United States Senate
WASHINGTON, DC 20510

October 18, 2018

Caryn L. Beck-Danley
President
Association to Advance Collegiate Schools of Business
777 South Harbour Island Boulevard, Suite 750
Tampa, FL 33602

Dear Ms. Beck-Danley:

We are writing to obtain information from you related to troubling reports that the U.S. Department of Education's ("Department's") justification of its recent decision to restore the federal recognition of the Accrediting Council of Independent Colleges and Schools ("ACICS") was based, in part, on misleading information regarding your organization.

Two years ago, the Department derecognized ACICS because of "pervasive compliance problems"[25] in the midst of controversy about ACICS's questionable oversight of several deeply flawed for-profit colleges, including Corinthian Colleges and FastTrain College. ACICS sued to block derecognition of their accrediting agency and, in April of this year, Secretary Betsy DeVos tentatively restored their recognition.[26] Last week, the Department's Senior Designated Official (SDO) recommended continuing ACICS's recognition, stating that ACICS met 19 out of 21 federal criteria, including the criteria that ACICS is "widely accepted" by the higher education community.[27] [28]

The SDO reported, that "ACICS provided letters of support from nine other accrediting agencies," – including your organization – and stated that "this support of ACICS as a peer …serves as important evidence of ACICS's wide acceptance." But Politico reported on October 4, 2018 that "most of these other nine accreditors… never submitted letters of support for ACICS."[29] The Department called this "an inadvertent error in the editing process,"[30] but has yet to provide any substantive evidence that ACICS meets this criteria.

It would be highly disturbing – and a disservice to your organization and its reputation– if the Department misrepresented your views on this important issue, and it is important that you be provided an opportunity to set the record straight.

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[28] The standard of being widely accepted by the higher education community is one of 19 standards that the Department said that ACICS has met. The criteria for federal recognition, as noted in 34 CFR 602.13, includes that the agency "must demonstrate that its standards, policies, procedures, and decisions to grant or deny accreditation are widely accepted in the United States by (a) Educators and educational institutions; and (b) Licensing bodies, practitioners, and employers in the professional or vocational fields for which the educational institutions or programs within the agency's jurisdiction prepare their students."

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We request that you provide any information and documentation regarding any formal or informal communication between your organization and the Department or ACICS related to this issue by October 25, 2018. We also request answers in writing to the following questions by October 25, 2018:

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4. Why do you believe the U.S. Department of Education referenced your organization as one of the nine accreditors that endorsed ACICS?

5. Do you endorse ACICS as a "widely accepted" accreditor? Why or why not?

Thank you for your attention to this matter. Please contact Faina Dookh of Senator Warren's staff (202-224-5189) should you have any questions.

Sincerely,

Elizabeth Warren
United States Senator

Richard Blumenthal
United States Senator

Sherrod Brown
United States Senator

Richard J. Durbin
United States Senator

United States Senate
WASHINGTON, DC 20510

October 18, 2018

India Y. Tips
Interim Executive Director
Accrediting Bureau of Health Education Schools
7777 Leesburg Pike, Suite 314
North Falls Church, VA 22043

Dear Ms. Tips:

We are writing to obtain information from you related to troubling reports that the U.S. Department of Education's ("Department's") justification of its recent decision to restore the federal recognition of the Accrediting Council of Independent Colleges and Schools ("ACICS") was based, in part, on misleading information regarding your organization.

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Sincerely,

Elizabeth Warren
United States Senator

Richard Blumenthal
United States Senator

Sherrod Brown
United States Senator

Richard J. Durbin
United States Senator

United States Senate
WASHINGTON, DC 20510

October 18, 2018

William V. Larkin
Executive Director
Accrediting Council for Continuing Education and Training
1722 N Street NW
Washington, D.C. 20036

Dear Mr. Larkin:

We are writing to obtain information from you related to troubling reports that the U.S. Department of Education's ("Department's") justification of its recent decision to restore the federal recognition of the Accrediting Council of Independent Colleges and Schools ("ACICS") was based, in part, on misleading information regarding your organization.

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Sincerely,

Elizabeth Warren
United States Senator

Richard Blumenthal
United States Senator

Sherrod Brown
United States Senator

Richard J. Durbin
United States Senator

United States Senate
WASHINGTON, DC 20510

October 18, 2018

Richard Winn
President
Accrediting Commission for Community and Junior Colleges
10 Commercial Boulevard, Suite 204
Novato, CA 94949

Dear Mr. Winn:

We are writing to obtain information from you related to troubling reports that the U.S. Department of Education's ("Department's") justification of its recent decision to restore the federal recognition of the Accrediting Council of Independent Colleges and Schools ("ACICS") was based, in part, on misleading information regarding your organization.

