



March 13, 2019

Hon. Dan Aaron Polster  
Carl B. Stokes United States Court House  
801 West Superior Avenue, Courtroom 18B  
Cleveland, Ohio 44113-1837

Dear Judge Polster,

I am writing to you in your capacity as the federal judge supervising Receiver Dottore in *Digital Media Solutions, LLC v. South University of Ohio, LLC et al.* I am the only remaining member of the Argosy University Board of Trustees as my last two colleagues submitted their resignations on Tuesday. Their resignations followed guidance received Monday from Dr. Christopher Oberg, Vice President/Chief Operating Officer, WASC Senior College and University Commission. Dr. Oberg advised my colleagues stepping down would not affect continuing accreditation of Argosy University. It was necessary, however, that I remain as Chair of the Board “to provide an organizational lifeline to the Commission.” Dr. Oberg explained my presence would allow WSCUC time to “codify arrangements for institutions to finish terms/degrees/etc. (Western State being the prime example).”

Although formally resigning, my former Board colleagues continue to be invested in the University’s students. They and I continue to be deeply concerned about the plight of those 9,825 who were enrolled as of January 15,2019. We appreciate very much that Receiver Dottore has arranged articulation agreements with the TCS Education System institutions. This is as comprehensive a transfer alternative as a single academic entity could provide. Of course, there are several programs that will require additional approvals for students to be able to transfer credits.

The greatest concern of the Trustees are the 1,063 Argosy masters and doctoral clinical psychology students in Hawaii, Atlanta, Tampa, Minneapolis and Phoenix. The online option offered by Saybrook University is not accredited by the American Psychological Association (APA). Although the Chicago School is APA accredited, only about 400 clinical psych students are located close enough to possibly attend its campus-based program. In the absence of APA accreditation, most of the students who transfer to Saybrook will not be license eligible in their states. For many graduates, licensure is the most important element of the clinical psychology degree.

Because most clinical students do not have a viable option and there are students in programs where additional approvals are required, the Trustees suggest a skeleton team of experienced Argosy counsellors, such as national program deans (like Dr. Robert Barrett who could guide clinical students), and at least one counsellor at each University location, be retained for 30 to 60 days to develop additional alternatives and assist students negotiating the transfer of credits to an appropriate program. WSCUC usually requires that there be both local on-ground and online options in a teach out. Given the dire situation, the Commission may be willing to forego that criteria. However, the Trustees believe many local options could be arranged if a small

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Argosy team could continue in place for a limited period. Argosy University support for its students will minimize the disruption they are experiencing.

The Trustees are pleased you have ordered an inquiry into the circumstances surrounding the release of approximately \$13M in Title IV funds just before and shortly after the appointment of Receiver Dottore. Despite repeated requests for information, the Trustees were not privy to the financial transactions controlled by DCEH. It appears to the Trustees either DCEH misinformed the Education Department about the disbursement of student stipends or the release was caused by gross negligence on the part of the Department. Understanding and perhaps rectifying the \$13M error has been a priority of the Board over the last several weeks.

Finally, on behalf of my former colleagues, I express our frustration with the inability to influence a process that began before December and has ended with the dissolution of a valuable institution that provided a quality education to thousands of students. Beginning with DCEH officials and continuing through the receivership, information was hidden from the Trustees about the true state of the University, from both a financial and strategic perspective. We had to persistently demand information that should have been shared with us. Even then we did not have a complete picture of Argosy's challenges. Upon entering receivership, we were informed by the Receiver and the WASC liaison that as Trustees we did not have authority to affect the plight of the University. Being powerless was deeply disturbing to the members of the Board.

I am standing by to do whatever I can to support the Argosy students in their efforts to complete their degrees. I also am focused on the preservation of Western State College of Law, celebrating in 2019 50 years of educating lawyers and providing the plurality of the Orange County bench and bar. Please call on me if I can be helpful.

Sincerely,

*Joseph Harbaugh*

Joseph D. Harbaugh  
Chair, Argosy University Board of Trustees  
Professor Emeritus and Dean Emeritus  
Shepard Broad College of Law  
Nova Southeastern University

Cc: Magistrate Judge Thomas M. Parker, Mark Dottore, Mary Whitmer, Esq., Dr. Christopher Oberg