



VETERANS EDUCATION SUCCESS

**DESPITE A 2016 STATUTE, THE GI BILL STILL PAYS FOR
DEGREES THAT DON'T LEAD TO A JOB**

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ABOUT VETERANS EDUCATION SUCCESS

Veterans Education Success (VES) is a nonprofit organization dedicated to protecting and defending the integrity and promise of the GI Bill and other federal education programs for veterans and servicemembers. VES provides:

- **Research:** Non-partisan research on issues of concern to student veterans, including veteran student outcomes and student debt levels.
- **Free Help for Veterans:** Free legal services, advice, and college and career counseling to veterans, servicemembers, and their survivors and families who faced college fraud or abuse in using their GI Bill.
- **Civic Engagement:** Help for veterans to participate in their democracy by engaging their Congressional representatives, federal agencies, and local media, including speaking out at public hearings.
- **Policy and Advocacy:** Assistance to federal policymakers to improve quality in higher education and protect the integrity of the GI Bill and other student aid.
- **Whistleblowers:** Free assistance to college whistleblowers exposing fraud, and free assistance to federal and state law enforcement to stop college consumer fraud.

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Highlights

- Despite passage of a 2016 law, about half of the problematic degree programs identified in a 2015 [report](#) by Veterans Education Success (VES) are still enrolling veterans and eligible family members even though VES research found that they had failed to prepare graduates for the licensure or certification required to get a job.
- That percentage would likely be higher but 4 of the 15 schools offering 11 programs have since closed (ITT, Brown Mackie, Sanford Brown, and Westwood), as have several campuses owned by other companies.
- Although 6 other problematic degree programs are no longer GI Bill eligible, it is unclear if they lost eligibility as a result of the implementation of the 2016 law.
- As our 2015 report noted, our methodology did not allow us to identify all of the degree programs that failed to prepare veterans students for licensure or certification. However, while researching this report, we identified 49 additional degree programs in fields such as law and dental/medical assisting that are also not preparing beneficiaries for licensure and certification but are GI Bill eligible.
- California does not believe that the 2016 statute allows it to rescind the GI Bill eligibility of 5 California law schools that are institutionally, but not ABA, accredited. VES disagrees. Even in California, institutional accreditation by an authority recognized by the U.S. Department of Education does not permit graduates of these law schools to sit for the bar. Moreover, the structure of the statutory requirement supports the argument that the intent of the legislation was to prohibit non-ABA accredited law degree programs from participating in the GI Bill. The rationale for our conclusion is laid out in Appendix III.

Veterans Education Success: 2015 Research Findings

VES's 2015 [report](#), *The GI Bill Pays for Degrees that Do Not Lead to a Job*, identified 8-degree programs offered by 15 different schools, at both brick and mortar campuses and online, that failed to meet state or employer requirements, leaving graduates ineligible to work in their field of study. Yet, veteran students were able to enroll in these programs at about 60 campuses across the country because the schools offering these programs were approved to participate in the GI Bill. Overall, GI Bill approved programs at about 20 percent of the 300 campuses we examined did not qualify graduates for state licensure or certification.

Background

Earning a degree may be insufficient to obtain a job if the profession requires state licensure or certification. For example, lawyers, teachers, and nurses are all state licensed. In addition, some employers, particularly in the [healthcare field](#), prefer to hire graduates who achieve recognition in their profession by qualifying and passing a certification exam. Qualifying for licensure or certification may require that an institution has the appropriate “programmatically” accreditation.

What is [accreditation](#) and what is the difference between “institutional” and “programmatically” accreditation? All schools that participate in Title IV federal student aid must be institutionally accredited by an organization recognized by the Department of Education. Institutional accreditation is intended to ensure that institutions meet certain quality standards. Although accreditation is not a requirement for participation in the GI Bill, the approval of degree programs for veterans and their families relies, in part, on such accreditation.¹

Institutional accreditation, however, may not be sufficient for some degrees such as law or healthcare-related fields, which can require programmatic accreditation from [specialized accrediting agencies](#). For example, the American Bar Association (ABA) accredits law schools and only graduates of such schools can obtain a license to practice law in most states. Similarly, the Commission on Dental Accreditation (CODA) accredits dental assistant programs. CODA accreditation facilitates state licensure or registration, allows graduates to perform more specialized procedures, and increases the chances of earning a higher salary.

In response to our research findings, [legislation](#) was enacted in December 2016 to revise the requirements for school participation in the GI Bill.² In plain English, the legislation requires all GI Bill approved degree programs to actually prepare graduates for a state’s licensure or certification requirements (see text box). Moreover, the statutory language was crafted to specifically address the existence of law degree programs (referred to as courses) that are not accredited by an accreditation organization recognized by the U.S. Department of Education.

