



ACCREDITING COUNCIL FOR CONTINUING EDUCATION & TRAINING  
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December 23, 2014

VIA EMAIL & FEDERAL EXPRESS  
(bbyu565@sbcglobal.net)

Mr. Brian Yu, President  
Ivy E & E Institute (Ivy College)  
482 N. Milwaukee Ave.  
Wheeling, IL 60090

***Re: Initial Accreditation Denied  
(Appealable, Not a Final Action)  
ACCET ID #1437***

Dear Mr. Yu:

This letter is to inform you that, at its December 2014 meeting, the Accrediting Commission of the Accrediting Council for Continuing Education & Training (ACCET) voted to deny initial accreditation to Ivy E & E Institute, located in Wheeling, Illinois.

The decision was based upon a careful review and evaluation of the record, including the institution's Analytic Self-Evaluation Report (ASER), the on-site visit team report (visit conducted October 7-8, 2014), and the institution's response to that report, dated November 14, 2014. It is noted that a few of the weaknesses cited in the team report were partially addressed in the institution's response and accepted by the Commission. However, the Commission determined that the institution has not adequately demonstrated compliance with respect to ACCET standards, policies, and procedures, relative to the following findings:

1. Standard I-C: Planning

The institution failed to demonstrate that it has sound, written one-year and longer-range plans that encompass both the educational and business objectives of the institution and that the plans include specific and measurable objectives, with corresponding operational strategies, projected time frames, required resources, and methods for subsequent evaluation of each objective.

The team report indicated that the institution's planning documents did not include both business and educational objectives. Further, the plans did not include specific and measurable strategies to meet its objectives. For example, one strategy to increase enrollment was "to advertise to attract new students/recruit new students," yet no specific or measurable strategies to accomplish this objective were provided.

The institution included in its narrative response an additional three objectives: “1) *Education/training: Ivy will recruit teachers, with overseas or TESL experience, who are likely to commit to the institution for an extended period of time. The school will oversee their hiring, training, and management to ensure educational excellence;* 2) *Marketing and recruitment: Ivy will expand its marketing efforts to new areas in the future, especially in Saudi Arabia, Turkey, and Brazil, in order to make the school a truly multicultural institution;* 3) *Development: Ivy will hold memberships in NAFSA and TESOL, and plan for professional development of its faculty and staff.*” However, no planning document was provided as an exhibit, and these planning objectives still lack the required strategies, projected time frames, required resources, and methods for subsequent evaluation of each objective. Therefore, the institution failed to demonstrate that sound, written one-year and long term planning documents meet the requirements of the ACCET standard.

## 2. Standard II.A: Governance

The institution failed to demonstrate that it is compliant with all statutory, regulatory, and accreditation requirements.

The team report identified multiple areas of non-compliance with statutory, regulatory, and accreditation requirements, including a lack of effective management, demonstrated by the failure of the institution to consistently and effectively develop and implement policies that are consistent with ACCET standards. Additionally, the institution is not utilizing a consistent d/b/a name. At least three d/b/a names are utilized by the institution, including Ivy E & E Institute, Ivy College, and Chicago Ivy Education. Further, the team report noted references to job placement and workforce development even though the institution is classified as avocational and, as the team report noted, all students at Ivy E & E Institute are non-immigrant foreign student enrolled under a F-1 visa status. Although avocational, the catalog describes: (a) job placement assistance provided to eligible graduates of the BEBA program, and (b) WIA funding available to students of its workforce development programs. The catalog states, “*Ivy’s faculty and staff will help students who complete Ivy’s ESL program and Ivy’s Business English program to successfully prepare for employment. . . . Employment opportunities received by the Placement Service office will be posted on the job bulletin board.*” The I-20 Forms completed for students in the Business English and Business Administration program classify the program not as language training, but as a “Business/Commerce – General” training. Further, the institution is seeking ACCET accreditation as an avocational institution rather than accreditation for an institution with both avocation and vocational programs offered under one entity. Finally, the institution’s I-17 from SEVP was not updated and did not reflect the programs currently offered.

The institution indicated in its response that it is incorporated as Ivy Education and Environmental Institute and that from now on the institution will go by Chicago Ivy Education as it’s d/b/a. However, the institution’s application for ACCET accreditation included the name Ivy E & E (Ivy College), and the institution failed to provide application to ACCET for any change of name. Regarding reference to job placement and workforce development, the institution indicated in its response that it has removed all such references from its catalog. However, the institution did not provide an updated

catalog to evidence this revision. Additionally, the institution claimed in its response that I-20 forms were completed using the “Business Commerce-General” training category, as language training is not listed as a category. However, the Commission disagrees with this claim, as language training is a common I-20 category. The institution noted that it is currently in the recertification process with SEVP, and no changes can be made to update their program list. Finally, the institution failed to evidence compliance with ACCET standards as further demonstrated under each item noted in this letter. Therefore, the institution failed to demonstrate that it has systematically and effectively maintained compliance with all statutory, regulatory, and accreditation requirements.

### 3. Standard II-C: Personnel Management, and Standard VI-B: Supervision of Instruction

The institution failed to demonstrate that qualified and capable personnel, at appropriate staffing levels, are placed and effectively utilized; that individuals with relevant education and experience in instructional delivery and management supervise instructional personnel; and that supervisors of instructional personnel demonstrate good practice in the evaluation and direction of instructors.

The team report indicated a serious concern with the lack of academic leadership and continuity among faculty due to the absence of an Academic Director since May 2014 and the high turnover rate of instructors in 2014, with three of the six current instructors hired in the past seven months. The team report also noted that in the absence of the Academic Director, the President is serving as the Acting Academic Director with responsibility for: (1) conducting regular classroom evaluations; (2) hiring qualified instructors and supervising them; (3) overseeing curriculum development; and (4) keeping instructors updated about ESL. While the President has experience in management, he lacks the qualifications and experience in ESL to serve as the Acting Academic Director responsible for supervising instructors and providing them with appropriate instructional direction and support in the ESL field. Without a certificate in teaching ESL or the minimum three months TESOL requirement, the President fails to meet the minimum qualifications for instructors required by ACCET and fails to meet the institution’s required three years of ESL teaching experience for an Academic Director.

The institution indicated in its response that two instructors were on leaves of absence during the on-site visit, which the institution claims would reduce the personnel turn-over rate; however, no revised turn-over calculation was provided. The institution included leave of absence documentation for these instructors, but the Commission notes that these forms indicate Substitute Teacher Information, calling into question if these two instructors were regular staff or substitute instructors. Additionally, the institution indicated that it has hired one of the instructors on leave of absence to assume some of the duties of the Academic Director position. However, the contract provided is titled “On-Call Education Consultant” and does not indicate the role or responsibilities of the position, the time dedicated to the position, or the availability of this consultant to address instructor or student concerns. Additionally, the institution did not provide a job description, resume or proof of qualifications for the consultant. While the institution provided evidence of two instructor evaluations completed by the consultant, no evidence of follow-up was provided. Therefore, the institution failed to demonstrate that capable and qualified management staff supervise instructional personnel and demonstrate good practice in the evaluation and direction of instructors in practice over time.

#### 4. Standard II-D: Records

The institution failed to demonstrate that it has an organized record-keeping system that ensures all records are maintained in an accurate, orderly, and up-to-date manner, and that the record-keeping system facilitates ready access and review of those records by appropriate parties.

The team report indicated that records reviewed by the team, including refund, attendance, and academic records were frequently: (1) incomplete, (2) inaccurate, (3) illegible or impossible to decipher, (4) not readily available to the team, and/or (5) never provided, although requested multiple times by the team. Because information required to calculate refunds was missing, inaccurate, and/or impossible to decipher, the team was unable to verify the accuracy and timeliness of student refunds, as described under Standard III-B Financial Practices. The hand-written daily attendance records of students were often impossible to decipher to determine the accuracy of the reported students' attendance percentages. Student daily attendance was recorded by course and not separated by individual students. The institution also utilized a coding system of dots, diagonals, and X's to record attendance, instead of reporting actual hours attended, missed, made-up, and any time deducted for tardiness and early departures.

