



January 9, 2023

George O'Connor, Assistant Commissioner for Academic & Veterans Affairs
Department of Higher Education
Commonwealth of Massachusetts
Via email

Joseph L. Garcia, Executive Director
Education Service
Veteran Benefits Administration
Via email

Re: Bay State College

Dear Mr. O'Connor and Mr. Garcia,

I am writing to bring to your attention the new information that the US Department of Education has placed Bay State College on Heightened Cash Monitoring (HCM) II status with stated reason as "Administrative Capability."¹ This is in addition to the information we provided to the Department of Veterans Affairs and the Massachusetts State Approving Agency (MASAA) by letter² dated [November 21, 2022](#) requesting a risk-based survey of Bay State College, wherein we outlined that Bay State College is on probation with its accreditor, had entered into a settlement with the Massachusetts Attorney General, and pointed to the recent media reports that, amid claims of fraud against the school, the Massachusetts Attorney General is once again looking into Bay State College practices.³ This information also is in addition to the media report⁴ that I forwarded to Mr. O'Connor on December 13, 2022 describing Bay State College's [layoffs of key staffers](#).

If the risk-based survey of Bay State College has not yet been completed, we strongly urge the VA and MASAA to conduct a risk-based survey and act with all necessary haste to protect student veterans and their hard-earned GI Bill benefits. Indeed, with these recent actions by the Department of Education and the Massachusetts Attorney General, it would seem prudent to immediately disapprove new enrollments at Bay State College and to alert current student veterans and beneficiaries about their options.

¹ Federal Student Aid Heightened Cash Monitoring, "Institutions on HCM by quarter", December 1, 2022
<https://studentaid.gov/data-center/school/hcm> (last accessed 1/6/22)

² Veterans Education Success November 21, 2022 letter located at
<https://vetsedsuccess.org/letter-to-va-regarding-bay-state-college/>

³ Kirk Carapezza, *Following Claims of Fraud, Mass. Attorney General Gathers Information About Bay State College*, GBH News (Oct. 26, 2022)
<https://www.wgbh.org/news/education/2022/10/26/following-claims-of-fraud-mass-attorney-general-gathers-information-about-bay-state-college> (last accessed 11/18/22)

⁴ Benjamin Kail, *Bay State College, Already on Probation over Financial and Staffing Concerns, Lays Off Key Positions*, Boston Business Journal (Dec. 6 2022)
<https://www.bizjournals.com/boston/news/2022/12/06/bay-state-college-layoffs.html>

We appreciate that the Veteran Benefits Administration has updated the GI Bill Comparison Tool to include a cautionary flag for the settlement with the Massachusetts Attorney General, and I expect that the Comparison Tool will be updated shortly to also include a cautionary flag for the HCMII status.

Sincerely,

A handwritten signature in black ink that reads "Della M. Justice". The signature is written in a cursive style with a large, stylized 'D' and 'J'.

Della M. Justice
Vice President for Legal Affairs