¹Many unaccredited programs that offer on-the-job training and apprenticeships in professions such as truck driving or welding also participate in the GI Bill.

²Sec. 409 of P.L. 114-315, the Jeff Miller and Richard Blumenthal Veterans Healthcare and Benefits Improvement Act of 2016.

Although not enumerated in the 2016 statute, the only such accrediting organization is the American Bar Association.

Legislative Summary of Sec. 409, P.L. 114-315, Jeff Miller and Richard Blumenthal Veterans Healthcare and Benefits Improvement Act of 2016

Section 409 would amend chapter 36 of title 38 to require both accredited and non-accredited programs that are designed to prepare an individual for licensure or certification in a state to meet any instructional curriculum licensure or certification requirements of the state in order to be approved for purposes of VA education benefits. It would also require programs designed to prepare an individual for employment pursuant to standards developed by a board or agency of a state in an occupation that requires approval or licensure to be approved or licensed by the board or agency of the state in order to be approved for purposes of VA education benefits. ***It would also require that any course of education designed to prepare a student for licensure to practice law be accredited by a recognized party [“recognized by the Secretary of Education,” italics added].*** It would add a new subsection (f) to section 3676 providing that the Secretary would be authorized to waive either of those requirements in certain circumstances and would add specific criteria for disapproving such courses in section 3679 of title 38. This section would not apply to individuals continuously enrolled in a course if that course is later disapproved pursuant to this section.

Source: [Attachment](#) to statement by Chair and Ranking Members of the Senate Armed Services Committee upon Senate passage, Dec. 10, 2016.

Note: Chapter 36 of Title 38 codifies requirements for the approval of degree programs (referred to as courses) to participate in the GI Bill.

Ineligible Programs Are Still Enrolling Veterans in 2018

Thirty-two of the 59-degree programs that our 2015 research identified as not preparing graduates for state licensure or certification are still participating in the GI Bill and enrolling veteran students in 2018 (see table 1).³ These programs include law, psychology, teaching and medical/dental assisting. Appendix 1 identifies the programs and campus locations of these 32 schools.

³Excluded from our count are five-degree programs that we erroneously identified as lacking programmatic accreditation in 2015.

Table 1: 2018 Status of Programs that Were GI Bill Eligible in 2015 but Did Not Qualify Graduates for State Licensure or Certification

Degree program	Number of degree programs that did not prepare graduates for licensure or certification		Why degree doesn't lead to a job
	2015	2018	
Law (JD)	6	6	Programs are not accredited by American Bar Association, which is necessary to become licensed in almost all states
Clinical Psychology and Psychology (PhD)	3	2	Programs lack American Psychological Association accreditation, which is needed for state licensure
Teaching (BA)	1	1	Lacks programmatic accreditation, which is often a requirement for teacher certification; as a result, graduates must complete additional coursework to be licensed
Nursing (AS)	2	0	School offering this program has closed
Criminal Justice (AS/BS)	9	0	Schools offering these programs have closed
Dental Assisting (Certificate/AS)	23	19	<ul style="list-style-type: none"> • There are no or few training requirements beyond a high school diploma or GED and individuals may apprentice in a dental office. • Programs are not approved by the Commission on Dental Accreditation, which provides an easier path to state licensure or registration and allows graduates to deliver a broader array of procedures with the possibility of a higher salary
Medical Assisting (Certificate/AS)	13 ^a	4	No programmatic accreditation and, as a result, graduates are not eligible to obtain certification from the American Association of Medical Assistants (AAMA), a certification preferred by employers ^b
Surgical Technology (AS)	2	0	Schools offering these programs have closed
Total	59	32	

Source: VES analysis of school, programmatic accreditor, and program certification websites.

^aTotal excludes five-degree programs that were erroneously identified as lacking programmatic accreditation in 2015.

^bAccording to the AAMA, "Medical assistants currently are not licensed in most states, although some states require education and/or credentialing as a legal prerequisite for the performance of certain duties."

The number of problematic programs still participating in the GI Bill would likely be higher but 4 schools offering 13 programs have closed and another 6 campuses appear to have shut down, even though others owned by the same company are still open.

Overall, only 6 of the 59-degree programs were no longer GI Bill eligible. It is unclear, however, if the school withdrew the program or the 2016 law resulted in denial of eligibility.

Additional Programs Identified that Don't Lead to Jobs

We identified 49 additional degree programs in law (8) and medical/dental (41) assisting that are GI eligible but should not be because they lack the necessary programmatic accreditation.⁴ Appendix II lists the 49 schools, their programs, and campus locations. We also reviewed the status of several programs identified in the Federal Trade Commission (FTC) [complaint](#) against Ashworth College, which we referenced in our 2015 report. Ashworth settled with the FTC for misleading students, including veterans, about graduates' ability to be licensed or certified. Two of the degree programs cited in the FTC complaint—home inspection and early childhood education—are still GI Bill eligible contrary to statutory requirements.

