

Veterans Education Success
Oral Testimony
Regarding the Council on Occupational Education (COE)'s Oversight of Florida Career College
National Advisory Committee on Institutional Quality and Integrity
U.S. Department of Education
Wednesday, February 28, 2024

The history involving Florida Career College (FCC) tells a story of failed oversight by COE, and of COE by the Office of Postsecondary Education.

COE was aware of serious allegations at FCC. As early as 2020, former students sued FCC, alleging false and misleading statements in recruiting and enrollment. A 2020 report by David Halperin at *Republic Report* documented evidence of false and misleading enrollment practices.

In 2021, the Senior Department Official required COE to come into compliance with its obligations to meaningfully enforce its accreditation standards with respect to complaints of fraud and criminal activity at FCC.¹

In 2022, FSA placed FCC on HCM2 status “based on serious issues regarding student eligibility and misrepresentations to students.”²

We³ raised concerns to the Department that COE had allowed FCC to enjoy the *non*-violation status of “Apparent Deficiency” for years. We urged the Department to require COE to provide the evidence reviewed to determine if FCC misrepresented its job placement rates and whether FCC violated COE’s standards prohibiting a school from acting in an unethical or untruthful manner.

In 2023, FSA denied FCC’s recertification for Title IV eligibility, citing substantial evidence that FCC violated ability-to-benefit regulations. The Department also found evidence of falsification of attendance records and misrepresentations about job placement rates made to its accreditor.⁴

Even then, COE did not elevate FCC to a violation status. It appears FCC held “Apparent Deficiency” status for almost four years, from May 2020 until January 2024, when FCC voluntarily withdrew from accreditation. This allowed the school to avoid compliance timelines,

¹ Letter from Jordan Matsudaira, Deputy Under Secretary, Department of Education, to Gary Puckett, Executive Director, Council on Occupational Education (Oct. 27, 2021), p. 1-2, available at <https://surveys.ope.ed.gov/erecognition/#/public-documents>.

² U.S. Department of Education Staff Report to the Senior Department Official on Recognition Compliance Issues (for Advisory Committee Meeting on Feb. 27, 2024), p. 10, available at <https://surveys.ope.ed.gov/erecognition/#/public-documents>.

³ Veterans Education Success, *Our Letter to the Department of Education on the Council on Occupational Education* (Dec. 12, 2022), <https://vetsedsuccess.org/our-letter-to-the-department-of-education-on-the-council-on-occupational-education/>.

⁴ Letter from Susan D. Crim, Director, Administrative Actions and Appeals Service Group, Department of Education, to Fardad Fateri, Chief Executive Officer, International Education Corporation (Apr. 11, 2023), p. 2, <https://www2.ed.gov/policy/gen/leg/foia/florida-career-college-denial-apr-2023.pdf>.

public notice of violations, and substantive change restrictions. FCC continued to recruit and expand, adding a new campus in 2022.⁵

The final staff report recommends renewing COE's recognition, stating that there are no issues or problems. There are clear problems with COE's oversight of FCC. NACIQI and the Department should be concerned about policies that would allow a school with apparent violations to remain in a *non-violation*, monitoring status for almost 4 years. Moreover, despite evidence that FCC engaged in extensive misconduct, including FSA's evidence, COE reported to Department staff that it had not found any violation of its standards.

We urge NACIQI and the Department not to accept COE's failed oversight, and instead demand to understand the reason for the failure so that appropriate measures can be put in place to make sure this does not happen again.

⁵ Database of Accredited Postsecondary Institutions and Programs, U.S. Department of Education, see e.g. entry for Florida Career College - Miami, available at <https://ope.ed.gov/dapip/#/institution-profile/109457> (last accessed Mar. 5, 2024).