



FACULTY CENTER

1216 East Mabel Street
PO Box 210456
Tucson, AZ 85721

Ofc: 520-621-1342
Fax: 520-621-8844

facultygovernance.arizona.edu

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

February 22, 2023

Dear Secretary Cardona:

As Chair and Vice Chair of the Faculty at the University of Arizona, we write in advance of the Department of Education's recertification of higher education accreditors at the February 28, 2023 meeting of the National Advisory Committee on Institutional Quality and Integrity (NACIQI) with concerns about WASC/WSCUC's oversight of the University of Arizona Global Campus (UAGC) and the [pending application](#) from the University of Arizona proper. We understand that the Department of Education also has concerns about whether WASC/WSCUC has sufficiently addressed the University of Arizona Global Campus' recruiting and admissions practices.

The Faculty Senate, members of the general faculty, and we personally have repeatedly shared three concerns about this process with University of Arizona President Robert Robbins:

1. the welfare of UAGC students in terms of recruitment, admissions, and graduation outcomes
2. the University of Arizona's central administration's ongoing failure to engage in faculty governance processes with regard to UAGC and accreditation and WASC/WSCUC's apparent refusal to address the University of Arizona's faculty governance processes
3. apparent conflicts of interest and appearances of impropriety that undermine the integrity of the University of Arizona and UAGC, and that are seemingly being overlooked by WASC/WSCUC

Since the acquisition of WASC/WSCUC-accredited Ashford University's assets for \$1 by the University of Arizona in 2020 and through the various stages of transformation and integration - all bypassing the faculty governance required by Arizona statute - the faculty of the University of Arizona expressed concerns about the commingling of the assets of a public, R1, land-grant, flagship university with those of a disreputable former for-profit institution subject to a "Notice of Concern" from its accreditor for its adverse student outcomes in graduation rates, as well as student debt and default levels. Ashford/UAGC, under its parent corporation Zovio, experienced a dramatic enrollment decline over a decade. The state of California sued Zovio for fraudulent

and predatory practices towards its students, and Zovio was fined \$22M by a California court in 2022. After the asset acquisition was made, again without formal approval of the general faculty, the faculty's Global Campus Senate Advisory Committee provided two detailed reports to address concerns about recruitment, admissions, and financial aid practices to safeguard prospective and current UAGC students and to provide pathways for educational program quality and oversight. None of that advisory committee's recommendations has been implemented. We are concerned about the integrity and reputation of our own institution, the University of Arizona, and resultant harm to our own students and faculty.

For example, on October 8, 2022, UAGC held a [virtual commencement ceremony for more than 8,600 graduates](#). With a total current enrollment of 24,000 (according to UAGC Trustee Gail Burd on February 15, 2023), this single commencement ceremony graduated more than one third of UAGC's enrolled students in a single semester. Combined with the [spring 2022 graduation of 5,700 graduates](#), the number of graduates in this calendar year alone seems to be around half of the total number of UAGC students enrolled. These figures are astonishing: Ashford and UAGC historically are known for struggling to graduate 19-22% of their students over a six year time frame. Moreover, UAGC undergraduate and M.A. [students are charged a \\$150 "graduation fee"](#) and doctoral candidates a \$500 "graduation fee." This intensifies our concerns about what the UAGC student experience may be. Our queries to UAGC working group leads at the University of Arizona have gone unanswered.

Similarly, from the start of this saga in 2020, the faculty of the University of Arizona's statutory obligation to actively participate in policy making under [Arizona Revised Statute 15-1601b](#) has been consistently challenged and ignored by our senior management. Through multiple mechanisms, including a vote of the general faculty, the Global Campus Senate Advisory Committee, and the Faculty Senate, there have been repeated efforts to engage the administration in meaningful faculty governance. And in May of 2022, a Faculty Senate resolution requested a full accounting of the risks of an orderly unwinding of the underwriting by the University of Arizona of UAGC's Title IV commitments. That resolution has been ignored. It then became clear that the central administration, contrary to prior assurances by University of Arizona President Robbins, planned to incorporate UAGC into the University of Arizona.

WASC/WSCUC, in spite of its ongoing, formal "Notice of Concern" on UAGC, appears to be playing a central role in this integration operation's ongoing choreography. On February 9, 2023 (after the public comment period for the upcoming NACIQI [meeting was already closed](#)) the Arizona Board of Regents (ABOR) approved the change of the University of Arizona's accreditors from the Higher Learning Commission to WASC/WSCUC with minimal public discussion and with evasion of the Faculty Senate as described [in the unanswered linked letter](#) to WASC/WSCUC's president. In its next agenda item, ABOR immediately authorized the final acquisition of UAGC by the University of Arizona, facilitated by their presumptive common accreditor WASC/WSCUC with minimal public discussion and no debate. [The agenda item at the Arizona Board of Regents meeting of February 9, 2023 revealed that WASC/WSCUC has pledged a speedy processing of the "Substantive Change Application for the Change of Ownership of UAGC to the University of Arizona if it is submitted "no later than March 1, 2023"](#)

[with deliberation and outcome assured by the June 28-30 WASC meeting.](#) (minutes 20-35 in the linked video) This “Substantive Change” application has not been shared with or approved by the Faculty Senate as the University persists in bypassing state-mandated faculty governance.