Ashworth's website does [disclose](#) in "fine print" (see "Note" in hyperlinked document) that its Associate and Bachelor's degree programs in early childhood education are not intended to lead to teacher certification. More prominently, however, it discloses that "a career in this field may require you to meet certain licensing, training and other requirements that can vary by vocation and state." The webpage then provides prospective students with less-than-helpful [links to state websites](#) so that they can research state licensure requirements on their own: the [Georgia](#) and [North Carolina](#) links don't work; the [Alabama](#) link is to a page that allows you to type in the name of an "agency;" and the [Connecticut](#) link takes you to a page where you can search about business licensing. In short, the links don't readily address questions about state licensing requirements for graduates of early childhood education or home inspection programs. It is not clear if these disclosures are in compliance with Ashworth's FTC settlement. Moreover, VES believes that no school should place the burden of determining whether its programs meets state licensing requirements on prospective students.

Conclusions

Our findings raise questions about the steps that have been taken to implement the 2016 ban on degree programs that fail to meet state licensure and certification requirements. Implementation is the responsibility of the Department of Veterans Affairs (VA) and State Approving Agencies (SAA), their partners at the state level. Clearly, more needs to be done.

The good news is that some school websites now make it easier for VA and SAAs to determine if an institution's programs meet the new 2016 standard to participate in the GI Bill by disclosing programmatic accreditation and providing links to the accreditor's website. If that information is insufficient, VA and the SAAs should put the burden on schools to demonstrate that any approved program is indeed eligible. The Defense Department has successfully implemented a similar [statutory requirement](#) involving state licensure and certification by calling for schools that participate in its voluntary education programs to demonstrate that their courses are in compliance. Beneficiaries should be able to depend on VA and SAAs to weed out programs that waste their hard-earned benefits on degree programs that don't lead to a job. And, it's the law.

⁴Six of the eight law schools are in California and the remaining two are in Massachusetts and Tennessee.

We discussed our findings with staff of the California State Approving Agency because all but 2 of the 14 non-ABA accredited law schools that still participate in the GI Bill are located in California. The California State Approving Agency told VES that it didn't believe the wording of the statute allowed it to terminate GI Bill eligibility for non-ABA accredited law degree programs that have institutional accreditation. We disagree. Appendix III lays out the rationale for our position.

Methodology

Our 2015 research used student complaints from service-members and veterans, as well as federal and state lawsuits to identify problematic degree programs. We concluded that the programs we identified represented the tip of the iceberg because we only examined some of the programs that were the subject of such complaints or lawsuits.

We used a similar methodology to assess the 2018 status of the programs that we initially identified in 2015. First, we checked VA's [WEEMS database](#) to see if the degree programs were still GI Bill eligible. We then searched school websites to review their disclosures about programmatic accreditation and state licensing requirements for each degree program. Finally, we confirmed the data found on school websites by reviewing state licensure databases and the databases of programmatic accreditation agencies. We conducted our research from February to March 2018.

APPENDIX I

Table 2: Degree Programs that VES Identified in 2015 that Are Still GI Bill Eligible in 2018 Even Though They Do Not Meet Current Statutory Participation Requirements

	Degree Program	School	Campus location	State
1	Law	Abraham Lincoln University	Los Angeles	CA
2	Law	California Southern University	Costa Mesa	CA
3	Law	Concord Law School ^a	Los Angeles	CA
4	Law	Irvine University	Cerritos	CA
5	Law	Pacific West College of Law	Orange	CA
6	Law	University of San Luis Obispo ^b	San Luis Obispo	CA
7	Clinical Psychology PHD	Argogy University	Sarasota	FL
8	Clinical Psychology PHD + Psychology PhD	Walden	Minneapolis	MN
9	Teaching BA	Ashford	Online	
10	Dental Assistant Diploma	Brightwood	Salida (Modesto)	CA
11	Dental Assistant Diploma	Brightwood	Fresno	CA
12	Dental Assistant Diploma	Brightwood	Palm Springs	CA
13	Dental Assistant Diploma	Brightwood	Riverside	CA
14	Dental Assistant Diploma	Brightwood	Sacramento	CA
15	Dental Assistant Diploma	Brightwood	San Diego	CA
16	Dental Assistant Diploma	Brightwood	Vista	CA
17	Dental Assistant Diploma	Brightwood	Hammond	IN
18	Dental Assistant Diploma	Brightwood	Indianapolis (SE)	IN
19	Dental Assistant Diploma	Brightwood	Nashville	TN
20	Dental Assistant Diploma	Brightwood	Arlington	TX
21	Dental Assistant Diploma	Brightwood	Beaumont	TX
22	Dental Assistant Diploma	Brightwood	Corpus Christi	TX
23	Dental Assistant Diploma	Brightwood	Dallas	TX
24	Dental Assistant Diploma	Brightwood	El Paso	TX
25	Dental Assistant Diploma	Brightwood	Ft. Worth	TX
26	Dental Assistant Diploma	Brightwood	McAllen	TX
27	Dental Assistant Diploma	Brightwood	San Antonio (San Pedro)	TX
28	Dental Assistant Diploma	Brightwood	Dayton	OH
29	Medical Assistant Associates	Herzing	Akron	OH
30	Medical Assistant Diploma	Herzing	Brookfield	WI
31	Medical Assistant Associates	Herzing	Brookfield	WI
32	Medical Assistant Diploma	Herzing	Madison	WI

