



ASA BOARD OF TRUSTEES

November 1, 2023

Emily Sutherland
Office of Colleges and Universities Evaluation
New York State Education Department
89 Washington Avenue
Albany, NY 12234

Dear Emily Sutherland,

I, Frank Seddio, the Chairman of the Board of Trustees of ASA College, along with the entire Board, hereby grant ASA College the authority to formally request the New York State Education Department (NYSED) to refrain from taking any action on ASA degree programs until all available legal avenues to restore MSCHE accreditation have been diligently pursued and exhausted.

Having served as the Chairman of the Board of Trustees in the past, I am well aware of the collective passion and dedication the college brought to the noble task of guiding and nurturing its students. I'm familiar with this institution practically from its inception in 1985. The college's contribution to improving the quality of life of various New York communities is enormous. This school has had a very positive impact on its students and has made a real difference in the lives of so many of them.

Since 2000, when ASA Institute of Business and Computer Technology was authorized by the Board of Regents to confer degrees, a total of 23,086 ASA students have successfully earned Associate Degrees, while an additional 2,879 have achieved Bachelor Degrees, 574 have attained Master Degrees, and 20 have reached the pinnacle with Doctoral Degrees. The ASA Career Development and Job Placement Department has successfully assisted 18,745 graduates in finding employment within their respective fields of study. It's important to highlight that a significant portion of the ASA student body never initially considered pursuing a college education. Many believed that college was out of their reach. However, it was through the exceptional dedication of the college's Communities Outreach Department that ASA was able to connect with these individuals and convey the opportunities available to them with the support of outstanding faculty and administration, as well as a uniquely nurturing academic environment.

The achievements of these students are truly impressive, and it is heartening to see the positive influence ASA College has had on their lives. For many of them (approximately 85%), being the first in their families to graduate from college marked a significant milestone, ushering in a new era for their families and communities. It is also important to note that the college almost

always held graduation ceremonies at Madison Square Garden so that family and friends of graduates could celebrate their success together.

Considering the numerous accomplishments of the college, it is essential to highlight the excerpts from MSCHE's latest reaccreditation team final report:

- ASA College continues to make significant progress since initial accreditation. The institution's unwavering focus on students and relentless efforts to enhance student success remain exemplary strengths. Additionally, the diversity within the student and employee population is commendable, reflecting ASA's commitment to its mission.
- ASA's faculty and staff wholeheartedly embrace the institution's mission. The team was struck by the depth and breadth of the college's student-centered practices, which extend from pre-matriculation to post-graduation.
- The institution's President Alex Shchegol provides visionary leadership, sharing this vision with employees through an annual state-of-the-college address. The President's strong commitment to ASA's mission and the welfare of its students is admirable.
- ASA College is dedicated to equipping students with the services and skills needed for meaningful careers. This commitment is evident from initial admissions interactions through career program offerings, caring instructors, robust student support services, mandatory externships, and lifetime job placement assistance.
- ASA's innovative integration of admissions, retention, and placement activities is a significant contributor to student success.
- The team commends ASA for its admission and retention activities, recognizing them as substantial investments in student success. ASA's experiences in this regard are recommended for sharing at conferences and symposia.
- Student Survey results highlight students' positive experiences, citing unexpected levels of care, encouragement, and support. Students find that ASA College addresses their concerns in a timely and attentive manner.
- The team extends commendation to ASA College for the quality of its student success services.
- ASA's commitment to serving at-risk students, a unique population, is notably impressive.

Nevertheless, MSCHE almost instantly within five short weeks placed ASA on probation accreditation status on December 7, 2021. That was a death penalty for a private for-profit college. It is outrageous and inexplicable how MSCHE could place in non-compliance with Standard VI a college which was in excellent financial condition and stability on December 7,

2021. This is the reason why the college filed a lawsuit against MSCHE on October 26, 2023 in King’s County Supreme Court. In addition, MSCHE should have taken into account ASA's outstanding compliance record with MSCHE and all other regulatory bodies before placing ASA on probation.

ASA college service to its students has been improving since 2015, the year of the last MSCHE reaccreditation review. At 2021 academics and academic services only improved compared to 2015 as evidenced by the table below, utilizing data from the Integrated Postsecondary Education Data System (IPEDS):

% OF INSTRUCTION EXPENSES PER ONE FTE TO TUITION

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instnm	12-month full-time equivalent enrollment (DRVEF122021)	Instruction expenses per FTE (for-profit institutions) (DRVF2021)	Tuition per Academic year (2021)	% of instruction expenses per FTE to tuition (2021)
ASA College	2744	9881	11880	83.17
Berkeley College-New York	2382	6084	27600	25.3
Florida National University-Main Campus	5568	3108	13688	22.7
Mildred Elley-New York Campus	1211	5339	13872	38.5
Monroe College	6514	5941	16686	35.6

As you can see from the table above ASA spent significantly more per one FTE than other private colleges in the country, and in terms of percentage to tuition ASA spent per ONE FTE 83.17%, Berkeley College-New York 25.3%, Florida National University-Main Campus 22.7%, Mildred Elley-New York Campus 38.5%, Monroe College 35.6%.

