



OFFICE OF HIGHER EDUCATION
Office of College and University Evaluation
Room 960 EBA
89 Washington Avenue
Albany, New York 12234
Tel. (518) 474-1551

January 30, 2023

Jose Valencia
Interim President
ASA College, Inc.
151 Lawrence Street
Brooklyn, NY 11201
via email

Dear President Valencia:

This letter is to inform you that the New York State Education Department (NYSED) is commencing a review of ASA College's capacity to continue to have degree-conferring authority, pursuant to [Section 3.58\(f\)](#)¹ of the Rules of the Board of Regents. This review will examine the institution's registered academic programs, to determine their compliance with Part 52 of the Regulations of the Commissioner². During the review, NYSED may require the institution to undergo announced and unannounced site visits, as well as provide reports and written information to support its continued degree-conferring authority.

There are several reasons for NYSED to conduct this extensive review, to include the following actions or events: 1) The institution's failure to pay employees' salaries for work performed during the past three payroll periods; 2) Reports that several faculty and staff have resigned from their positions; 3) Reports that active Fall 2022 courses may not be meeting the minimum instructional hour requirements for the definition of credit-hour; 4) Reports that student access to required course materials was revoked during the Fall 2022 trimester; 5) Reports that the institution is not responding to active students' communications regarding their degree programs; 6) Reports that student transcripts are being withheld in violation of NYS Education Law Section 640; 7) the decision of the institution's accreditor, Middle States Commission on Higher Education (MSCHE) to rescind the institution's accreditation on March 1, 2023; and 8) Continued lack of access to Title IV funding, due to Heightened Cash Monitoring 2 (HCM2) restrictions.

We request that the institution submit a report to OCUEINFO@nysed.gov by no later than **Monday, February 6, 2023 at 5:00 PM (ET)**. The report must include the following items:

- a) Table for each registered program identifying all active/current faculty members. (Use attached template.)
- b) List of employees (include name and title) who have resigned from their position over the period from August 31, 2022 to present.

¹ Regents Rules 3.58 Proprietary college degree-conferring authority, (f) Revocation of or limitation on degree-conferring authority.

² Commissioner's Regulations Part 52, Registration of Curricula

- c) Description of how faculty evaluation was accomplished from January 1, 2022 to present.
- d) Schedule identifying all active/current classes for Fall 2022 trimester in New York State, including assigned faculty, instructional days and times, and classroom location(s).
- e) Documentation demonstrating that courses continue to meet the credit-hour definition in [50.1\(o\)](#).
- f) Documentation demonstrating that ASA College continues to provide students and faculty with adequate academic support services.
- g) Documentation demonstrating that all enrolled students continue to have access to academic advisement services.
- h) Description of how assigned facilities effectively support the academic offerings.
- i) Table identifying both the pay date due and actual date paid for each payroll in 2022 and 2023, including the status of 12/23/2022, 01/06/2023, and 01/20/2023 payrolls.
- j) Status update on all pending payments from the United States Department of Education (USDE) related to HCM2 restrictions, including copies of all communications with USDE from HCM2 placement to present.
- k) Budget for the 2023 fiscal year, showing all anticipated revenues and expenses.
- l) Documentation showing the institution has arranged for permanent storage and availability of student transcripts.

In addition, by no later than **Tuesday, January 31, 2023 at 5:00 PM (ET)** NYSED requests that ASA College:

- a) Provide NYSED with reliable contact information, including direct phone numbers and email addresses, of current staff and administrators, by function (e.g. transcript processing, financial aid, refunds, etc.); and
- b) publish a copy of this letter on the institution's website ([Accreditation and Approvals](#) webpage, which identifies ASA College's authorization by NYS Board of Regents to confer degrees).

If you have any questions or concerns about this process, please contact Jim Slavin at James.Slavin@nysed.gov.

Sincerely,



Emily J. Sutherland
Director

Attachment

CC: Alex Shchegol, Owner, ASA College
Frank Seddio, Board Chair, ASA College
Ksenia Kasimova, VP of Institutional Research and Operations, ASA College
William P. Murphy, Deputy Commissioner, Office of Higher Education, NYSED
Kathleen Egan, Supervisor, Higher Education Programs, OCUE, NYSED
James A. Slavin, Associate in Higher Education, OCUE, NYSED
Mei Zhou, Director, Professional Education, Office of the Professions, NYSED
Idna M. Corbett, Sr. Vice President for Accreditation Relations, MSCHE