

# Call for Comment



**May 2008**

**\* Response Required By July 30, 2008**

**The National Accrediting Commission of Cosmetology  
Arts & Sciences**

**4401 Ford Avenue, Suite 1300  
Alexandria, Virginia 22302-1432**

# May 2008 Call for Comment

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## Call for Comment

### Tracking Proposals – 2007 and 2008

A number is assigned to each proposal to make it easier to track changes from the proposal stage through final action. An “E” following the number indicates that the proposal was initially adopted by the Commission under emergency action, in accordance with Section 10.3(b) of the NACCAS *Rules of Practice and Procedure*.

The National Accrediting Commission of Cosmetology Arts & Sciences, Inc is in the process of petitioning for re-recognition by the Secretary of the United States Department of Education. As part of that process, the Commission has adopted some changes to the policies and procedures in NACCAS’ Handbook, to ensure full compliance with federal recognition criteria. While the changes enter into effect on May 5, 2008, NACCAS’ constituencies are invited to comment. The Commission may make modifications, and still comply with recognition criteria.

	Proposal Number	Description of Proposal	Action Taken Tracking
May 5, 2008 Call for Comment	08-01E	Amend §4.21 of the Rules of Practice and Procedure to change the time for approving “teach-out” agreements from 45 days to 15 days.	Adopted Effective: May 5, 2008
	08-02E	Amend §11.3 and add a definition of “government entity” to the Glossary of Terms.	Adopted Effective: May 5, 2008
	08-03E	Amend §11.4 and add a definition of “State oversight agency” to the Glossary of Terms.	Adopted Effective: May 5, 2008
	08-04E	Proposal to only require a rationale when a proposed program exceed state minimum requirements by 50%.	Adopted Effective: May 5, 2008
	08-05R	Add a time line for carrying out the annual comprehensive review of two standards.	Adopted Effective: May 5, 2008

The Commission has acted on numerous proposals that were submitted to NACCAS' constituencies for comment in 2007. Most of these changes went into effect on January 1, 2008 and are published in the 2008 edition of NACCAS' Handbook. The Handbook is available on NACCAS' web site at [www.naccas.org](http://www.naccas.org). Click on Applications & Forms then click on the document of interest.

August 2007 Call for Comment	Proposal Number	Description of Proposal	Action Taken Tracking
	07-01	Separate Standard III, Criterion 3 into two criteria	Adopted, effective January 1, 2008
	07-02	Revise Standard III, Criterion 9 and renumber it as Criterion 4	Adopted, effective January 1, 2008
	07-03	Revise Standard III, Criterion 4 and renumber it as Criterion 6	Adopted, effective January 1, 2008
	07-04	Revise Standard III, Criterion 7 and renumber it as Criterion 9	Adopted, effective January 1, 2008
	07-05	Revise Standard III, Criterion 10 and renumber as Criterion 11	Adopted, effective January 1, 2008
	07-06	Revise Standard IV, Criterion 1 and renumber it as Criterion 3	Adopted, effective January 1, 2008
	07-07	Revise Standard IV, Criterion 2	Adopted, effective January 1, 2008
	07-08	Revise Standard IV, Criterion 6 and renumber it as Criterion 4	Adopted, effective January 1, 2008
	07-09	Revise Standard IV, Criterion 7 and renumber it as Criterion 5	Adopted, effective January 1, 2008
	07-10	Synonymous terms allowed: counseling and advising	Adopted, effective January 1, 2008
	07-11	Amend and Reorganize Standard IX	Adopted, effective January 1, 2008
	07-12	Add a footnote to Part 4 of the <i>Rules</i> to clarify the anniversary dates of main and branch campuses	Adopted, effective January 1, 2008
	07-13	Add a footnote to Part 4 of the <i>Rules</i> to clarify the period covered by business plans for institutions that withdraw from Title IV program participation	Adopted, effective January 1, 2008
	07-14	Replace the "Low Outcomes Directive Process" with "Low Outcomes Monitoring" (To apply to the 2006 NACCAS Annual Report.) (Part 5 of <i>Rules</i> )	Adopted, effective January 1, 2008
07-15	Add to actions on Complaints (Part 6 of <i>Rules</i> )	Adopted, effective January 1, 2008	

