The Honorable Miguel Cardona, Ed.D. Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20024

CC: The Honorable James Kvaal, Under Secretary, U.S. Department of Education Ben Miller, Deputy Under Secretary, U.S. Department of Education Juliana Rinz, Deputy Under Secretary, U.S. Department of Education Denise Carter, Principal Deputy Chief Operating Officer, Office of Federal Student Aid Bonnie Latreille, Ombudsman, Office of Federal Student Aid The Honorable Virginia Foxx, Chairwoman, House Committee on Education & the Workforce

The Honorable Robert C. "Bobby" Scott, Ranking Member, House Committee on Education & the Workforce

The Honorable Bernie Sanders, Chairman, Senate Committee on Health, Education, Labor, & Pensions

The Honorable Bill Cassidy, M.D., Ranking Member, Senate Committee on Health, Education, Labor, & Pensions

Jessica Cardichon, Special Assistant to the President, Domestic Policy Council Viviann Anguiano, Director of Education, Domestic Policy Council

Dear Secretary Cardona,

We write as 26 organizations representing students, consumers, veterans, faculty and staff, civil rights advocates, and researchers to encourage the Department of Education (the Department) to use its authority under the Higher Education Act to relieve the outstanding loan balances of defrauded borrowers who have waited years for the relief due them. This letter follows numerous direct requests by our and other organizations to the Office of Federal Student Aid dating to the first year of the Biden-Harris administration, as well as the meeting coalition representatives held with you on December 18, 2023. We are joined by 788 individual harmed borrowers.

We appreciate the actions the Department has taken so far to order debt cancellation for millions of defrauded people. To date, these actions have included:¹

- \$6.1 billion group discharge for 317,000 Art Institutes student borrowers (May 2024);
- \$37 million in borrower defense claim approvals for 1,200 University of Phoenix student borrowers (September 2023);
- \$72 million in borrower defense claim approvals for 2,300 Ashford University student borrowers (August 2023);
- \$130 million group discharge for 7,400 CollegeAmerica student borrowers (July 2023);

¹ "Borrower Defense Updates," U.S. Department of Education, Office of Federal Student Aid (accessed July 18, 2024), https://studentaid.gov/announcements-events/borrower-defense-update.

- \$1.6 billion in group discharges and borrower defense claim approvals for 82,200 Westwood student borrowers (July 2021, February 2022, and August 2022);
- Over \$4.4 billion in group discharges and borrower defense claim approvals for over 231,000 ITT Technical Institute student borrowers (June 2021, February 2022, and August 2022);
- Over \$5.8 billion in group discharges and borrower defense claim approvals for over 560,000 Corinthian Colleges, Inc. student borrowers (June 2022);
- \$240 million in group discharges and borrower defense claim approvals for 28,200 Marinello School of Beauty student borrowers (July 2021, and April 2022);
- \$71.7 million in borrower defense claim approvals for approximately 1,800 DeVry University borrowers (February 2022); and
- Over \$26 million in group discharges and borrower defense claim approvals for borrowers from other institutions that defrauded their students.

These announced discharges, along with other actions such as the settlement agreement in *Sweet v. Cardona*, demonstrate the Biden-Harris administration's commitment to addressing loan debts of student borrowers who were the victims of predatory, abusive, and wasteful institutions. However, recent reports have come to the attention of several of our organizations indicating that many borrowers have not seen the balances cleared from their accounts. These balances run the risk of negatively affecting borrowers' financial standing. As repayment resumes, individuals can also be pushed back into repayment for debts they should not otherwise owe.

In addition to our concern over delayed resolution for borrowers already part of announced discharges, many more defrauded borrowers await recognition. While we applaud the group discharge for Art Institutes borrowers, we are mindful that Education Management Corporation (EDMC)—the Art Institutes' parent company—operated other large brands under the same corporate leadership, governed by company-wide policies that resulted in the same types of deceptive and unfair practices identified at the Art Institutes. Yet these other brands were not part of the May 2024 announced group discharge. According to reporting by *Republic Report*:

EDMC's deceptive marketing and recruiting, and sky-high costs...have been documented over decades and extended to all the schools operated by the company — not only the Art Institutes, but also the now-shuttered Argosy University, Brown Mackie College, and Western State University College of Law, as well as South University, which is still operating under different owners.²

For example, as communicated by the Department in a February 2019 letter,³ Argosy–after spending many years under Heightened Cash Monitoring–failed to meet standards for fiduciary standard of conduct, financial responsibility, or administrative capability. A settlement with 10

² D. Halperin, "Biden Debt Relief For Ripped-Off Art Institutes Students Is A Big Step. More Is Needed," *Republic Report* (May 7, 2024), https://www.republicreport.org/2024/biden-debt-relief-for-ripped-off-art-institutes-students-is-a-big-step-more-is-needed/.