The institution indicated in its response that it has implemented an electronic recordkeeping system (Orbund) for both grades and attendance. The institution indicated that the new system is in place and provided two electronic attendance records and two student transcripts as part of its response. However, the Commission notes that the submission of two completed attendance reports does not demonstrate systematic and effective implementation of a new attendance and grade tracking system. The institution failed to provide any additional information about its grade/attendance tracking and recording procedures, nor was evidence provided of training on the new system, or evidence of the regular and continuous use of the system. Further, the institution provided no documentation to demonstrate improved recordkeeping systems for hard copy student and employee files. Therefore, the institution failed to demonstrate that it has an organized record-keeping system that ensures all records are maintained in an accurate, orderly, and up-to-date manner as required by this standard which can only be evidenced in practice over time.

#### 5. Standard III-B: Financial Procedures

The institution failed to demonstrate that its cancellation and refund policies are consistently administered and comply with all accreditation requirements.

The team report indicated that when the team reviewed a sample of ten withdrawn student files, the institution failed to provide the information required to verify that refunds were made by the institution in an appropriate, accurate, and timely manner. The institution only provided refund calculation forms for those students the institution determined were owed refunds. The institution did not complete a refund calculation form for all cancelled, withdrawn, or terminated students to determine the students' final account status and identify the appropriate amount of any refunds

applicable. Therefore, there were no refund calculation forms completed for the following seven students (HJL, PW, CH, KMH, SCK, SJO, and BCL). As indicated on ACCET Document 50 FR completed by the team, the student files provided were missing essential information, including: last date of attendance (LDA), date of determination (DOD), percentage of program completed, tuition and fees charged, tuition and fees paid, and documented evidence of any refunds due the students. For two of the three students with completed refund calculation forms, the LDA used for refund purposes was not consistent with the last date of attendance recorded on the daily attendance reports (IM and JN). Further, the institution was not calculating refunds based on the cancellation and refund policies of ACCET and the state of Illinois, in order to determine which is most favorable to the student.

The institution provided in its response a revised copy of ACCET Document 50FR File Review completed by the institution including information for the student files reviewed by the team. The institution failed however, to provide any refund calculation worksheets to demonstrate that student refunds have been processed accurately, nor did they provide evidence of refunds made. No information was provided to indicate the tuition paid by the student or how the refund calculation was applied to determine the refund amount. Additionally, the institution failed to address the incorrect LDA applied for the two refund calculations noted in the team report. Further, the institution failed to address the team's concerns relative to comparing the ACCET refund calculation to the Illinois state refund calculation to determine the refund amount most favorable to the student. Therefore, the institution failed to demonstrate the systematic and effective implementation of a-cancellation and refund policy compliant with ACCET standards, policies and procedures which can only be evidenced in practice over time.

#### 6. Standard IV-A: Educational Goals and Objectives

The institution failed to demonstrate that sufficient and appropriate knowledge and skill elements are included in the institution's curricula to ensure adequate preparation for the expected performance outcomes in the specific program or course for which the students enroll.

The team report indicated that although the goal of the TESOL/TEFL program is to train students to become ESL instructors, the program does not qualify graduates to teach Intensive English Programs at accredited institutions in the US, because: (1) there is no practicum included, which is essential to prepare and rehearse for real-world instruction; and (2) admission into the program is open to students with the equivalency of two years of college, when a bachelor's degree is the minimum educational requirements to teach ESL at an accredited institution. Further, the Business English Business Administration (BEBA) program objectives are unclear and do not clearly define this program as a language program. The institution's description of the BEBA program is inconsistent, at times describing the training as an English communication class, themed in business topics (in the syllabus and ASER), while in other instances it is described as a career course focusing on business skills and workforce training (the latter on the website and in the school catalog). For example, the catalog states, "After establishing the ESL program, Ivy began offering workforce training programs, such as the Business English and Business Administration program." Further, the I-20 Forms completed for students in the Business English and Business Administration program classify the program not as

language training, but as a “Business/Commerce – General” training as noted under item #2, II.A – Governance.