August 2007 Call for Comment	Proposal Number	Description of Proposal	Action Taken Tracking
	07-16E	Increase fees and remove the Schedule of Fees from the <i>Rules</i> .	Adopted Effective: July 1, 2007; Re-affirmed in February 2008
	07-17	Amend the Ability-to-Benefit Policy	Adopted, effective January 1, 2008
	07-18E	Allow average outcomes rates for smaller institutions (To apply to the 2006 NACCAS Annual Report.)	Adopted Effective: July 1, 2007; Reaffirmed in February 2008
	07-19	Require an annual Community Call for Comment under Article IV of the <i>By-Laws</i>	Not adopted
	07-20	Add a new Section II to Article V of the <i>By-Laws</i>	Not Adopted

# Part I

## Changes Adopted Under Emergency Action

Effective May 5, 2008

The National Accrediting Commission of Cosmetology Arts & Sciences, Inc is in the process of petitioning for re-recognition by the Secretary of the United States Department of Education. As part of that process, the Commission has adopted some changes to the policies and procedures in NACCAS' Handbook, to ensure full compliance with recognition criteria. While the changes enter into effect on May 5, 2008, NACCAS' constituencies are invited to comment. The Commission may make modifications, and still comply with recognition criteria.

Note: In the specific language of the proposals, language to be added is indicated with bold italics (*bold italics*) and language to be deleted is overstruck (~~overstruck~~).

<b>Proposal 08-01E</b> <b>Proposal to Amend Section 4.21 of the Rules of Practice and Procedure to reduce the time taken to approve “teach-out” plans from 45 days to 15 days.</b>	
Rationale: If institutions are planning to close, and enters into a “teach-out” agreement, the sooner a “teach-out” plan is approved, the sooner the students from the closing institution will have the benefit of arrangements made according to the plan.	
Specific Language of Proposal 08-01E:  Section 4.21 Teach-Out and School Closure Agreements : (b) <del>Within 45</del> <i>15</i> days: When two or more institutions enter into a teach-out agreement, one must be designated to notify the Commission and seek approval from the Commission. Official notification must be submitted to the Commission within <i>fifteen (15)</i> <del>forty five (45)</del> days after entering into the teach-out agreement. ....	<input type="checkbox"/> Agree <input type="checkbox"/> Disagree <input type="checkbox"/> Comments Attached

<b>Proposal 08-02E</b>	
<b>Amendment Section 11.3 of NACCAS <i>Rules of Practice and Procedure</i> and add a term to the Glossary</b>	
Rationale: The United States Department of Education staff seeks specific assurances that the NACCAS Board of Commissioners considers the Department within the term “government entity,” and that an annual data summary is among the types of information the Commission would share, if requested.	
<p>Specific Language for Proposal 08-02E:</p> <p>Section 11.3 Sharing Information With Other Accrediting Agencies and Government Bodies</p> <p>⋮</p> <p>NACCAS shall grant all reasonable special requests for accreditation information made by other accreditation agencies and governmental entities, <i>including the United States Department of Education</i>.</p> <p>⋮</p> <p><i>NACCAS shall also comply with requests from the United States Department of Education for special reports such as an annual data summary.</i></p> <p>Glossary of Terms</p> <p>⋮</p> <p><i>(NEW) Government Entity – A federal, state or local government agency, board, or commission. This term includes the United States Department of Education and State oversight agencies.</i></p>	<input type="checkbox"/> Agree <input type="checkbox"/> Disagree <input type="checkbox"/> Comments Attached

<b>Proposal 08-03E</b>	
<b>To Amend Section 11.4 of NACCAS’ <i>Rules of Practice and Procedure</i> and add two terms to the Glossary.</b>	
Rationale: The United States Department of Education would like NACCAS to replace the term “State postsecondary review entity” with a term that more clearly encompasses state boards and other licensing agencies,.	
<p>Specific Language for Proposal 08-03E:</p> <p><b>Section 11.4 <u>Notification to Government Entities</u></b></p> <p>NACCAS shall inform the U.S. Department of Education and the appropriate <del>State postsecondary review entity</del> <i>State oversight agency</i>, at the same time that it notifies the institution, of any final</p>	<input type="checkbox"/> Agree <input type="checkbox"/> Disagree <input type="checkbox"/> Comments Attached

denial or withdrawal actions taken pursuant to Parts 4 and 8 of the *Rules*. A final decision is one reached after an institution has exhausted the appeals process provided for under Part 9 of these *Rules*, or which is entered after an institution has failed to avail itself of its appeal rights within the prescribed time frame. No later than 60 days after a final decision to deny or withdraw accreditation, NACCAS shall make available to the U.S. Department of Education and the appropriate State postsecondary review entity a brief statement summarizing the reasons for the Commission's decision and the comments, if any, that the affected institution submits with regard to that decision.