³ Letter from U.S. Department of Education to Dream Center Education Holdings, Re: Denial of Change of Ownership (February 27, 2019), *available at* https://www.republicreport.org/wp-content/uploads/2019/02/ED-ltr-to-Argosy-02-27-19.pdf.

state attorneys general⁴ (AGs) in early 2022 alleged Argosy "falsely marketed itself as a nonprofit institution and provided misleading information to students that prevented them from making sound financial decisions."⁵

The Department should immediately use its authority to relieve the balances of student borrowers who were victims of EDMC-operated brands beyond Art Institutes.

Further, the Department must swiftly do the same for borrowers who attended:

- Ashford University. As the Department noted in its August 2023 borrower defense announcement regarding Ashford University, the California Department of Justice brought a successful lawsuit against Ashford and its parent company, Zovio, Inc., which resulted in a multimillion-dollar judgment against both entities in March 2022. The evidence in that lawsuit revealed substantial, pervasive misconduct over the period from March 2009 through April 2020. Discharges for Ashford loans should be extended to all Ashford borrowers who attended during the misconduct period, not just a select group of those who have already applied for borrower defense.
- Schools operated by Perdoceo (formerly Career Education Corporation). In 2019, CEC and its subsidiaries entered into a nearly \$500 million settlement with state attorneys general "over allegations that the company engaged in widespread deceptive practices against students" and paid \$30 million to settle Federal Trade Commission charges related to deceptive recruitment practices of third-party lead generators.⁷
- Florida Career College and UEI College. In 2023, the Department revoked the participation of Florida Career College (FCC) in the Title IV student aid program based on FCC's fraud relating to "ability to benefit" testing. Lawsuits and reporting have revealed other abuses by FCC, including gross misrepresentations to prospective students and predatory racial targeting. In early 2024, the Department reached a settlement with FCC's parent company, International Education Corporation (IEC), which required the removal of the company's CEO and CFO. In IEC also owns and operates UEI College, which has been investigated by the Department for abuses similar to FCC's.

⁴ In the Matter of Argosy University Institutional Debt, Assurance of Voluntary Compliance / Assurance of Discontinuance, Office of Attorney General, Virginia, https://www.oag.state.va.us/files/MIYARES2022/ASSURANCEFINAL.pdf.

⁵ N. Schwartz, "Settlement Secures \$2.1M in Student Debt Relief for Former Argosy Students," *Higher Ed Dive* (March 1, 2022), https://www.highereddive.com/news/settlement-secures-21m-in-student-debt-relief-for-former-argosy-students/619639/.

⁶ Press Release, Biden-Harris Administration Approves \$72 Million in Borrower Defense Discharges for Over 2,300 Borrowers who Attended Ashford University (Aug. 30, 2023), https://www.ed.gov/news/press-releases/biden-harris-administration-approves-72-million-borrower-defense-discharges-over-2300-borrowers-who-attended-ashford-university.

⁷ D. Halperin, "Data Shows U.S. Aid to Perdoceo Schools Hurts Students and Taxpayers." *Republic Report* (April 27, 2023), https://www.republicreport.org/2023/data-shows-u-s-aid-to-perdoceo-schools-hurts-students-and-taxpayers/.

⁸ U.S. Dep't of Educ., Federal Student Aid, "Important Information for Students Attending Florida Career College" (accessed July 31, 2024), https://studentaid.gov/announcements-events/florida-career-college.

⁹ D. Halperin, "Florida Career College Works to Silence Former Employees," *Republic Report* (June 11, 2020), https://www.republicreport.org/2020/florida-career-college-works-to-silence-former-employees/.

¹⁰ Settlement Agreement, available at https://www2.ed.gov/policy/gen/leg/foia/final-settlement-agreement-IEC.pdf.