The institution indicated in its response that the institution’s ASER describes the educational objectives of the TESOL/TEFL as being “*for non-native English speakers to gain the necessary knowledge, skills, experience, and education to teach English as a Second Language (ESL) or English as a Foreign Language (EFL) abroad.*” The Commission noted that the institution’s website does not make such a distinction. The website does list general objectives of the program indicating that upon completion, student will be able to “*create and administer language teaching lesson plan; follow classroom management strategies; and relate educational materials taught in class to general real-life TESOL situations,*” which proves difficult and impossible to evaluate without the benefit of a teaching practicum. This is a concern that the institution did not address in its response. Further, the institution failed to address the team’s concerns relative to the inconsistent and non-complaint objectives for the BEBA program. Therefore, the institution failed to demonstrate that the institution’s programs and courses have appropriate educational goals and objectives as required by this standard.

#### 7. Standard IV-B: Program/Instructional Materials

The institution failed to demonstrate that program material support the appropriate depth of each program in relation to the stated goals and objectives.

The team report indicated that there were insufficient supplementary materials utilized in the instruction of the institution’s three programs (ESL, BEBA, and TEFL/TESOL). During the visit, the team did not observe any teachers using teacher-generated materials, other textbooks, and/or authentic English material such as newspapers or internet articles. While the website indicates that students in the ESL program “*will participate in oral discussions of texts and articles from various sources such as newspapers, magazines and internet articles,*” all classes visited by the team made use of only the designated class textbook and no supplementary material. The institution did not respond to this weakness and therefore failed to demonstrate that its program materials support the appropriate depth of each program in relation to the stated goals and objectives.

#### 8. Standard VII-A: Recruitment

The institution failed to demonstrate that informational and promotional materials, advertising, and representations made by or on behalf of the institution for recruiting purposes make only justifiable and provable claims regarding the courses, programs, outcomes, and other benefits.

The team report indicated multiple areas of noncompliance relative to the institution’s website and catalog, as follows: 1) The institution’s website makes unsubstantiated, inappropriate, and/or misleading claims, including “*Since 1995, the institution has helped students to obtain admission in prestigious colleges such as Harvard, Yale, Northwestern, University of Michigan, and University of Illinois.*” Although requested by the team, the institution failed to provide documented evidence to substantiate this claim; and 2) Substantial revisions are also required to policies contained in the institution’s catalog, including but not limited to policies relative to attendance, leave of absence,

vacation, and satisfactory progress, as described under Standards VIII-A Student Progress and VIII-B Attendance; 3) The catalog on the institution's website requires substantial revision to eliminate references to vocational programs, including reference to vocational, workforce development programs; WIA funding; and job placement assistance, including but not limited to the following statements: a) Ivy admits high school graduates who *"want to improve their job skills in certain areas in which the school provides workforce training programs;"* and b) *"Job Placement: Ivy's faculty and staff will help students who complete Ivy's ESL program or Ivy's Business English program to successfully prepare for employment. . . A job bulletin board will be available for graduates and current students seeking employment."*

In its response the institution provided an advertisement (labeled 2006), written in Korean that appears to list student names and admission to a variety of American universities. However, the advertisement does not provide sufficient documentation to evidence that the students listed were Ivy E & E graduates, or that they were accepted to the university listed. Further, the institution failed to provide an updated catalog or revised website to demonstrate the removal of all vocational and job placement related claims. Therefore, the institution failed to demonstrate that all promotional materials make only justifiable claims and represent the programs offered at the institution as required by this standard.

#### 9. Standard VIII-A: Student Progress

The institution failed to demonstrate that it effectively monitors, assesses, and records the progress of participants utilizing a sound assessment system with a set of defined elements that are appropriately related to the performance objectives of the programs or courses; and failed to demonstrate published clear descriptions of the requirements for satisfactory student progress and utilize sound written policies and procedures to determine student compliance with these requirements and to document the results.

