

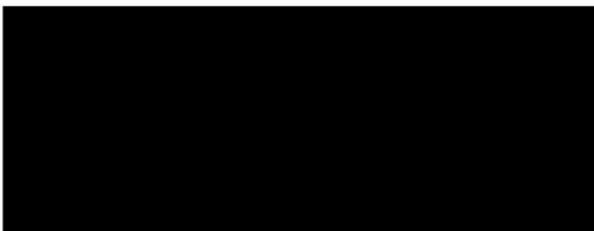
identifying data deleted to  
prevent clearly unwarranted  
invasion of personal privacy



U.S. Citizenship  
and Immigration  
Services

**PUBLIC COPY**

B6



FILE:



Date: JUL 21 2008

LIN 06 185 52476

BENEFICIARY:



**Request for Evidence**

Dear Ms. [REDACTED]

On June 9, 2006, you filed a Form I-140, Immigrant Petition for Alien Worker, seeking the beneficiary's services as a shared services accountant pursuant to section 203(b)(3)(A) of the Immigration and Nationality Act (Act), 8 U.S.C. § 1153(b)(3)(A). In your cover letter, you requested consideration as a professional. The Nebraska Service Center director evaluated the petition under the professional category and denied it on April 25, 2007.<sup>1</sup> You have appealed this decision to the Administrative Appeals Office (AAO).

Evidence in the record as to the beneficiary's qualifications to perform the duties of the proffered position includes the following: a copy of the beneficiary's diploma from Spicer Memorial College, Pune, India; transcripts of courses attended at Spicer Memorial College; and two academic equivalency reports. Dr. [REDACTED] Morningside Evaluations and Consulting, New York, New York, wrote the evaluation report submitted in response to the director's request for further evidence dated January 19, 2007, and Mr. [REDACTED], The Trusteforte Corporation, New York, New York, wrote the second evaluation submitted on appeal. Both evaluators stated that Spicer Memorial College is an accredited institution of higher education in India.

The AAO examined both the website for Spicer Memorial College<sup>2</sup> and the database maintained by the American Association for Collegiate Registrars and Admissions Officers (AACRAO) on its Electronic

<sup>1</sup> The AAO notes that the director denied the petition based on the lack of evidence including a copy of the beneficiary's diploma and transcripts of the beneficiary's studies at Spicer Memorial College. The AAO acknowledges that these documents are in the record of proceedings.

<sup>2</sup> See <http://www.spicermemorialcollege.com/html/courses.htm>. (Accessed July 14, 2008). AACRAO, according to its website, is "a nonprofit, voluntary, professional association of more than 10,000 higher education admissions and registration professionals who represent approximately 2,500 institutions in more than 30 countries." AACRAO, <http://www.aacrao.org/about/> (last accessed July 15, 2008) has as its mission

Database For Global Education (EDGE) for further information as to the college's accreditation status. The AACRAO website, in particular, in its listing of Indian autonomous colleges, does not list Spicer Memorial College.

The Spicer Memorial College website does identify the Spicer Autonomous Programme as having a bachelor of business administration program and also lists other baccalaureate programs affiliated with both Griggs University, Andrews University, and the University of Pune. The Spicer College website, however, does not identify any specific accreditation given to it by the Indian federal or state government. We also consulted the website for the Indian University Grants Commission as to any accreditation of Spicer Memorial College by the state of Maharashtra, but were unable to find any such accreditation. See [http://www.ugc.ac.in/inside/browse\\_reco\\_colleges.php?resultpage=7&st=Maharashtra](http://www.ugc.ac.in/inside/browse_reco_colleges.php?resultpage=7&st=Maharashtra). The AAO also consulted the website for the All India Council for Technical Education (AICTE) at <http://www.nba-aicte.ernet.in/nmna.htm> with regard to Spicer's accreditation status to no avail. Thus, the AAO is not able to verify that Spicer Memorial College is accredited by either the federal Indian educational higher education commission or by the state of Maharashtra.

The AAO does note that Spicer Memorial College is a Seventh Day Adventist college, supported by the Seventh Day Adventist church, and that the Adventist Accrediting Association of Adventist Schools, Colleges and Universities indicates in several publications that Spicer Memorial College has been accredited since 1978, is currently accredited, and that it is affiliated with Andrews University, Michigan, and the University of Poona (Pune) India. See [www.education.gc.adventist.org/documents/accreditation\\_status.doc](http://www.education.gc.adventist.org/documents/accreditation_status.doc). (Available July 14, 2008.)<sup>5</sup> This website in turn states that Andrews University is accredited by the North Central Association of Colleges and Schools in the United States. However, for purposes of these proceedings, the AAO would request the petitioner to establish the accreditation of Spicer Memorial College by the Indian government, at either the state or federal level.

---

"is to provide professional development, guidelines and voluntary standards to be used by higher education officials regarding the best practices in records management, admissions, enrollment management, administrative information technology and student services." *Id.* According to the login page, EDGE is "a web-based resource for the evaluation of foreign educational credentials" that is continually updated and revised by staff and members of AACRAO. Dale E. Gough, Director of International Education Services, "AACRAO EDGE Login," <http://aacraoedge.aacrao.org/index.php> (last accessed July 14, 2008).

Authors for EDGE are not merely expressing their personal opinions. Rather, authors for EDGE must work with a publication consultant and a Council Liaison with AACRAO's National Council on the Evaluation of Foreign Educational Credentials. "An Author's Guide to Creating AACRAO International Publications" 5-6 (First ed.2005) available at [www.aacrao.org/publications/guide\\_to\\_creating\\_international\\_publications.pdf](http://www.aacrao.org/publications/guide_to_creating_international_publications.pdf). If placement recommendations are included, the Council Liaison works with the author to give feedback and the publication is subject to final review by the entire Council. *Id.* at 11-12.

<sup>5</sup> The AAO notes that other foreign-based Seventh Day Adventist universities listed in this document do contain specific references to accreditation by the relevant national education bodies.

You are hereby afforded 30 days to respond to this request for evidence. *See* 8 C.F.R. § 103.2(b)(8). If you choose to respond, please submit your response to the address shown on the first page of this letter. Also, please attach a copy of this letter on top of any such submission.

  
Robert P. Wiemann, Chief  
Administrative Appeals Office

cc:

