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NACIQI Recommends Denial for Cosmetology Accreditor NACCAS, Continued Recognition for COE With Conditions

Key Takeaways

- NACIQI recommended denying NACCAS's renewal of recognition in a 9 to 3 vote, going beyond the Department staff recommendation.
- NACIQI recommended continued recognition for COE with enhanced oversight.
- Neither recommendation is final. The Senior Department Official will make the final recognition decisions within 90 days.

The National Advisory Committee on Institutional Quality and Integrity (NACIQI) met today, July 22, to review accrediting agencies' recognition renewals and will continue its review and make recommendations tomorrow.

Under Secretary Nicholas Kent opened the proceedings with brief remarks that highlighted the changes occurring in accreditation and the additional changes to come through the ongoing accreditation rulemaking. He emphasized the proactive actions some accreditors are taking to be more responsive to the needs of institutions and students, and to adapt to outcomes-based approaches to institutional oversight.

NACCAS Review

At today's meeting, NACIQI voted 9 to 3 to recommend that the Senior Department Official (SDO) deny renewal of recognition to the National Accrediting Commission of Career Arts and Sciences (NACCAS). The vote went beyond the Department staff report, which had recommended renewal with conditions.

The Department’s primary concern involved the "severity and persistence" of issues regarding timely student notification when an institution is placed on probation or undergoes adverse actions. NACCAS representatives Darin Wallace and Eddie Bloomfield

acknowledged oversight gaps in following up on student notifications and stated they are building new documentation requirements into their processes. The Department staff review found NACCAS not in compliance with 17 sections of the recognition criteria and substantially compliant in three others. Staff recommendations followed a course of corrective actions: continue NACCAS's recognition but impose a limitation barring it from accrediting any new institutions until it demonstrates full compliance, require compliance within 12 months, and require a separate monitoring report on three additional areas within 12 months of the SDO decision. Staff was explicit that the limitation was driven particularly by the severity and persistence of NACCAS's failure to ensure students are timely notified when a school is placed on probation or under adverse action.

Staff Recommendation:

Continue the agency's recognition as a nationally recognized accrediting agency at this time and impose a limitation to the agency's recognition prohibiting it from accrediting any new institutions until the agency demonstrates, through sufficient documentation to be submitted to and evaluated by the Department, its compliance with all criteria listed below.

Require the agency to come into compliance within 12 months with the criteria listed below as non-compliant, and submit a compliance report due 30 days thereafter that demonstrates the agency's compliance.

The agency has also been found substantially compliant with criteria listed below, and Department staff recommend a monitoring report due within 12 months of the SDO decision for those criteria.

The committee's discussion went well beyond staff's recommendation. After roughly two and a half hours of questioning, Dr. Zakiya Smith Ellis moved that NACIQI recommend the SDO deny NACCAS's petition for renewed recognition outright, on the grounds that the agency does not comply with the sections identified in the final staff report. That motion, seconded by Bob Shireman, passed 9 to 3 with 5 members absent.

NACIQI's recommendation is not self-executing. It is forwarded, along with the Department staff report and the underlying record, to the SDO, who is not bound by either recommendation and who makes the actual recognition decision. NACCAS retains its current recognition status while that review proceeds, so today's vote does not change NACCAS's status or the Title IV eligibility of any NACCAS accredited institution. However, it is a strong warning that the Department's recognition of NACCAS is at extreme risk.

What's Next for NACCAS

The recognition process is governed by 34 CFR Part 602, Subpart C. The relevant sections are 602.36 (the SDO's decision), 602.37 (appeal to the Secretary), and 602.38 (judicial review). Separately, 34 CFR 668.13(c) governs the Title IV consequences for institutions if recognition is ultimately withdrawn. The timeline for such determinations is detailed below. Much of what happens next depends on the determination by the SDO, which is due in 90 days, on or before October 20, 2026.

The chart below sets out the timeline for Department determination on the recommendations of staff and NACIQI. Steps 3 and beyond are contingent on the SDO denying renewal at Step 2; if the SDO instead grants renewal, notwithstanding NACIQI's recommendation, the process ends at Step 2.

COE Faces Strong Criticism and Expedited Compliance and Monitoring Reports

Department staff found Council on Occupational Education (COE) not in compliance with 17 sections of the recognition criteria in the areas of organizational and administrative requirements, required standards and their application, and required operating policies and procedures, and substantially compliant in seven additional sections. Staff recommended continuing COE's recognition as a nationally recognized accrediting agency, requiring compliance within 12 months with a compliance report due 30 days thereafter, and a separate monitoring report within 12 months on the seven areas of substantial compliance. Staff flagged one complaint received during the current recognition period, which COE was found to have addressed appropriately. COE's petition drew sustained, technical questioning for roughly two hours, concentrated on scope, oversight, and outcomes.

The committee's discussion focused heavily on whether COE's scope of recognition covers Associate of Science nursing programs, a question with immediate Title IV consequences for some schools.

