



COUNCIL ON CHIROPRACTIC EDUCATION®  
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## **ACCREDITATION ACTIONS**

### *Notice of Final Accreditation Decision*

**August 21, 2020**

#### U.S. COURT OF APPEALS FOR THE NINTH CIRCUIT RULES IN FAVOR OF THE COUNCIL ON CHIROPRACTIC EDUCATION IN LAWSUIT BY NATIONAL UNIVERSITY OF HEALTH SCIENCES

In a decision entered on August 19, 2020, the United States Court of Appeals for the Ninth Circuit affirmed the district court's judgment in favor of the Council on Chiropractic Education (CCE or the Council) and against the National University of Health Sciences (NUHS) in a lawsuit filed by NUHS in 2018. In the lawsuit, NUHS alleged that a 2018 decision by CCE to put NUHS on probation, an action subsequently upheld by CCE's Appeal Panel, violated common law due process. NUHS sought injunctive and declaratory relief. On January 31, 2019, after considering the full briefing on dispositive motions, United States District Judge Neil V. Wake entered judgment in favor of CCE with "[NUHS to] take nothing on its complaint."

NUHS appealed the decision to the U.S. Court of Appeals for the Ninth Circuit. After a full briefing and oral argument, a three-justice panel affirmed the district court's judgment. The Court concluded that CCE did not violate NUHS's due process rights when it imposed probation while contemporaneously reaffirming NUHS's accreditation status, and that CCE provided NUHS with adequate notice and opportunity to respond to deficiencies in its program before imposing probation. The Court dismissed as moot NUHS's claim that CCE's application of Policy 56, and its reporting requirements, was discriminatory or otherwise violated common law due process.

The Ninth Circuit's ruling reaffirmed that CCE's policies and procedures, and CCE's application and enforcement of its policies and procedures, meet statutory and regulatory due process requirements. Further detail may be obtained through the U.S. Court of Appeals for the Ninth Circuit:

<https://cdn.ca9.uscourts.gov/datastore/memoranda/2020/08/19/19-15352.pdf>

***The Council on Chiropractic Education (CCE) is the agency recognized by the U.S. Department of Education (USDE) and the Council for Higher Education Accreditation (CHEA) for the accreditation of Doctor of Chiropractic degree programs. CCE is also a member of the Association of Specialized and Professional Accreditors (ASPA) and the CHEA International Quality Group (CIQG). CCE seeks to ensure the quality of chiropractic education in the United States by means of accreditation, educational improvement and public information. CCE develops accreditation criteria to assess how effectively programs or institutions plan, implement and evaluate their mission and goals, program objectives, inputs, resources and outcomes of their chiropractic programs.***