The team report catalogued inconsistencies in the institution's satisfactory academic progress (SAP) policy. The institution's policy does not comply with ACCET Document 18.IEP – Satisfactory Progress Policy, as the institution's leave of absence policy is not consistent with ACCET requirements as described under Standard VIII-B Attendance, nor does the institution's policy require documented learning plans for students who repeat a level more than once. The institution does not currently administer an Exit examination to students when they exit their program. Further, according to the syllabus and institution's SAP policy, students must average an overall score of 70% (C) or higher to obtain a passing grade and move on to the next level; however, the ASER states that a 60% (D) score is required to pass. Most concerning is that the institution's policy for "Progression of ESL Stages" indicates that *"at the end of 16 weeks, all students at a level will progress to the next level regardless of their performance or attendance."*

In its response, the institution indicated that the EPT placement test is a nationally recognized external exam; however, the institution failed to demonstrate that this exit exam is given at the end of a student's course of study, as required. The institution failed to provide a revised "Progress of ESL Stages" policy. The institution did provide a revised satisfactory academic progress policy; however,

Commission has continued concerns relative to this policy: 1) The probation section of the policy indicates that a student “*may be asked to leave the school*” if they do not achieve satisfactory progress after the eight week probationary period, but no definitive consequence is confirmed, as they may or may not be dismissed; 2) That same section indicates that a student on probation “is not allowed to transfer out to another school to evade pending probation unless there is a compelling reason to do so.” The Commission notes that prohibiting a student from transferring out to another institution is against SEVP regulation; 3) The policy does not include a mid-term evaluation period as required by ACCET’s policy; 4) The policy indicates that the length of the probationary period “*will normally be one session, except in extreme circumstance,*” but no explanation is provided to detail what extreme circumstances may be; 5) The institution’s revised policy does not include implementation of learning plans, for those student who may repeat a level more than once; 6) The revised SAP document also includes contradictory maximum timeframe policies, indicating the maximum timeframe as both 36 months and 150% of the published program length. It is noted by the Commission that the institution’s longest program is 48 months, and 150% equals 72 months, both of which exceed ACCET’s maximum length of 36 months. Additionally, the institution provided no evidence to demonstrate that this policy has been distributed to students, that faculty have been trained on the new procedures, or that the revised process has been systematically and effectively implemented. Therefore, the institution failed to demonstrate that it effectively monitors, assesses, and records the progress of participants utilizing a sound assessment system compliant with ACCET Document 18.IEP which can only be evidenced in practice over time.

#### 10. Standard VIII-B: Attendance

The institution failed to demonstrate that it establishes and implements written policies and procedures for monitoring and documenting attendance; that the attendance policy is effective in ensuring that student participation and preparation are consistent with the expected performance outcomes of the course or program.

The team report indicated multiple issues with the institution’s attendance policy, practices, and recordkeeping. As detailed below, the institution’s attendance policy is grossly out of compliance with ACCET requirements, and the institution failed to demonstrate its consistent implementation. The institution’s minimum attendance rate was published as 70%, instead of the 80% minimum attendance required by ACCET Document 35, Attendance Policy. Excused absences did not count against a student’s attendance record, thereby allowing students to miss more than 30% of the scheduled clock hours. For F-1 visa students, “an absence may be excused if clearly communicated before the class starts along with providing the reason for the absence.” The institution’s make-up policy allowed students to go to the computer lab to make up class hours missed, instead of requiring students to make up missed hours by attending classes that are comparable in time and content to the hours missed. The institution allowed students to be absent for four consecutive weeks, before the student may be terminated. This is an excessive amount of absences, particularly since this constitutes 50% of the eight-week session. Further, the attendance policy must apply to all students, regardless of visa status. All of these issues are non-compliant with ACCET (and in some cases SEVP) policies and procedures.

The institution's leave of absence and annual vacation policies are not consistent with ACCET Document 36 – Leave of Absence Policy in the following respect: (1) students are not required, in all instances, to submit written requests for leaves of absence for prior approval; (2) students are not required to retest upon reentry following a long absence (more than four weeks); and (3) the institution's extensive leave policy (with eight weeks of annual vacation, nine weeks of school vacation/closure annually, and leaves of absence) impedes student progress and is not reasonable within the context of the institution's curriculum. The team found that the institution fails to consistently apply its own attendance policy. Students' with attendance below 70% were issued a passing grade and moved up to the next level, even though the policy states that students with attendance below 70% should fail to advance due to poor attendance; KJ (Fall II session 2013), KM (Spring II session 2014), CSG (Spring II session 2014).