Dr. Kirk Nooks mounted an extended, document heavy defense of COE's Associate of Science interpretation, walking the committee through a 1996 recognition letter from then Secretary Richard Riley, a 1998 confirmation letter, and a 2016 letter from the Department of Education’s former accreditation group director Herman Bounds stating that COE was, in his words, only accrediting Associate of Science degrees that are applied in nature. Attorneys for Jersey College and other COE schools went further. Steven Gombos told the

committee the Department had, without warning, notified his client that its nursing programs might lose Title IV eligibility, and Steven Chema warned that reclassifying those programs now would be arbitrary and capricious and contrary to law, and would inflict harm on current students.

The sharpest running exchange was between Debbie Cochran and COE over New American's reporting on Maestro College. Cochran walked through COE's own compliance finding on faculty sufficiency and noted the underlying file for every institution she reviewed simply read yes, with no documentation of what sufficient actually meant, before asking pointedly whether an AI-driven university with minimal human instruction would meet COE's standards. Dr. Nooks answered that it would not, and said COE is now revising its standards to make that explicit. A separate committee member pressed further, drawing a parallel to a scalding May 2024 Deputy Secretary letter about a material weakness in COE's oversight of Florida Career College and asking whether Maestro was a second instance of COE acting only after outside reporting rather than its own monitoring. Dr. Nooks, noting COE remains inside Maestro's appeal window and declining to say more publicly than necessary, maintained that COE's DAPIP record shows it was already tracking complaints about the institution before the New America investigation was published, and that the commission dropped Maestro for failing its 25 percent on-ground enrollment threshold.

COE's Defense:
Dr. Kirk Nooks, Kim Ziebarth, and Dr. Gwen Sutton defended the agency as a stabilizing organization coming out of a period of significant turnover, noting that COE has filled all staff positions, adopted a new accreditation management system to track compliance data and flag emerging concerns, retired an outdated data verification process the committee had criticized on a prior visit, and moved its site visit team reports from a checkbox format to one requiring narrative feedback. On scope, COE maintained its Associate of Science interpretation is a consistent, decades old practice repeatedly confirmed by the Department itself, and that any prospective narrowing of that scope should not retroactively strip currently enrolled students of Title IV eligibility. On outcomes, Ziebarth explained the shift to institution level composite scoring was designed to stop a single small underperforming program from masking successful ones, while stressing that COE still collects and monitors data at the individual program level and can still force a program closure. On Maestro, COE emphasized it had already acted, dropping the institution from membership, and that its commission takes conflict of interest and public accountability seriously.

After roughly two hours of questioning, primary readers Debbie Cochran and Robert Eitel moved that NACIQI recommend the SDO accept the staff report's recommendations, but exclude the arbitration related finding under Section 602.20(e) from the compliance report, consistent with the committee's position on the same subregulatory guidance issue raised earlier that day in the COMTA discussion (discussed below), and compress both the compliance report and the monitoring report deadlines from 12 months to 9 months. That motion, seconded by Art Keiser, passed 11 to 1, with 5 members absent. The one dissent

was Zakiya Smith Ellis who wanted to see COE prohibited from adding any new institutions.

Other Agency Reviews and Recommendations

COMTA

The item for discussion was a renewal petition for the Commission on Massage Therapy Accreditation (COMTA). Staff found COMTA out of compliance in one area, arbitration procedures, based on a 2023 Dear Colleague Letter requiring non-binding arbitration, an interpretation Robert Eitel argued was legally shaky since it rests on subregulatory guidance rather than the broader regulatory text. Jennifer Bloom similarly questioned whether the Department can find non-compliance on guidance alone. COMTA's Executive Director Dawn Hogue acknowledged the gap, said a revised arbitration clause is in final legal review, and separately described raising completion and placement benchmarks from 65 to 75 percent, replacing a checkbox-only site visit template with one requiring narrative feedback, and confirming that all site visits are now conducted in person. Bloom moved to accept the staff report but strip out the recommended compliance report, since she viewed the arbitration finding as legally arguable, leaving only a monitoring report on the areas of substantial compliance. NACIQI adopted that motion, seconded by Art Keiser, and voted 12 to 0 (five absent) to recommend a five-year renewal of recognition for COMTA with a monitoring report only.

Kansas State Board of Nursing (KSBN)

The item for discussion was a compliance report, not a full renewal, stemming from a prior NACIQI finding of non-compliance. Department staff found KSBN substantially compliant except for one remaining gap, that it lacks written regulations requiring nursing schools with advanced programs to submit complete annual reports, even though staff confirmed the agency follows that practice informally. Staff recommended continuing recognition on a finding of good cause and extraordinary circumstance, giving KSBN six months to adopt the missing regulation. NACIQI voted 12 to 0 (five members absent) to recommend the SDO find KSBN in substantial compliance and require only a monitoring report on the outstanding criterion within six months.

Up Next

Tomorrow, NACIQI review includes National Nurse Practitioner Residency and Fellowship Training Consortium (NNPRFTC), Accrediting Commission of Career Schools and Colleges (ACCSC), and American Osteopathic Association – Commission on Osteopathic College Accreditation (AOA-COCA).

CECU will continue to monitor the Accreditation, Innovation and Modernization (AIM) Committee rulemaking docket for provisions affecting 602.36 through 602.38. Based on comments made by Department officials during today’s NACIQI meeting, CECU anticipates the AIM proposed rule to be published within the next few weeks.

All final Department of Education staff reports on each agency under review can be found here.

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