NACCAS shall notify the U.S. Department of Education and the appropriate ~~State postsecondary review entity~~ ***State oversight agency***, within 30 days of any decision to grant initial accreditation, renewal of accreditation, place an institution on probation, or approve a change under Parts 4 and 8 of the *Rules*. Also NACCAS shall notify these government entities, within 30 days, of an institution's decision to voluntarily relinquish its accreditation and the effective date of that relinquishment.

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Glossary of Terms

***(NEW) State Oversight Agency – A government entity in a state that has responsibility for licensing or approving postsecondary institutions or programs within NACCAS’ scope. Includes: state boards of cosmetology, barbering, and massage, bureaus of private postsecondary or career education, departments of education, commissions on private independent education, and others.***

<p><b>Proposal 08-04E</b></p> <p><b>Proposals to only require a rationale when a proposed program exceeds state minimum requirements by 50%.</b></p>	
<p>Rationale: This change would bring the application forms and Addition or Change of a Program Policy into line with Standard VI-Criterion 8.</p>	
<p>Specific Language of Proposal 08-04E:</p> <p style="text-align: center;"><b>ADDITION OR CHANGE OF A PROGRAM POLICY</b></p> <p style="text-align: center;">⋮</p> <p style="text-align: center;"><b>PROGRAM REVIEW PROCEDURE</b></p> <p>1. A request for a rationale for program requirements (competencies, credit hours, or clock hours) will be included in the applications for initial, branch campus, and renewal of accreditation, as well as in the Application for Addition or Change of a Program (ANP). If program requirements are more than <del>twenty</del> <i>fifty</i> percent above the state requirements, or, if the program does not lead to licensure or certification and has not been previously approved by NACCAS for inclusion in the school's programs, the school is required to include, as a supplement to the application, a detailed rationale for the additional requirements over the state requirements.</p> <p>Note: The same change will be made wherever relevant, such as in the application forms.</p>	<p><input type="checkbox"/> Agree</p> <p><input type="checkbox"/> Disagree</p> <p><input type="checkbox"/> Comments Attached</p>

<b>Proposal 08-05E</b> <b>Proposal to include timelines for the annual comprehensive review of two standards</b> <b>In NACCAS' Policy for Research</b>	
<p>Rationale: When the comprehensive review of standards reveals areas needing modifications or changes, Federal regulations require the Commission to take action within a reasonable time.</p>	
<p>Specific Language of Proposal 08-05E:</p> <p style="text-align: center;"><b>Procedures for Research and Studies</b></p> <p><b>A. Internal Review of Selected Standards and Criteria</b></p> <p>Legal Basis: 34 CFR § 602.21 requires NACCAS to conduct a systematic program of review that demonstrates that its standards are adequate to evaluate the quality of the education or training provided by the institutions and programs it accredits and relevant to the educational or training needs of students.</p> <p>Article XI of NACCAS' <i>By-Laws</i> established that the Commission shall complete a comprehensive review of the standards at least every five years with involvement by persons, institutions, and organizations affected by or with an interest in the quality of education in any field within NACCAS' scope.</p> <p>The Procedure</p> <p>1. Advisory Committee on Standards: The 8-member<sup>1</sup> Advisory Committee on Standards, established in October 1999, was reduced to 6 members in May 2005. It is charged with the responsibility of conducting the comprehensive review of NACCAS' standards over a five-year period required by Article XI of NACCAS' <i>By-Laws</i>. NACCAS constituencies represented on the Committee are:</p> <ul style="list-style-type: none"> <li>1 member who is either on a state regulatory agency for cosmetology schools or who works for the state licensing agency</li> <li>1 salon owner or manager who has hired graduates of an accredited cosmetology school</li> <li>1 member who is or has been a faculty member at an accredited college or university</li> <li>1 member who has graduated from an accredited cosmetology school</li> <li>2 current commissioners, one of whom is currently serving on the Standards Committee and one of whom owns an accredited cosmetology school)</li> </ul> <p>Members are appointed for two-year terms and may serve for a maximum</p>	<input type="checkbox"/> Agree  <input type="checkbox"/> Disagree  <input type="checkbox"/> Comments Attached

<sup>1</sup> When the Advisory Committee was established in October, 1999, the Commission determined that it should have eight members, even if one member might represent more than one constituency.