Source: VES analysis of VA, school, accreditor, and state websites.

Note: In late 2015, the Education Corporation of America finalized its purchase of Kaplan College campuses, which were rebranded as Brightwood College.

^aConcord Law School, as well as the remainder of the Kaplan portfolio of schools, was purchased by Perdue University and is now operated as part of [Perdue University Global](#).

^bUniversity of San Luis Obispo Law School, which was purchased by Monterey Law School now operates as a branch campus as the San Luis Obispo College of Law.

APPENDIX II

Table 3: Additional Degree Programs that VES Did Not Identify in 2015 But that Do Not Meet Current Statutory Requirements to Participate in the GI Bill

	Degree Program	School	Campus location	State
1	Law	San Joaquin College of Law	Clovis	CA
2	Law	Nashville School of Law	Nashville	TN
3	Law	Massachusetts School of Law	Andover	MA
4	Law	University of Silicon Valley School of Law	Fremont	CA
5	Law	Trinity Law School	Santa Ana	CA
6	Law	Pacific Coast University School of Law	Long Beach	CA
7	Law	Monterey College of Law	Seaside	CA
8	Law	California Southern Law School ^a	Riverside	CA
9	Dental Assistant Diploma	Brightwood College	Houston	TX
10	Dental Assistant Diploma	Brightwood College	Friendswood	TX
11	Dental Assistant Diploma	American Career College	Long Beach	CA
12	Dental Assistant Diploma	American Career College	Anaheim	CA
13	Dental Assistant Diploma	American Career College	Los Angeles	CA
14	Dental Assistant Diploma	American Career College	Ontario	CA
15	Medical Assistant Diploma	Center for Employment Training	Oxnard	CA
16	Medical Assistant Diploma	Center for Employment Training	Sacramento	CA
17	Medical Assistant Diploma	Center for Employment Training	Santa Maria	CA
18	Medical Assistant Diploma	Center for Employment Training	Newport	KY
19	Medical Assistant Diploma	Brightwood College	Hammond	IN
20	Medical Assistant Diploma	Brightwood College	Charlotte	NC
21	Medical Assistant Diploma	Brightwood College	Arlington	TX
22	Medical Assistant Diploma	Brightwood College	Beaumont	TX
23	Medical Assistant Diploma	Brightwood College	Brownsville	TX
24	Medical Assistant Diploma	Brightwood College	Chula Vista	CA
25	Medical Assistant Diploma	Brightwood College	Corpus Christi	TX
26	Medical Assistant Diploma	Brightwood College	Dallas	TX
27	Medical Assistant Diploma	Brightwood College	Fort Worth	TX
28	Medical Assistant Diploma	Brightwood College	Laredo	TX
29	Medical Assistant Diploma	Brightwood College	Palm Springs	CA
30	Medical Assistant Diploma	Brightwood College	Riverside	CA
31	Medical Assistant Diploma	Brightwood College	McAllen	TX
32	Medical Assistant Diploma	Brightwood College	Salida (Modesto)	CA
33	Medical Assistant Diploma	Brightwood College	Baltimore	MD
34	Medical Assistant Diploma	Brightwood College	Beltsville	MD
35	Medical Assistant Diploma	Brightwood College	Dayton	OH
36	Medical Assistant Diploma	Brightwood College	El Paso	TX
37	Medical Assistant Diploma	Brightwood College	Fresno	CA
38	Medical Assistant Diploma	Brightwood College	Houston	TX
39	Medical Assistant Diploma	Brightwood College	Las Vegas	NV
40	Medical Assistant Diploma	Brightwood College	Nashville	TN
41	Medical Assistant Diploma	Brightwood College	North Hollywood	CA
42	Medical Assistant Diploma	Brightwood College	Sacramento	CA
43	Medical Assistant Diploma	Brightwood College	San Antonio (Ingram)	TX

44	Medical Assistant Diploma	Brightwood College	San Antonio (San Pedro)	TX
45	Medical Assistant Diploma	Brightwood College	San Diego	CA
46	Medical Assistant Diploma	Brightwood College	Towson	MD
47	Medical Assistant Diploma	Brightwood College	Vista	CA
48	Medical Assistant Diploma	Brightwood College	Friendswood	TX
49	Medical Assistant Diploma	Brightwood College	Indianapolis (SE)	IN

Source: VES analysis of VA, school, accreditor, and state websites.

