



New York Legal Assistance Group

*Via Email and Third-Party Comment Portal*

March 23, 2022

Dr. Heather Perfetti  
Dr. Idna Corbett  
Middle States Commission on Higher Education  
3624 Market Street, Suite 2 West  
Philadelphia, PA 19104

*Re: Following up on Previous Correspondence on Concerning Advertising by ASA College*

Dear Dr. Perfetti and Dr. Corbett:

We write from the New York Legal Assistance Group (NYLAG), a non-profit legal services provider in New York City, to follow up on our letter dated March 1, 2022 regarding problematic advertising by ASA College. We are submitting both this letter and our March 1 letter through your third-party comment portal so that they may be reviewed in connection with the Commission's consideration of ASA's show cause report.<sup>1</sup>

Specifically, we write to direct your attention to the Gainful Employment data released last week by the Department of Education in connection with its negotiated rulemaking.<sup>2</sup> The data for ASA is extremely concerning. It shows that **over 92% of ASA students attend programs in which the median graduate earns \$31,800 or less three years after completion—essentially minimum wage** (a person working full-time at New York's minimum wage would earn \$31,200 annually). ASA's most popular programs, categorized within the "Allied Health and Medical Assisting Services" sector, which account for over one-third of ASA students, have a median wage of **less than \$26,000** per year. Crucially, this data only captures completers; only 37% of ASA students graduate, and non-completers generally have much *lower* earnings than those who finish their programs. Indeed, the College Scorecard confirms that only 41% of ASA students earn more than a high school graduate.

The Gainful Employment data further show that ASA's nursing program does not offer nearly the wages advertised. As our March 1 letter explained, ASA advertises that the "starting median annual wage for registered nurses/RN is \$73,000 [and] the annual wage for an RN nurse with 3 years of experience is about \$110,000." However, the Gainful Employment data demonstrate that the median wage of ASA's nursing program is only \$51,724 three years after graduation — ***less than half of the wages ASA advertises.***

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<sup>1</sup> See Letter from Dr. Perfetti to Jose F. Valencia (March 11, 2022), available at <https://msche.box.com/shared/static/fxfwf0bc85kj3bernjahajxykpi62ltz.pdf>.

<sup>2</sup> See "GE Information Rates Data," available at <https://www2.ed.gov/policy/highered/reg/hearulemaking/2021/index.html> (under "Institutional and Programmatic Eligibility Committee," click on "Session 3," then "Materials," then look under "Materials distributed by the Department prior to session 3."). An explanation regarding the data can be found in the file titled "GE Information Rates Data Description" in the same location.

We appreciate your consideration of these issues and the issues raised in our prior letter. We would be happy to speak further with you at any time. You can reach us at [jranucci@nylag.org](mailto:jranucci@nylag.org) and [dtarantolo@nylag.org](mailto:dtarantolo@nylag.org), or 212-613-7578 and 212-613-6551.

Sincerely,

A handwritten signature in black ink, appearing to be the initials 'J.R.' followed by a flourish, positioned above a horizontal line.

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