Two years ago, the Department derecognized ACICS because of "pervasive compliance problems"[49] in the midst of controversy about ACICS's questionable oversight of several deeply flawed for-profit colleges, including Corinthian Colleges and FastTrain College. ACICS sued to block derecognition of their accrediting agency and, in April of this year, Secretary Betsy DeVos tentatively restored their recognition.[50] Last week, the Department's Senior Designated Official (SDO) recommended continuing ACICS's recognition, stating that ACICS met 19 out of 21 federal criteria, including the criteria that ACICS is "widely accepted" by the higher education community.[51] [52]

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Sincerely,

Elizabeth Warren
United States Senator

Richard Blumenthal
United States Senator

Sherrod Brown
United States Senator

Richard J. Durbin
United States Senator

United States Senate

WASHINGTON, DC 20510

October 18, 2018

Leah Matthews
Executive Director
Distance Education Accrediting Commission
1101 17th Street Street NW, Suite 808
Washington, D.C. 20036

Dear Ms. Matthews:

We are writing to obtain information from you related to troubling reports that the U.S. Department of Education's ("Department's") justification of its recent decision to restore the federal recognition of the Accrediting Council of Independent Colleges and Schools ("ACICS") was based, in part, on misleading information regarding your organization.

Two years ago, the Department derecognized ACICS because of "pervasive compliance problems"[7] in the midst of controversy about ACICS's questionable oversight of several deeply flawed for-profit colleges, including Corinthian Colleges and FastTrain College. ACICS sued to block derecognition of their accrediting agency and, in April of this year, Secretary Betsy DeVos tentatively restored their recognition.[8] Last week, the Department's Senior Designated Official (SDO) recommended continuing ACICS's recognition, stating that ACICS met 19 out of 21 federal criteria, including the criteria that ACICS is "widely accepted" by the higher education community.[9] [10]

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Elizabeth Warren
United States Senator

Richard Blumenthal
United States Senator

Sherrod Brown
United States Senator

Richard J. Durbin
United States Senator

United States Senate

WASHINGTON, DC 20510

October 18, 2018

Barbara Gellman-Danley
President
Higher Learning Commission
230 South LaSalle Street, Suite 7-500
Chicago, IL 60604

Dear Ms. Gellman-Danley:

We are writing to obtain information from you related to troubling reports that the U.S. Department of Education's ("Department's") justification of its recent decision to restore the federal recognition of the Accrediting Council of Independent Colleges and Schools ("ACICS") was based, in part, on misleading information regarding your organization.

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Elizabeth Warren
United States Senator

Richard Blumenthal
United States Senator

Sherrod Brown
United States Senator

Richard J. Durbin
United States Senator

United States Senate
WASHINGTON, DC 20510

October 18, 2018

Dr. Elizabeth Sibolski
President
Middle States Commission on Higher Education
3624 Market Street, 2nd Floor West
Philadelphia, PA 19104

Dear Ms. Sibolski:

We are writing to obtain information from you related to troubling reports that the U.S. Department of Education's ("Department's") justification of its recent decision to restore the federal recognition of the Accrediting Council of Independent Colleges and Schools ("ACICS") was based, in part, on misleading information regarding your organization.

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[46] The standard of being widely accepted by the higher education community is one of 19 standards that the Department said that ACICS has met. The criteria for federal recognition, as noted in 34 CFR 602.13, includes that the agency "must demonstrate that its standards, policies, procedures, and decisions to grant or deny accreditation are widely accepted in the United States by (a) Educators and educational institutions; and (b) Licensing bodies, practitioners, and employers in the professional or vocational fields for which the educational institutions or programs within the agency's jurisdiction prepare their students."

[47] Stratford, Michael. "Education Department overstated endorsements of for-profit college accreditor." *Politico Pro.* October 4, 2018. https://subscriber.politicopro.com/education/article/2018/10/education-department-overstated-endorsements-of-for-profit-college-accreditor-830646

[48] Inside Higher Ed, "Education Department Misstated Support for ACICS" October 8, 2018, https://www.insidehighered.com/quicktakes/2018/10/08/education-department-misstated-support-acics

We request that you provide any information and documentation regarding any formal or informal communication between your organization and the Department or ACICS related to this issue by October 25, 2018. We also request answers in writing to the following questions by October 25, 2018:

1. Has your organization, between 2016-2018, provided verbal or written statements to the U.S. Department of Education or directly to ACICS endorsing ACICS as an accepted accreditor within the higher education community? If so, please provide copies of any such letters.

2. Has your organization, between 2016-2018, had any other communications with the U.S. Department of Education or directly with ACICS soliciting your endorsement of ACICS?
   a. If yes, how did your organization respond?
   b. Please provide a description of the nature of these communications.
   c. Please provide copies of any and all such communications.

