

CHARITY R. CLARK  
ATTORNEY GENERAL

TEL: (802) 828-3171

[www.ago.vermont.gov](http://www.ago.vermont.gov)



STATE OF VERMONT  
OFFICE OF THE ATTORNEY GENERAL  
109 STATE STREET  
MONTPELIER, VT  
05609-1001

May 17, 2024

**VIA EMAIL**

Mr. Jonathon Podolsky  
[REDACTED]  
Northampton, MA 01060

*Via Email:* [REDACTED]

Re: Public Records Request Regarding Goddard College

Dear Mr. Podolsky:

On May 3, 2024, the Attorney General's Office ("AGO") received your Vermont Public Records request made pursuant to 1 V.S.A. §§ 315-320. Your request sought "[a]ll correspondence with Goddard College or records that contain the phrase 'Goddard College'" between May 2, 2023 to May 3, 2024. After speaking with Mr. Justin Kolber, you agreed to narrow your request to documents between May 2, 2023 and May, 4, 2024 related to Goddard's decision to close the school and/or cease operations. We appreciate your willingness to narrow your request.

By letter dated May 7, 2024, Mr. Kolber indicated the AGO invoked its statutory right for additional time to respond to your request given the volume of potentially responsive material. Pursuant to your request and after our diligent search, we now produce the attached records which are relevant and responsive to your request.

We have withheld or redacted portions of documents pursuant to the provisions cited below.

- We have not produced duplicates of documents;
- We have withheld eight e-mail communications between Attorney General Clark and AGO attorneys because such documents reflect the request for, or provision of, legal advice and are therefore protected by attorney-client privilege, and/or reflect attorney work product (*see* 1 V.S.A. § 317(c)(4) authorizing public agency to withhold documents if production would violate any statutory or common law privilege);
- We withheld one internal memorandum from an AGO attorney that is protected by attorney-work product (1 V.S.A. § 317(c)(4));
- We have produced four documents with redactions. The redacted portions of these documents are exempt from production under the attorney-client privilege since they reflect the request for, or provision of, legal advice between Attorney General Clark and AGO attorneys; and/or reflect attorney work product (1 V.S.A. § 317(c)(4)); and
- As is customary, we have also redacted the personal identifying information of any members of the public, such as their mailing address, phone number, and email address.

To the extent you feel any records have been withheld in error, you may appeal to the Deput Attorney General, Robert McDougall at: Attorney General's Office, 109 State St., Montpelier, VT 05609 or [AGO.PublicRecordsRequest@vermont.gov](mailto:AGO.PublicRecordsRequest@vermont.gov).

Sincerely,

/s/Justin G. Sherman  
Assistant Attorney General

**From:** [vt-noreply@egov.gov](mailto:vt-noreply@egov.gov) on behalf of [Office of the Vermont Attorney General](#)  
**To:** [AGO - CAP](#) [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** 04.10.24 Laferriere Complaint  
**Date:** Wednesday, April 10, 2024 3:08:06 PM

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**EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.**

Submitted on Wed, 04/10/2024 - 19:08

Submitted by: Anonymous

Submitted values are:

## Your Contact Information

**First Name**

Kenneth

**Last Name**

Laferriere

**Email**

[REDACTED]

**Daytime Phone**

[REDACTED]

**Daytime Phone Type**

Mobile

## Personal Information

**Address**

[REDACTED]

**City**

Attleboro

**State**

Massachusetts

**Zip Code**

02703

**Your Age**

[REDACTED]

**I am a... (Select all that apply)**



## **Complaint Information**

**Is your complaint about:**

Goddard College Negligence from Board and Administration

**Business Name or Person's First Name**

Goddard College

**Business Address**

123 Pitkin Road

**Business City**

Plainfield

**Business State**

Vermont

**Business Zip Code**

05667

**Business Phone (1)**

1-800-468-4888

**Phone (1) Type**

Office

**Business Website/URL**

<https://www.goddard.edu/>

**Please Describe Your Complaint**

I have reasons to believe that board and administration of this college have been purposefully running it into the ground. As a student who has only been here for two semesters so far, I have heard numerous stories of times students, alumni, staff, and faculty have tried to fundraise for or promote the school and been told they cannot do that by the board and or administration. I have also seen this first hand in board meetings, our former campus coordinator (recently laid off), Squish, also used to be the staff representative to the board, and I have watched her ask for permission to host a conference which had been in contact with her at the school and told no, I have have watched her propose holding an eclipse fundraiser at the school and told no, and I know for a fact that she has been advocating for these things that she knows the school is capable of because she was the person in charge of knowing that and repeatedly having been denied. There are so many stories like this of people wanting to better the school, wanting to help it, being shut down. On top of this, the board and administration refuses to listen to complaints and actually understand the problems the school is having. To give an example I will point towards what happened in regards to them shutting down the Washington campus. Our Washington campus was the home of our education program and it wa s one of the main draws to the education program, because you could get hands on

experience with teaching young children there. Many of the people who attended it, lived nearby and wanted the hands on experience that was promised to them, but it was shut down and they were told the only in person learning they could have was across the country in Vermont. The administration also decided to stop offering teaching certifications for this program. Obviously due to these major issues in completely gutting core features of the education program, it started seeing a steep decline in enrollment. Now the board and administration instead of doing literally anything to revitalize the education program, instead of doing anything to improve the program they had just ruined, they put a ton of money into advertising it and wondered why enrollment in the education program stayed so low. The board and administration have been putting a significant amount of money into advertisements that in my opinion don't even do a good job of representing the uniqueness and draw of this college, all the while not refusing to allow students to table at admissions fairs and refusing to give alumni any materials to promote the school. Then in board meetings they would complain that the Goddard community isn't posting positively enough about the school on social media, so it is our problem that enrollment is decreasing. I've also heard a member of the board express the sentiment that part of the reason why we have funding issues is because the Goddard community bullies rich people who could be potential donors. It is ridiculous. And on top of all this, recently with the announcement of the campus closure (in January, prior to yesterday's full closure announcement), the Goddard community (staff, faculty, students, and alumni) all started coming together to organize to save the school and save the campus, and the board and administration instead of working with us, instead of considering anything that we were doing or anything we wanted, has decided to completely shut down the school and potentially sell the campus to an outside buyer. Our community group still wants the campus and still wants the college, we believe that we can do something with it if the board and administration would just let us step up, but they won't and they haven't. The board truly has not remotely exhausted all possibilities to keep the school open as they said they did, they rarely would even consider the possibilities that we would present them with. I came to Goddard because I saw in this school a way for me to attain a degree after I had dropped out of the previous college I attended. The Goddard program offered me access to an education in a way that is unmatched from anywhere else in this country. Our current teach-out option being going to Prescott with a 100% transfer of credits so we can get an entirely different degree from an entirely different school with an entirely different education system is not sufficient, and I'm not sure that that will be accessible to me in the same way that Goddard has been. I want to finish out my Goddard degree using the Goddard system of education and I want the campus to stay in the hands of the community, I want the campus to be truly valued by its legal owners for the first time in decades. I feel betrayed and like the past two semesters and the current one might have been a complete waste of my time and money.

**Amount of Loss**

approximately \$25,000 (three semesters)

**Incident Date**

2024-04-09

**How would you like this matter to be resolved?**

I want to finish out my Goddard degree through the Goddard system with our degree requirements and our faculty, and the campus should stay in the hands of the Goddard community.

**From:** [vt-noreply@egov.gov](mailto:vt-noreply@egov.gov) on behalf of [Office of the Vermont Attorney General](#)  
**To:** [AGO - CAP: g](#) [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** 04.11.24 Botts AG24-02711  
**Date:** Thursday, April 11, 2024 11:01:03 PM

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**EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.**

Submitted on Fri, 04/12/2024 - 03:00

Submitted by: Anonymous

Submitted values are:

## Your Contact Information

**First Name**

elena

**Last Name**

botts

**Email**

[REDACTED]

**Daytime Phone**

[REDACTED]

**Daytime Phone Type**

Other

## Personal Information

**Address**

[REDACTED]

**City**

NEW YORK

**State**

Iowa

**Zip Code**

10001

**I am a... (Select all that apply)**

Senior

# Complaint Information

**Is your complaint about:**

na

**Business Name or Person's First Name**

na

**Please Describe Your Complaint**

Hi,

I do not have access to Goddard email: therefore, I cannot access this document.

I'm curious if my prior MA credits which I can send, can now be used for the immediate MFA conferral as otherwise I might need recourse.