Note: In late 2015, the Education Corporation of America finalized its purchase of Kaplan College campuses, which were rebranded as Brightwood College.

^aAccording to the school's website, it is no longer enrolling new, first year law students and will graduate its last class in 2020.

Appendix III

Rationale for VES Conclusion that Statute Requires Rescinding the Eligibility of Law Degree Programs Not Accredited by the American Bar Association

This appendix lays out the rationale for terminating the GI Bill participation of law degree programs not accredited by the American Bar Association (ABA), as required by Sec. 409 of P.L. 114-315. The California State Approving Agency told VES that it didn't believe the wording of the statute allowed it to do so in the case of all non-ABA accredited programs.

Before discussing the intent of Sec. 409 and how the provision's structure reflects that intent, this appendix provides important background information. First, it helps to explain the rationale for excluding non-ABA accredited law schools from the GI Bill, discusses the distinction between institutional and programmatic accreditation, outlines the poor outcomes and inadequate accreditation disclosures of these law schools, and finally, makes the case for the applicability of Section 409 of P.L. 114-315 to these law schools.

Introduction

Earning a degree from a law school accredited by the ABA is a prerequisite for graduates to sit for the bar exam in most states.⁵ The ABA is the only law school accreditor—one of several “programmatic” or “specialized” authorities—recognized by the Department of Education. If a school chooses institutional accreditation as a pathway to offering students federal student aid, such accreditation does not confer programmatic accreditation on its law degree program, which is only available through the ABA.⁶ California and several other states, however, allow individuals to take the bar exam upon graduation from law schools approved by state bodies but not accredited by the ABA. Graduates, however, have [limited licensure options](#) to practice law in states other than California. In addition, several non-ABA accredited law schools that participate in the GI Bill are “institutionally” accredited in order to participate in Title IV federal student aid.

⁵The other states are Alabama, Connecticut, Georgia, Massachusetts, West Virginia, and Tennessee. California, Washington, Vermont, and Virginia provide an alternative route to legal practice in addition to attending a traditional, ABA-approved, law school. This alternate route, referred to as “[law office reading](#),” allows individuals to skip law school and instead apprentice for several years with a licensed lawyer but the bar-exam pass rates are significantly lower than for law school graduates. Veterans pursuing this alternate route do not need to attend law school or use up their GI Bill and incur debt.

⁶In response to an emailed question, the Higher Learning Commission, which accredits the Concord Law School as part of the institutional accreditation of Purdue University Global, stated that institutional accreditation does not convey programmatic accreditation and “HLC has not independently reviewed the JD program's sufficiency.” Similarly, The Western Association of Schools and Colleges' Senior College and University Commission ([WSCUC](#)) website states that it accredits institutions, not programs.

Non-ABA Accredited Law Schools that Participate in the GI Bill

Currently, 14 non-ABA accredited law schools participate in the GI Bill—6 that we identified in 2015 (see app. I) and 8 additional institutions that we identified this year (see app. II). All but 2 of these 14 law schools are in California. Of the 12 California law schools we identified, 7 are unaccredited and 5 are institutionally accredited. The ABA does not accredit online degree programs and three of the five programs are fully online. However, the remaining two are campus-based and these schools have chosen not to pursue ABA accreditation.

The State Bar of California recognizes three different categories of law schools: ABA-accredited schools, state-accredited schools, and unaccredited schools. California allows graduates of schools accredited by the Committee of Bar Examiners to sit or the bar upon completion of their degrees alongside graduates of ABA-accredited schools. The Committee also allows graduates of unaccredited law schools (not accredited by the Committee) to sit the bar, but students at these schools are required to take the “First-Year Law Students’ Examination,” also called the “Baby Bar,” in order to proceed past their 1st year in law school.

What Are Institutional and Programmatic Accreditation?

According to the Department of Education, [accreditation](#) is “the recognition that an institution maintains standards requisite for its graduates to gain admission to other reputable institutions of higher learning or to achieve credentials for professional practice. The goal of accreditation is to ensure that education provided by institutions of higher education meets acceptable levels of quality.” There are two types of accreditation—institutional and programmatic.

Institutional accreditation. Institutional accreditation is a prerequisite for a school, including all of its degree programs, to participate in Title IV federal student aid. The Department of Education defines the scope of an institutional accreditor’s authority, which can include schools that offer degrees up to and including PhDs. Institutional accreditors review the academic and organizational structures of a college or university as a whole with the goal of ensuring that quality assurance mechanisms are functioning across all of the departments and disciplines at that institution. Such accreditation indicates “that each of an institution’s parts is contributing to the achievement of the institution’s objectives, although not necessarily all at the same level of quality.” Institutional accreditors do not conduct an in-depth quality review of each of the degree programs offered by a school, which can be numerous.⁷ As a result, institutional accreditation complements but is not a substitute for programmatic accreditation.

