



DEPARTMENT OF VETERANS AFFAIRS
VA REGIONAL OFFICE
3333 North Central Avenue
Phoenix, AZ 85012-2458

AUGUST 3, 2017

LEANNA DEKING
PROGRAM DIRECTOR
ARIZONA STATE APPROVING AGENCY
3839 N 3RD ST SUITE 209
PHOENIX AZ 85012-2068

Dear Ms. DeKing:

The Department of Veteran Affairs (VA) is unable to accept the notice of approval submitted for programs at Ashford University, 2555 E. Camelback Rd., Suite 250, Phoenix, AZ, 85016, in its current form. As you know, the law requires VA and the State Approving Agencies to cooperate and exchange information pertaining to activities of educational institutions, with specific attention given to the enforcement of approval standards (38 U.S.C. § 3673(a)). The information submitted is insufficient for VA to determine statutory and regulatory compliance in the following areas:

1. 38 U.S.C. §3672(a) states VA education benefits are payable to individuals enrolled in a course of education offered by an educational institution.

The approval package did not include any evidence indicating recognition of the Phoenix, AZ, location as an educational institution offering a course of education. The school's 2016-2017 catalog supplement identifies Clinton, IA, and San Diego, CA, locations as campuses, but identifies the Phoenix, AZ, location as an Online Administrative Center.

The facility's licensor, Arizona State Board for Private Postsecondary Education, identifies Phoenix, AZ, as an Online Administrative and Student Services Center. Additionally, the licensor's approval does not contain a list of programs offered/approved at the facility. VA finds no evidence of instruction emanating from Phoenix, AZ, either in residence or independent study.

2. 38 C.F.R. §21.4253(d)(7) and (8) states the institution must possess adequate space, equipment, instructional material, and instructor personnel to provide training of good quality, and must demonstrate it employs directors, administrators, and instructors with adequate education and experience.

The 2016-2017 Academic Catalog and Supplement do not specifically address the Phoenix location. VA is unable to determine if this statutory requirement has been satisfied.

3. 38 C.F.R. §21.4250(a)(3) states courses offered by independent study may only be approved for VA benefit purposes by the State Approving Agency for the State where the institution's main campus is located.

Main campus is defined in 38 CFR §21.4266(a)(3) as the location where the primary teaching facilities of an education are located. The regulation goes on to state that "If it is unclear which of the institution's teaching facilities is primary, the main campus is the location of the primary office of its Chief Executive Officer." Presumably, the Chief Executive Officer's primary office is located at Ashford's Headquarters at 8620 Spectrum Center Blvd., San Diego, CA.

Additionally, both the Western Association of Schools and Colleges and the U.S. Department of Education recognize Ashford University's main campus as being in San Diego. While the school's 2016-2017 Academic Catalog and Supplement do not identify a main campus, it is stated on page 1 of the catalog that "With the growth of the online student population, the University's leadership decided to move its headquarters from Clinton, IA, to San Diego, CA, and to apply for accreditation with the Western Association of Schools and Colleges (WASC)." For these reasons, VA believes that the CA location to be the main campus for the purpose of approval of independent study.

Furthermore, no information was supplied indicating that the Phoenix, AZ, location meets the definition of a main campus.

If you have any additional information regarding the San Diego, CA, campus and the Phoenix, AZ, location that justifies a conclusion that the San Diego, CA, campus is not the "main campus," but rather, the Phoenix, AZ, location is the "main campus," please provide such information as soon as possible.

4. 38 CFR §21.4266 (c)(2) states the State Approving Agency may only approve courses offered at a branch campus or extension of an educational institution if the location has a certifying official on site.

The Designation of Certifying Officials (VA Form 22-8794) dated June 28, 2017, lists Conan Stanley, Stephanie Cowser, and Bobbye Stull as certifying officials for the Phoenix location. The Memorandum of Understanding (MOU) dated June 23, 2017, requests access to VA's Online Certification of Enrollment database (VA-ONCE) for Mr. Stanley and Ms. Cowser. These two individuals are currently designated as certifying officials for Clinton, IA, campus (facility 21000415). The designation form and MOU contain toll-free numbers only. VA finds no other evidence to verify there is a certifying official on site at the Arizona location.

5. 38 C.F.R. § 21.4253(d)(1) requires the institution to submit copies of its catalog or bulletin to the SAA.

The 2016-2017 Academic Catalog has an expiration date of June 30, 2017, which is prior to the SAA's approval effective date of July 10, 2017.

Please provide additional information to correct these deficiencies as soon as possible. Failure to comply with this request promptly may delay the updates to VA IT systems necessary for the submission of enrollment information and adjudication of education awards. Moreover, VA is required to conduct annual evaluations of SAA performance, 38 U.S.C. § 3674A(a)(1)(A). This review includes whether school approvals comply with the terms of the contract for reimbursement between VA and the SAA and with statutory and

regulatory standards. See 38 C.F.R. §§ 21.4152(b)(3), 21.4155. VA is currently without sufficient information to determine whether the AZ SAA is in compliance with the standards and provisions of law and the contract, which could reflect negatively in the annual evaluation of performance conducted pursuant to 38 C.F.R. § 21.4155.

If you have any questions, please contact your Education Liaison Representative at (602) 627-3227 or suzanne.swafford@va.gov.

Sincerely,

Suzanne Swafford

Suzanne Swafford
Education Liaison Representative