Please clarify to me as well the provisions that will be made to ensure that all students receive the MFA they paid for, and all faculty and staff receive the employee benefits they are entitled to as per <https://www.dol.gov/general/aboutdol/majorlaws>

Summary of the Major Laws of the Department of Labor

On This Page Wages and Hours Workplace Safety and Health Workers' Compensation  
Employee Benefits Security Unions and their Members Employee Protection Uniformed  
Services Employment and Reemployment Rights Act Employee Polygraph Protection Act  
[www.dol.gov](http://www.dol.gov)

Higher Education Act of 1965 and Federal Trade Commission Act ("unfair or deceptive acts or practices in or affecting commerce". 15 USC § 45(a)(2))- i.e. service paid for not received

Previous settlements for similar contract violations:

<https://www.proquest.com/docview/302987316>

**BREACH OF CONTRACT SUITS BY STUDENTS AGAINST POSTSECONDARY  
EDUCATION INSTITUTIONS: CAN THEY SUCCEED? - ProQuest**

Explore millions of resources from scholarly journals, books, newspapers, videos and more, on the ProQuest Platform.

[www.proquest.com](http://www.proquest.com)

<https://www.jhuspring2020settlement.com/>

Home | Elena Botts v. Johns Hopkins University

Homepage for the Johns Hopkins University Settlement

[www.jhuspring2020settlement.com](http://www.jhuspring2020settlement.com)

Best,  
Elena

**Incident Date**

2024-04-12





**From:** [vt-noreply@egov.gov](mailto:vt-noreply@egov.gov) on behalf of [Office of the Vermont Attorney General](#)  
**To:** [AGO - CAP:](#) [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** 04.16.24 Myers Complaint  
**Date:** Tuesday, April 16, 2024 12:47:06 PM

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**EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.**

Submitted on Tue, 04/16/2024 - 16:46

Submitted by: Anonymous

Submitted values are:

## Your Contact Information

**First Name**

Gordon

**Last Name**

Myers

**Email**

[REDACTED]

**Daytime Phone**

[REDACTED]

**Daytime Phone Type**

Mobile

## Personal Information

**Address**

[REDACTED]

**City**

Bethesda

**State**

Maryland

**Zip Code**

20816

**I am a... (Select all that apply)**

[REDACTED], Business

**What is the name of your business?**

Otono

## **Complaint Information**

**Is your complaint about:**

False and deceptive practices, approval of Goddard dissolution and campus sale

**Business Name or Person's First Name**

Goddard College

**Business Address**

123 Pitkin Road

**Business City**

Plainfield

**Business State**

Vermont

**Business Website/URL**

[goddard.edu](http://goddard.edu)

**Business Email**

[presidents.office@goddard.edu](mailto:presidents.office@goddard.edu)

**Please Describe Your Complaint**

The Board has breached its fiduciary obligations and neglected and community engagement in reaching its decision to close the College. The justifying forecasts are not prepared with due care and do not reflect revenue sources, such as fundraising and tuition recruitment, that have been recklessly neglected. Students have been recruited and tuition paid based on false and misleading statements, and failures to make statements need to make statements made not misleading. The land sale apparently is being accelerated with undue haste, without disclosed process, to close by June 30 in order to avoid Vermont regulatory oversights.

**Amount of Loss**

\$25000 for each member of the affected class of injured persons

**Incident Date**

2024-04-08

**How would you like this matter to be resolved?**

Intervene to assure closure and transfer of the College and sale of its campus are consistent with the obligations of the Board as fiduciaries, and that any land sale is ordered and appropriate; and that tuition monies, and damages are recovered.

**Please attach any documents you feel are relevant to the complaint**

[GIM statement to AG re Goddard.docx](#) (16.04 KB)



**From:** [vt-noreply@egov.gov](mailto:vt-noreply@egov.gov) on behalf of [Office of the Vermont Attorney General](#)  
**To:** [AGO - CAP:](#) [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** 04.20.24 Botts  
**Date:** Saturday, April 20, 2024 3:40:54 PM

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**EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.**

Submitted on Sat, 04/20/2024 - 19:39

Submitted by: Anonymous

Submitted values are:

## Your Contact Information

**First Name**

elena

**Last Name**

botts

**Email**

[REDACTED]

**Daytime Phone**

[REDACTED]

**Daytime Phone Type**

Home

## Personal Information

**Address**

[REDACTED]

**City**

n

**State**

New Jersey

**Zip Code**

12401

## Complaint Information

**Is your complaint about:**

goddard college

**Business Name or Person's First Name**

goddard college

**Please Describe Your Complaint**

We, the candidates of the Master of Fine Arts in Interdisciplinary Arts at Goddard College, write to formally require a teach-out in addition to full transfer to an institution offering a terminal Master of Fine Arts (MFA) program, in accordance with the requirements outlined by the Department of Education and relevant laws, regulations, and settlements regarding misrepresentation and breach of contract.

As per the regulations outlined by the Department of Education, institutions are obligated to fulfill Federal Trade Commission (FTC) rules:

- (a) prevent unfair methods of competition and unfair or deceptive acts or practices in or affecting commerce;
- (b) seek monetary redress and other relief for conduct injurious to consumers

As well as provisions related to the misrepresentation of educational programs and services:

The Higher Education Act (HEA), prohibits an institution of higher education from engaging in a “substantial misrepresentation of the nature of its educational program, its financial charges, or the employability of its graduates.

In addition to being a violation of federal laws as an aid-granting institution as well as one that must adhere to the rules of the Department of Education, the Consumer Protection Unit of the Vermont Attorney General's Office as well as the Vermont Agency of Education require that educational institutions adhere to legitimate practices by fulfilling their contractual obligations to students.

Goddard is legally required to provide a formalized teach-out plan:

A teach-out plan is a written course of action a school will take to ensure its students are treated fairly with regard to finishing their programs of study...plans include written agreements between the closed school and other schools that are still open for teaching. Plans may include transfer options, formal agreements (or partnerships) between schools, and..... teach-out agreements. A teach-out agreement is a contract between schools that will allow you to finish your program of study at one or more schools.

While a closing school may suggest or promote certain transfer options and/or teach-out agreements to provide a path to help you complete your program of study, you have the right to refuse any teach-out agreement or transfer option suggested by your closing (or closed) school.

Given that students are being transferred to another program without our consent, whereas we should be offered the option of what program is intended to replace ours, given that we had already paid for and pursued, put time and effort into, and, principally, agreed to, both

contractually through acceptance of the offer of attending, and through a federally mandated financial aid commitment, we are entitled to full input and in fact to determine the replacement (this is in fact federally mandated: "all existing students can either complete the course of study, or transition to a mutually agreed course at no disadvantage"), as this was through no fault of ours, but indeed administration's, as the promise has been broken on their end, the method of redress, legally or otherwise, is entirely their responsibility to fulfill the promise as per our specifications given that they have destroyed this entirely unique and irreplaceable program that in short, cannot be substituted.

We also write in solidarity with staff and faculty who have been suddenly severed from labor contracts and are deserving of the full benefits, labor rights, and allotments due under federal and state labor protections.

The student body await your reply with two components:

1. Exact instruction on how the teach-out will be conducted, including the dates, funding provisions for students, framework and structure of coursework, compensation for faculty and staff, and how documentation of degree conferrals will be conducted.
2. Information specifying which institution, as well as evidence of that institution's committed official agreement and documentation demonstrating their accreditation to grant, a comparable degree program for a terminal MFA in the same subject as we have undertaken in our studies at Goddard, as well as, additionally, provision for the inclusion of not only the student body in that transfer but also the comprehensive details for the full conferral of all transfer credits, outlining the process of enrollment and registration, subjects offered, how aid will be awarded, and confirmation of how exactly U.S. loans as well as scholarships will be processed (given oncoming deadlines for FAFSA filing), detailing as well the online methods of instructions, residency plans, the timeframes- the dates when attendance will begin and again, and how documentation of degree conferrals will be conducted at that institution. Aid must be comprehensively covered at a lower or partial rate as at Goddard, and U.S. federal loans must be accepted, as well as any scholarships that were offered at Goddard transferred over. In addition, the Goddard community includes faculty and staff, and given the relational and dialogical learning model especially, the degree is not the same unless the faculty also are accepted into and compensated by the transfer institution. Given that legally, the educational program must, in terms of subject matter, degree level (MFA is terminal, MA is not), and even mode of instruction (online and residency options were both offered at Goddard), we require that you provide a full plan with each aspect accounted for in terms of the transfer institution, ensuring that all requirements are met, for our counsel to review to ensure it meets the contractual obligations that Goddard took on as an educational institution under 34 CFR Part 600 and 20 U.S.C. §1094(c)(3)(A).

As such, this teach-out condition is non-negotiable as per the terms of the degree to which we, the student body and you, the institution, initially agreed.

