



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

September 6, 2023

ELECTRONIC DELIVERY

██████████
President
Palm Beach Academy of Health & Beauty
1220A 10th Street
Lake Park, Florida 33403

*School #M070645
Continued Probation*

Dear ██████████

At the August 2023 meeting, the Accrediting Commission of Career Schools and Colleges (“ACCSC” or “the Commission”) considered the December 2, 2021 complaint submitted by ██████████ (“the Complainant”) against Palm Beach Academy of Health & Beauty (“PBAHB”) and PBAHB’s Admissions Report. Upon review of the Commission’s March 8, 2023 Probation Order and the school’s response, as well as the March 8, 2023 Admission Report, the Commission voted to **continue PBAHB on Probation** and to **continue PBAHB on Admissions Reporting**. The Commission also voted to direct the school to provide specific information as set forth herein to be reviewed by the On-Site Evaluation team in conjunction with the school’s Renewal of Accreditation and Change of Location visit. The reasons for the Commission’s decisions are set forth below.

History of the Commission’s Review:

Complaint Review History

ACCSC received a complaint submitted by the Complainant dated December 2, 2021 against PBAHB located in Lake Park, Florida. The complaint alleges that PBAHB may not be in compliance with the Commission’s standards in the areas of instructional materials and equipment, and advertising/promotion. The school was directed to submit documentation to the Commission to demonstrate compliance in the aforementioned areas. The Commission required the school to submit a narrative response to the Complainant’s allegations, a copy of any complaints filed by the Complainant with the school, a complete list of all training/instructional aids for the Complainant’s cohort, a copy of the policy and procedures to demonstrate that recruitment personnel are trained and supervised to not make misleading statements regarding the school’s personnel and faculty, a record of the most recent recruitment training, a description of any remedy offered to the Complainant and the status of any such offer, and any other supporting documentation.

In response to the Commission’s initial December 29, 2021 letter, the school provided two responses dated February 3, 2022 and February 6, 2022. ACCSC determined that the responses appeared to be missing the requested list of textbooks and publication dates for the Hemodialysis Technician program, as well as documentation regarding the sufficiency of the equipment. Furthermore, additional information was required regarding faculty qualifications, the roles and responsibilities of staff in the area of recruitment, and the school’s complaint policy and procedure. As a result of the school’s February 3, 2022 and February 6, 2022 responses, ACCSC determined that additional information was necessary pertaining to the following areas: instructional materials, equipment, recruitment, faculty qualifications, and student complaints.

In response to the Commission’s February 14, 2022 additional information request, the school’s March 1, 2022 response notes that the Complainant was currently on a leave of absence and awaiting an externship placement without providing further explanation of the school’s process and procedure for ensuring that the Complainant would be able to secure an externship. Additionally, the school provided the applicable

roles and responsibilities of the admissions personnel, the requested student satisfaction surveys, faculty personnel report, the complaint policy, and an explanation of the school's adherence to its complaint procedure, an explanation of the sufficiency of the textbooks, materials, and equipment, and an attestation of the student's receipt of the program materials. The school's February 3, 2022, February 6, 2022, and March 1, 2022 responses were forwarded to the Commission for review at the May 2022 Commission meeting.

At the May 2022 Commission meeting, the Commission considered the aforementioned responses and explanation pertaining to the complainant's allegations and documentation in response to the Commission's requests for information. In reviewing the submitted documentation regarding the school's assistance to secure an externship site for the Complainant, the Commission was concerned with the school's ability to ensure students secure externships in a timely manner as well as the school's use of its leave of absence policy when a required externship could not be arranged by the school. The Commission noted that the student's transcript recorded her enrollment status as leave of absence, however, the explanation provided, only states that: "[t]he school understands the progress [the Complainant] has completed her theory courses and is awaiting to attend her externship component" (February 27, 2022 PBAHB response, pg. 5), without further explanation as to why the school executed a leave of absence. The Commission expressed concern with the extensive time between the student's last date of attendance of September 9, 2021 and the student's current status awaiting an externship site. This left the Commission questioning the school's effectiveness in securing externship sites for its students, the procedure for updating students of this progress, and whether or not the school is continuing to enroll students in programs that require an externship component when such externships are difficult to obtain.

Additionally, although the school noted it "took substantial measures to address the concerns of [the Complainant]" (*Id.*, pg. 6), the Commission noted that the school did not provide sufficient documentation showing a resolution with respect to the student's complaint. The response contains email correspondence dated November 2, 2021 between the school administrators noting all the Complainant's concerns, but only addressed the externship component in subsequent emails. In addition, the school provided an email dated January 18, 2022 informing the complainant that her concerns would be investigated further, with the Complainant's response to the school indicating communication should be addressed to her attorney. The school's response does not provide an explanation of the process and procedure that occurred during the time between these email correspondences to rectify the concerns, an update regarding the status of the investigation, nor an explanation of the complainant's response referring to potential legal action.

The Commission also noted the school did not provide sufficient evidence and explanation that the program materials and equipment are sufficient for the student population or a narrative response demonstrating the program textbook is sufficiently comprehensive and reflects the current occupational knowledge and practice. Specifically, the Commission required justification that the instructional material reflects the current occupational knowledge, but the school did not provide any justification of the textbook. The school also provided minutes from the Program Advisory Committee ("PAC") to demonstrate the equipment and materials are sufficient for the number of students in the Hemodialysis Technician program. However, the Commission found that the documentation did not show either a) a meaningful review by the PAC of the school's programs and supporting resources and materials or b) a comprehensive and clear description of the review and commentary made by the school representatives and the PAC members (*Appendix III – Program Requirements, Standards of Accreditation*).

Upon review of the Commission's prior directives and the school's responses, the Commission voted to direct PBAHB to submit additional information in the areas of instructional materials, externships,

advertising, faculty qualifications, student complaints, and leaves of absence to demonstrate the school's compliance with accrediting standards to be reviewed at the August 2022 Commission meeting.