The Western Association of Schools and Colleges’ Senior College and University Commission ([WSCUC](#)), an institutional accreditor for two California law schools that are institutionally but not ABA accredited, describes its accreditation site visits as follows:

⁷According to [College Factual](#), Stanford offers 59 undergraduate degree programs. It also offers [graduate programs](#) in seven disciplines ranging from law to business.

Visits are normally scheduled over three days, with the team spending two full days on campus and holding an exit meeting on the morning of the third day, departing the campus by noon. Visit teams ordinarily consist of four to seven members. Team members are sought who have broad experience in higher education and perspectives that extend beyond their own institution. Factors considered in composing a team include expertise in relevant aspects of the standards, themes, and areas that will be addressed on the visit (e.g., planning, finances, governance, assessment of student learning, physical and learning resources, online and off-campus programs, faculty matters, student services, and general education). The team attends opening, closing, and other important meetings as a group, but team members spend time on their own or in smaller groups in meetings relating to areas assigned to them and in the team room reviewing evidence. During the visit, the team meets with the CEO and/or senior leadership; the governing board; the accreditation committee; faculty, administrators, staff, and committees; and faculty, staff and students both in open meetings and in small groups.

Programmatic accreditation. In contrast, programmatic accreditation is a detailed examination of the quality of a particular degree program, such as law or medicine.⁸ The [ABA](#) provides the following description of its onsite evaluations.

The onsite evaluation is conducted by a team of six or seven persons. The team chairperson is always an experienced site evaluator and frequently a present or former law school dean. The team usually consists of one or two academic law school faculty members, a law librarian, one faculty member with an expertise in professional skills instruction (clinic, simulation skills, or legal writing), one judge or practitioner, and, except on teams visiting a law school that is not affiliated with a university or college, one university administrator who is not a member of a law faculty.

The site evaluation team carefully reviews the materials the school has provided and visits the school for a three-day period, often from Sunday afternoon through Wednesday morning. During that visit, the team meets with the dean and other leaders of the faculty and law school administration, with the president and other university administrators or, in the case of an independent law school, with the leadership of the board of trustees), and tries to have one member of the team meet individually with every member of the faculty. The team also visits as many classes as it can during its visit in order to make judgments concerning the quality of instruction, holds an open meeting with students, and meets with student leaders. In addition, the team meets with alumni and members of the bar and judiciary who are familiar with the school.

The team drafts and finalizes an extensive written site evaluation report. The report covers all aspects of the school's operation including faculty and administration, the academic program, the student body and its success on the bar examination and in job placement, student services, library and information resources, financial resources, physical facilities, and technological capacities.

These descriptions underscore the differences in the duration, staffing, and scope of institutional vs. programmatic accreditation.

⁸Most of the specialized accrediting agencies review units within a postsecondary institution which is accredited by an institutional accreditor. However, certain of the specialized accrediting agencies accredit professional schools and other specialized or vocational or other postsecondary institutions which are free-standing in their operations. Thus, a "specialized" or "programmatic" accrediting agency may also function in the capacity of an "institutional" accrediting agency, which would qualify the school to participate in federal student aid.

Table 4: Duration, Staffing, and Scope of Accreditation Sight Visits for WSCUC and ABA

Type	Accreditor	Duration	Staffing	Scope
Institutional	WSCUC	2 days	4-7 members	Quality assurance safeguards, broadly
Programmatic	ABA	3 days	6-7 members	Quality of law school programs

Source: VES analysis of accreditor’s descriptions of site visits.

Why Prohibit Non-ABA Accredited Schools from GI Bill Participation?

Taken together, several factors underscore why non-ABA accredited law schools should not be allowed to participate in the GI Bill, including, poor outcomes; lack of appropriate accreditation disclosures; and online programs that fail to qualify graduates to sit for the bar exam in their state of residence.

Outcomes. Non-ABA accredited law schools generally have poor outcomes. In July 2015, the [Los Angeles Times](#) reported that 9 in 10 students drop out of unaccredited for-profit law schools and only 1 in 5 graduates actually become lawyers.

Although the California Bar requires law schools to report the first-time pass rates for individuals who sit for the state bar, the data is not publicly available and not all unaccredited law schools disclose their pass rates, making it difficult for prospective students to evaluate a school. The first-time pass rate for the bar in California is 62.4% and, as shown in table 5, all of the non-ABA, GI Bill eligible law schools are below the state-wide average.