In addition, and also non-negotiable: students have the right to choose their transfer option, including retrospective through conferral of a Goddard degree using preexisting credits- any other credits from other institutions should now be accepted for students who elect for that option, and a degree conferred if all other requirements are met, now there is no statute limiting the number of transfer credits as Goddard is forcibly transferring all of us through closure. For instance, I have, in sum, attained more than sufficient credits to attain the MFA

via my time at Goddard if credits from my previous graduate institutions were transferred and a degree then conferred. Any students choosing this option would meet all other requirements through their advisors for the culminating thesis and practicum this semester and the credits from y previous institutions would be transferred given that this meets full accreditation requirements in the same way as designing a plan of study and taki ng additional credits at another institution, arbitrarily chosen by Goddard that does not have an equivalent program especially, would have. This option must be granted to any student who chooses it. Regarding the course of study we do not accept any as truly equivalent to the MFA, and having paid for this specific program alone, it is in fact a violation of federal and state educational and consumer (as well as financial aid regulations), to not provide the education paid for.

A reminder that the student aid site explicitly states that teach outs must be mutually agreed upon, so a refusal to take student input does not constitute a fair or legal arrangement.

Given that students are being transferred to another program without our consent, whereas we should be offered the option of what program is intended to replace ours, given that we had already paid for and pursued, put time and effort into, and, principally, agreed to, both contractually through acceptance of the offer of attending, and through a federally mandated financial aid commitment, we are entitled to full input and in fact to determine the replacement (this is in fact federally mandated: "all existing students can either complete the course of study, or transition to a mutually agreed course at no disadvantage"), as this was through no fault of ours, but indeed administration's, as the promise has been broken on their end, the method of redress, legally or otherwise, is entirely their responsibility so I request, formally, this MFA, in the manner I have just described as above from this entirely unique and irreplaceable program that in short, cannot be substituted."

Further, the teach out must be a sustained option, including for those who need to defer or alter their plans due to this situation. Any transfer credits should be accepted by Goddard and the other institution to confer a degree expeditiously.

Further, notwithstanding that Goddard is regardless required to fulfill the teach out promise, students are still owed reimbursement of full or partial tuition under federal aid regulations, especially given how students have been misled to believe they would be granted an MFA by Goddard, especially for this semester. Any scholarships or work arrangements for funding must be transferred or honored as well.

We request full transparency on the sale of Goddard, including a response on the bids from the town or a FOIA request will be submitted, thereby uncovering the full record.

**Incident Date**

2024-04-04

**Please attach any documents you feel are relevant to the complaint**

[goddard info \(1\).pdf](#) (277.54 KB)





**From:** [vt-noreply@egov.gov](mailto:vt-noreply@egov.gov) on behalf of [Office of the Vermont Attorney General](#)  
**To:** [AGO - CAP:](#) [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** 04.24.24 Heikkila | Goddard College  
**Date:** Wednesday, April 24, 2024 7:54:31 PM

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**EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.**

Submitted on Wed, 04/24/2024 - 23:54

Submitted by: Anonymous

Submitted values are:

## Your Contact Information

**First Name**

Ashkan

**Last Name**

Heikkila

**Email**

[REDACTED]

**Daytime Phone**

[REDACTED]

**Daytime Phone Type**

Mobile

## Personal Information

**Address**

120 Birge St.

**City**

Brattleboro

**State**

Vermont

**Zip Code**

05301

**Your Age**

29

**I am a... (Select all that apply)**

## **Complaint Information**

**Is your complaint about:**

Dan Hocoy, Goddard Board of Trustees

**Business Name or Person's First Name**

Goddard College

**Person's Last Name**

Hocoy

**Business Address**

123 Pitkin Rd

**Business City**

Plainfield

**Business State**

Vermont

**Business Zip Code**

05667

**Business Phone (1)**

(800) 468-4888

**Phone (1) Type**

Office

**Business Website/URL**

<https://www.goddard.edu/>

**Please Describe Your Complaint**

Two days after the term withdrawal date (when we could have withdrawn from the semester and gotten our money back) I was informed the school I am attending is closing. Last Friday, April 26th, I was informed that the teach-out agreement they made with Prescott College would mean that my credits for this semester would not transfer and that it was essentially useless towards fulfilling my degree or gaining licensure as a clinical mental health counselor in Vermont.

Additionally:

The school conferred unaccredited degrees for two years - from 1982 - 1984.

The president and board of trustees of Goddard College have, intentionally or through ineptitude, sabotaged the college.

The current president, Dan Hocoy, is involved in plans to acquire the property for his, and possibly others, personal profit.

The office of the president and the board have been appointed illegally, according to the articles of association, since 1982.

The evidence for these complaints are as follows:

The administration has violated its mission as outlined in its bylaws by outsourcing all of its tasks to an outside contractor called CORE Higher Education Group. According to the bylaws, "The Board is responsible for assuring that its decisions and the actions of its surrogates support the mission, vision, and values of the college."

The college had its corporation license revoked on 26 May 1982 and continued to operate and confer degrees without accreditation until 16 May 1984. There are official documents in the possession of various Alumni and community groups proving this.

Dan Hocoy, as former President of SUNY Eries Community College, Antioch College, and current Goddard College president has been implicated in a scheme to profit personally from the liquidation of liberal arts schools under the guise of campus development. His previous implications with Antioch and SUNY colleges serve as evidence of his and the board's unwillingness to even communicate with Cooperation Vermont (a local non-profit that has offered to buy the school and use it for community good) as well as the Student Council and other committees within the Goddard Community, that they are not operating in accordance with their bylaws or articles of incorporation.

Goddard Community groups have official documents to prove that the board appointed themselves, and, according to the 1984 articles of association, "The first Board of Trustees shall consist of the incorporators who shall adopt by-law and choose a permanent board of such number and for such terms of office as such by-laws shall determine...The incorporations shall cease to be members of the Corporation after they have chosen said Board of Trustees. Thereafter the trustees, while in office shall be the members of the Corporation."

The administration has resolutely refused to engage in any "common sense" fundraising, such as college spirit wear, for over 12 years despite local community members creating a means to do so with no overhead costs. They also quit using the campus as a means for generating income by ceasing to hold concerts and community events, and by no longer partnering with local communities for lease opportunities of facilities.

**Amount of Loss**

13,939

**Incident Date**

2024-04-09

**How would you like this matter to be resolved?**

Reimbursement for semester

**From:** [vt-noreply@egov.gov](mailto:vt-noreply@egov.gov) on behalf of [Office of the Vermont Attorney General](#)  
**To:** [AGO - CAP:](#) [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** 04.24.24 Levine | Goddard College  
**Date:** Wednesday, April 24, 2024 4:17:49 PM

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**EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.**

Submitted on Wed, 04/24/2024 - 20:17

Submitted by: Anonymous

Submitted values are:

## Your Contact Information

**First Name**

Julia

**Last Name**

Levine

**Email**

[REDACTED]

**Daytime Phone**

[REDACTED]

**Daytime Phone Type**

Mobile

## Personal Information

**Address**

[REDACTED]

**City**

Catskill

**State**

New York

**Zip Code**

12414

**I am a... (Select all that apply)**

[REDACTED]

# Complaint Information

**Is your complaint about:**

Lies and financial malfeasance

**Business Name or Person's First Name**

Goddard College

**Business Address**

123 Pitkin Rd

**Business City**

Plainfield

**Business State**

Vermont

**Business Zip Code**

05667

**Business Website/URL**

goddard.edu

**Please Describe Your Complaint**

As a student, I signed up for a low residency education with Goddard's specific and unique pedagogy. The board of trustees, president, and administration have repeatedly lied to students for years regarding their intentions to keep Goddard open. They have violated faculty and staff union contracts and shut out opportunities for revenue, grant funding, and even a donation to support the salary of a fund raising staff member. Meanwhile they accepted students, solicited donations randomly over social media, and advertised the school's campus as a marketing tool while planning to shut down low residency operations in advance of the announcement of Goddard's closure. Their teach out plan is not sufficient for many of my fellow students to finish their degrees. They used the tuition money of me and my fellow students to sustain the president's exorbitant salary with the intent to close the college. The board and/or the president stand to profit from this closure and the board has not been operating within the scope of its own bylaws. Who is profiting from the closure of Goddard College?

**Incident Date**

2024-04-09

**How would you like this matter to be resolved?**

An investigation into the actions of the board, administration, and president with particular regard to finances. The abatement of Goddard's closure until said investigation is completed.