- Kaplan Career Institute, Kaplan Colleges, and Kaplan University. Before the Kaplan schools' parent company, Graham Holdings, sold the brands in 2015 and 2017, 11 these schools had an extensive track record of misconduct, including settlements with the AGs of Massachusetts and Florida regarding misleading practices and a False Claims Act case by the Department of Justice. 12 In 2022, the Department granted a group borrower defense application from the Massachusetts AG to discharge loans of certain Kaplan borrowers.
- Vatterott College. In 2018, Vatterott closed campuses in cities across the country without adequately notifying students and following a period of poor finances, as determined by the Department. Vatterott's holdings included the culinary school L'Ecole Culinaire in Kansas City and St. Louis. 13
- Education Corporation of America-owned schools, including Brightwood and Virginia College. ECA's schools lost accreditation in 2018 and then abruptly shut down, leaving students without a teach-out plan—eventually resulting in a \$28 million judgment.¹⁴
- Other institutions known to have committed systematic fraud against their students and Title IV programs.

These discharges should be executed alongside the Department's ongoing need to discharge the claims of borrowers covered by the *Sweet v. Cardona* settlement, as well as borrowers who have received notification that their loans will be discharged but have yet to have their balances cleared.

We recognize the myriad challenges confronting the Department, including the end of the onramp period and the looming risk of default facing millions of borrowers, and we continue to advocate for Congress to allocate more resources for the Department to fulfill its critical work. However, we—along with many other advocates—strongly urge the Department to leverage its group discharge authority to bring long-overdue justice to defrauded borrowers who deserve relief from undeserved and harmful bad debts.

Thank you for your leadership and commitment to students and borrowers. We would welcome the opportunity to discuss the requested actions above. Please contact Dr. Kyle Southern of The Institute for College Access & Success at ksouthern@ticas.org and Rebecca Ellis of the Project on Predatory Student Lending at rellis@ppsl.org for any scheduling or with any questions.

¹¹ Kaplan Career Institute and Kaplan College were sold to Education Corporation of America, which converted the schools into Brightwood College (addressed separately in the text). Kaplan University was sold to Purdue University to create the online Purdue University Global. *See* D. Halperin, "Debt Relief for Defrauded Students Is Long Overdue – And So Is Accountability for Kaplan," *Republic Report* (Apr. 26, 2022), https://www.republicreport.org/2022/debt-relief-for-defrauded-students-is-long-overdue-and-so-is-accountability-for-kaplan/.

¹² D. Halperin, "Law Enforcement Investigations and Actions Regarding For-Profit Colleges," *Republic Report* (last updated July 30, 2024), https://www.republicreport.org/2014/law-enforcement-for-profit-colleges/.

¹³ M. Koch, "Vatterott College Closing Down Nationwide, including Kansas City Campus." *FOX 4 KC* (Dec. 17, 2018), https://fox4kc.com/news/vatterott-college-closing-down-nationwide-including-kansas-city-campus/.

¹⁴ L. Spitalniak, "Shuttered for-profit college firm to pay \$28M settlement over closures," *Higher Ed Dive* (Mar. 13, 2023), https://www.highereddive.com/news/Education-Corporation-of-America-to-pay-28m-in-settlement/644857/.

Sincerely,

Organizations:

AFT, AFL-CIO

Center for American Progress

Community Legal Aid SoCal

Community Service Society of New York

Consumer Action

David Halperin, Attorney

Debt Collective

EdTrust

Housing and Economic Rights Advocates

Indiana Legal Services, Inc.

Legal Aid Foundation of Los Angeles

National Alliance on Student Loan Debt

National Consumer Law Center (on behalf of its low-income clients)

National Education Association

New America Higher Education Program

New York Legal Assistance Group

Northwest Justice Project

Pine Tree Legal Assistance

Project on Predatory Student Lending

Public Counsel

Student Borrower Protection Center

Student Debt Crisis Center

The Century Foundation Higher Education Team

The Institute for College Access & Success

UnidosUS

Veterans Education Success

Young Invincibles

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Afiya Yabuku, Argosy University Atlanta

