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Following Court Ruling, DeVos Orders Further Review of 2016 ACICS Petition

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Washington

U.S. Secretary of Education Betsy DeVos today ordered further review of the 2016 petition for recognition by the Accrediting Council for Independent Colleges and Schools (ACICS). The review is a direct result of action by the U.S. District Court for the District of Columbia remanding the case to the Secretary.

"As the court ordered, we will fairly consider all of the facts presented and make an appropriate determination on ACICS's petition," said DeVos.

On March 23, 2018, the court remanded to the Secretary the December 12, 2016 decision of then-Secretary John King withdrawing the recognition of ACICS.

Calling the Department's decision-making process "flawed," the court ruled that the prior administration violated not only the Higher Education Act and the Department's own implementing regulations, but also the Administrative Procedures Act when it ignored certain evidence and data the Department had requested from ACICS.

As directed by the court, Secretary DeVos will consider this evidence and data in connection with a review of the petition for continued recognition filed by ACICS in January 2016 and has ordered ACICS to file a written submission with the Department by no later than May 30, 2018.

As a result of the district court's remand, there is no final decision on the recognition petition ACICS submitted to the Department in January 2016, and ACICS retains its status as a federally recognized accrediting agency pending the Secretary's final agency decision on remand.

The Department will not conduct any further review of ACICS's pending petition for initial recognition submitted by ACICS in December 2017, and ACICS will be removed from the agenda for the May 2018 meeting of the National Advisory Committee on Institutional Quality and Integrity.

The order is available [here](#) ^[2].

Team Notes:

Nonimmigrant Visas:

F Visa ^[3]

OPT ^[4]

STEM ^[5]

H-1 Visa ^[6]

General Nonimmigrant Visa ^[7]

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Links:

[1] <https://immigration.com/news/following-court-ruling-devos-orders-further-review-2016-acics-petition>

[2] <https://www2.ed.gov/documents/press-releases/acics-docketno-16-44-0.pdf>

[3] <https://immigration.com/visa/nonimmigrant-visas/f-visa>

[4] <https://immigration.com/visa/nonimmigrant-visas/opt>

[5] <https://immigration.com/visa/nonimmigrant-visas/f-visa/stem>

[6] <https://immigration.com/visa/nonimmigrant-visas/h-visa/h-1-visa>

[7] <https://immigration.com/visa/nonimmigrant-visas/general-nonimmigrant-visa>