**From:** [vt-noreply@egov.gov](mailto:vt-noreply@egov.gov) on behalf of [Office of the Vermont Attorney General](#)  
**To:** [AGO - CAP:](#) [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** 04.25.24 Black | Goddard College  
**Date:** Thursday, April 25, 2024 11:24:38 AM

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**EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.**

Submitted on Thu, 04/25/2024 - 15:24

Submitted by: Anonymous

Submitted values are:

## Your Contact Information

**First Name**

Aidan

**Last Name**

Black

**Email**

[REDACTED]

**Daytime Phone**

[REDACTED]

**Daytime Phone Type**

Mobile

## Personal Information

**Address**

[REDACTED]

**City**

Seattle

**State**

Washington

**Zip Code**

98136

**Your Age**

30

**I am a... (Select all that apply)**

Student

## **Complaint Information**

**Is your complaint about:**

Board of Trustees and Dan Hocoy, the President of Goddard College

**Business Name or Person's First Name**

The Board of Trustees and Dan Hocoy, the President of Goddard College

**Business Address**

123 Pitkin Rd

**Business City**

Plainfield

**Business State**

Vermont

**Business Zip Code**

05667

**Business Phone (1)**

(800) 468-4888

**Phone (1) Type**

Office

**Business Phone (2)**

802-322-1600

**Phone (2) Type**

Office

**Business Website/URL**

<https://www.goddard.edu/>

**Business Email**

[presidents.office@goddard.edu](mailto:presidents.office@goddard.edu)

**Please Describe Your Complaint**

Our complaints are:

1. The school conferred unaccredited degrees for two years - from 1982 - 1984.
2. The president and board of trustees of Goddard College have, intentionally or through ineptitude, sabotaged the college.
3. The current president, Dan Hocoy, is involved in plans to acquire the property for his, and possibly others, personal profit.
4. The office of the president and the board have been appointed illegally, according to the

articles of association, since 1982.

The evidence for these complaints are as follows:

1. The administration has violated its mission as outlined in its bylaws by outsourcing all of its tasks to an outside contractor called CORE Higher Education Group. According to the bylaws, "The Board is responsible for assuring that its decisions and the actions of its surrogates support the mission, vision, and values of the college."
2. The college had its corporation license revoked on 26 May 1982 and continued to operate and confer degrees without accreditation until 16 May 1984. There are official documents in the possession of various Alumni and community groups proving this.
3. Dan Hocoy, as former President of SUNY Eries Community College, Antioch College, and current Goddard College president has been implicated in a scheme to profit personally from the liquidation of liberal arts schools under the guise of campus development. His previous implications with Antioch and SUNY colleges serve as evidence of his and the board's unwillingness to even communicate with Cooperation Vermont (a local non-profit that has offered to buy the school and use it for community good) as well as the Student Council and other committees within the Goddard Community, that they are not operating in accordance with their bylaws or articles of incorporation.
4. Goddard Community groups have official documents to prove that the board appointed themselves, and, according to the 1984 articles of association, "The first Board of Trustees shall consist of the incorporators who shall adopt by-law and choose a permanent board of such number and for such terms of office as such by-laws shall determine...The incorporations shall cease to be members of the Corporation after they have chosen said Board of Trustees. Thereafter the trustees, while in office shall be the members of the Corporation."
5. The administration has resolutely refused to engage in any "common sense" fundraising, such as college spirit wear, for over 12 years despite local community members creating a means to do so with no overhead costs. They also quit using the campus as a means for generating income by ceasing to hold concerts and community events, and by no longer partnering with local communities for lease opportunities of facilities.

**Amount of Loss**

\$25,338

**Incident Date**

2024-04-25

**How would you like this matter to be resolved?**

I would like Dan Hocoy and Goddard Board of Trustees to be fully investigated, Dan Hocoy barred from working in any and all educational institutions, and for students and faculty of Goddard to be compensated for the harm done to our education and careers.



**From:** [vt-noreply@egov.gov](mailto:vt-noreply@egov.gov) on behalf of [Office of the Vermont Attorney General](#)  
**To:** [AGO - CAP:](#) [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** 04.25.24 Walter | Goddard College  
**Date:** Thursday, April 25, 2024 10:30:04 AM

---

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Submitted on Thu, 04/25/2024 - 14:29

Submitted by: Anonymous

Submitted values are:

## Your Contact Information

**First Name**

Molly

**Last Name**

Walter

**Email**

[REDACTED]

**Daytime Phone**

[REDACTED]

**Daytime Phone Type**

Mobile

## Personal Information

**Address**

[REDACTED]

**City**

Quincy

**State**

Massachusetts

**Zip Code**

02169

**Your Age**

34

**I am a... (Select all that apply)**

Student

## **Complaint Information**

**Is your complaint about:**

Goddard College Closing

**Business Name or Person's First Name**

Goddard College

**Business Address**

123 Pitkin Rd

**Business City**

Plainfield

**Business State**

Vermont

**Business Zip Code**

05667

**Business Phone (1)**

(800) 468-4888

**Phone (1) Type**

Office

**Business Website/URL**

[www.goddard.edu](http://www.goddard.edu)

**Please Describe Your Complaint**

Goddard College is closing unfairly and as a mental health counseling student required to do this semester of prerequisites for a degree that no longer exists and for a teach out program that doesn't require prerequisites, I am formally submitting a complaint for this reason and others listed below:

Our complaints are:

The school conferred unaccredited degrees for two years - from 1982 - 1984.

The president and board of trustees of Goddard College have, intentionally or through ineptitude, sabotaged the college.

The current president, Dan Hocoy, is involved in plans to acquire the property for his, and possibly others, personal profit.

The office of the president and the board have been appointed illegally, according to the articles of association, since 1982.

The evidence for these complaints are as follows:

The administration has violated its mission as outlined in its bylaws by outsourcing all of its tasks to an outside contractor called CORE Higher Education Group. According to the bylaws,

"The Board is responsible for assuring that its decisions and the actions of its surrogates support the mission, vision, and values of the college."

The college had its corporation license revoked on 26 May 1982 and continued to operate and confer degrees without accreditation until 16 May 1984. There are official documents in the possession of various Alumni and community groups proving this.

Dan Hocoy, as former President of SUNY Eries Community College, Antioch College, and current Goddard College president has been implicated in a scheme to profit personally from the liquidation of liberal arts schools under the guise of campus development. His previous implications with Antioch and SUNY colleges serve as evidence of his and the board's unwillingness to even communicate with Cooperation Vermont (a local non-profit that has offered to buy the school and use it for community good) as well as the Student Council and other committees within the Goddard Community, that they are not operating in accordance with their bylaws or articles of incorporation.

Goddard Community groups have official documents to prove that the board appointed themselves, and, according to the 1984 articles of association, "The first Board of Trustees shall consist of the incorporators who shall adopt by-law and choose a permanent board of such number and for such terms of office as such by-laws shall determine...The incorporations shall cease to be members of the Corporation after they have chosen said Board of Trustees. Thereafter the trustees, while in office shall be the members of the Corporation."

The administration has resolutely refused to engage in any "common sense" fundraising, such as college spirit wear, for over 12 years despite local community members creating a means to do so with no overhead costs. They also quit using the campus as a means for generating income by ceasing to hold concerts and community events, and by no longer partnering with local communities for lease opportunities of facilities.

**Amount of Loss**

9,029.00

**Incident Date**

2024-04-16

**How would you like this matter to be resolved?**

I would like my tuition refunded or the college to remain open until all in-process degrees are finished.

**From:** [Marc B. Mihaly](#)  
**To:** [Kolber, Justin](#)  
**Subject:** FW: [External] Goddard  
**Date:** Tuesday, April 23, 2024 5:58:28 PM

---

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FYI.

Rep. Marc Mihaly  
*Calais, Plainfield & Marshfield*  
[MMihaly@leg.state.vt.us](mailto:MMihaly@leg.state.vt.us)  
802-828-2228  
P.O. Box 119  
East Calais, VT 05650

[External]

Marc, hope you are well, and Happy Passover if you celebrate. I am standing back as there seem to be two proposals floating around and it does not seem to make sense to muddy the waters just now.

It did come to my attention that Prescott has offered to continue current Goddard faculty advisers for students, albeit offering only \$300 per student to advisers for continuing. The faculty have no other severance. This is particularly egregious as I understand that the President will be receiving two years of salary, which I think is at least \$300,000, notwithstanding closure; and does not seem consistent with the best interests and continuation of the mission of the College. It is certainly not in the best interests of the students, and my son.

In view of real financial pressures I can accept a bona fide transitions, but this suggests undue haste and without nuance, perhaps some perception of self-dealing. To that extent this seems within the AG's remit. Perhaps you might note to the reviewing staff?

Thanks, Gordon Myers

This message and any attachment are confidential and may contain information that is privileged or otherwise protected from disclosure. The sender of this electronic mail message does not waive any applicable privilege or protection from disclosure. If you are not the intended recipient you must not copy this message or attachment or disclose the contents to any other person. If you have received this message by mistake, please keep its content confidential, please notify the sender immediately and destroy the original message.

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attachments, clicking links, or responding to this email.