August 2022 Meeting Review and Action

At the August 2022 Commission meeting, the Commission reviewed the May 17, 2022 ACCSC letter and PBAHB's response, which led to further questions and concerns regarding PBAHB's operations in the areas of externships, leaves of absence, and facilities. Firstly, the Commission had questioned the school's execution of the externship components of its programs. In response to the Commission's request for specific policies and/or procedures regarding a student's inability to secure an externship placement, PBAHB stated:

In the past, [PBAHB's] practice was to place students on a Leave of Absence when an externship site was unavailable. This was not a formal policy, but an ad hoc attempt to deal with the unusual situation precipitated partly by the Covid-19 pandemic, and short-term inability to send students to clinical externship sites. The institution recognizes that this was an error, and has revised the practice... (July 15, 2022 PBAHB response, pg. 6).

Although the school provided the new policy, the Commission questioned whether the school in fact implemented the policy because the documentation provided had not been fully executed with a date and signature.

Additionally, in the May 17, 2022 letter the Commission requested the status of enrolling students in programs that require an externship component. Of the three programs requiring externships, there is no active externship site for the Patient Care Technician program, while the Hemodialysis Technician program continues to have only one active site. The Commission expressed concern that the school is enrolling students in the Patient Care Technician program without having sufficient active externship sites and without an established timeline as to when such externship sites could be acquired. The Commission also questioned the viability of the externship site for the Hemodialysis Technician program as well as the school's plan to remain attentive to the three enrolled students who are on a leave of absence given the following response:

Based on the revised curriculum for the Hemodialysis Technician program which requires 40 hours of clinical experience, the one site should be adequate. However, the Clinical Coordinator is in the process of identifying additional hemodialysis sites and the goal is to have a minimum of two sites under contract by the end of July 2022 (Id., pg. 8).

The school's response states that the externship site for the Hemodialysis Technician program declined to accept students from PBAHB during the "summer and fall of 2021 due to: a) a change of ownership of the site and b) the Covid-19 pandemic" (Id.). Based on the school's response, however, it appears that PBAHB failed to follow up with the site or to secure other alternative agreements. The Commission noted the extreme amount of time between the identification of the externship site's declination of students and the continued failure to secure new sites as of the time of the school's response, despite the school's own knowledge of the externship site's reluctance to take on new students. Additionally, the Commission noted that the school's response failed to provide sufficient justification or explanation regarding the unsuccessful efforts to attain an additional externship site for this program. Furthermore, the school did not provide an update of the status of the current externship site's willingness to take on new students, and why the three students in this program remain on a leave of absence despite the school's declaration that one site should be adequate.

Furthermore, PBAHB provided an update of the number of currently enrolled students in the Hemodialysis Technician program and the status of each student's externship component. The school stated there are currently three students enrolled in this program, including the Complainant:

All three students are currently on Leave of Absence. Unfortunately, the institution has been remiss in seeking clinical sites for these students...These students (which include [the Complainant]) all completed the didactic portion of the Hemodialysis program in the summer of 2021. Admittedly, the institution did not follow up with obtaining clinical sites, once the students were on LOA (Id., pg. 7).

The Commission expressed serious concerns regarding the excessive amount of time that these students remain on a leave of absence. As noted in the *Standards of Accreditation*, a leave of absence period may not exceed 180 days within any 12-month period and each leave of absence is to be properly requested by the student (*Section VII (A)(3)(c)(ii) Substantive Standards, Standards of Accreditation*). Moreover, placing a student on a leave of absence while awaiting an externship placement is not an acceptable practice. The school provided its leave of absence policy to reflect the above standard but noted, "...since the practice of placing students who did not have access to an externship site on [leave of absence] status was done on an ad-hoc basis, it is not part of the institution's [leave of absence] policy" (*Id.*, pg. 8). The Commission's reaction, however, is that the school has violated its own LOA policy and accreditation standards on a continuous basis. The school stated in its response that the Complainant has declined communication requests with the institution and that the school "did not execute a [leave of absence] request, and the institution did not send [the Complainant] a [leave of absence] form to execute" (*Id.*, pgs. 8-9).

The school stated, "[The Complainant] and two other Hemodialysis Program students are on [leave of absence] awaiting an opportunity to participate in clinical rotations to complete their program," that "[e]ach of these students completed the didactic portion of their programs in the summer of 2021" and that "the Complainant also expressed her reluctance to participate in an externship without additional remedial training" (*Id.*, pg. 9). The school provided conflicting and incomplete information regarding ongoing communication with the Complainant. The school previously stated that the Complainant has declined communication with the school, yet she appears to have requested remedial training and the school has failed to provide further explanation of the Complainant's reference to involve an attorney in this situation. In these regards, the school's response raised serious questions regarding the school's execution of the leave of absence, withdrawal, and termination policies and procedures.

Additionally, the Commission expressed concerns regarding the school's physical facilities and required detailed clarification of the school's ongoing modality of delivery of education to the current student population. In response, the school stated:

As you may be aware, [PBAHB] is waiting to take occupancy of a new location. Owing to health concerns, the current campus is not suitable for student use. The institution anticipates that occupancy will commence August 15, 2022. Therefore, assuming that a certificate of occupancy is provided by Palm Beach County, we propose to invite [the Complainant] and the other two students to begin their capstone course on or about August 22, 2022 (Id., pg. 10).

Accrediting standards state that a school must apply to the Commission at least 60 days prior to its intended move date (*Section IV (E)(4)(c)(i) Rules of Process and Procedure, Standards of Accreditation*). The Commission had not received the school's Change of Location-Part I Application, despite the school's statement that it will begin occupancy on August 15, 2022.

The Commission is in receipt of the school's notification dated December 30, 2021 indicating that the safety of the building where classroom instruction is located was compromised and required repairs and

maintenance. While the school awaited repairs it requested “distance learning until the building condition is completely remedied by the property owner, or a suitable substitute location is found...” (December 30, 2021 PBAHB notification, pg. 1). At the time of the notification the school had approval for the hybrid distance education modality. The school had not requested an expansion of distance education to change the modality of the program delivery to fully online. Thus, the Commission questioned the suitability of the learning environment, in addition to the safety standards required by appropriate regulatory authorities (*Section I(G)(1)&(2) Substantive Standards, Standards of Accreditation*), due to the school’s own admission that the facility is not suitable for student use. Additionally, the Commission required clarification regarding the school’s delivery of education in the classroom, and whether the school delivered education fully online without approval.

