



April 19, 2021

Mr. F. Willis Caruso, Jr., Interim President and CEO
Mr. John Lorenz, Chief Financial Officer
Ms. Barbara Bickett, Chief Financial Aid Director

Cogswell Education LLC
DeVry University
1200 East Diehl Road
Naperville, IL 60563

Dear School Officials:

In follow-up to our letter dated June 23, 2020, our subsequent discussions, and your July 31, 2020 production relating to our adjudication of borrower defense applications filed pursuant to 34 C.F.R. §§ 685.206 and 685.222, we request that you provide the following additional documents:

1. An index of all documents provided in response to the Federal Trade Commission's ("FTC") Civil Investigative Demand, dated January 23, 2014 (and/or any email guidance, a cover letter to the document request, or anything to help guide the documents). The index should state the types of documents provided and corresponding bates number(s). Please also provide an index of all documents provided in response to the Department of Education's ("the Department") request for documents dated August 28, 2015. Again, the index should state the types of documents provided and corresponding bates number(s). We have the e-discovery metadata for the productions at issue, but would like something more specific.
2. A spreadsheet detailing all advertisements, marketing materials, or promotions (including print, cable or television, terrestrial or satellite radio, digital or online media) broadcast or published under the "We Major in Careers" campaign between February 2008 and December 2010. (The spreadsheet should look similar to the one produced for the years 2011-2014 as Exhibit A in response to the FTC's Interrogatory #3.) Within the spreadsheet, please provide the following information:
 - For all advertisements, marketing materials, and promotions, state the start and end dates of each dissemination; the dates, times, and locations for each dissemination; and either the bates number (if already provided to the FTC or the Department) or a copy of each advertisement or promotion (if not previously provided to the FTC or the Department);
 - In addition to the above information, for all print ads and press releases specifically, identify every publication, date, and community of dissemination;

Federal Student Aid
An OFFICE of the U.S. DEPARTMENT of EDUCATION

830 First Street, NE, Washington, DC 20202
StudentAid.gov

- For all television, satellite, or any form of radio ads specifically, provide every network, system or station, date, and community of dissemination; and
 - For all other materials specifically, provide sufficient information to permit a determination of how many items were disseminated, when, where, and to whom.
3. A description of any and all advertising, marketing materials, or promotional campaigns prior to the “We Major in Careers” campaign (prior to February 2008) wherein you provided a job placement rate statistic. In your August 28, 2015 response to the Department, you disclose that “[f]or 40 years, DVU has calculated and conveyed a graduate employment rate[.]” Please state what years specifically you advertised a job placement rate statistic, and in what manner of media the statistic was publicized (e.g. television, radio, brochure, etc.), and, if possible, provide a copy of the advertisement in question or list the bates number for it (if previously provided to the FTC or the Department).
 4. Any and all annual employment rate disclosures and methodologies used to calculate the disclosures made to any accreditor, state agency, regulatory body or commission, governmental agency, or other entity, for any and all years available, but specifically the years 2008-2014. If any such material has already been provided to either the FTC or to the Department, please simply reference the bates number(s).
 5. Any and all policies and training materials, formal or informal, approved or unapproved – including, but not limited to, scripts, PowerPoints or other presentations, training manuals, and policy books – related to (i) the recruitment of students and (ii) procedures used to determine post-graduate job placements. In lieu of production, if any of these materials are contained in the Department or FTC documents, please provide the respective bates numbers.

Since our last communication, we have also received over two thousand additional borrower defense applications that make allegations regarding DeVry University and that will require a fact-finding process pursuant to 34 C.F.R. § 685.222(e)(3)(i). We will start sending those to you shortly.

As part of our fact-finding process, we may reach out to you in the future with follow-up questions. For additional information regarding the borrower defense to loan repayment process and applicable regulations, visit us at StudentAid.gov/borrower-defense.

If you have questions about this communication, email us at BDSchoolEvidence@ed.gov.

Sincerely,

U.S. Department of Education
Office of Federal Student Aid
cc: Terence A. Gonsalves, Alston & Bird