[REDACTED]

[REDACTED]

[REDACTED]

---

**From:** Eisenberg, Aaron <AEisenberg@uaw.net>  
**Sent:** Wednesday, April 24, 2024 7:50 PM  
**To:** Jandl, Lauren <Lauren.Jandl@vermont.gov>  
**Cc:** patrick@uaw2322.org; Mancilla, Brandon <BMancilla@uaw.net>; Kohnert-Yount, Vail <vkohnertyount@uaw.net>  
**Subject:** Meeting with UAW re Goddard College

You don't often get email from [aeisenberg@uaw.net](mailto:aeisenberg@uaw.net). [Learn why this is important](#)

**EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.**

Hello Lauren,

My name is Aaron Eisenberg, I am the Political Rep for UAW Region 9A. Sean Rankin from the Democratic Attorneys General Association gave me your contact.

As you know, Goddard College intends to close, UAW Local 2322 represents approximately 100 workers at Goddard and would love to have a meeting with the AG to discuss the situation.

Please let us know some times.

Best,

Aaron



**Aaron Eisenberg** (he/him)  
CAP/Political Representative  
UAW Region 9A  
Phone: 914-980-9117  
Email: [aeisenberg@uaw.net](mailto:aeisenberg@uaw.net)

[REDACTED]

[REDACTED]

---

**From:** Marc B. Mihaly <MMihaly@leg.state.vt.us>  
**Sent:** Thursday, April 11, 2024 12:10 PM  
**To:** Clark, Charity <Charity.R.Clark@vermont.gov>  
**Cc:** [REDACTED]  
**Subject:** Question re AG responsibility re closure of Goddard

**EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.**

Hi Charity,

I'm Marc Mihaly, on House Appropriations. Goddard College is located in my district. It has announced it is closing.

I know that the AG took a significant role with the closure of Marlboro College to insure that the windup was carried out consistently with its fiduciary duties, that its assets were properly distributed, that students received refunds, proper transcripts, a teach-out agreement and transfer assistance.

Will your office be involved here? And if so, with whom may I speak about the issue.

Very best,  
Marc

**From:** [AGO - CAP](#)  
**To:** [AGO - CAP](#)  
**Subject:** ID Theft & Scam with Loss Report - botts, elena  
**Date:** Monday, April 22, 2024 3:31:15 PM  
**Importance:** Low

---

elena botts has filed a scam report noting monetary loss and identity theft. (4/22/2024 7:31:08 PM). The scam occurred on: 2024-04-18

Response ID: 3736

The consumer shared the following information with the scammers: ["all"]

Type of scam: college

Method(s) of payment: ["loan"]

Amount of loss: 40000

Contact: Email

elena botts

na

na, na 10001



Pronouns:

Description:

Good morning, I write to you after a rather sleepless night of combing through a revolving door of LLCs and financial reports. As a former MFA student at Goddard College, which just closed very abruptly a few weeks back, I really would like your help. The school hasn't honored its teach-out or financial aid mandates and the administration refuse to communicate with us. At the same time, there have been suspicions for awhile about some activities of the school, and now about the legality of circumstances surrounding Goddard's closure. Prior to this latest liberal arts school casualty, members packed onto board despite community outcry worked closely with a shadow nonprofit organization that, in partnership with a venture capitalist previously under congressional scrutiny for fraudulent activities. I think, given its deep impact on our community, all stakeholders, including students, faculty, alumni, and the broader community deserve answers for why this has happened. I also am seeking accountability from those entrusted with stewarding our educational institutions- which is why I write you, for assistance in either publication or representation of this matter. To put it with a bit more humor under the circumstances, I guess it's not a real story unless there is grift, cult abuse apologism, a few messiahs, fascist charities, and Betsy DeVos. I welcome a fact-check, as I am a bit taken aback that Goddard appears to have been two business deals away from Trump associates. I really do appreciate your reply, if you have thoughts, feedback, or in fact, have interest in helping in this matter. I am not sure who else to reach out to with this information I have uncovered. Please let me know if you'd like me to send over. Hoping you are well. All my best, Elena site



**From:** [Marc B. Mihaly](#)  
**To:** [Kolber, Justin](#)  
**Subject:** New Federal Rules on school closures to protect students  
**Date:** Saturday, April 27, 2024 11:54:45 AM  
**Attachments:** [image001.png](#)

---

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FYI, a cite to the rules and a summary prepared by a parent:

om rule announcement last October: <https://www.ed.gov/news/press-releases/biden-harris-administration-releases-final-rules-strengthen-accountability-colleges-and-consumer-protection-students>. Links to fact sheet and full regulation and comments in last para.

Image



Rep. Marc Mihaly  
Calais, Plainfield & Marshfield  
[MMihaly@leg.state.vt.us](mailto:MMihaly@leg.state.vt.us)  
802-828-2228  
P.O. Box 119  
East Calais, VT 05650

**From:** [Sherman, Justin](#)  
**To:** [REDACTED]; [Renner, Jamie](#)  
**Subject:** RE: Goddard  
**Date:** Wednesday, April 17, 2024 11:53:00 AM  
**Attachments:** [image001.jpg](#)

---

Hi Jeff,

Nice to meet you too, and I look forward to working with you. As Jamie mentioned, please feel free to reach out with any questions.

Best,

Justin

Justin Sherman  
Assistant Attorney General  
Environmental and Consumer Protection Divisions  
Vermont Attorney General's Office  
109 State Street  
Montpelier, VT 05609  
(802) 828-5621  
[justin.sherman@vermont.gov](mailto:justin.sherman@vermont.gov)

---

**From:** Jeff McMahan <[jmcmahan@DINSE.COM](mailto:jmcmahan@DINSE.COM)>  
**Sent:** Wednesday, April 17, 2024 11:51 AM  
**To:** Renner, Jamie <[Jamie.Renner@vermont.gov](mailto:Jamie.Renner@vermont.gov)>  
**Cc:** Sherman, Justin <[Justin.Sherman@vermont.gov](mailto:Justin.Sherman@vermont.gov)>  
**Subject:** RE: Goddard

You don't often get email from [jmcmahan@dinse.com](mailto:jmcmahan@dinse.com). [Learn why this is important](#)

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Thanks Jamie.

Justin, nice to meet you and I look forward to working with you. Please feel free to reach out at any time if you have any questions.

Best,

Jeff.



**Jeffrey J. McMahan**

Attorney

209 Battery Street | Burlington, VT 05401

**P:** 802-859-7013 **C:** 802-343-5958

**E:** [jmcmahan@dinse.com](mailto:jmcmahan@dinse.com) **W:** [dinse.com](http://dinse.com)

[Bio](#) | [V-Card](#) | [LinkedIn](#)

---

**From:** Renner, Jamie <[Jamie.Renner@vermont.gov](mailto:Jamie.Renner@vermont.gov)>  
**Sent:** Wednesday, April 17, 2024 11:41 AM  
**To:** Jeff McMahan <[jmcmahan@DINSE.COM](mailto:jmcmahan@DINSE.COM)>  
**Cc:** Sherman, Justin <[Justin.Sherman@vermont.gov](mailto:Justin.Sherman@vermont.gov)>  
**Subject:** Goddard

Jeff:

I'm writing just to put you in touch with AAG Justin Sherman, cc'd here. When Goddard is prepared to provide notice of any transfer of "all, or substantially all" of its assets in relation to its impending closure, please provide that notice to Justin. Between now and then, please feel free to contact him with any questions in relation to our Office's ultimate review of this transaction. I meant to mention this on our call just now – it slipped my mind.

Regards,  
Jamie

Jamie Renner  
Assistant Attorney General  
Office of the Vermont Attorney General  
109 State Street  
Montpelier, Vermont 05609  
802-828-5947

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This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd.**

**From:** [ea b](#)  
**Subject:** Re: Liberal Arts Schools" closure  
**Date:** Tuesday, April 30, 2024 7:02:24 PM

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[site](#)

---

**From:** [REDACTED]  
**Sent:** Tuesday, April 23, 2024 2:11 AM  
**To:** [REDACTED]  
**Subject:** Fwd: Liberal Arts Schools' closure

Good morning,

I write to you after a rather sleepless night of combing through a revolving door of LLCs and financial reports. As a former MFA student at Goddard College, which just closed very abruptly a few weeks back, I really would like your help. The school hasn't honored its teach-out or financial aid mandates and the administration refuse to communicate with us.

At the same time, there have been suspicions for awhile about some activities of the school, and now about the legality of circumstances surrounding Goddard's closure. Prior to this latest liberal arts school casualty, members packed onto board despite community outcry worked closely with a shadow nonprofit organization that, in partnership with a venture capitalist previously under congressional scrutiny for fraudulent activities.

I think, given its deep impact on our community, all stakeholders, including students, faculty, alumni, and the broader community deserve answers for why this has happened. I also am seeking accountability from those entrusted with stewarding our educational institutions- which is why I write you, for assistance in either publication or representation of this matter. To put it with a bit more humor under the circumstances, I guess it's not a real story unless there is grift, cult abuse apologism, a few messiahs, fascist charities, and Betsy DeVos.

