

# United States Senate

WASHINGTON, DC 20510

April 10, 2018

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

Dear Secretary DeVos:

We write to request the immediate release of Accrediting Council for Independent Colleges and Schools' (ACICS) documents being used to petition for recognition by the U.S. Department of Education ("Department") under the Order of the Secretary in Docket No. 16-44-0.

Publicly releasing the information submitted by ACICS in January 2016 in the Part II submission documents that you are now examining is essential to ensuring the Department's review process is appropriately transparent.

While the March 23, 2018 decision of the U.S. District Court for the District of Columbia found that the Department must review ACICS' Part II submission of documents, the court did not address the relevant policy and process questions now at stake. During ACICS' previous petition for recognition, thousands of pages of documents were made available by the Department for public inspection and comment.<sup>1</sup>

Additionally, earlier this year the Department tried to keep ACICS' application for renewal secret, which was later the subject of a Freedom of Information Act request, subsequent lawsuit, and court order overturning this unreasonable restriction. It is now incumbent upon the Department to voluntarily maintain transparency in the recognition process. Therefore, we request that you publicly release the Part II submission documents, which includes the 27-page narrative responding to each of the Department's questions regarding specific recognition criteria and approximately 36,000 additional pages of documentation filed by ACICS.

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<sup>1</sup> U.S. Department of Education, Accreditation and State Liaison. Accrediting Council for Independent Colleges and Schools: Part I Submission Documents (public access provided upon request). <https://opeweb.ed.gov/aslweb/>

Given the ongoing lack of confidence we have in your Department's oversight of colleges and accreditors and the shaken faith of students and taxpayers in the accreditation system—as well as ACICS' undisputed record of failure to carry out its responsibilities as a federally-recognized accrediting agency—transparency in this case is of utmost importance.

Please respond to this request by April 17, 2018. Thank you for your attention to this urgent matter.

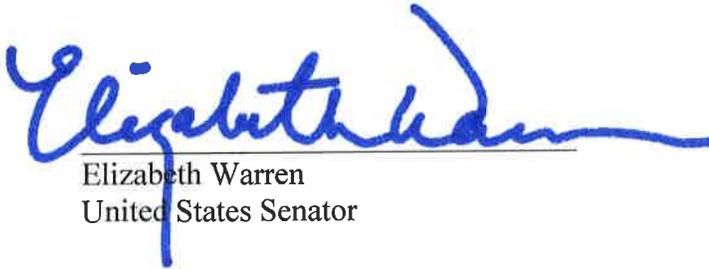
Sincerely,



Richard J. Durbin  
United States Senator



Sherrod Brown  
United States Senator



Elizabeth Warren  
United States Senator



Richard Blumenthal  
United States Senator