Despite these significant investments of ASA college into its students, MSCHE decided to kill the college. *** Johnson ***** We believe that this decision has harmed a good, honest, and exemplary private for-profit college, and we are concerned about the impact it will have on the almost 3,500 students at that time.

I would like to inform you that the Board held a meeting on Monday, October 23, 2023, during which several important decisions were made:

- The Board approved the college's decision to appeal the New York State Department of Education (NYSED) decision not to re-register ASA degree programs.
- The Board requested the college to provide a draft of the appeal that will be submitted to NYSED.
- The Board fully supports the college's commitment to seeking the restoration of accreditation and continuing to assist low-income minority students in pursuing higher education and improving their quality of life, a mission that the college has faithfully pursued for many years.
- The Board expressed its approval of the letter from the Board to NYSED, urging them not to take any action regarding ASA degree programs until all legal avenues to restore accreditation have been exhausted.
- The Board also strongly emphasized its concerns about the previous investigation into sexual harassment allegations against Alex Shchegol. The Board believes that the investigation was one-sided and lacked objectivity. It was noted that Mr. Shchegol's Title IX rights were violated as he was unaware of the complainant's identity and the nature of the complaint. Additionally, his rights to defend himself and present his witnesses were compromised. Consequently, the Board has highlighted the urgent need for a new, unbiased investigation into the allegations of sexual harassment against Mr. Shchegol.

While we are discussing ASA college, we cannot dismiss the dedication and extraordinary efforts made by Alex Shchegol, the founder of the college and a successful leader for at least 33 years. He is rightfully considered a recognized example of the immigrant's success and achievement of the American dream. Alex Shchegol was given a prestigious Immigrant Excellence Award by the New York State Black and Puerto Rican Legislators. It said: "The award recognizes Mr. Shchegol's lifelong commitment to providing quality education to people through ASA, the company he founded in 1985".

In 1985, ASA began with a mere 12 students, but as time passed, it underwent a remarkable transformation into an exceptional educational establishment. At its zenith, the college served as a beacon of hope for more than 6,000 students hailing from underprivileged minority backgrounds, aiding them in attaining higher education and pursuing their chosen career paths.*****He practically independently and with his own hands built a wonderful educational institution where at a given time college helped more than 6,000 low income minorities students to obtain higher education and work in their field of study. As I know, he, as a computer programmer, created various software programs that improved student services, retention, engagement, education, job placement and lowering of student loan default rate.

Regrettably, he found himself entangled in baseless allegations of sexual harassment and even rape, manipulated by individuals with ulterior motives seeking financial gain. The Board is committed to conducting a thorough and impartial investigation, and we will provide you with the results once concluded.

It's truly alarming, astonishing, and infuriating that a small group of individuals has managed to undermine such an exceptional, indispensable, and economically robust educational institution. Alex is presently collaborating with prosecutors from the Brooklyn and Staten Island District Attorney's offices to address baseless allegations and numerous extortion attempts.

I think, it is very important to note that Alex promoted individuals from within the college to fill various leadership roles, including managers, directors, Vice Presidents, provosts, and CFOs. This commitment to internal talent development significantly contributed to the advancement of numerous careers within the organization.

As a former member of the New York Assembly, judge, and a leader of the Brooklyn Democratic Party, I wholeheartedly affirm that New York's communities and diverse industries would greatly benefit from the presence of a college like ASA. It is imperative that we provide ASA with the opportunity to persist in its mission of delivering significant advantages to the state of New York.

I have dedicated numerous years of my life to aiding and enhancing the well-being of numerous individuals and various communities. My unwavering commitment has always been towards advocating for justice and opposing those who hinder our progress in making our great nation a better place for our future generations. As a result, I can firmly assert that our country would benefit greatly from more selfless immigrants like Alex and institutions of higher education like ASA.

In light of the above, I respectfully request that NYSED consider ASA college's appeal and refrains from taking any action against ASA College's degree programs until all legal avenues to restore MSCHE accreditation have been exhausted. ASA College has played an invaluable role in providing educational opportunities to underprivileged students and has consistently demonstrated a commitment to student success and community service.

Thank you for your attention to this matter, and we hope for a positive resolution that will allow ASA College to continue its vital mission.

Sincerely,

Frank Seddio
Chairman of the Board of Trustees
ASA College