I welcome a fact-check, as I am a bit taken aback that Goddard appears to have been two business deals away from Trump associates. I really do appreciate your reply, if you have thoughts, feedback, or in fact, have interest in helping in this matter. I am not sure who else to reach out to with this information I have uncovered. Please let me know if you'd like me to send over. Hoping you are well.

All my best,  
Elena

[site](#)

**From:** [Vath, Amelia](#)  
**To:** [REDACTED]  
**Subject:** RE: Media Req: re Goddard College FW: Webform submission from: Contact Form  
**Date:** Monday, April 15, 2024 3:32:00 PM

---

Good afternoon,

Is this a request for AG Clark to appear on your radio show to talk about the closure of Goddard College? If so, our office has an extremely limited role in this matter, and you may want to instead reach out to Goddard College's leadership for comment.

Best wishes,

Amelia Vath (she/her)  
Outreach and Communications Coordinator  
Vermont Attorney General's Office  
109 State Street  
Montpelier, VT 05609  
Cell: 802-371-9798  
Email: [amelia.vath@vermont.gov](mailto:amelia.vath@vermont.gov)

---

**From:** [vt-noreply@egov.gov](mailto:vt-noreply@egov.gov) <[vt-noreply@egov.gov](mailto:vt-noreply@egov.gov)>  
**Sent:** Sunday, April 14, 2024 10:00 PM  
**To:** AGO - Info <[AGO.Info@vermont.gov](mailto:AGO.Info@vermont.gov)>  
**Cc:** [REDACTED]  
**Subject:** Webform submission from: Contact Form

**EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.**

Submitted on Mon, 04/15/2024 - 02:00

Submitted by: Anonymous

Submitted values are:

**Pronouns (examples; she/her,/hers; he,/him,/his; they/them/theirs; etc.)**

She

**First Name**

Karla

**Last Name**

Haas Moskowitz

**Email**

[REDACTED]

**Phone Number**

[REDACTED]

**Mailing Address (required for a response)**

[REDACTED]

East Hardwick, Vermont. 05836

**Subject**

Goddard

**Message**

I am a former faculty, student, and a WGDR radio show host all relating to Goddard College. I am presently a school administrator and I would like to discuss the closure of Goddard College, what has led to this situation, and options that are possible for keeping the campus open and available for educational opportunities.



[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

---

**From:** Vath, Amelia <[Amelia.Vath@vermont.gov](mailto:Amelia.Vath@vermont.gov)>  
**Sent:** Friday, May 3, 2024 10:05 AM  
**To:** Aaron Eisenberg <[aeisenberg@uaw.net](mailto:aeisenberg@uaw.net)>  
**Cc:** Kolber, Justin <[justin.kolber@vermont.gov](mailto:justin.kolber@vermont.gov)>  
**Subject:** Re: Meeting with UAW re Goddard College

Good morning,  
Thank you for reaching out and I apologize for the delay in our response. The chief of our Environmental and Public Protection Division, Justin Kolber (copied), will be getting back you but has been out this week. Please let me know if you have any further questions.

Have a great weekend!

Best,  
Amelia Vath

---

**From:** Eisenberg, Aaron <[AEisenberg@uaw.net](mailto:AEisenberg@uaw.net)>  
**Sent:** Thursday, May 2, 2024 8:55 AM  
**To:** Jandl, Lauren <[Lauren.Jandl@vermont.gov](mailto:Lauren.Jandl@vermont.gov)>  
**Cc:** [patrick@uaw2322.org](mailto:patrick@uaw2322.org); Mancilla, Brandon <[BMancilla@uaw.net](mailto:BMancilla@uaw.net)>; Kohnert-Yount, Vail <[vkohnertyount@uaw.net](mailto:vkohnertyount@uaw.net)>; Vath, Amelia <[Amelia.Vath@vermont.gov](mailto:Amelia.Vath@vermont.gov)>  
**Subject:** RE: Meeting with UAW re Goddard College

**EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.**

Hi Lauren and Amelia,

I hope you are well, wanted to circle back here to see if you all have any times coming up available to meet with us.

Best,

Aaron

---

**From:** Jandl, Lauren <[Lauren.Jandl@vermont.gov](mailto:Lauren.Jandl@vermont.gov)>  
**Sent:** Thursday, April 25, 2024 10:57 AM  
**To:** Eisenberg, Aaron <[AEisenberg@uaw.net](mailto:AEisenberg@uaw.net)>  
**Cc:** [patrick@uaw2322.org](mailto:patrick@uaw2322.org); Mancilla, Brandon <[BMancilla@uaw.net](mailto:BMancilla@uaw.net)>; Kohnert-Yount, Vail <[vkohnertyount@uaw.net](mailto:vkohnertyount@uaw.net)>; Vath, Amelia <[Amelia.Vath@vermont.gov](mailto:Amelia.Vath@vermont.gov)>  
**Subject:** RE: Meeting with UAW re Goddard College

Hi, Aaron,

Thanks for reaching out. The Attorney General is traveling this week, and we'll be back in touch. My colleague Amelia (copied here) will reach out to you next week.

Best,

Lauren

Lauren Jandl  
Chief of Staff

Vermont Attorney General's Office  
109 State Street  
Montpelier, VT 05609  
Cell: 802-595-8679  
Email: [lauren.jandl@vermont.gov](mailto:lauren.jandl@vermont.gov)  
Pronouns: she/her/hers

---

**From:** Eisenberg, Aaron <[AEisenberg@uaw.net](mailto:AEisenberg@uaw.net)>

**Sent:** Wednesday, April 24, 2024 7:50 PM

**To:** Jandl, Lauren <[Lauren.Jandl@vermont.gov](mailto:Lauren.Jandl@vermont.gov)>

**Cc:** [patrick@uaw2322.org](mailto:patrick@uaw2322.org); Mancilla, Brandon <[BMancilla@uaw.net](mailto:BMancilla@uaw.net)>; Kohnert-Yount, Vail <[vkohnertyount@uaw.net](mailto:vkohnertyount@uaw.net)>

**Subject:** Meeting with UAW re Goddard College

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**EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.**

Hello Lauren,

My name is Aaron Eisenberg, I am the Political Rep for UAW Region 9A. Sean Rankin from the Democratic Attorneys General Association gave me your contact.

As you know, Goddard College intends to close, UAW Local 2322 represents approximately 100 workers at Goddard and would love to have a meeting with the AG to discuss the situation.

Please let us know some times.

Best,

Aaron

| **Aaron Eisenberg** (he/him)

[<image001.png>](#)

CAP/Political Representative  
UAW Region 9A  
Phone: 914-980-9117  
Email: [aeisenberg@uaw.net](mailto:aeisenberg@uaw.net)

**From:** [AGO - Info](#)  
**To:** [REDACTED]  
**Subject:** RE: urgent  
**Date:** Monday, May 6, 2024 9:02:00 AM

---

Thank you for contacting the Attorney General's Office regarding Goddard College's recent announcement that they would close at the end of the current semester.

The Attorney General's Office's role in the closing of a nonprofit school such as Goddard College is limited. Primarily, the Attorney General's Office (AGO) reviews the closing to ensure that the dissolution of assets is in accordance with law. Issues around how credits are used or transferred, whether or how much tuition is refunded, or other such questions, are outside the scope of our statutory authority. By way of an example, you can review more about the AGO's review of a nonprofit school closing in this [document](#) related to Marlboro College.

Under Vermont law, a nonprofit must provide the Attorney General's Office with a notice of dissolution at least twenty days before it disposes of all or substantially all of its property. The AGO is then allowed to review:

- what the purpose of the relevant public benefit corporation is;
- what the corporation's assets are;
- whether any of the corporation's assets are subject to certain kinds of specific restrictions, such as the terms of a charitable trust or gift instrument;
- how the corporation is proposing to dispose of its assets; and,
- whether the corporation's proposed disposition of its assets aligns with the corporation's purpose and asset-restrictions.

Please note that the AGO has not yet received this notice from Goddard College, so as of this time, any review would be premature. You may reach out to Goddard College to learn more at this time.

Again, thank you for contacting the Attorney General's Office.

---

**From:** [REDACTED]  
**Sent:** Sunday, May 5, 2024 9:28 AM  
**Subject:** urgent

Some people who received this message don't often get email from [REDACTED]. [Learn why this is important](#)

**EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.**

Good evening,

I have noticed that a significant time has passed with no action from the VT Agency of Education on this matter, despite M. Pallas- Gray's assertion that this would be communicated to the "appropriate person".

There has similarly, been no response from M. Anderson at NECHE despite their agreeing to review as well- and I notice that the past plan that NECHE devised included provisions to phase out the school rather than an abrupt closure. Goddard is not financially insolvent and in fact could do this as per their obligation to the student body. Further, the transfer options have not been

appropriately facilitated.