Overall, the Commission found that PBAHB’s response and actions demonstrated an inability to appropriately secure externship sites for the Hemodialysis Technician and Patient Care Technician programs and raised significant concerns that the school continued to enroll students in a program with no or an insufficient number of active externship sites. Additionally, the school’s practice of placing students on a leave of absence due to the lack of available externship sites, coupled with the continued leave of absence status for the three students in the Hemodialysis Technician program, called into question the school’s ability to maintain the appropriate policies and procedures for programs with an externship component. Finally, the Commission required a detailed explanation of the suitability of the school’s physical facilities and the modality for which the school has been delivering education since December 2021, at the time of the notification of unsafe facility conditions. Given these concerns and questions, the Commission voted to place PBAHB on Warning with a subsequent review scheduled for its November 2022 meeting.

November 2022 Meeting Review and Action

At the November 2022 Commission meeting, the Commission reviewed the August 29, 2022 ACCSC Warning and PBAHB’s September 30, 2022 response. The school’s response further compounded concerns regarding PBAHB’s operations in the areas of externships, leaves of absence, and facilities resulting in escalated concerns regarding the school’s adequate management and administrative capacity, to include appropriate administrative and operational policies and procedures to which the school adheres, reviews, and updates as needed (*Section I (A)(1)(d) Substantive Standards, Standards of Accreditation*).

The Commission previously expressed concerns regarding the school’s inability to secure externship sites for students enrolled in programs that require an externship component. In response to the Commission’s concerns in this regard, the school provided a list of externship sites for two of the school’s three programs with externship components. The response indicates that the same externship site, *Sunshine Dialysis*, continues to be the only active externship site for the Hemodialysis Technician program, with a pending agreement yet to be secured. The Commission again questioned the school’s policies and procedures for securing externship sites and the school’s continued failure to secure an additional site as of the date of the school’s response. Additionally, the Commission expressed concern regarding the school’s management and administrative capacity, and the continued inability to place the two remaining students in the active externship site or the site’s willingness to accept students for an externship. These issues led the Commission to also question the school’s policies for ensuring acceptable agreements and sites are actively maintained and monitored.

The Commission noted that the school’s *Policy and Procedures for Clinical Externship Agreements* describes the procedure for renewal of externship site agreements through a mechanism of tracking and a procedure that mirrors that of initially establishing the site agreement. As noted in the school’s response

and the externship agreement documentation, the agreements automatically renew on an annual basis and “[t]he Campus President shall keep records such that it is possible to track the expiration of the Clinical Agreements” (PBAHB September 30, 2022 Response, pg. 87). The active externship site chart noted on page 17 of PBAHB’s September 30, 2022 response indicates that there is no contract expiration date for the sites unless cancelled, which contradicts the policy’s statement that there are records of the agreement’s expiration dates. As such, the Commission required clarification of the school’s procedures and documentation demonstrating the renewed agreements have been completed to ensure the updated annual renewal of the five externship sites noted in the chart on page 17 of the September 30, 2022 response.

The Commission further questioned the status of the school’s Patient Care Technician program regarding required updates. The school’s July 14, 2022 response, page 7, *Table 1: Summary of Programs with Externship Components* states that there are “Externship Sites Available” for the Patient Care Technician program, yet none had been secured at the time of the school’s response to the Commission’s August 29, 2022 Warning. Additionally, in the July 14, 2022 response regarding an update on the enrollment of students into this program, the school stated, “[t]he institution is currently enrolling students for the Medical Assisting and Patient Care Technician [programs]” (PBAHB July 14, 2022 Response, pg. 16). In response to the August 29, 2022 Warning, the school did not provide secured externship site agreements nor any update regarding the efforts to attain additional externship sites. Additionally, the school stated “[t]he institution has made no changes in its enrollment procedures for programs with clinical externships (PBAHB September 30, 2022 Response, pg. 18). Without any clarifying information, the Commission questioned whether the school should continue to enroll students in a program that has no active externship sites.

The Commission’s concerns continued to escalate regarding the two students who remained in the Hemodialysis Technician program without externship placements, pending or otherwise, as of the date of the school’s September 30, 2022 response to the Warning. The school stated that it created a 40-hour remedial training course for the students and discussed scheduling the course with the students. The school’s response, however, lacks a detailed explanation of the students’ enrollment status at the time of the response (as those students wait to begin this training at an undetermined time) and a detailed plan for securing an externship site following the completion of the remedial training. The Commission noted that these two students have remained in the program while the school concurrently retains an active externship agreement, yet the school has not been able to place the students at the site. This failure exists despite the school’s *Policy on Clinical Externship Sites* which states, “[t]he institute shall maintain a sufficient number of externship sites to accommodate student needs and ensure that a site is available for each student without delaying student academic progress” (*Id.*, pg. 86). The school has not only previously violated its Leave of Absence policy by placing these students on leaves of absences that extended in excess of 180 days but continues to violate its *Policy on Clinical Externship Sites* in delaying the students’ academic progress by failing to finalize the conclusion of the students’ educational requirements.

Finally, the Commission found that the school’s response to the August 29, 2022 Warning continued to raise serious concerns regarding the school’s operation and delivery method of education since December 1, 2021. The Commission approved the school’s Change of Location-Part I application on September 29, 2022, in which the school noted the *Scheduled Last Date in Current Location* of June 2, 2022 with a *Scheduled Date Classes Resume in New Location* of October 1, 2022. The Commission noted this is a period of almost four months that the school did not have a physical facility that was approved for instruction. PBAHB has approved programs with lengths of less than four months, leading the Commission to question the school’s operation during this transition period (PBAHB is only approved for a hybrid distance education delivery method). As such, the Commission required a detailed explanation of the

school's delivery of education during this period of transition and how the education was delivered to all programs. The school's response states:

From December 1, 2021, to present, online instruction was supplemented with hands-on, in-person training. This instruction occurred in a variety of ways. Initially and for a short time the campus was open several hours per day to provide students an opportunity to practice skills related to cosmetology, barber, skin care, and massage therapy. Students were able to come to campus to pick up supplies and kit for their programs. For the most part, the hands-on portion of the training was conducted via field trips. Student field trips were organized to a local massage and beauty facility which is owned and operated by a PBAHB faculty member adjacent to the campus. Students were afforded an opportunity to practice massage, skin care, cosmetology, and barber services at this facility, under faculty supervision (Id., pgs. 19-20).

Based on this response, the Commission questioned the school's actions in allowing hands-on training for these programs to be conducted at facilities that are not ACCSC approved facilities and requires a detailed explanation of PBAHB's policies and procedures for providing education outside the approved location, and a detailed explanation of the regulatory agencies requirements for completing hands-on training at unapproved facilities. Additionally, the Commission required an explanation of regulatory agencies requirements regarding hands-on training with equipment kits that students have removed from the facility.

In the Commission's estimation, PBAHB's response demonstrated an inability to secure viable externship sites for programs that have externship components, evidenced by the ongoing delay in the academic progress of the two remaining students in the Hemodialysis Technician program. The extended period of time these two students were on a leave of absence status, then removed, and are now continuing to wait contributes to the Commission's concerns regarding the school's ability to adhere to its own operational policies and procedures. Additionally, the school's response raised serious concerns of the school's delivery of education since December 1, 2021 in unapproved facilities as noted by the school's own admission that it continues to practice hands-on training in facilities outside the ACCSC-approved location.

The culmination of unresolved questions and concerns and the continued revelation of additional concerns and questionable practices in PBAHB's response combined with the school's previously demonstrated inability to apply for a Change of Location-Part I application, raised questions for the Commission as to the school's management and administrative capacity and continued the school on Warning with another review scheduled for February 2023.

February 2023 Meeting Review and Action

At the February 2023 Commission meeting, the Commission reviewed the November 16, 2022 Continued Warning and the January 13, 2023 PBAHB response. The school's response failed to demonstrate that PBAHB has adequate management and administrative capacity in place to ensure the appropriate administrative and operational policies and procedures are adhered to, reviewed, and updated as needed (*Section I (A)(1)(d), Substantive Standards, Standards of Accreditation*). The school's response did not resolve the Commission's previously cited concerns and in fact revealed new areas of concern and included persistent discrepancies in the documentation. As evidenced in PBAHB's January 13, 2023 response, the management and administrative operations and policies in the areas of externships, leaves of absence, and facilities escalated the Commission's concerns and failed to meet expectations in the areas described below.

The Commission previously expressed serious concern regarding the school's inability to secure externships for students enrolled in programs that require the completion of an externship component. The Commission's concerns grew more urgent as a result of documentation identifying three students with

pending graduation enrollment status due to a delay in attaining externship placements, despite evidence of the retainment of active externship site agreements. The Commission continually expressed concern that the school did not maintain active externship sites for all applicable programs and that students have been unable to graduate due to the school's inability to secure these necessary sites. Despite the Commission's consistent inquiries, the school's actions exacerbated the ongoing issue of placing students in externships.

In response to the Commission's request for documentation identifying all students awaiting externship placement and their corresponding transcripts, the school provided two students in the Hemodialysis Technician program and one student in the Medical Assisting program. The two Hemodialysis Technician students remained without a secured externship placement; the school provided documentation of communication with a site to place the students, yet the Commission noted these placements remain unsecured.¹ The Medical Assistant student's transcript included a start date of September 20, 2021 and Last Date of Attendance of September 29, 2022 with a "Pending Graduation" enrollment status. Although the school's response included six active enrollment sites for the Medical Assisting program, given the school's history of failing to place students at appropriate externship sites in a timely manner, the Commission did not have confidence that the school would meet its obligations in this regard.

In the same response to the Commission's request for documentation identifying all students awaiting externship placement and their corresponding transcripts, the school provided the remaining two Hemodialysis Technician students transcripts. Specifically, in regard to the student transcript presented on page 133 of the school's January 13, 2023 response, the Commission required clarification for the inclusion of the *HDT010E Externship* notation and the corresponding reference to the course's completion. This notation was part of an overall inconsistent presentation concerning attendance records on all three transcripts which lead the Commission to question the school's policies and procedures regarding student academic progress.

The inadequacy of the school's management and administrative capacity was highlighted again due to the content of the student transcripts more broadly. While not previously noted as a concern in the past, it came to the Commission's attention from the school's response that the percentage of attendance on three of the four transcripts in the school's response was troubling. One transcript showed less than 56% of attendance complete, while two of the transcripts identify less than 25% of attendance completed, yet all three students were pending graduation status. The Commission required detailed explanations to show that students are attending classes at an acceptable rate (*Section VII (A)(3)(b), Substantive Standards, Standards of Accreditation*). The culmination of unresolved externship placements, discrepancies in the school's responses, and the revelation of multiple concerns regarding student transcripts in the school's response substantiated the concerns of the school's operational policies and procedures.

Adding to the Commission's concerns were discrepancies in the school's responses. Most recently, the Progress Report for the Complainant dated September 21, 2021 had a withdrawn enrollment status, yet the school has repeatedly stated to the Commission that the Complainant was on a leave of absence. In response to the Commission's May 17, 2022 letter requesting an update as to the status of the Complainant's education, the school responded: "[a]s of this date, [the Complainant] remains on a Leave of Absence status. The Institution plans to resolve this issue as described in Item (m). We anticipate that she will be offered the opportunity to return to active status as described in our response to Item (m)" (PBAHB July 15, 2022 Response, pg. 6). In the response to the Commission's August 29, 2022 Warning, PBAHB stated that "[i]nitially [the Complainant] expressed an interest only in the externship training. Later, she declined to

¹ The school's response states that one of the Hemodialysis Technician students was unable to be contacted. The school provided documentation demonstrating efforts made to reach the student to continue the process of placing the students at an externship site.

participate in either activity, and informed the school to cease contact. As of the date of this letter, the Complainant has been ***withdrawn from the institution [emphasis added]***. She appears to have no interest in finishing her program or receiving any additional training” (PBAHB September 30, 2022 Response, pg. 1). The school’s repeated references to the student’s status indicated that prior to school’s September 30, 2022 letter, the student should not have had an enrollment status of withdrawn. Yet, the transcript provided in the school’s January 13, 2023 response showed a withdrawn status with no explanation provided. The timeline of changes in this student’s enrollment status demonstrated prolonged inadequacies in maintaining viable procedures to ensure compliance with the school’s internal policies as well as ACCSC *Standards of Accreditation*.

