



Via Third-Party Complaint Portal

October 25, 2022

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

Re: Concerning Advertising by ASA College

Dear Dr. Perfetti and Dr. Corbett:

We write from Legal Services NYC, Mobilization for Justice, the New York Legal Assistance Group, TakeRoot Justice, and the Queens Volunteer Lawyer Project. Our organizations all represent low-income consumers in New York City.

As the Commission is aware, ASA ran false advertisements that were the subject of a recently-entered settlement between ASA and the New York City Department of Consumer and Worker Protection (DCWP).¹ As DCWP summarizes, ASA’s ads “targeted immigrants, low-income New Yorkers who may need financial assistance to attend higher education, and other vulnerable communities,” and “violated the City’s laws and rules dozens of times,” including by “promis[ing] that ASA could help students get specific types of visas that would let them legally stay in the United States; that students could graduate in 16 months from specific programs when that is not possible; and that students would receive a \$4,000-\$8,000 ‘gift’ upon graduation that was in fact a scholarship with many conditions and limitations.”²

As consumer advocates, we know firsthand how critical it is that all businesses — and, particularly, institutions of higher education — refrain from making false promises in their advertising. We believe that ASA’s ads were deeply problematic because they targeted New Yorkers to enroll in ASA with false promises.

ASA’s subsequent actions are equally concerning. According to DCWP, ASA ran the ads through August of this year³ — even though it was likely alerted months earlier to their falsity. Further, ASA has made deeply concerning comments regarding its recent settlement with the

¹ Department of Consumer and Worker Protection Settles With ASA College for Deceptive Advertising Targeting Immigrants and Other Vulnerable New Yorkers, *available at* <https://www1.nyc.gov/site/dca/media/pr100322-DCWP-Settles-With-ASA-College-for-Deceptive-Advertising.page>.

² *Id.*

³ *Id.*

City, including that the settlement “was a business deal at the end of the day”; that the fine imposed by the City was “a fairly nominal amount”; and that ASA “didn’t believe the ads were deceitful in any way.”⁴ We have serious concerns that ASA has not been dissuaded from engaging in similar behavior and will continue to engage in behavior that ultimately harms vulnerable New Yorkers.

We hope that the Commission takes seriously the interests of the low-income and immigrant New Yorkers targeted by these ads as it considers ASA’s accreditation status. We appreciate your consideration of these issues and similar issues raised in prior letters. We would be happy to speak further with you at any time. You can reach us at jranucci@nylag.org and dtarantolo@nylag.org, or 212-613-7578 and 212-613-6551.

Sincerely,



Jessica Ranucci
Danielle Tarantolo
New York Legal Assistance Group

Johnson Tyler
Legal Services NYC

Carolyn Coffey
Mobilization for Justice

Tedmund Wan
TakeRoot Justice

Mark Weliky
Queens Volunteer Lawyers Project, Inc.

⁴ Amir Khafagy, For-Profit ASA College Deceived Immigrant Students, NYC Says (Oct. 3, 2022), *available at* <https://documentedny.com/2022/10/07/asa-college-immigrants-fl-visa/>.