Unfortunately, this matter, as I conveyed to her, is deeply urgent for students, faculty, and staff, and the violations of state regulations by Goddard board, egregious. I am curious what might be delaying matters on your end and who is assigned to this matter so we can transparently and appropriately provide them the information they need to investigate and rectify this situation. I am including some oversight bodies cc'ed on this message in addition to our media contacts and legal representation just to ensure full transparency. I am hopeful we can work together on a solution with full community input, and would appreciate the name, contact number, and email for both VT Ed and NECHE's point person.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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**From:** [vt-noreply@egov.gov](mailto:vt-noreply@egov.gov) <[vt-noreply@egov.gov](mailto:vt-noreply@egov.gov)>  
**Sent:** Monday, April 15, 2024 9:32 AM  
**To:** AGO - Info <[AGO.Info@vermont.gov](mailto:AGO.Info@vermont.gov)>  
**Cc:** [REDACTED]  
**Subject:** Webform submission from: Contact Form

**EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.**

Submitted on Mon, 04/15/2024 - 13:31

Submitted by: Anonymous

Submitted values are:

**First Name**

Grace

**Last Name**

Gershuny

**Email**

[REDACTED]

**Phone Number**

[REDACTED]

**Mailing Address (required for a response)**

[REDACTED]

Saint Johnsbury, Vermont. 05819

**Subject**

Goddard College

**Message**

This is a message I have sent to VT Public as a comment regarding today's Vermont Edition regarding the abrupt decision to close Goddard College.

I write as a former Goddard College faculty member (Social Ecology BA/MA Program) and current founding Board Member of the Cooperation Vermont Community Land Trust. Along with many friends who have been colleagues and students I have been shocked at the utter



lack of transparency or accountability of the current Goddard administration.

While I have witnessed Goddard's long decline with frustration, the vision of student-centered education that was central to its mission has continued to illuminate the possibility of a better way of doing "higher" education. I have been thrilled to be associated with the effort to salvage the institution and its resources for the resurrection of that vision and so much more as Cooperation Vermont entered into negotiations to purchase the campus.

Some have suggested that there has been deliberate malfeasance by the current administration for the purpose of financially benefiting from sale of Goddard's real estate -- a possibility that is supported by their failure to acknowledge or respond to a good faith offer that would benefit the community. If that is found to be the case, I hope that our legal system can act to avoid such an ignominious end to a noble institution.

**From:** [REDACTED]  
**Subject:** request for legal assistance!  
**Date:** Thursday, April 11, 2024 10:52:48 PM

---

**EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.**

Could you by any chance help with the following?

Hi,

I do not have access to Goddard email: therefore, I cannot access this document. I require:

1. Exact instruction on how the teach-out will be conducted, including the dates, funding provisions for students, framework and structure of coursework, compensation for faculty and staff, and how documentation of degree conferrals will be conducted.
2. Information specifying which institution, as well as evidence of that institution's committed official agreement and documentation demonstrating their accreditation to grant, a comparable degree program for a terminal MFA in the same subject as we have undertaken our studies at Goddard, as well as, additionally, provision for the inclusion of not only the student body in that transfer but also the comprehensive details for the full conferral of all transfer credits, outlining the process of enrollment and registration, subjects offered, how aid will be awarded, and confirmation of how exactly U.S. loans as well as scholarships will be processed (given oncoming deadlines for FAFSA filing), detailing as well the online methods of instructions, residency plans, the timeframes- the dates when attendance will begin and again, and how documentation of degree conferrals will be conducted at that institution. Aid must be comprehensively covered at a lower or partial rate as at Goddard, and U.S. federal loans must be accepted, as well as any scholarships that were offered at Goddard transferred over. In addition, the Goddard community includes faculty and staff, and given the dialogical learning model especially, the degree is not the same unless the faculty also are accepted into and compensated by the transfer institution. Given that legally, the educational program must, in terms of subject matter, degree level (MFA is terminal, MA is not), and even mode of instruction (online and residency options were both offered at Goddard), we require that you provide a full plan with each aspect accounted for in terms of the transfer institution, ensuring that all requirements are met, for our counsel to review to ensure it meets the contractual obligations that Goddard took on as an educational institution under 34 CFR Part 600 and 20 U.S.C. §1094(c)(3)(A).

I'm curious if my prior MA credits which I can send, can now be used for the immediate MFA conferral as otherwise I might need recourse.

Please clarify to me as well the provisions that will be made to ensure that all students receive the MFA they paid for, and all faculty and staff receive the employee benefits they are entitled to as per <https://www.dol.gov/general/aboutdol/majorlaws>

## Summary of the Major Laws of the Department of Labor



- On This Page
- Wages and Hours
- Workplace Safety and Health
- Workers' Compensation
- Employee Benefits
- Security Unions and their Members
- Employee Protection
- Uniformed Services

Higher Education Act of 1965 and Federal Trade Commission Act (“unfair or deceptive acts or practices in or affecting commerce”. 15 USC § 45(a)(2)) i.e. service paid for not received

Previous settlements for similar contract violations:

<https://www.proquest.com/docview/302987316>

### BREACH OF CONTRACT SUITS BY STUDENTS AGAINST POSTSECONDARY EDUCATION INSTITUTIONS: CAN THEY SUCCEED? - ProQuest

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<https://www.jhuspring2020settlement.com/>

## Home | Elena Botts v. Johns Hopkins University

Homepage for the Johns Hopkins University Settlement

[www.jhuspring2020settlement.com](http://www.jhuspring2020settlement.com)

Best,  
Elena

[site](#)

More info:

Dear Editor,

I am writing to you today with deep concern about the future of Goddard College, an institution that holds a unique place in liberal higher education history and ethos. As a longstanding beacon of democracy, self-governance, and academic rigor, Goddard faces unprecedented challenges that threaten its very essence.

Founded in 1938 as a response to the looming threat of fascism, Goddard College was envisioned as a radical experiment in higher education, fostering democratic ideals through interactive, self-directed learning. Over the years, Goddard has remained true to its founding principles, providing students with a transformative educational experience that goes beyond traditional classroom settings. The institution fostered tight-knit communities where curiosity, creativity, and social activism thrived. Students engaged in radical actions both on and off campus, participating in movements such as the Civil Rights Movement, opposition to the Vietnam War, and advocacy for reproductive rights. In-person residencies are ultimately the foundation and crux of forming such communities of learning and change.

Students were not just learners but active contributors to the development and maintenance of the campus itself. They participated in hands-on activities, including designing and constructing buildings, growing food, operating the school switchboard, and even establishing their own fire department — the Goddard College Fire Department (GCFD) — equipped with its own truck for emergency responses.

The institution's commitment to inclusive education led to the establishment of the Adult Degree Program (ADP) by Evalyn Bates, providing opportunities for individuals who had been historically denied access to formal education. Through the ADP, older learners could

receive academic credit for their life experiences, ranging from managing household finances to engaging in independent study, thus democratizing the pursuit of knowledge and empowering marginalized communities. It's clear from the history of Goddard that it needs an administration that reflects the body or the cleavage will just reinforce a precarious cycle especially under capitalistic and societal pressure. I think many people in the community look for a place to call home and having a more stable structure requires representation and affirmation of their needs. Creating an institution that is fully committed to balancing these needs requires structural reform to ensure proper management going forward, because retaining institutions like Goddard is foundational not only in terms of critical pedagogies, but also to civil society through democratic discourse, and arts and cultural innovation. Goddard, as a small, left-field institution, is microcosmic of society and the state of higher education: a canary in a coal mine, as it were, utterly worth paying attention to. Preserving Goddard is about shifting gears for community-led arts, cultural, and educational discourse in America, and reflects all that we might hold dear in terms of allowing for freedoms of expression but platforming inquiry itself.

Goddard's dedication to social justice and activism transcended its campus boundaries, with students actively participating in pivotal movements such as the Civil Rights Movement, opposition to the Vietnam War, and advocacy for reproductive rights. The college served as a nexus for progressive thought and action, hosting events like the 1970 Alternative Media Conference and aligning with environmental groups like the Institute for Social Ecology.

The institution's alumni roster is full of trailblazers. Olympic gold medalist Tommie Smith, renowned for his iconic Black Power salute at the 1968 Olympics, earned his master's degree in social work from Goddard, utilizing the platform to deepen his understanding of systemic racism and social injustice. Notable figures such as Rachel Pollack, Murray Bookchin, and Jerry Rubin contributed to Goddard's intellectual and activist legacy, shaping discourse on literature, environmentalism, and counterculture.

In 1973, Goddard College students staged a hunger strike to protest the termination of two Black professors. In 1977, Goddard College faculty initiated a strike in response to a salary dispute. In 2002, Samantha Becker, serving as the Student Board Representative, contributed to the development of off-campus programs for former residential students after the college terminated this program abruptly. In 2021, the Goddard College Alumni Association formally declared a "vote of no confidence" in the college's current president. In 2023, the Goddard College Staff organized a strike to address concerns regarding their pay and working conditions.