Table 5: 1st Time Bar Pass Rates, Non-ABA accredited, GI Bill Eligible Law Schools in California

Law school	Location	Bar exam date	1st time bar exam pass rate	Cumulative 5-year pass rate (Jan. 2011-Dec. 2015) ^a
Abraham Lincoln University	Los Angeles	July 2017	20%	
California Southern University	Costa Mesa		Unavailable	44%
Concord Law School	Los Angeles	July 2017	22%	
Irvine University	Cerritos			24%
Pacific West College of Law	Orange	July 2015	0%	
University of San Luis Obispo^b	San Luis Obispo		Unavailable	
Monterey College of Law	Seaside			57%
Trinity Law School	Santa Ana	2014	27%	
San Joaquin College of Law	Clovis		Unavailable	
University of Silicon Valley College of Law	Fremont		Unavailable	
Pacific Coast University School of Law	Long Beach		Unavailable	
California Southern Law School^c	Riverside			57%

Source: Most recent data reported on law school disclosure website. “Unavailable” indicated that multiple searches failed to locate 1st time bar pass rates on a school’s website.

^aThis table includes the cumulative, 5-year bar pass rate when the school did not disclose the 1st time pass rate. The Committee of Bar Examiners requires California accredited law schools to meet a 40% cumulative pass rate.

^bPurchased by Monterey College of Law in 2015 and renamed San Luis Obispo College of Law.

“The school is no longer accepting 1st year students and will graduate its last class in 2020.

Over the past year, the ABA has [identified](#) quality problems at several of the law schools it accredits, underscoring the importance of programmatic oversight.⁹

Disclosures. Prospective students should not be expected or required to be experts in accreditation or individual state licensure requirements, particularly when a program is offered online and recruits non-California residents. Unaccredited California law schools that recruit veterans, however, are not always up-front about the implications of accreditation, including the lack of ABA accreditation. At some schools, accreditation disclosures are scattered across various webpages, are oblique rather than direct, and omit important information. Such disclosures are likely not in compliance with the California Committee of Bar Examiners requirements. In addition, the disclosures appear to violate a longstanding GI Bill [requirement](#) that prohibits participation by schools that engage in misleading advertising and recruiting, “either by actual statement, omission, or intimation.”¹⁰

- The [Monterey College of Law](#) has neither institutional nor programmatic accreditation by an authority recognized by the Education Department. Its website states that it is accredited by the Committee of Bar Examiners of the State of California and that its program is designed for individuals who wish to be licensed as a California attorney. A “learn more” link on the webpage goes to an [admissions](#) page with numerous links but no clear explanation about whether its students need to take the “Baby Bar” at the end of the first year of law school. On a separate [webpage](#) devoted to frequently asked questions, the school states that it has been continuously accredited for more than 25 years by the State Bar of California but is not seeking American Bar Association approval.
- The [Abraham Lincoln University](#) website states that it is accredited by the Distance Education Accreditation Commission, which is a recognized by the Department of Education. The website’s [academic disclosures](#) link indicates that the law school is registered with the California Committee of Bar Examiners as an unaccredited distance learning institution, which qualifies graduates to take the California Bar Examination and obtain admission to the practice of law in California. It does not state that the school lacks ABA accreditation. Another law program [link](#) contains similar information but also implies that its program is the equivalent of programs at ABA accredited law schools but provides no further explanation: “The School of Law’s educational objectives are attained through a comprehensive curriculum comparable to the majority of American Bar Association-approved law schools.”

⁹Examples include Charlotte School of Law, Thomas Jefferson School of Law, Arizona Summit Law School, and Florida Coastal School of Law.

¹⁰Section 3696 of Title 38 requires the Secretary of Veterans Affairs to “not approve the enrollment of an eligible veteran or eligible person in any course offered by an institution which utilized advertising, sales, or enrollment practices of any type which are erroneous, deceptive, or misleading either by actual statement, omission, or intimation.”

- [California Southern University's](#) website states that it is accredited by WSCUC and contains several disclosures about its law program that fail to acknowledge its lack of ABA accreditation. For example, one [link](#) states that graduates are eligible to sit for the California Bar Exam. A different [link](#) contains disclosures required by the California Committee of Bar Examiners, including the requirement to sit for the “Baby Bar” at the completion of the first year of law school. It then explains that:

“Study at, or graduation from, this law school may not qualify a student to take the bar examination or to satisfy the requirements for admission to practice in jurisdictions other than California. A student intending to seek admission to practice law in a jurisdiction other than California should contact the admitting authority in that jurisdiction for information regarding the legal education requirements in that jurisdiction for admission to the practice of law.”

Use of the term “may not qualify” is misleading because the disclosure fails to clearly state that ABA accreditation is necessary to sit for the bar exam in most states.

In contrast, the [Pacific Coast University School of Law](#) and [Monterey College of Law](#) fully disclose the implications of attending a non-ABA accredited law school, providing models for unaccredited law school disclosures.

