



February 28, 2023

William Clarke, Veterans Program Manager
Bureau of Veterans Education
New York State Division of Veterans' Services
Via email

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

Re: ASA College

Dear Director Garcia and Mr. Clarke,

When ASA College's accreditation was withdrawn we sent a [letter](#) on November 21, 2022, urging the Department of Veterans Affairs and New York Bureau of Veterans Education (SAA) to take action to protect student veterans attending ASA College and to conduct a risk-based survey. We appreciated the prompt response from the SAA explaining it was aware of the situation and had directed the school to not enroll any new student veterans and to submit teach-out plans for student veterans.

There is important new information and we are concerned that student veterans at ASA College may not be receiving accurate information about all of their options, including the opportunity for GI Bill restoration.

New information posted by MSCHE in a [public log](#) regarding ASA College¹ indicates that the school closed on February 24 without an approved teach-out plan and that students may not be receiving complete and accurate information as they make their decisions.² MSCHE documents that ASA College failed to provide sufficient evidence of "communications with all constituents about plans for closure;" "financial aid counseling provided to students;" and "appropriate information and public disclosures posted at ASA College websites,"³ as well as other matters.

¹ Middle States Commission on Higher Education (MSCHE), ASA College Accreditation Actions <https://www.msche.org/institution/0837/> referenced February 28, 2023.

² See *also* Letter from New York Legal Assistance Group to US Department of Education, Re: Urgent Help for ASA College Students Following Loss of Accreditation (Dec. 2, 2022), at 3 ("Urgent Need for Information on Closed School Discharge and Teach Outs...we have heard numerous complaints from students about the teach outs, including that the schools are pressuring students to enroll quickie and that they will not confirm whether any ASA credits will transfer until the students actually enroll.") <https://www.republicreport.org/wp-content/uploads/2022/12/2022.12.02-ASA-Letter-to-USED.pdf>

³ MSCHE, ASA College Accreditation Actions, February 10, 2023. <https://www.msche.org/institution/0837/>

In the MSCHE [FAQs](#) related to ASA College, MSCHE notes it has reached out to the SAA to learn if there are additional resources available to student veterans.⁴ We urge the Education Service and the SAA to make sure student veterans understand all of their options, including their opportunity for GI Bill restoration. Student veterans should not be rushed into transferring to a low quality school.

To this point, the GI Bill Restoration [webpage](#) continues to provide incorrect information to student veterans.⁵ It incorrectly states that students must transfer to another school to learn how much of their GI Bill may be restored, notwithstanding the Vets Credit Act signed into law on December 22, 2022⁶ which clarifies that veterans do not need to first transfer to a school to learn how much of their GI Bill will be restored. As Congressman Vern Buchanan recently [wrote](#) to VA, the GI Bill website must be updated to reflect the recently-changed statute. The [form](#) for applying for restoration also incorrectly states that student veterans must apply on or before September 30, 2023.⁷

The GI Bill Comparison Tool [entry](#) for ASA College also still does not have a banner alerting prospective students that the SAA directed the school to not enroll any new veterans.⁸ [Media reports](#)⁹ suggest the school may have continued to enroll new students notwithstanding its loss of accreditation and apparent impending closure. Prospective students deserve to know when an approving agency has taken action against a school, especially when the SAA has directed the school to not enroll any new students. We urge the Education Service to assure going forward that the GI Bill Comparison tool information for schools directed to cease enrollment includes a banner notifying veterans that the school is no longer permitted to enroll new student veterans.

Respectfully,

Della M. Justice

Della M. Justice
Vice President for Legal Affairs

cc: NASAA

⁴ MSCHE, Institutions, ASA College Frequently Asked Questions, <https://www.msche.org/institutions/asa-college-frequently-asked-questions-faq/>

⁵ US Department of Veterans Affairs, Veteran Benefits Administration, Education and Training webpage, *Restoration of Benefits After School Closure or if a School is Disapproved for GI Bill Benefits* <https://www.benefits.va.gov/GIBILL/Restoration.asp>

⁶ Veterans Eligible to Transfer School (VETS) Credit Act, Public L. 117-297, 136 Stat.4375 (2022) <https://www.congress.gov/bill/117th-congress/house-bill/6604/text>

⁷ Education Benefit Entitlement Restoration Request Due to School Closure or Withdrawal form, <https://www.vba.va.gov/pubs/forms/VBA-22-0989-ARE.pdf> available at <https://www.benefits.va.gov/GIBILL/Restoration.asp>

⁸ GI Bill Comparison Tool, <https://www.va.gov/education/gi-bill-comparison-tool/institution/24907432>

⁹ David Halperin, *Facing Collapse, For-Profit ASA College Makes Troubling Moves*, Republic Report (Dec. 13, 2022, updated January and February 2023) <https://www.republicreport.org/2022/facing-collapse-for-profit-asa-college-makes-troubling-moves/>