The Commission noted further discrepancies in the list of active externship sites; page 5-6 of PBAHB’s January 13, 2023 response contained two externship locations that did not appear in the school’s September 30, 2022 response to the Commission’s August 29, 2022 Warning. These sites include, *Any Lab Test Now*, contract start date of August 26, 2021 and *Cute Look Medi-Spa Medical Facility*, contract start date August 31, 2021. Despite the Commission’s repeated requests for all active externship sites and applicable documentation, the school failed to provide complete and accurate information in all instances.

The school’s failure in this regard also led the Commission to question the viability of the *Sunshine Dialysis* externship site despite the continued inability to place Hemodialysis Technician students there. This failure led the Commission to review the school’s mechanism used to track renewal of externship sites. In this regard the response stated, “[t]he Campus President monitors contract dates in MS Outlook” (PBAHB January 13, 2023 Response, pg. 7). The Commission found this response to be wholly insufficient to show that the school had an adequate tracking mechanism of externship sites, given the fact that the Commission had been expressing concerns in this area for a significant period of time.

Moreover, the Commission had previously questioned the school’s actions regarding in-person training during the period of June 2, 2022 to October 1, 2022. As previously mentioned, the Commission noted a period of almost four months where the school did not have a physical facility that was approved for instruction, prior to the approval of the Change of Location-Part I that was submitted at the Commission’s directive. Following December 1, 2021, the school has previously said that hands-on training was conducted via field trips to a facility owned by a faculty member: “[s]tudent field trips were organized to a local massage and beauty facility which is owned and operated by a PBAHB faculty member adjacent to the campus [and that s]tudents were afforded an opportunity to practice massage, skin care, cosmetology, and barber services at this facility, under faculty supervision” (PBAHB September 30, 2022 Response, pg. 5). The Commission raised serious concerns regarding the school’s practice of completing hands-on training outside of an ACCSC approved facility. Compounding concerns further was the school’s most recent response to the Commission’s request for policies and procedures for operating programs outside the school’s main facility:

The Institution did not operate any program outside the scope of it’s [sic] hybrid delivery model. However, students performed services at home with their family members and friends under the supervision of the instructors through ZOOM. Furthermore, students were encouraged to go on supervised instructor led fieldtrips to perform services at nursing home and convalescent centers (PBAHB January 13, 2023 Response, pg. 8).

The narrative description of where the hands-on training took place during the identified timeframe has been inconsistently presented to the Commission in two of the school’s responses; initially, the school stated this training took place in a facility owned by an instructor of PBAHB, adjacent to the school. In the school’s January 13, 2023 response, it stated students were encouraged to complete hands-on training at nursing

homes and convalescent centers. The school's responses demonstrate a changing narrative for the occurrence of the hands-on training. As demonstrated by two different responses provided to the Commission's repeated requests for a description of the program's operational status and clarification of the delivery format during this period; items requested from the Commission's August 29, 2022 Warning and the November 16, 2022 Continued Warning. The responses additionally, fail to provide documentation or justification that conducting this training outside of the approved facility is an acceptable practice.

This information simultaneously brought into question the school's policies on the completion of labs and hands-on training via a distance education modality. Specifically, the Commission requires further clarification as to how the school is classifying the hours completed off-campus. The school has previously said students completed education in a hybrid setting, yet the school has not accounted for the four-month timespan that the school did not have an approved facility. The school has stated students have practiced hands-on training outside of the facility with faculty supervision conducted via field trips, or supervision conducted virtually. Based on this account, the Commission questioned whether the school was operating hybrid programs or was in fact offering fully online programs during the four-month timespan in question, for which the school does not have approval.

At the Commission's request for an explanation of regulatory agency policies regarding operating programs outside of an approved location, and the use of equipment outside of the facility, the school stated, "Students were encouraged to go on faculty supervised and instructor led field trips to service the nursing home and convalescent centers. That is the extent of activities outside the facility" (*Id.*, pg. 8). The Commission found that PBAHB failed to show that the school understands that *any* activity performed outside an approved facility requires notification and/or approval. PBAHB continually failed to provide the Commission with the confidence that the school understands the expectations for meeting the *Standards of Accreditation* in this regard due to the:

- Delayed submission of the Application for a Change of Location-Part I;
- Continued delay in submitting an approvable Application for a Change of Location-Part II;
- Four-month period that the school operated without an approved facility; and
- Hands-on training being practiced outside of an approved facility and for which the school appears to have awarded credit.

The Commission also found that PBAHB failed to demonstrate adequate management and administrative capacity evidenced by the failure to secure externship placements, improper use of leaves of absence, the failure to ensure the school remains attentive to students needs as demonstrated by the ongoing pending graduation status of current students awaiting an externship, the submission of inaccurate information regarding externship sites, multiple instances of discrepancies in documentation and explanations, and the continued deflection of the Commission's request to justify the hands-on training outside of an approved facility. Based upon the array of issues and the opportunities the Commission had given to remediate the issues, the Commission found that the school did not demonstrate adequate management and administrative capacity and to be out of compliance with *Section I (A)(1)(d), Substantive Standards, Standards of Accreditation*. The Commission required a response to its concerns to be submitted for review at its August 2023 meeting.

August 2023 Meeting Review and Action

At the August 2023 Commission meeting, the Commission reviewed the March 8, 2023 Probation Order and the school's June 15, 2023 school response. The school's most recent response continues to demonstrate

the school's inability to remedy the Commission's ongoing concerns regarding the school's management and administrative capacity. The school's response did not change the Commission's determination that PBAHB does not have adequate management and administrative capacity in place to demonstrate and ensure that appropriate administrative and operational policies and procedures are adhered to, reviewed, and updated as needed (*Section I (A)(1)(d), Substantive Standards, Standards of Accreditation*). The response not only fails to remedy the issues previously cited by the Commission, but it is clear to the Commission that the school failed to recognize the severity of the concerns and the continued discrepancies in the record. The lack of confidence in the integrity in the record has formed the foundation for the Commission's determination that the school has not resolved the issues or demonstrated compliance with accreditation requirements. As evidence in PBAHB's June 15, 2023 response, the management and administrative capacity and operational policies in the areas of externships, leaves of absences, facilities, and distance education delivery have further escalated the Commission's concerns and have failed to meet expectations as described below.

In response to the Commission's request for an update regarding the three students awaiting externship placements, the school noted that the students had been withdrawn. The school stated that "[t]he institution made extensive efforts to work with each of the three students, however in the end, each of the three students failed to respond..." (PBAHB June 15, 2023 Response, pg. 3). The school stated that it had made attempts from January 2023 to April 2023 to contact two of these students, however, the school only provided correspondence during the period between March 2023 and April 2023. The Commission found that the school's failure to place these students at an externship site was not due to the student's unresponsiveness, but more likely due in significant part to the school's delay in securing the externship placements following the completion of the student's didactic coursework. In addition to multiple internal shortcomings, the school's response states:

Several issues contributed to the delays in getting students to externship sites, including late grade submittals by faculty, poor communication with students, and poor communication with externship sites. The new director now requires weekly submittal of grades, reviews student statuses and SAP, meets with students to counsel them, and has taken the responsibility to oversee the clinical site process (Id., pg. 4).

The new Director of Education hired in April 2023 appears to shoulder the entirety of the school's corrective action plans for multiple components of the school's administrative and operational processes and procedures, to include externship placements going forward. However, the school failed to adequately explain why the determination of withdrawal is a sufficient resolution for these students and again did not satisfy the Commission's ongoing concern regarding the school's proper operationalization of its administrative policies for externship placements. Moreover, the Commission is not convinced that the new Director of Education has the appropriate educational administration experience and education necessary to lead and manage the school's instructional program(s) and overall educational experience in such areas as: curriculum development; educational effectiveness assessment and improvement; and faculty development and performance appraisals (*Section III (A)(1)(b), Substantive Standards, Standards of Accreditation*).

Additionally, in response to the Commission's request for the policy and procedures used by the school to track the renewal of externship site agreements and an explanation and documentation demonstrating the viability of all active externship sites, the school's response fell short of providing the Commission with all of the requested information. The school provided an updated *Policy and Procedures for Clinical Externship Agreements* executed June 15, 2023, however, despite the school's updated documentation, the school only provided evidence of *one* active externship site. The school stated, "PBAHB has contacted each clinical externship site and reconfirmed that each will continue to accept students" (*Id.*, pg. 12), yet the

school provided only one contract. As noted throughout the Commission's letters, the school has not provided a complete demonstration of all active externship sites with the accompanying documentation to demonstrate that the school retains viable sites, to include this most recent response. Despite the school's statement that there are "no students currently enrolled into programs with clinical externship components," the Commission expects the school to retain sites for the applicable approved programs to ensure these issues do not occur in the future (*Id.*). Due to a lack of enrollment in programs with an externship component, the school did not show that it has implemented and is adhering to the policies and procedures as outlined in the response. The minimal evidence of implementation for all aspects of the school's execution of externship components does not ameliorate the Commission's concerns of the overall management and administrative capacity and operational policies and procedures.

In response to the Commission's previous request for all students awaiting externship placements and accompanying documentation, the school provided student transcripts. In the March 8, 2023 Probation Order, the Commission noted that the record of poor student attendance was highly troubling. The Commission required an explanation of the attendance percentages as presented in the transcripts. In response, the school stated:

*PBAHB uses GENESIS as a student information system, which was inherited from the previous owner of the school. Unfortunately, GENESIS has several weaknesses, that are related to the confusion surrounding the use of the "Pending Grad" status...When a student is placed in a Pending Grad status, attendance hours continue to accumulate. Both "Total Scheduled Hours" continue to accumulate and, if no attendance is recorded, "Total Hours Absent" continue to accrue...GENESIS has no access controls by function. Anyone with a login to GENESIS can access any part of the GENESIS system (*Id.*, pg. 5).*

The Commission found the school's explanation of the Student Information System's deficiencies to be of significant concern. The school's response describes the corrective action taken to ensure the transcripts for the previously noted three students reflect the accurate percentage of attendance. However, although a temporary policy is in place that designates individual administrative staff to modify certain data, including the student status, this does not alleviate the potential for unrestricted access by faculty members and additional administrative staff. Additionally, through the school's internal investigation it determined "...the faculty member who was teaching [the student], a) believed that [pending grad] status was better than dropping the student, and b) because the faculty member was behind in submitting the grades that demonstrated that [the student] had completed all required course work" (*Id.*). This admission led the Commission to question whether there may be other students who have inaccurate transcripts due to the unrestricted access to the school's student information system and how the school plans to address the accuracy of the student records writ large. The school noted that it is investigating a new student information system and has decided to move toward using an alternative system. However, the Commission found the school's response lacks a timeline for implementation, a plan to address the potential inaccuracies of past records, and the recurring problem of the failure to follow the school's withdrawal policy. As stated in the school's response: "PBAHB further notes that had the institution followed it's [*sic*] own attendance policy, the correct procedure would have been to withdraw the students after 14 days of no attendance" (*Id.*, pg. 8).

With regard to the school's ongoing operational status and program delivery format, the Commission has previously questioned the school's activity for the four-month period between June 2022 to October 2022, at which time the school did not have an ACCSC-approved facility. In response to the Commission's repeated requests for a description of the program's operational status and clarification of the delivery format during this period, the school responses have illustrated a changing narrative. The previous responses have failed to provide documentation or justification that conducting this training outside of the

approved facility was an acceptable practice. The school's June 15, 2023 response to the Commission's March 8, 2023 Probation Order not only deflected from the Commission's concerns, but appear to contradict the school's previous responses. In response to the Commission's request for a detailed description of regulatory agencies' policies regarding operating programs outside of an approved location, and the use of equipment outside of the facility, the school responded it was not aware of regulatory agencies permitting operations outside of an approved facility. In addition, the school stated:

As it applies to PBAHB, we assume that the Commission is referring to the reference in our [sic] January letter in which the institution noted that students visited a local beauty salon. We apologize for any confusion that this may have caused. PBAHB was not using the faculty as a substitute for the campus location...The institution was referring to a single, one-time, voluntary class trip for students to visit an operating beauty salon that provided hair care, skin care and nail care to clients, and to ask questions about the operation of the salon. PBAHB students did not perform services on the public, and in no sense did the institution mean to imply that this facility was operating as a substitute campus (Id., pg. 19).