Online programs. Two of the law schools with incomplete or misleading disclosures are fully online—Abraham Lincoln University and California Southern University.¹¹ In addition, the Concord Law School program is only available online. Online programs are popular with veterans using their GI Bill educational benefits. Because online law schools in California actively recruit residents of other states, up-front disclosure about the lack of ABA accreditation is essential.¹² During a live chat on the Abraham University website, the response to the following question—“if I graduate from your law school, can I sit for the bar in Iowa?”—was to contact the Iowa state bar. Iowa requires graduates to have attended an ABA accredited law school. The appropriate answer would have been “probably not.” The live chat response is consistent with the school website’s failure to disclose that it is not ABA accredited.

¹¹The ABA accredits “blended” law degree programs which mix campus-based and online learning modalities but does not currently accredit fully-online programs. Similarly, the [California Committee of Bar Examiners](#) does not accredit online programs (see p. 76 of hyperlink).

¹²California Southern University’s law school [disclosure](#) page notes that “*Because so many CalSouthern learners reside in different time zones, work full time, and choose the flexibility of distance education, it... continues to offer a law program that does not require learners to participate in live classes and has elected to be classified as a “correspondence law school” under the rules of the California Committee of Bar Examiners, even though its programs are delivered entirely online.*”

In 2016, Courses Were Required to Prepare Veterans for State Licensure and Certification

[Legislation](#) enacted in 2016 requires courses (degree programs) that participate in the GI Bill to prepare graduates for licensure or certification in a state.¹³ In part, the justification for the provision was to extend the same protections already available to servicemembers enrolled in courses paid for by the Defense Department’s Tuition Assistance Program.¹⁴

The 2016 statute separately addresses non-law degree and law degree programs. The distinction was necessitated, in part, by the fact that not all courses approved to participate in the GI Bill are accredited. As a result, the statute does not require that the non-law degree programs be accredited by an authority recognized by the Education Department.

“(14) In the case of a course designed to prepare an individual for licensure or certification in a State, the course—“(A) meets all instructional curriculum licensure or certification requirements of such State;

Because California allows graduates of non-ABA accredited law schools, to sit for the bar, the statute included additional language specific to courses “designed to prepare an individual for licensure to practice law in a State.” The additional language requires all law degree programs to be accredited by an accrediting agency recognized by the Department of Education.

“(B) in the case of a course designed to prepare an individual for licensure to practice law in a State, is accredited by an accrediting agency or association recognized by the Secretary of Education under subpart 2 of part H of title IV of the Higher Education Act of 1965 (20U.S.C. 1099b).

As noted earlier, because institutional accreditation is not a substitute for programmatic accreditation, the only entity that can accredit a law degree program is the ABA. Even in California, graduation from a California law school that is institutionally accredited by an authority recognized by the Education Department does not qualify individuals to sit for the bar—that is, graduates of non-ABA accredited law schools in California are not automatically qualified to take the bar exam. They can only do so because of the state’s unusual licensing requirements for lawyers.

In short, while graduates of non-ABA law schools in California may sit for the bar, those schools have not met the 2016 statutory requirement that “in the case of a course designed to prepare an individual for licensure to practice law in a State, [the course] is accredited by an agency or

¹³The provision was Sec. 409 of P.L. 114-315, the Jeff Miller and Richard Blumenthal Veterans Health Care and Benefits Improvement Act of 2016. It amended Title 38, Chapter 36 of the Code of Federal Regulations, which governs the administration of the GI Bill. In Chapter 36, the term “course” is used to refer to the “program” (series of courses) that leads to a certificate or degree. In fact, individual degree or non-degree programs, not institutions are approved for participation in the GI Bill.

¹⁴By statute, the Defense Department’s voluntary education assistance programs such as Tuition Assistance and MyCAA require courses at participating schools to lead to licensure or certification ([10 U.S.C. 2006a](#)).

association recognized by the Secretary of Education...” as required by the Higher Education Act of 1965.

Conclusion

It is clear that 7 of the 12 California law schools we identified should no longer be permitted to participate in the GI Bill because they are not accredited by an entity recognized by the Secretary of Education. Instead they are either unaccredited or are accredited by the California Committee of Bar Examiners, which is not an authority recognized by the Education Department. However, 5 other California law schools have institutional accreditation and therefore would appear to meet the requirement of the 2016 statute. Notwithstanding the position of the California State Approving Agency, we believe that these law schools, as well as two institutionally accredited law schools in Massachusetts and Tennessee, are also precluded from participating in the GI Bill because the statute requires law programs to be accredited in a state by an authority recognized the Department of Education and even in California institutional accreditation is insufficient to qualify graduates to sit for the bar. Moreover, the structure of the statutory requirement—applying distinct remedies to non-law and law degree courses—also supports this conclusion.