Alejandro Diaz, Argosy University

Alexis Dosal, Argosy University Tampa

Alicia Aldrich, Argosy University

Alinda Lord, Argosy University

Alissa Beaird, Argosy University

Allissa Gabbert, Argosy University

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Nicholas C. Lambert, The Art Institute of Washington

Sanders Fabares, The Art Institutes of California San Diego

Thomas J. Lambert, The Art Institute of Washington

Thomas M. Lambert, The Art Institute of Washington and Westwood

Tina Schindle, New England Institute of Art

Valerie Luxon, EDMC

William Mangum, The Art Institute of Charlotte

Yolanda Martinez, The Art Institutes of California Los Angeles

Brooks Institute and Brooks Institute of Photography, operated by Perdoceo (formerly Career Education Corporation)

Alicia Gertz, Brooks Institute

Andrew Bruner, Brooks Institute

Anna Cook, Brooks Institute

Ashley Pizzuti, Brooks Institute

Blake Estes, Brooks Institute

Brianne Braun, Brooks Institute

Brittany Ferrer, Brooks Institute

Carrie Vonderhaar, Brooks Institute of Photography

Chad Elder, Brooks Institute

Christine A. Gaussoin (parent), Brooks Institute

Christopher Burrows, Brooks Institute

Connor Whelan, Brooks Institute of Photography

Courtney Dunn, Brooks Institute of Photography

Demi Leonard, Brooks Institute

Elizabeth Pratt, Brooks Institute

Eric Maas, Brooks Institute

Eric Maas, Brooks Institute

Eva Sanchez, Brooks Institute

Evan Temchin, Brooks Institute of Photography

Gerald Montefu, Brooks Institute

Gretchen Niedermaier, Brooks Institute

Ishmal Barrera, Brooks Institute

Jaclyn Hubbard, Brooks Institute

Jacqualyn Reed, Brooks Institute of Photography

James Avery, Brooks Institute

James Benedict, Brooks Institute

James McLean, Brooks Institute of Photography

Jessica Herrera, Brooks Institute of Photography

Jessica Penadelgadi, Brooks Institute

Kathy Tackett, Brooks Institute

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Mary C. Mehan, Brooks Institute of Photography

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Olivia Jackson, Brooks Institute

Renae Farris, Brooks Institute of Photography

Rylee Handwerker, Brooks Borrower

Sara Grise, Brooks Institute

Sara MacFarlane, Brooks Institute of Photography

Sarah Wright, Brooks Institute of Photography

Shirleykay, Brooks Institute

Stephen Clements, Brooks Institute

Summer, Brooks Institute of Photography

Yvonne Callan, Brooks Institute

International Academy of Design and Technology, owned by Career Education Corporation

Dianna Rivera, International Academy of Design & Technology/Sanford-Brown College Miroslav Zugovic, International Academy of Design and Technology

American InterContinental University, operated by Perdoceo (formerly Career Education Corporation)

Kaila Thomas, American InterContinental University

Kaplan Career Institute, Kaplan Colleges, and Kaplan University

Leah Gibson-Wente, Kaplan

Lisa Harle, Kaplan University

Mary Tate, Kaplan University (Purdue Global)

Melissa McIntosh, Kaplan College

Michele E. Adams, Kaplan University

Michele Wickson (Adams), Kaplan

Nathan Kingsbury, Kaplan University

Preston Ellison, Kaplan University (Purdue Global)

