



VETERANS EDUCATION SUCCESS®

August 15, 2021

Herman Bounds
Director of Accreditation Group
Office of Postsecondary education
U.S. Department of Education
400 Maryland Avenue SW
Washington, DC 20202

Submitted via electronic portal

Re: Accrediting Agencies Currently Undergoing Review for the Purposes of Recognition by the U.S. Secretary of Education, 86 FR 36532

Written Comments: Southern Association of Colleges and Schools, Commission on Colleges (SACSCOC)

Dear Mr. Bounds:

I write on behalf of Veterans Education Success to provide comments on the application of Southern Association of Colleges and Schools, Commission on Colleges (SACSCOC) for renewal of its Secretarial recognition. Veterans Education Success is a nonprofit research, policy, and student-veteran advocacy organization committed to advancing educational opportunities for veterans, military-connected students and their families. 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 (DoD) and Veterans Affairs (VA) 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 intended to squarely focus on substantive educational adequacy of academic programs institutions offer. Regrettably and despite the Department's efforts, however, Secretarially recognized accreditation is no longer a reasonable assurance of quality. Incidents of waste, fraud, and abuse continue to victimize students and taxpayers because of lax oversight of institutions by accreditors, who face no consequences as a result of failure to enforce the written standards they present to the Department and to the National Advisory Committee on Institutional Quality and Integrity (NACIQI).

We have previously submitted joint comments with other student- and consumer-protection organizations regarding the Department's failure to provide adequate information about

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applicants for Secretarial recognition in a manner that would provide the public with a meaningful opportunity to comment on their performance as reliable authorities on educational quality. Worse, yet, it appears that the Department itself actively avoids collecting or reviewing relevant information beyond the predictably sanitized material submitted by the applicants themselves. This position of studied ignorance was captured pithily by one of your colleagues at the last NACIQI meeting when she declared that “We don’t Google accreditors.” The process thus favors bureaucratic inertia and speedy approval of applications on the basis of unverified representations made by applicants, sometimes in the face of egregious and overwhelming evidence of on-the-ground noncompliance with the statutory language, which in Section 496(a)(4)(A) of the Higher Education Act requires accreditors to *consistently apply and enforce* their standards.

We write to express concern about the extent to which SACSCOC consistently applies and enforces the standards on the basis of which it is recognized by the Secretary.

SACSCOC accredits ECPI University which has faced regulatory scrutiny from the VA in the past. In September 2015, VA’s state agent, the Virginia State Approving Agency (SAA), stopped new GI Bill enrollment at ECPI’s Medical Career Institute in Virginia Beach to investigate complaints from veterans.¹ About 60 days later, the SAA withdrew the Institute’s approval to enroll any beneficiaries at its Virginia Beach location and suspended new enrollment at three branch campuses.² According to the SAA press release, “...the issues that facilitated the withdrawal were: the school changing policies and not adhering to the students’ contracts, the school withholding student transcripts against the published school policy, the school changing school policy without any reasonable notification to the students, and an overall lack of clarity and consistency in communicating school policies and changes.”³ The school’s GI Bill eligibility was restored in April 2016.

The VA reports on its GI Bill Comparison Tool that it has received student complaints about ECPI in the past 24 months. Additionally, Veterans Education Success has received multiple complaints from military-connected students at ECPI. Their complaints discuss issues with transfer of credits, quality of education, cost, and more. We urge NACIQI to determine whether SACSCOC has received other similar complaints against ECPI or any other accredited school and what action SACSCOC took based on those complaints.

Additionally, SACSCOC accredits Keiser University and Everglades University, both operated by Everglades Colleges Inc. In 2012, Keiser University entered into an Assurance of Voluntary Compliance with the Florida Attorney General after an investigation under the state’s Deceptive

¹ Virginia Department of Veterans Services Press Release, “Medical Careers Institute (MCI – School of Health Science of ECPI University, Virginia Beach Campus, Withdrawn from Offering Education and Training to Veterans and their Dependents,” Dec. 7, 2015, available at <https://www.dvs.virginia.gov/news-room/education-employment-news/medical-careers-institute-va-beach-approval-withdrawn>.

² *Id.*

³ *Id.*

and Unfair Trade Practices Act.⁴ In addition, in 2015, Keiser University settled with the U.S. Justice Department for alleged violations of the False Claims Act.⁵ The VA reports on its GI Bill Comparison Tool that it has received complaints from students at Keiser in the past 24 months, as has our organization, and we encourage NACIQI to inquire of SACSCOC about its oversight and handling of student complaints.

Furthermore, as the attached documents obtained through a Freedom of Information Act request indicate, in its review of transactions involving Everglade College, Inc., Everglade University and Keiser University, the SACSCOC process flagged a number of important concerns prior to extension of accreditation. These included questions about the independence of non-profit entities from the for-profit, due to overlapping boards and the ambiguous structure of the debt owed by the former to the latter. The documents raised additional concerns regarding inadequate faculty qualifications and potential conflicts of interest.

Given the Department's refusal to provide transparency in real time, we believe that the renewal of SACSCOC's recognition requires an assessment of whether or how it resolved these issues prior to reaffirmation of accreditation.

We encourage the Department to confirm that all accreditors are truly enforcing their standards and that those standards are sufficiently rigorous and comport with all statutory criteria and due-diligence requirements. Mere compliance audits are not enough to ensure students are receiving an education worthy of the accreditors' and the Department's approval.

Sincerely,

A handwritten signature in black ink, appearing to read 'Barmak Nassirian', with a stylized, cursive script.

Barmak Nassirian
Vice President for Higher Education Policy

⁴ *In the Investigation of Keiser University, et. al.*, Case No. L10-3-1201, Assurance of Voluntary Compliance, available at [http://www.myfloridalegal.com/EC_Edoc.nsf/0/201D1CE8AAC438B785257AA7006B7986/\\$file/Keiser+University.pdf](http://www.myfloridalegal.com/EC_Edoc.nsf/0/201D1CE8AAC438B785257AA7006B7986/$file/Keiser+University.pdf).

⁵ *U.S. v. Everglades College, Inc. d/b/a Keiser University*, Case. No. 12-60185 (S.D. Fla 2015), available at <https://www.republicreport.org/wp-content/uploads/2015/05/everglades1.pdf>.