



DEPARTMENT OF VETERANS AFFAIRS
Veterans Benefits Administration
Education Service
Washington, D.C. 20420

JAN 02 2019

Mr. Keith Boylan, Deputy Director, Veterans Services
California Department of Veterans Affairs
P.O. Box 942895
Sacramento, CA 94295

Dear Mr. Boylan:

The purpose of this letter is to notify California State Approving Agency for Veterans Education (CSAAVE) that Education Service received a copy of CSAAVE's correspondence, dated December 14, 2018, sent to Ashford University detailing CSAAVE's "Intention Not to Act" on Ashford's application for approval, and that VA views California's proposed intention not to act as violating the VA/SAA Cooperative Agreement for Fiscal Year 2019.

Specifically, Article II of the agreement requires the SAA to "approve, suspend, and/or disapprove programs" that apply for approval, not to take no action. In prior conversations between VA and CSAAVE, CSAAVE expressed concern that it was not authorized to deny an application. VA informed CSAAVE that the contract term "disapprove programs" includes the authority to deny approval of an application to CSAAVE. Further, while VA regulations discuss SAA "approval," "suspension of approval," "disapproval," or "failure to act" in response to an application (38 CFR § 21.4250(b)), CSAAVE may only approve or disapprove (i.e., deny approval of) a program it has not currently approved according to the terms of the current agreement between VA and CSAAVE. Consequently, VA believes that continued inaction on Ashford's application may provide sufficient grounds to terminate the current agreement for Fiscal Year 2019 and/or to take other actions.

This is a time sensitive matter. Please contact me upon receipt of this letter at (202) 461-9800 so that we can further discuss. Thank you in advance for your cooperation.

Sincerely,

A handwritten signature in black ink that reads "Charmain Bogue".

Charmain Bogue
Acting Executive Director
Education Service