

United States Senate

WASHINGTON, DC 20510-1304

June 9, 2022

The Honorable Miguel Cardona
Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Secretary Cardona:

I write to request an update regarding my previous letter sent in April 2021 that urged you to work with Illinois Attorney General Kwame Raoul to provide prompt federal student loan debt relief to Illinois students who were defrauded by Westwood College.

The Department of Education (Department) recently took steps to provide long-overdue student loan debt relief to borrowers who were defrauded by the now-defunct for-profit colleges Corinthian Colleges and Marinello Schools of Beauty. The Department's group discharges of more than \$6 billion in relief for 588,000 borrowers were granted to borrowers regardless of whether they applied for borrower defense.

These were the first group discharges since 2017, when former Secretary Betsy DeVos irresponsibly stopped processing borrower defense applications and issued blanket denials to clear the backlog before leaving the Department. While I applaud the Department's actions to undo the harm caused by the Trump Administration and streamline access to debt relief that hundreds of thousands of borrowers are legally entitled to, I believe the Department also must provide group discharges for borrowers who attended Westwood College.

Westwood College engaged in systemic misconduct from 2002 through its 2015 closure. In 2012, former Illinois Attorney General Lisa Madigan filed a lawsuit against Westwood College for its practices in violation of the Illinois Consumer Fraud and Deceptive Business Practices Act. Former Attorney General Madigan found that Westwood used deceptive marketing to lure students into its criminal justice programs and misrepresented the costs, accreditation, and employment prospects for students, which disproportionately harmed students of color.

Upon graduation from Westwood, students believed they held a degree from a respected institution, but when they applied for roles at Illinois law enforcement agencies, they were told that the agencies did not recognize their degree. These students were left with thousands of dollars in student loans and without a job in their field. The lawsuit brought by Attorney General Madigan demonstrated the pervasively fraudulent actions of Westwood College that clearly give rise to a cause of action under Illinois Law. Therefore, Westwood criminal justice students from

Illinois qualify for loan relief under the borrower defense provision of the Higher Education Act.¹

I am glad that in July 2021, the Department discharged the loans of 1,600 former Illinois Westwood students who were enrolled in the criminal justice program. These discharges, however, were granted only to students who applied for borrower defense. Although the Department agreed with the findings of the Illinois Attorney General and concluded that Westwood deceived Illinois students who were enrolled in its criminal justice program, the Department still has not approved a group discharge claim for Westwood students.

In November 2016, Attorney General Madigan submitted a group discharge application to the Department and provided the underlying evidence. Current Attorney General Kwame Raoul resubmitted Illinois' claim in June 2019 and sent a letter urging the Department to provide group discharge for Westwood College students in May 2022. It is evident that Illinois students have waited far too long for relief. Decisive action by the Department would show a further commitment to provide targeted relief, similar to the relief provided to students of Corinthian Colleges and Marinello Schools of Beauty.

Thank you for your consideration. I look forward to your prompt response.

Sincerely,



Richard J. Durbin
United States Senator

cc: The Honorable Kwame Raoul, Illinois Attorney General

¹ 34 C.F.R. § 685.206