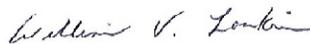
In its response the institution provided a revised attendance policy, a student acknowledgement of the new policy, a completed warning letter and a blank copy of an "Academic Warning and Probation Notice." The institution is now requiring 80% attendance for all students; however, a number of issues persist with the institution's policy. The institution's late arrivals and early departures policy is unclear as the institution outlines late arrival and early departure as "15 min", indicating that three notations of this will result in one absence, yet the policy also indicates, in bold, that "students leaving the classroom more than 50 minutes before the end of class will be marked absent of the day." It is unclear if students are marked tardy if they arrive (or depart) 1-15 minutes late (or leave early) and are thereafter noted as absent, or if students are marked tardy if arriving after 15 minutes. Further, as the policy is written, a student could leave class 49 minutes early without being marked as absent. Additionally, the policy does not address leaves of absence, vacation, or retesting after an extended absence. It is noted that the acknowledgment section of "Ivy E & E Institute Registration for Classes" document indicates that vacation may be taken if a student has completed four sessions and made academic progress. However, this section does not stipulate the length of vacation, the process for requesting a vacation, or the requirement for re-testing after an absence of four weeks or longer as required by ACCET Document 36 – Leave of Absence Policy. Additionally, the institution provided a completed example of an Academic Warning Notice. However, the Commission notes that the instructor's recommendation notes indicate "makeups" in order to maintain attendance for academic progress. The institution did not provide a policy to govern the implementation of make-up work. Make-up work can only be counted towards attendance if, as the team report indicated, make up work is completed by attending sessions comparable in time and content to the hours missed and is completed within a timeframe that ensures appropriate sequencing of curricular materials. Further, the Commission noted that the institution's blank copy of the Academic Warning and Probation Notice indicates that "*The tuition for the fifth (makeup) session should be paid in advance and is not refundable unless you provide reasons to Ivy Office,*" which violates ACCET Document 31.IEP, which requires a fair and equitable refund calculation process for all students withdrawing from the program including a prorated refund for tuition. Finally, the institution provided attendance records for Kim Mina demonstrating satisfactory attendance for the Spring II Session, but failed to provide evidence of satisfactory attendance, warning, or probation for the other two students noted in the team report. Therefore, the institution failed to demonstrate systematic and effective implementation of an ACCET compliant attendance policy which can only be evidenced in practice over time.

Since denial of initial accreditation is an adverse action by the Accrediting Commission, the institution may appeal the decision. The full procedures and guidelines for appealing the decision are outlined in Document 11 – Policies and Practices of the Accrediting Commission, which is available on our website at [www.accet.org](http://www.accet.org). If the institution wishes to appeal the decision, the Commission must receive written notification no later than fifteen (15) calendar days from receipt of this letter, in addition to a certified or cashier's check in the amount of \$8,500.00, payable to ACCET, for an appeals hearing.

In the case of an appeal, a written statement, plus six (6) additional copies regarding the grounds for the appeal, saved as **PDF documents and copied to individual flash drives**, must be submitted to the ACCET office within sixty (60) calendar days from receipt of this letter. The appeal process allows for the institution to provide clarification of and/or new information regarding the conditions at the institution at the time the Accrediting Commission made its decision to deny or withdraw accreditation. The appeal process does not allow for consideration of changes that have been made by or at the institution or new information created or obtained after the Commission's action to deny or withdraw accreditation.

Initial applicants are advised that, in the instance of an appeal following a denial of accreditation being initialized in accordance with ACCET policy, the institution may not make substantive changes to its operations, such as additional programs or sites, until a notice of final action is forwarded by the Commission.

Sincerely,



William V. Larkin, Ed.D.  
Executive Director

WVL/lao

CC: Mr. Louis Farrell, Director, SEVP, DHS/SEVP ([louis.farrell@ice.dhs.gov](mailto:louis.farrell@ice.dhs.gov))  
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