



**National Advisory Committee on
Institutional Quality and Integrity**

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Statement by Barmak Nassirian

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Veterans Education Success

My name is Barmak Nassirian and I serve as the Vice President for Higher Education Policy at Veterans Education Success, a nonprofit research, policy, and student veteran advocacy organization. We work on a bipartisan basis to advance higher education success for veterans, service members, and military families, and to protect the integrity and promise of the GI Bill® and other federal postsecondary education programs.

The constituency we represent and the federal programs administered by the Departments of Defense and Veterans Affairs are significantly affected by the quality assurance and program integrity safeguards that fall chiefly under the Department of Education's jurisdiction. Of these, none is more consequential than accreditation. Accreditation alone within the accountability triad is squarely focused on substantive educational adequacy of academic programs institutions offer.

Despite the best efforts of this committee, the widespread cases of continued waste, fraud, and abuse amply demonstrate that the accreditors recognized by the Department are proving inadequate to the basic task of ensuring that no student is victimized by institutions enjoying accredited status. And no subpopulation of prospective and enrolled students faces a greater threat in this regard than veterans and military-connected students. The availability of non-Title IV funding for military-connected students has created distinctive and at times problematic institutional incentives for their recruitment by providers.

To date, we have helped thousands of veterans who were directly hurt by inadequate accountability measures and gatekeeping for participation in federal educational assistance programs administered by the DoD, the VA, and the Department of Education. Students rely on program integrity measures set forth by this Department. In addition, VA and DoD -- and, therefore, veterans and servicemembers -- rely on the Department's "stamp of approval" that a postsecondary program is worthy of veterans' hard-earned benefits.

I'd like to offer five observations for the Committee's consideration. I hope it receives them in the spirit in which they are provided, and not as criticism of its good-faith efforts and hard work.

1- Accreditation has historically operated as an opaque insiders' activity, which the public and policymakers have happily relied on because it seemed to work. That perception is rapidly changing as instances of waste, fraud, and abuse claim hundreds of thousands of victims, and as too many people--including many veterans and servicemembers--face the prospect of lifelong debt and poverty because they attended a postsecondary institution.

2- Both the recognition process and accreditation itself have increasingly become self-referential bureaucratic exercises that focus almost entirely on a check-the-box approach to procedural paperwork compliance, with little regard for whether the accrediting bodies or the institutions they accredit effectively enforce their written standards or carry out their commitments in practice. "Meeting the statutory standards" in other words, has been effectively reduced to echoing the law in writing, not in actually implementing them.

3- The Department, NACIQI, and accrediting bodies have adopted a "less-is-more" philosophy of not only failing to seek, but at times actively rejecting and refusing to consider, empirical information with direct bearing on the veracity of the applications and the credibility of the applicants that they review. To give an analogy, this would be tantamount to the FAA disregarding daily airplane crashes while focusing solely on compliance audits of airlines.

4- This Committee's recognition process, like accreditation itself, appears designed to extend the benefit of every doubt to applicants--particularly those seeking renewal of existing recognition--in the name of consistency and due process without much consideration for the potential (and often, probable) harm that such leniency could inflict on students down the line.

5- To justify its minimalist approach to its advisory responsibilities, this Committee has willingly embraced a contrived and extraordinarily narrow, process-conservative view of its jurisdiction and authority, despite the fact that nothing in the law prevents it from a more substantive approach to outcomes associated with statutory standards.

Addressing these underlying causalities would go a long way toward restoring public faith in--and quite possibly saving--accreditation.

In addition, we specifically request that this committee examine the extent to which admissions and student support policies of accreditors are responsive to the specific needs and circumstances of veterans and military-connected students. We have seen numerous examples of outright fraud in recruitment practices by unscrupulous schools targeting our constituency in specific and methodical ways.

Institutional practices targeting veterans and military students should be separately and more thoroughly examined by accrediting bodies, particularly at institutions that enroll a disproportionate number of such students. While such disproportionate representation is -- and may well be -- a sign of "military/veteran friendliness," it is often motivated by the availability of non-Title IV funds and the desire to skirt the existing 90/10 rule. Even

beyond the persistent problem of fraud, many otherwise legitimate institutions actively recruit veterans for both their funding package and for the bragging rights.

Unfortunately, many of these same programs later fail to provide the necessary student services appropriate to their specific needs. In this case, as with admissions and recruitment practices, it is critical for all accreditors to be required to examine the quality and nature of support services delivered for veterans. In both cases, it is easy to miss dynamics that affect veterans in a disparate manner if accrediting bodies don't specifically focus on the practices and services that affect veterans differently than the general student population.