This explanation appears to address a statement made in the school's narrative in its September 2022 response and not the school's January 13, 2023 response, which instead states "...students were encouraged to go on supervised instructor led fieldtrips to **perform services at nursing home and convalescent centers [emphasis added]**" (PBAHB January 13, 2023 Response, pg. 8). The Commission's concern has not been addressed and the school has not provided evidence or a cogent explanation to demonstrate that students did not perform services on the public, as quoted above. The school appears to continue to deflect the Commission's request to justify the hands-on training provided outside of an approved facility. This pattern has continued in the school's most recent response.

The Commission continues to seek clarification of the school's physical facility operational status. As indicated in ACCSC's Application for a Change of Location-Part I, schools must indicate a *Scheduled date classes resume in new location*. The school provides the following explanation of the operational status for the time period between June 2022 and October 2022:

The campus faculty [sic] in West Palm Beach Florida was open to students from the lease date of June 2, 2022. In the Phase I change of location application the October 2022 date was meant to indicate a 'grand opening' public date where the public could come in and receive services. However, instruction was taking place on campus during this time period (PBAHB June 15, 2023 Response, pg. 19).

The school's previous responses have not mentioned this clarification which appears to illustrate a misunderstanding of the specific meaning of *Scheduled date classes resume in new location* to equate to the public access date of the new facility. In either case, the school has indicated in its response that it was operating in a facility that was *not* approved by ACCSC. The school's October 31, 2022 Application for a Change of Location-Part II also states that the *Date the School Resumed Operations* was October 1, 2022 with no reference to this date implying the date at which the school will be open to the public for services only. PBAHB's explanation and claim of misunderstanding appears to further demonstrate the school management's inability to execute ACCSC's application processes as outlined in the *Standards of Accreditation* and appropriate administrative and operational policies and procedures are adhered to, reviewed, and updated as needed.

In response to the Commission's request and continued concerns regarding the school's delivery of distance education in conjunction with the school's lack of clarity regarding the physical facility's approval and operational status, the school provided a justification for the appropriateness of hybrid distance education delivery for the school's approved programs. Additionally, the school provided the past practice of

monitoring student attendance online and on-ground, which raised additional concerns for the Commission. Specifically, the response states that “[d]uring the period in question, the campus was open and accommodating students for on ground instruction [and s]ince the institution did not track online attendance separately from on ground attendance, we have no way [to] accurately calculate the hours completed via distance education portion of the hybrid delivery” (*Id.*, pg. 14). The school’s inability to distinguish between the type of attendance leads the Commission to question how the school can reliably determine whether students were completing hybrid or fully online education – an important distinction for the school’s administration. Furthermore, the school stated, “...all classes are offered simultaneously online and on campus, and therefore it is impossible to delineate how any student might have received the training [and a]ll services were completed on campus” (*Id.*, pg.15). Although the school stated that services are performed on the campus in the June 3, 2023 response, the school has previously stated that, “students performed services at home with their family members and friends under the supervision of the instructors through ZOOM” (PBAHB January 13, 2023 Response, pg. 8). Again, the Commission found the school to have made a statement that appears to contradict its previous statements to the Commission and raised further concern that students may be completing education in an unapproved fashion – i.e., in an unapproved 100% distance education online modality further complicated because by its own admission the school would be unaware of the percentages of attendance completed on-ground or via distance education.

In this regard, the school provided the *Hybrid Distance Education* policy and stated:

[T]he current Director of Education has created policies and checkpoints that allows her to closely monitor and track progression of students completing services and scheduled hours of attendance... Under the directive of the new Director of Education the students in the Day full-time classes are expected to report to campus three days a week on campus and the part time evening students are expected to report to campus two days a week (PBAHB June 15, 2023 Response, pg. 15).

The response, however, neither provides documentation to demonstrate the implementation of strategies identified in the narrative nor policies and procedures to track student attendance and progression in the program. Given the Commission’s continued concerns and the school’s own declaration that the student information system is flawed, the Commission requires additional information that the school has implemented the strategies notated in the response.

PBAHB’s continued non-compliance in the area of adequate management and administrative capacity is evidenced by the incomplete documentation of active externship sites, the past inaccuracy of the school’s student records and the ongoing use of the student information system, the incomplete and contradictory statements regarding the school’s physical facility’s operational status and the completion of hands-on training, and the tracking and completion of distance education hours. Given the foregoing, the Commission found that the school continues to be out of compliance with *Section I (A)(1)(d), Substantive Standards, Standards of Accreditation*.

Based on the foregoing, the Commission voted to continue PBAHB on Probation, and directs PBAHB to prepare the following items for the On-Site Evaluation team:

- a. An update regarding the school’s implementation of the new student information system, to include documentation as available;
- b. The policies and procedures regarding the delineated issues with the student information system as applicable to demonstrate use of the new student information system;

- c. Justification regarding the resolution of previous issues with the GENESIS information system as described in this letter and the school's most recent response;
- d. A demonstration of the complete tracking system and mechanism for student attendance in hybrid distance education and in-person training modalities;
- e. A justification of the qualifications of the new Director of Education to perform the range of assigned duties and to which supports a finding that this individual has the appropriate educational administration experience and competence necessary to lead and manage the school's instructional program(s) and overall educational experience in such areas as: curriculum development; educational effectiveness assessment and improvement; and faculty development and performance appraisals (*Section III(A)(1)(b), Substantive Standards, Standards of Accreditation*); and
- f. Any other documentation deemed appropriate by the school to demonstrate compliance with accrediting standards pertaining to this matter.