The appearance of coordination between the University of Arizona administration, UAGC, ABOR and WASC/WSCUC is disturbing in light of the accelerated and precisely calibrated timetable for (a) accreditation change (Winter 2022-23), (b) substantive change consideration and approval (Spring 2023), and (c) final University of Arizona-UAGC merger (June 30-July 1, 2023). This rushed process appears suspect; in a meeting with the reaccreditation project manager for WASC/WSCUC-accredited Stanford University, we learned that Stanford’s timetable for *routine* reaccreditation started in mid-2021 with internal institutional work and documentation for a March 2023 site visit, i.e., almost 2 years prior. By contrast, the University of Arizona received Department of Education permission to apply for accreditation with WASC/WSCUC in mid November 2022 and scheduled their site visit in January 2023 with anticipated resolution by the end of the fiscal year on June 30, 2023. Scheduled during Winter Break and in between Faculty Senate meetings, and in the aftermath of a tragic campus murder, this process entirely sidestepped deliberation and feedback by the general faculty and campus community.

Our faculty have concerns about apparent conflicts of interest and conflicts of commitment involving University of Arizona senior leaders and employees. As early as in the Global Campus Senate Advisory Committee reports of 2020 and 2021, as well as in the Faculty Senate, many serious questions have been raised regarding the competing fiduciary duties of key administrators in the governance entities of UAGC. We are particularly troubled about UAGC Board of Directors members who are University of Arizona employees: [This list](#) includes the accreditation lead, Senior Vice Provost for Academic Affairs Gail Burd, also a founding member of the UAGC Board of Directors.¹

Furthermore, the boundaries of responsibility and duty have become not just blurred, but conflated. For example, the idea that UAGC and the University of Arizona are separate entities is belied by the negotiations of UAGC and the University of Arizona jointly with the Department of Education in December of 2021 and January 2022. Moreover, the Department of Education indicated to UAGC President Pastorek that his institution was in peril of losing its Title IV eligibility. Due to the lack of transparency that has characterized this affair since 2020, the University of Arizona faculty are unable to ascertain to what extent the University of Arizona Foundation —UAGC’s sole owner— and the University of Arizona are underwriting UAGC’s Title IV commitments, entirely without elected faculty governance oversight required by Arizona statute. We have been unable to rule out a conflict of interest on the part of our future accreditor; WASC/WSCUC may have a reputational or financial interest in securing the University of

¹ The list currently includes two University of Arizona deans and a vice president whose roles appear to be in violation of [UHAP 2.06.06: “Full-time appointed personnel of the University may not be simultaneously employed as faculty members, professional staff, or administrators at any other postsecondary educational institution. Such employment is regarded as a prima facie conflict of interest.”](#)

Arizona in its portfolio. The possibility of the clearing of UAGC's continuing "Notice of Concern " by its formal incorporation into the University of Arizona is a further concern that we cannot rule out based on our limited discussions with University of Arizona leadership and visit with WASC/WSCUC peer reviewers.

In conclusion, we ask you to investigate the extent to which the accreditor WASC/WSCUC is compromised by its involvement in the integration of UAGC and the University of Arizona. We sincerely hope that the Department of Education, following its own and our concerns with regards to WASC/WSCUC, will exercise its oversight of the entire process immediately, starting with its upcoming NACIQI review of WASC/WSCUC next week.

Sincerely,



Dr. Leila Hudson
Chair of the Faculty
University of Arizona
Associate Professor
School of Middle Eastern and North African Studies
College of Social and Behavioral Sciences

Mona L. Hymel

Mona Hymel, JD
Vice Chair of the Faculty
President of the Faculty Senate
University of Arizona
Arthur W. Andrews Professor
James Rogers College of Law

Cc:

Chair of NACIQI, U.S. Department of Education, George Alan Smith george.alan.smith@ed.gov
Head of Accreditation, US Department of Education, Herman Bounds herman.bounds@ed.gov
Assistant Secretary for Postsecondary Education, Dr. Nasser Paydar nasser.paydr@ed.gov
Chief of Staff to Assistant Secretary, CJ Powell cj.powell@ed.gov
Robert Shireman, NACIQI member shireman@tcf.org