Raquel Lee, Kaplan University

Sara Sampson, Kaplan

Sebrina Parker, Kaplan

Stacey Cook, Purdue University Global

Tanya Clarke, Kaplan University

Teann Hawkins, Kaplan

Theresa Royal-Hoffman, Kaplan University

Tia Lawson, Kaplan

Tina Gerlich, Kaplan

Tonya Eason, Kaplan

Vanessa Grinnell, Kaplan

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Aaron Bernier

Abby Aken

Abby Rimestad

Aimee Peterson

Aletta Joy Rucker

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Alicia Dotson

Alicia Patterson

Alise Novak

Alise Novak

Allison Christopher

Allison Krukewitt

Allison Shepard

Alycia Gogoel

Alysia Sierra

Alyssa Keniston

Amanda Elias

Amanda Haight

Amanda Ivey

Amanda McCalip

Amanda McCaw

Amanda Priebe

Amanda Priebe

Amanda Tighe Anderson

Amber Celia Ronquillo

Amber Riley

Ami Schneider

Ana Cruz

Anastacia Nichols

Andrea Stawarski

Andrew Pomarantz

Angela

Angela Fisher

Angela Zinzer, PsyD

Angelique Pharr

Ani Gisnarian

Anna Jasiewicz

Anna Wendt

April VanSleet

Ardenna Downing

Areta Wasiunec

Ariel Nickie Davies

Asal Azizi

Ashley Azcarraga

Ashley Carlson

Ashley Gooden

Ashley Howard

Ashley Michalski

Audrie Reilly, PsyD

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Autumn Soliz

Avilio Vieira

Aynsley Babinski

Barbara Alethea

Becca Rademaker

Bethany Stolken

Bianca Vigil

Bonni Snider

Brandon A Gage

Brandon Kuhn

Brandy Tristao

Bria Dunkin

Bridgette Bartel

Brittany Clark

Brittany Lockley

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Brooke McCurry

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Candice L. Bartosh

Cara Dehghan

Cara Nixon

Carissa Dee Queen

Carly Alexander

Carly Delgadillo

Carnisha Jobe

Carrie Ann Gray

Casandra McDonald

Cassandra Wilson

Cassianna McCants

Cecelia A. Bushery

Celeste Revuelt

Charmina Franklin

Chelsea Hollins

Chris Homer

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Christina Hinton

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Christina Marrero

Christina R Mannion

Christopher G Craig

Christopher Weaver

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Courtney Kuzenski

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Courtney Moore

Courtney Morris

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Jason Herr

Jason J. Karafa

Jaymie Krueger

Jeannette Goldsberry

Jeffrey Rochon

Jennifer Barry

Jennifer Bibby

Jennifer Howland, PsyD

Jennifer Lynn Calderone

Jennifer Lynn Smith

Jennifer Swegle

Jessica Betzel

Jessica Blanchette

Jessica Cavuoto

Jessica E Plonka, PsyD

Jessica M. Swenson

Jessica Magana

Jessica Wynn

Jessie Stepper

Joanie Merrill

Jocelyn Soderstrom

Jodi L Tichi

JoHanna M Hill (nee White)

Jordan Scott

Joseph Assouline, PsyD

Joy Zelikovsky

Julie Ann Perrott

Julie peters

Julie Price

Juliette Ratzken

Karen Rosian

Karissa Fogarty

Karla Swedo

Karmen Clay

Katherine Cody, PsyD

Katherine Keeler

Katherine Kelling

Katherine Studt

Kathryn Conticelli

Katie Chisholm Siwek

Katie Holter

Katie L. McCune

Katie Salyer Szostak

Kayla Dockins née Schultz

Keli M Brothers

Kelleigh Head

Kelly Parsons

Kendra Henderson

Kendra Satterwhite

Kendra Woodworth

Kerri Kemp

Kevin Kelly

Kevin Kelly

Kevin Pietila

Kiah Staloch

Kimberly Hofmann

Kimberly LaCivita

Kimberly O'Neill

Koren Ganas

Krista D'Ateno

Krista Hopkins

Kristen Horn

Kristin Davisson PsyD

Kristin Williams-Washington

Kristine Gazlay

Kristol Ahn Jones

Kristy (Fosselman) Rohrman

Kryshawn Baity

Krystle Carpenter, LMHC

Lacee Cross

LaKeyetta Reed

LaMont Hail

Latasha Matthews

Latoya Gassaway-White

Laura Braley

Laura Clark

Laura J Steinke-Simms

Laura Kelley

Laura Mergenthaler

Laura Strong

Laurel Dunn, PsyD

Lauren Bartholomew

Lauren Beresford

Lauren Hoffman

Lauren Ives

Lauren Nichols

Laurie Krauss

Lea LaPointe

Lea Medriano Thomas

Leah Krusich

Leah Wabschall, PsyD

Lesley Cook

Lesley Foster

Leslie Riley

Lindsay Eatman

Lindsay Good (Wyatt)

