation*). In addition, Beatech Express Academy did not demonstrate that the school provides education and training to students in accordance with its primary objectives on a continuous basis (*Section I(E)(2)(b), Rules of Process and Procedure, Standards of Accreditation*). The May 26, 2017 TSR states that a review of graduate lists cross-referenced to attendance records appeared to indicate that Beatech Express Academy did not offer the Security Guard program for a period of eight (8) months from June 2015 to March 2016. In response to the on-site evaluation team’s report, Beatech Express Academy stated the following:

Didn’t have any students for a period of eight months, from June 2015 till March 2016. This reason obeys that the Security Guard Program, was facilitated from WIOA funds (now American Job Center) and it’s Individual Training Accounts (ITA’s). This implicates that WIOA, signed and emitted individual contracts for each admitted student and not how it happened some time before, were the funds came across Junior Training Partnership Agency (JTPA). In this period of time, Ponce WIOA, did not subsidize any educational program through the ITA’s accounts for the lack of funds. At that moment, the budget of the municipality of Ponce began to adversely affect; who received and receives the funds for all of the Post-secondary Non University Educational Institutions that comply all the requirements stipulated. With this economic process, at that time, there wasn’t any private students that were available to pay the cost of the Program.

The Commission found that while the school provided an explanation for the non-continuous enrollment, Beatech Express Academy did not demonstrate that the school has been or is able to commit to providing education and training to students in accordance with its primary objectives on a continuous on-going basis. The Commission found that reliance on a single funding source to maintain operations is insufficient to demonstrate that the school has the resources to operate on a continuous basis. In fact, the school’s history demonstrates that in the absence of governmental funding the school cannot operate offering its one vocational career-oriented program. As such, the Commission directed Beatech Express Academy to submit a listing of all Security Guard students from March 1, 2016 to August 30, 2017 along with an explanation for any additional periods of non-continuous enrollment and how Beatech Express Academy will maintain continuous enrollment in the Security Guard program if a lack of funds from Ponce WIOA occurred again.

In response, the school provided a list of seven (7) students with a start date of March 1, 2017 and graduation date of July 21, 2017. For these reasons, the Commission determined Beatech Express Academy did not offer the Security Guard program for a period of 20 months from June 2015 to March

³ Per the December 21, 2015 acceptance of the Application for Initial Accreditation-Part I, compliance with ACCSC’s Standards of Accreditation is required, effective as of the date of that letter (*Section II (A)(1)(e), Rules of Process and Procedure, Standards of Accreditation*).

2017. Additionally, while the school indicated in response to the Commission's August 11, 2017 deferral letter that there are "10 students in the process of enrollment" for the Security Guard program, the chart does not show any students enrolled in the school's one vocational program pre-Hurricane Maria.

Based on the foregoing, the Commission voted to deny Beautech Express Academy's Application for Initial Accreditation.

Appeal and Reapplication Process and Procedure

Beautech Express Academy may opt to appeal the Commission's decision to deny the school's Application for Initial Accreditation or to reapply for accreditation. Details regarding the reapplication and appeal procedures are outlined in the *ACCSC Rules of Process and Procedures, Standards of Accreditation*.

- If Beautech Express Academy elects to appeal this decision, the school must sign and return the enclosed Letter of Intent to Appeal a Commission Decision, along with the Appeal Expense Fee of \$6,000.00, **on or before December 28, 2017**.
- If Beautech Express Academy elects to appeal this decision, the school's [Application for Appeal of a Commission Decision](#) and Grounds for Appeal must be submitted **on or before January 15, 2018**.
- If Beautech Express Academy elects not to appeal this decision, the Commission's decision to deny the Application for Initial Accreditation will become effective **December 28, 2017**. The school may submit comments **on or before December 28, 2017** in accordance with the enclosed Public Comment Disclosure Form. Comments submitted by the school will accompany any public disclosure of a final Commission action pursuant to *Section X (D)(4), Rules of Process and Procedure, Standards of Accreditation*.

Notification

In accordance with *Section X (D)(3), Rules of Process and Procedure, Standards of Accreditation*, the Commission, at the same time it notifies the school, will make public an action subject to appeal. The reasons for the Commission's action will also be made public along with information pertaining to the ACCSC appeal process. Additionally, in accordance with *Section X (C)(3), Rules of Process and Procedure, Standards of Accreditation*, the Commission, at the same time it notifies the school, will provide the same notice to the U.S. Department of Education, the appropriate state licensing agency, and other accrediting agencies, of an action subject to appeal along with the reasons for the Commission's action and information pertaining to the ACCSC appeal process.