3. Has your organization provided verbal or written statements to the U.S. Department of Education disputing that you endorsed ACICS as an accepted accreditor within the higher education community? If so, please provide the statement.

4. Why do you believe the U.S. Department of Education referenced your organization as one of the nine accreditors that endorsed ACICS?

5. Do you endorse ACICS as a "widely accepted" accreditor? Why or why not?

Thank you for your attention to this matter. Please contact Faina Dookh of Senator Warren's staff (202-224-5189) should you have any questions.

Sincerely,

Elizabeth Warren
United States Senator

Richard Blumenthal
United States Senator

Sherrod Brown
United States Senator

Richard J. Durbin
United States Senator

United States Senate
WASHINGTON, DC 20510

October 18, 2018

Belle S. Wheelan, Pd. D.
President
Southern Association of Colleges and Schools
1866 Southern Lane
Decatur, CA 30033

Dear Ms. Wheelan:

We are writing to obtain information from you related to troubling reports that the U.S. Department of Education's ("Department's") justification of its recent decision to restore the federal recognition of the Accrediting Council of Independent Colleges and Schools ("ACICS") was based, in part, on misleading information regarding your organization.

Two years ago, the Department derecognized ACICS because of "pervasive compliance problems"[13] in the midst of controversy about ACICS's questionable oversight of several deeply flawed for-profit colleges, including Corinthian Colleges and FastTrain College. ACICS sued to block derecognition of their accrediting agency and, in April of this year, Secretary Betsy DeVos tentatively restored their recognition.[14] Last week, the Department's Senior Designated Official (SDO) recommended continuing ACICS's recognition, stating that ACICS met 19 out of 21 federal criteria, including the criteria that ACICS is "widely accepted" by the higher education community.[15] [16]

The SDO reported, that "ACICS provided letters of support from nine other accrediting agencies," – including your organization – and stated that "this support of ACICS as a peer …serves as important evidence of ACICS's wide acceptance." But Politico reported on October 4, 2018 that "most of these other nine accreditors… never submitted letters of support for ACICS."[17] The Department called this "an inadvertent error in the editing process,"[18] but has yet to provide any substantive evidence that ACICS meets this criteria.

It would be highly disturbing – and a disservice to your organization and its reputation– if the Department misrepresented your views on this important issue, and it is important that you be provided an opportunity to set the record straight.

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[13] Letter from former U.S. Department of Education Secretary John King to ACICS https://www2.ed.gov/documents/acics/final-acics-decision.pdf

[14] Letter from U.S. Department of Education Secretary Betsy DeVos to ACICS https://www2.ed.gov/documents/press-releases/acics-docketno-16-44-0.pdf

[15] Letter from Diane Auer Jones, Principal Deputy Under Secretary of Education, to ACICS, September 29, 2018 https://www.insidehighered.com/sites/default/server_files/media/SDO%20Response%20to%20ACICS%209.28.18.pdf

[16] The standard of being widely accepted by the higher education community is one of 19 standards that the Department said that ACICS has met. The criteria for federal recognition, as noted in 34 CFR 602.13, includes that the agency "must demonstrate that its standards, policies, procedures, and decisions to grant or deny accreditation are widely accepted in the United States by (a) Educators and educational institutions; and (b) Licensing bodies, practitioners, and employers in the professional or vocational fields for which the educational institutions or programs within the agency's jurisdiction prepare their students."

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Sincerely,

Elizabeth Warren
United States Senator

Richard Blumenthal
United States Senator

Sherrod Brown
United States Senator

Richard J. Durbin
United States Senator

United States Senate
WASHINGTON, DC 20510

October 18, 2018

Barry R. Groves
President
Western Association of Schools and Colleges
533 Airport Boulevard, Suite 200
Burlingame, CA 94010

Dear Mr. Groves:

We are writing to obtain information from you related to troubling reports that the U.S. Department of Education's ("Department's") justification of its recent decision to restore the federal recognition of the Accrediting Council of Independent Colleges and Schools ("ACICS") was based, in part, on misleading information regarding your organization.

Two years ago, the Department derecognized ACICS because of "pervasive compliance problems"[19] in the midst of controversy about ACICS's questionable oversight of several deeply flawed for-profit colleges, including Corinthian Colleges and FastTrain College. ACICS sued to block derecognition of their accrediting agency and, in April of this year, Secretary Betsy DeVos tentatively restored their recognition.[20] Last week, the Department's Senior Designated Official (SDO) recommended continuing ACICS's recognition, stating that ACICS met 19 out of 21 federal criteria, including the criteria that ACICS is "widely accepted" by the higher education community.[21] [22]

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