



**DEPARTMENT OF VETERANS AFFAIRS
VA REGIONAL OFFICE
3333 North Central Avenue
Phoenix, AZ 85012-2458**

AUGUST 17, 2017

LEANNA DEKING
PROGRAM DIRECTOR
ARIZONA STATE APPROVING AGENCY
3839 N 3RD ST SUITE 209
PHOENIX AZ 85012-2068

Dear Ms. DeKing:

The Department of Veteran Affairs (VA) is in receipt of your letter dated August 8, 2017 regarding the request for approval of Ashford University's Arizona location. The additional documents you submitted have been reviewed. The purpose of this letter is to inform you that our prior assessment that the facility has failed to provide sufficient evidence to establish compliance with applicable standards for a grant of approval has ultimately not changed, although we appreciate your response and note that several previous areas of concern have been rectified. The reasons for this decision are as follows:

1. VA agrees that the requirements of 38 CFR §21.4266(c)(2) have been met, as the facility has now provided evidence of a certifying official on site at the Arizona location. The Memorandum of Understanding (MOU) dated August 8, 2017 requests access to the VA-ONCE database for an additional designated certifying official, Bobbye Stull. Your letter confirms Ms. Stull resides in Arizona and is located on site at the facility's Arizona location.
2. VA agrees that the requirements of 38 CFR §21.4253(d)(1) have been met, as the facility has now provided a current catalog for the 2017 – 2018 academic year (effective July 1, 2017 to June 30, 2018).
3. VA agrees that the requirements of 38 CFR §21.4253(d)(7) and (8) have been satisfied in part. Page 43 of the facility's current 2017 – 2018 catalog gives a description of the space, equipment, instructional materials, and instructor personnel to be utilized at the Arizona location. Your letter and site inspection visit report confirm your belief that it is adequate. However, while the documentation provided identifies Ashford University's administrative personnel, it fails to specifically identify the director(s) and administrators for the Arizona location.
4. VA does not agree that the requirements of 38 U.S.C. §3672(a) have been met. We do not concur with your assertion that the facility has provided adequate evidence of being recognized as a provider of a course of education offered by an educational institution by its licenser, the Arizona State Board for Private Postsecondary Education (AZPPE). The approval package included an excerpt from the AZPPE website indicating the facility is recognized as an "Administrative and Student Services Center," and it does not identify any approved educational programs. In addition, the letter dated June 30, 2017 from Christopher N. Oberg of the facility's accrediting agency, Western Association of Schools and Colleges (WASC), states

“This [Arizona] center *will* equally be authorized to operate under the institution’s accreditation with the agency.” It doesn’t indicate the facility *is* authorized to operate as such as of July 1, 2017, the date on which the facility is requesting approval. As of August 10, 2017, the WASC website (www.wscuc.org) only lists Ashford University’s Main (San Diego) and Clinton campuses as approved locations.

5. VA reaffirms our determination that Ashford University’s Arizona location does not meet the definition of a “main campus.” Your letter cites the language of 38 U.S.C §3672(a) as establishing your authority to approve “online institutions.” Section 3672(a) affords jurisdiction for approvals to the SAA “where such educational institution is located,” but does not provide a process for assessing the location of online or other programs. We clarified via regulation that courses offered by independent study or correspondence shall be approved by the SAA of the State in which the institution’s main campus is located and view this definition as applicable to online courses. 38 C.F.R. § 21.4250(a)(3). “[M]ain campus” is defined relative to “branch” and “extension” campuses in 38 C.F.R. § 21.4266(a)(3), with the focus being on primary teaching facilities.
6. Finally, although Ashford University has been withdrawn by the Iowa SAA, VA is continuing to pay GI Bill students as litigation in the Iowa District Court progresses. Should you and the institution demonstrate satisfaction of all approval requirements, VA cannot duplicate payment to students certified from Arizona.

If the institution wishes to continue with the application, it must further address the areas of concern in this letter.

If you have any questions, please contact your Education Liaison Representative at (602) 627-3227 or suzanne.swafford@va.gov.

Sincerely,

Suzanne Swafford

Suzanne Swafford
Education Liaison Representative