ADMISSIONS REPORT

At the August 2023 meeting, the Accrediting Commission of Career Schools and Colleges ("ACCSC" of "the Commission") also considered the Admissions Report submitted by PBAHB. Upon review of the Commission's March 8, 2023 letter and the school's June 15, 2023 Admissions Report, the Commission voted to **continue PBAHB on Admissions Reporting** in order to provide PBAHB with an additional opportunity to demonstrate compliance with accrediting standards. The reasons for the commission's decision and the Commission's requirements for PBAHB to demonstrate compliance are set forth below.

PBAHB must submit a report on the school's continued efforts to secure documentation to demonstrate that each applicant meets all admission requirements prior to enrollment (*Section V(A)(4)(b), Substantive Standards, Standards of Accreditation*). In response to the Commission's March 8, 2023 letter, PBAHB provided the school's admissions policies and procedures that do not appear to contain any revisions, despite the Commission's continued questions of evidence and practices of securing documentation to support the school's decision to enroll students. Additionally, the school provided a roster of the ten most recent enrollments and supporting documentation to support the decision to enroll those students. Again, the Commission noted the incomplete supporting evidence to support the decision to enroll the student.

As previously mentioned in the Commission's March 8, 2023 letter, the Commission did not question the appropriateness of the Ability-to-Benefit ("ATB") policy, only that the school did not submit documentation to show that it in fact only enrolls ATB students who have previously attended a post-secondary school, or in the event that the student did not previously attend a post-secondary school, documentation demonstrating that the student is enrolled in the *Eligible Career Pathways Program (ECPP)*, per the school's policy. In the school's June 15, 2023 response, the school noted that there were no ATB students in the documentation presented. Therefore, the Commission was unable to make a determination regarding the school's implementation of the ATB admissions policy.

The preceding three responses to the Commission's requests have lacked complete documentation to demonstrate that the school is implementing the revised admissions policies and procedures and as such the Commission continued to question the school's compliance with its admissions policies and procedures. The school's most recent response, again, does not include all documentation as noted in the school's admissions policy; the documentation for each student lacks the school application and a criminal background disclosure. Additionally, the Commission noted that all documentation provided contained personal information; the school is reminded to not include 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.) on any applications, reports, forms or in any response to the Commission.

Based on the foregoing, the Commission voted to continue the school on Admissions Reporting and directs the school to prepare the following items for the on-site evaluation team:

- a. A complete copy of the school’s admissions policies and procedures, as stated in the school’s catalog;
- b. An explanation of the revisions noted to the admissions policies and procedures, if applicable;
- c. The twenty most recent enrollments following the school’s policy revisions, as follows:

Student Name	Program	Student Start Date (Class Attendance)	Date All Admissions Documentation Secured	Date Enrollment Agreement was finalized and provided to student

- d. For the students captured in chart (c.) above, a copy of all documentation supporting the decision to admit the students in alignment with the school’s admission requirements (e.g., proof of high school graduation or its equivalency; a translation of the documents and the credential evaluation report for foreign credentials; scored entrance exams; background checks, as applicable; and signed Enrollment Agreements, etc.); and
- e. For any identified ATB student in chart (c.) above, the appropriate back-up documentation demonstrating that the student meets eligibility requirements per the school’s policy (e.g., previous post-secondary experience or enrollment in Eligible Career Pathways Program);
- f. Any additional information or documentation that the school believes will be useful to demonstrate the school’s compliance with ACCSC’s admission requirements.

PROBATION REQUIREMENTS:

In cases where the Commission has reason to believe that a school is not in compliance with accreditation standards and other requirements, the Commission may, at its discretion, place a school on Probation. A school subject to a Probation Order must demonstrate corrective action and compliance with accrediting standards. **Failure of the school to demonstrate compliance with accrediting standards or other accrediting requirements by the due date set forth herein may result in a revocation of accreditation action.**

The Commission will not consider substantive changes, a change of location/relocation, or additions (i.e., separate facilities, new programs) to a school or its separate facilities while the school is on Probation. However, a school that is subject to Probation may seek the Commission’s approval for the transfer of accreditation that would result from a change of ownership as described in *Section IV, Rules of Process and Procedure, Standards of Accreditation*. In accordance with *Section X, Rules of Process and Procedure, Standards of Accreditation*, the reason for the Probation Order is made public and provided to the U.S. Department of Education, appropriate State agencies, and appropriate accrediting agencies.

Timeframe To Achieve Compliance:

According to *Section VII (M),(5) Rules of Process and Procedures, Standards of Accreditation*, the Commission may establish timeframes as deemed appropriate for an institution to demonstrate compliance with accrediting standards. Given the nature of the findings contained in this letter, and the history of the matter, the Commission at its next meeting can take an immediate adverse action to withdraw the school’s accreditation or to determine that additional time is warranted for the school to come into compliance with

accrediting standards as set forth herein. The maximum timeframe to achieve compliance shall not go beyond November 2024 unless the school can show good cause for the Commission to extend that timeframe.

Notification to Students:

Within seven days of the receipt of this letter, the school must inform current and prospective students in writing that the school has been continued on Probation, provide a summary of the reasons for the Probation, and indicate where that action can be obtained from the Commission’s website. (*Section VII (L)(7) Rules of Process and Procedure, Standards of Accreditation*).

RESPONSE REQUIREMENTS:

As the school is currently in the Renewal of Accreditation process, the Commission directs PBAHB to provide the On-Site Evaluation team with documentation to demonstrate compliance in the areas delineated above. The school may also provide the team with any other information the school believes will be useful to demonstrate the school’s compliance with ACCSC requirements in this area. The On-Site Evaluation Report that summarizes the findings of the team will provide details regarding the Commission’s review of the school and the additional information requested for a response. The school must respond to each Team Finding, if applicable, and submit all Additional Information required as stated in the report. The Commission reminds PBAHB to not include 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.) on any applications, reports, forms or in any response to the Commission.

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]

Sincerely,

[REDACTED]

Michale S. McComis, Ed.D.
Executive Director

c: Florida Commission for Independent Education

[REDACTED]

Florida Barber/Cosmetology Board

[REDACTED]