	<p>of two consecutive terms. If a Commissioner serves on the Advisory Committee on the Standards and Criteria and his or her term of office on the Commission expires, his or her position on the Advisory Committee will also be considered expired.</p>
2.	<p>NACCAS Standards are reviewed on a five-year cycle,<sup>2</sup> with two standards reviewed each year.</p> <p>2000 Standards I and II were reviewed  2001 Standards III and IV were reviewed  2002 Standards V &amp; VI were reviewed  2003 Standards VII &amp; VIII were reviewed  2004 Standards IX &amp; X were reviewed  2005 Standards I &amp; II were reviewed  2006 Standards III &amp; IV were reviewed  2007 Standards V &amp; VI review to be completed  2008 Standards VII &amp; VIII will be reviewed</p> <p>The Committee also reviews any Standards/criteria that have been cited frequently as limitations by Evaluation Teams or the Commission during the previous year.</p>
3.	<p>The survey instrument is posted on NACCAS' web site so any constituent may complete and submit it. An e-mail "blast" is sent to school owners to notify them when the survey is posted.</p>
4.	<p>The survey instrument it mailed to all other constituents on NACCAS' mailing list.</p>
5.	<p>During two weeks in October, every evaluation team carries copies of the survey instrument on-site for current students to complete. This assures that at least five students each at 10 to 12 institutions (50 - 60 current students) are directly asked to participate in the survey.</p>
6.	<p>Up until September, 2007, any recent graduates contacted as part of the annual report verification study were asked to participate in the survey. The survey instrument was mailed to every recent graduate who agreed to participate.</p>
7.	<p>Starting in 2006, the survey instruments were returned to the Research Technician who input the results in an Excel format, analyzed the results and wrote the final report for the Advisory Committee on the Standards and Criteria. The Advisory Committee in turn makes recommendations for changes to the Commission's Standards and Policies Committee which</p>

<sup>2</sup> The five-year plan for the comprehensive review of the standards was adopted by the Commission in February 2000. See February 2000 Minutes, page 20.

reviews the recommendations and presents final recommendations for changes to the full Commission. Any changes proposed by the Commission are published in a *Call for Comment*.

**8. Time frame for the Study (Added in Response to USDE Staff Analysis)**

<i>No later than:</i>	<i>Activity</i>
<i>May</i>	<i>Appoint Advisory Committee Members</i>
<i>June</i>	<i>Double Team during 2-3 on-site evaluations</i>
<i>July</i>	<i>Advisory Committee meets</i>
<i>August</i>	<i>*Final approval of survey instruments *Double team on Commissioner file review</i>
<i>September</i>	<i>Publication of survey. Invite constituencies to fill out the survey</i>
<i>September</i>	<i>Obtain completed surveys from current students during one week of on-site evaluations</i>
<i>October</i>	<i>Double team during 3-4 on-site evaluations</i>
<i>November</i>	<i>* Complete report of survey results, and results of double teaming during on-site evaluations and Commissioner file review</i>
<i>December</i>	<i>Advisory Committee meets to review the results and send recommendations to the Commission's Standards &amp; Policies Committee</i>
<i>February</i>	<i>Submit Advisory Committee recommendations to constituencies in Community Call for Comment if warranted.</i>
<i>May</i>	<i>Commission will consider recommendations coming out of the Standards &amp; Policies Committee review of Advisory Committee and constituency recommendations and adopt proposed changes</i>
<i>June</i>	<i>Publish "Call for Comment" to invited comments from constituencies on final proposals</i>
<i>January 1</i>	<i>Changes go into effect</i>

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# Call for Comment August 2007

## Comment Form

Identifying information is optional: Identifying information is only used to provide the Commission with statistics on the level of response from the diverse communities of interest.

Name \_\_\_\_\_

Organization Name \_\_\_\_\_

Address \_\_\_\_\_

Written Comments: Please identify the proposal or institution on which you are commenting (example: Proposal 08-04E). If your comments do not address any specific proposal, please identify them as “general.” You may attach additional pages, if you wish. Thank you for taking the time to respond to these important issues.

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You may complete your response on-line or by submitting the above comment form to the attention of Dr. Tony Mirando, M. S., D.C., Executive Director, NACCAS, 4401 Ford Avenue, Suite 1300, Alexandria, VA 22302 or by e-mail to [amirando@naccas.org](mailto:amirando@naccas.org).