Should you have any questions regarding the Commission's decision, please contact [REDACTED]

Sincerely,



Michale S. McComis, Ed.D.
Executive Director

Encls: Letter of Intent to Appeal Commission Decision
Public Comment Disclosure Form
ACCSC Standing Appeals Panel Members



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LETTER OF INTENT TO APPEAL A COMMISSION DECISION

To Be Submitted No Later Than December 28, 2017

Michale S. McComis, Ed.D.
Executive Director
ACCSC
2101 Wilson Boulevard, Suite #302
Arlington, Virginia 22201

Dear Dr. McComis:

This letter serves to provide notice that Beatech Express Academy located in Ponce, Puerto Rico intends to appeal the recent decision of the Commission to deny the school’s Application for Initial Accreditation. Attached is a check in the amount of \$6,000 as required by accreditation standards. I understand that this fee is non-refundable.

I understand that the ACCSC Appeals Panel will meet to consider the appeal of the school and that I will receive final confirmation of the hearing at a later date. I have reviewed *Section VIII, Rules of Process and Procedure of the Standards of Accreditation* pertaining to appeals and noted that I am entitled to a transcript of the proceedings and to have representatives, including legal counsel, present with advance notification to ACCSC.

I understand that it is the right of a school to appeal an adverse action taken by the Commission on the grounds that the decision was arbitrary, capricious, or otherwise in disregard of the criteria or procedures of the Commission, or not supported by substantial evidence in the record on which the Commission took the action (*Section VIII (B), Rules of Process and Procedures, Standards of Accreditation*). I understand that because the appeal must be based on evidence in the record at the time that the Commission took the adverse action, no new evidence may be submitted during the appeal process, other than information related to the financial solvency and condition of the school.

I understand it is the right of a school intending to appeal a Commission decision to indicate whether there is good cause as to why any member of the Commission’s Standing Appeal Panel should not hear the appeal. I have reviewed the list of Standing Appeal Panel members and have included with this notice any objections to any member of the Standing Appeal Member with the reasons and cause why I believe a member should not hear the school’s appeal. I understand the absence of a submission with this notice indicates my approval to allow any member of the Standing Appeal Panel to sit for the school’s appeal.

I understand that the [Application for Appeal of Commission Decision](#) with the school’s Grounds for Appeal are due to ACCSC **on or before January 15, 2018** and I agree to submit that material on or before that date. I understand that failure to submit these required documents by the due date could prevent consideration of the school’s appeal.

Signature

Date

Name/Title



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ACCSC Standing Appeals Panel Members

Panel Member	Affiliation	Term Ending
Gary Baker	U.S. Department of Education (Retired) Springfield, Virginia <i>Public Member</i>	2019
Paul Bott, Ed.D.	Pacific College Costa Mesa, California <i>Public Member</i>	2020
Nancy Bradley	Daytona College Ormond Beach, Florida <i>School Member</i>	2020
Mary Cano	Western Technical College El Paso, Texas <i>School Member</i>	2018
Paul Fitzgerald	Erie Institute of Technology Erie, Pennsylvania <i>School Member</i>	2019
Lorne P. Gauthier	Northwest Technological Institute Southfield, Michigan <i>School Member</i>	2017
William James	U.S. Department of Education (Retired) Public Member Concord, North Carolina	2019
Timothy McMahon	Triangle Tech Pittsburgh, Pennsylvania <i>School Member</i>	2020
Kathleen J. Steinberg	Midwest Technical Institute Lincoln, Illinois <i>School Member</i>	2018
Raymond Tuttle, Ph.D.	University of Mary Washington Fredericksburg, Virginia <i>Public Member</i>	2020



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PUBLIC COMMENT DISCLOSURE FORM

To Be Submitted No Later Than December 28, 2017

Michale S. McComis, Ed.D.
Executive Director
ACCSC
2101 Wilson Boulevard, Suite #302
Arlington, Virginia 22201

RE: Beatech Express Academy (School #M072509)
137 Calle Villa
Ponce, Puerto Rico 00730

Dear Dr. McComis:

I understand and agree that the Commission, pursuant to *Section X (C)(4)&(D)(4), Rules of Process and Procedure, Standards of Accreditation*, will make public a summary of the reasons for the decision together with any comments submitted by the school. I further understand that the summary will be accompanied by the attached comments.

I understand and agree that the attached comments constitute Beatech Express Academy’s public comments on the adverse accreditation action that are to be disseminated with the public notice of the Commission’s **November 2017** decision including, but not limited to, dissemination to appropriate federal, state and other accrediting agencies and posting to the ACCSC website (*Section X (C)(4)&(D)(4), Rules of Process and Procedure, Standards of Accreditation*).

I understand and agree that the school is not obligated to submit public comments and acknowledge that the attached comments are provided voluntarily.

I understand and agree that the public comments must be in summary format, professional in tone, and free of profanity and calumnious statements. I acknowledge that any comments which do not meet these requirements will not be disseminated or posted along with the summary of the reasons for the adverse accreditation decision.

I understand and agree that the Commission will release its summary of the adverse accreditation decision to the public pursuant to the Commission’s *Rules of Process and Procedure, Standards of Accreditation* and that the school’s written comments will not be added to this disclosure if this form and comments are not submitted in the required format **on or before December 28, 2017.**

I understand and agree that the Commission has no responsibility for how the school’s comments may be used once they are put in the public domain.

Signature

Date

Name/Title