Lindsay Holbein

Lindsay King

Lindsey Bowman

Lindsey Traudt

Lisa Febbraro

Lisa Naab

Lizbeth Diaz Yabuku

Lona Praytor

Lucia Lopez

M. Nazari

Madison Huebner

Manal Ahmad

Mandy Martinez Gebler

Maree C. Kennon

Margie Ceja

Maria Duran

Maria Khayari

Marie Cook

Marisa Penn

Marla

Marta M. Guzman Cotto

Martha Rose

Mary Ann Peno

Mary C. Essex

Mary J Ludwig

Mary Joy F. Orias

Mary Schindler

Mary Tagle

Matthew L. Mitchell

Matthew Murray

Meagan Miller

Megan Ashley Carter

Megan Dale

Megan Oudekerk

Megan Padilla

Melanie Hansen

Melanie Samayoa

Melissa Delgado

Melissa Geraghty, Psy.D.

Melissa Lowrie

Melissa M. Gonzalez

Melissa Martin

Melody F.

Micah J Price

Michael Francis

Michael Mannarino

Michele Elizabeth Adams

Michele N Gunter

Michelle Casteel

Michelle Springfield

Minda Louise Chandler

Miriam Fishman

Molly

Molly Deslandes

Molly Gregan

Monica R Davis

Moriah O'Barr

Naomi Mitchell, Capella University

Natalie Crabb

Natasha Begich

Nathan Vojtech

Nerak Dickerson

Nicholas McInally

Nicole D

Nicole Pleuger

Nicole Wiggins (Powers)

Nikki Christopher

Nikki Strain

Nozanin Yusufbekova, PsyD

Omar Reyes

Patrice H.

Patricia Kathleen Murray

Patricia Pruitt

Patrick Frawley

Phillip Mele

Phyllis Mutter

Princess Drake

Rachael Britton

Rachal Harman-Rodriquez

Rachel Bailey

Rachel Rinehart

Raena R. Baptiste

Raffael Boccamazzo

Ramona E. Jackson-James

Raymond Hart

Rebecca Bice

Rebecca J Grubb

Rebecca Pastrana

Rechel Eads

Renae Borowski

Robert P. Beck

Robin Annis

Ron Grace

Ronald Ostorero

Ronna Michelle Brock-Eagle

Rozanna Pondeva

Ryan Cuddy

Ryan Marcum

Ryan Santo

Ryan Schluter

Sadie Waterford

Sally Nazari

Sam Ferber

Samantha Brustad

Samantha Curren

Samantha Gehr

Samuel Greenberg

Samuel Set Hanon

Sandra Alas

Sara Zryl

Sarah Alethea

Sarah Ashcraft

Sarah DeWitt

Sarah K. Gardner

Sarah Norbeck

Sarah Rogers, PsyD

Sarah Swasey

Sarah V Schaffer

Sasha Hernandez

Sasha Lioce

Savannah Edwards

Scott Fay

Scott Wintermute

Sean Smith

Sebrina Parker

Secretary Cardona

Shaleta Thorbs

Shana Marie Kelly

Shannon Calvert Osuchowski

Shannon Caramiello

Shannon Hendrickson

Shannon Quinn

Shannon R Wright

Shari Cain

Sharnece Thomas

Sharon Black

Shawn Kowalsky

Shawnee James

Shelby Mailho

Shelly Bogard

Sheri OBrien

Sherry Scott

Sofia Graham

Sonia Shuaibi

Stacey Berry

Stacy Ellis

Stephanie Elmore

Stephanie Elmore

Stephanie Hajduk

Stephanie Lynn Parnell

Stephanie Mendez

Summer Sanders

Susan Gill

Susan Gonzalez

Susan Levin

Susan Polinski-Barnes

Talia Cronk

Tania Ghazzara

Tanya Lynn Kindel

Tara C Wheeler

Teann Hawkins

Teresa Imholte

Thaddeus Reece, Psy.D.

Thaddious Echols

Theresa Fernandez

Thomas J Patterson

Thomas Judah

Tiffani Skyrm

Tiffany Armstrong

Tiffany Deignan

Tiffany Lupardus

Tiffiany (Jackson) Bowden

Toby Spiegel

Tou Khang

Tracy L Thomas

Tracy Walker

Travis Frank

Tricia Lee Jones

Troy D Chamberlain

Tyme Rodriguez

Valarie Scott

Valerie Scott

Victoria Daniels

Wendy Goetz

Whitney Cullen

William Hogan

Xanat Martinez

Yvette D. Kovner