Thank you for the opportunity to share our views.

American Bar Association Discussion:

My name is Barmak Nassirian and I serve as the Vice President for Higher Education Policy at Veterans Education Success, a nonprofit research, policy, and student veteran advocacy organization.

We applaud the effectiveness of the American Bar Association in preventing subpar bad actors from gaining undeserved legitimacy through its imprimatur. However, other recognized accreditors with no expertise whatsoever in the law are accrediting law schools that the American Bar Association has refused to accredit. One institutional accreditor even accredited two law schools (one a stand-alone) after the ABA revoked accreditation for failure to meet basic minimum standards.

Some of these law schools have no classrooms, few or no real faculty, and, according to a whistleblower at one of these schools, no instructional or significant curricular offering other than BARBRI commercial bar prep review classes. These institutions operate websites like "lawdegree.com." Their graduates are not eligible for the bar exam outside of one or two States; and even then, some of these state-accredited law schools hold bar passage rates as low as 9%.

General institutional accreditors lack the American Bar Association's understanding of what is required for a proper legal education. For example, the ABA has requirements for faculty qualifications, full-time faculty who must teach more than half of all credit hours, a law library director, and more. The ABA accreditation process is run by lawyers who understand what legal education necessitates and who impose strict standards. Institutional accreditors lack such expertise or understanding.

A number of institutions participating in Title IV federal student aid programs knowingly operate non-ABA-accredited law schools, essentially financing patently worthless credentials with federal loans. It is unconscionable that institutional accrediting bodies recognized by the Secretary choose to ignore such abusive practices by institutions that access federal financing through their seal of approval.

In addition, some institutional accreditors are wrongly accrediting stand-alone, freestanding law schools, even though the accreditors lack any expertise whatsoever in legal education and even though the law schools they are accrediting were terminated by the American Bar Association. In doing this, such institutional accreditors are knowingly extending eligibility to dead-end non-ABA-accredited legal education programs whose graduates would not be eligible to sit for the bar exam in 49 states and the District of Columbia. We strongly urge the Department to hold institutional accreditors accountable for such bad-faith practices and require them to prevent institutions they accredit from offering such exploitative and borderline fraudulent programmatic offerings and to stop accrediting stand-alone law schools.

By definition, a law degree should leave the graduate eligible for the bar exam wherever the graduate lives, and not only in California, where many of these law schools exist and which allows citizens to sit for the bar exam even without formal legal training. Some of these law schools are purely online, and their students may well live outside of California and will never get the chance to practice law.

Other students, including those at in-person law schools, will be forced to move out of California for personal reasons and will discover they hold a worthless law degree. Servicemembers, veterans, and their families often have to move due to service obligations and work requirements. This means that transferring credits from law schools and being able to sit for the bar in multiple states is critical. Thankfully, ABA-accredited law schools allow for this flexibility that ensures military-connected students passionate about the law are able to continue in the profession.

We appreciate all the work the ABA does to promote success for military-connected students. We believe it is important to have working groups and to keep updated on issues specific to servicemember and veteran benefits. We encourage the ABA to continue to work with the veterans community to promote success at ABA-accredited law schools. Thank you for the opportunity to share our views.

Accrediting Commission of Career Schools and Colleges Discussion:

My name is Barmak Nassirian and I serve as the Vice President for Higher Education

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We support the action taken by the Accrediting Commission of Career schools and Colleges in rescinding its accreditation of the Center for Excellence in Higher Education, which operates Independence University and other schools. However, we believe ACCSC was too slow to act, in the face of overwhelming evidence of illegal practices by this company.

ACCSC [noted](#) in its withdrawal of accreditation that “the system of CEHE-affiliated schools has been under the Commission’s scrutiny for an extended period.” In a September 6, 2018 letter, ACCSC wrote:

“The Commission found that the record shows that the inputs, resources, and processes of CEHE schools are designed and implemented in a manner that is not designed for student success. CEHE’s advertising and recruitment tactics coupled with a poorly documented admissions process has fostered the creation of a student population that the schools are ill-prepared to educate.”

In August 2020, a Colorado state court [entered a final judgment](#) against CEHE for knowingly making false representations about the schools’ employment statistics, affordability, and program availability.

We believe that the Committee should not renew ACCSC’s recognition until it receives a satisfactory account of how it monitors and enforces its written standards.