Despite evolving educational trends and societal shifts, Goddard remained steadfast in its commitment to fostering intellectual exploration and social engagement. The institution welcomed diverse perspectives and encouraged open dialogue, serving as a beacon for radicals, intellectuals, and revolutionaries seeking an alternative educational experience.

Yet, despite Goddard's rich history and unwavering commitment to progressive education, the institution finds itself at a crossroads. The administration's mishandling of finances has plunged Goddard into a state of uncertainty, jeopardizing its future viability. Despite fervent efforts by students, staff, and faculty to propose viable solutions, the administration remains unreceptive to dialogue, pushing forward with plans that threaten to undermine the very foundation of Goddard's ethos, including [insufficient pay for staff](#). Goddard administration, including Dan Hocoy and each [Trustee](#), has yet to publicize their financial situation in the spirit of transparency towards the student body despite repeated requests.

Fundraising efforts were spearheaded by students in the Goddard Graduate Institute (GGI) two semesters ago. As part of the initiative, a calling campaign was established to contact alumni, friends, and family to raise funds. Unfortunately, despite setting benchmarks and formally requesting responses, no replies were received. In an attempt to explore alternative funding sources for Goddard, discussions were held with both [a person in administration] and [a member of the board finance committee] regarding obtaining support from a charitable trust. However, subsequent follow-ups via email to various stakeholders, including the board, administration, and the president's office, yielded either no response or redirection to other individuals. Furthermore, several students expressed their willingness and capability to write grants during meetings with the board, the president, and the administration. Unfortunately, these offers were not given due consideration. One notable incident was the untimely cancellation of the last on-campus alumni function scheduled for either 2021 or 2022. Despite meticulous preparations, including food arrangements, room accommodations, and even flights booked by attendees (including a guest from Hungary), the event was abruptly canceled just days or a week before its scheduled date.

Notably, the event held significant potential to generate substantial funds for Goddard. It is disheartening to note that despite the school's financial challenges, the decision was made to cancel the event, even with alumni from Hungary planning to attend. Moreover, the decision seemed inconsistent, as it occurred amidst the slight surge in COVID cases, while subsequent on-campus meetings were not similarly canceled. As concerned members of the Goddard community, there is an urgent need for reassessment of fundraising strategies and a more proactive approach to leveraging available opportunities for financial support. Effective communication and collaboration among all stakeholders are paramount in ensuring the success of fundraising endeavors and sustaining the institution's financial well-being.

Moreover, there are disturbing indications that the administration is considering transitioning Goddard to an online-only format. This not only disregards Goddard's principles of experiential learning but also exposes the institution to legal risks. Goddard not only loses its soul as a residency-centered institution for the convening of innovative thinkers and artists- but also could soon be facing legal action and financial ruin should it proceed with this ill-conceived strategy. Tuition for online-only schools inherently holds lesser value, and recent lawsuits against universities like Hopkins, which reduced tuition for online-only instruction during the COVID-19 pandemic, serve as a cautionary tale.

To jeopardize Goddard's future is to deny countless individuals the opportunity to engage in transformative learning experiences that challenge conventional wisdom and inspire social change. At the heart of Goddard's philosophy is the concept of radical learner-centered pedagogy, where students are empowered to take charge of their own education. Rejecting traditional grading systems, Goddard encourages students to explore their passions and engage in critical thinking.

As members of the Goddard community and advocates for progressive education, we urge the administration to reconsider its stance and engage in meaningful dialogue with students, staff, and faculty. Instead of succumbing to financial pressures, let us work together to explore sustainable solutions that uphold Goddard's founding principles and ensure its continued success for years to come.

In conclusion, the fate of Goddard College is not just a matter of financial viability; it is a question of preserving our collective commitment to democracy, intellectual freedom, and social justice. Let us stand united in defense of Goddard's ethos and history, ensuring that future generations have the opportunity to experience the transformative power of a Goddard education.

Update:

A college should be beholden to its students and faculty as form the true community and therefore the heart of the institution. Yet there has been mounting pressure upon many schools, resulting in different adaptations, from exploitative bureaucratization of larger research universities like Johns Hopkins' to contestation and closure of smaller, off-beat ones like Goddard. Yet, it is these small, alternative communities, derivative of larger schools, and inherent to smaller ones, that often imagine new futures in arts, research, and discourse. Communities of learning are responsible for creating new worlds. Through progressivism, what might at one time seem radical is often later, a reality. See above for the many ways Goddard students and faculty have influenced. We are at a juncture where society needs such dreamers. It's an unfortunate fact that the institutional support is utterly precarious both within and without. Without it, we lose the exhibits, the collaborations, the research products, the writings, the residencies, the friendships, the staff and faculty support, the emergent organizing efforts, the full variety of experiences afforded each of us who learn in a community- the list is innumerable. So often the focus becomes the lack of generative discourse requisite of true democracy, and through capitalism and interest groups, this occurs again, smaller scale, quietly among small schools- one by one, they fall- and it is in the small places where dialogue might have been found. Rather in some performative signaling- of schools inviting controversial speakers, or this or that polarizing politics, why not focus on creating environments equitable enough for real and localized involvement and support- for mutual aids and activisms, and ultimately, for the classroom as a commons for freedoms of expression to be enjoyed at least momentarily apart from the powers that be, long enough that is- for one original thought?

Colleges might explore alternative revenue streams and cost-cutting methods that prioritize the collective needs of staff, faculty, and students, while ensuring the sustainability of the institution. One potential avenue is to redirect certain administrative salaries towards augmenting staff salaries and student scholarships, particularly through the establishment of more minority scholarship programs. This approach aligns with research suggesting that investing in minority scholarship programs can contribute to greater diversity and inclusivity within educational institutions- identifying and limiting costs associated with under-utilized facilities can contribute to cost savings without compromising the core mission of the institution (Daly, 2019). This approach is supported by research on regenerative agriculture, which highlights the potential profitability of sustainable land use initiatives (Forbes, 2020). Additionally, exploring alternative revenue streams such as renting out space for various purposes, like workshops, galleries, or cafes, can generate additional income if not interfering with the primary ethos of the community.

This aligns with the principles of cooperative economics outlined in the research paper "Making a Cooperative University: A New Form of Knowing - Not Public but Social" (Stewart, 2019), which advocates for collaborative models of resource-sharing and decision-making within educational institutions. Focusing resources on specialized, community-based study, such as having one full-service residency use can optimize operational efficiency and enhance the overall student experience. This approach involves strategic planning and investment in infrastructure to accommodate various residency needs, while also ensuring financial sustainability

Ultimately, the success of these initiatives hinges on effective grant acquisition, donor relationships, and financial management. Investing in a dedicated donor manager, accountable to a collectivized student oversight body, can ensure transparency and responsible stewardship of financial resources. Increased public funding should be a government directive for colleges, to function as ecosystems of thought funded but not swayed by the opinions of their funders. Liberal arts colleges can adopt more democratic and collective strategies to avoid moral decay or closure due to investor pressures. This goes beyond establishing faculty, student, and community councils to participate in decision-making processes, ensuring diverse perspectives are considered. It also means implementing transparent budgeting processes and hosting regular town hall meetings, to foster trust and accountability. It might mean keeping schools alive. This spring, who wants to resurrect that entirely unique, generous-of-spirit and beautifully idealistic community that is Goddard?

Daly, R. (2019). Sustainable money-making ideas. Technological University Dublin. Retrieved from <https://arrow.tudublin.ie/cgi/viewcontent.cgi?>



[article=1101&context=engscheleart2](#))

Forbes Finance Council. (2020, January 30). Is regenerative agriculture profitable? Forbes. Retrieved from <https://www.forbes.com/sites/forbesfinancecouncil/2020/01/30/is-regenerative-agriculture-profitable/>

Stewart, D. (2019). Making a Cooperative University: A New Form of Knowing - Not Public but Social. ResearchGate. Retrieved from [https://www.researchgate.net/publication/334377329\\_Making\\_a\\_Co-operative\\_University\\_a\\_new\\_form\\_of\\_knowing\\_-\\_not\\_public\\_but\\_social](https://www.researchgate.net/publication/334377329_Making_a_Co-operative_University_a_new_form_of_knowing_-_not_public_but_social)

From: [REDACTED]  
To: [Kolber, Justin](#)  
Subject: Things to avoid  
Date: Friday, April 26, 2024 8:16:56 AM

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**EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.**

Hi Justin,

The Goddard situation is happening everywhere. Perhaps you and your team and work to avoid some of the worst behaviors that damage students. See this W. Post article:

<https://www.washingtonpost.com/education/2024/04/26/college-closures-student-impact/?>

[pwapi\\_token=eyJoeXAiOiJKV1QiLCJhbGciOiJIUzI1NiJ9.eyJyZWZzb24iOiJnaWZolwibmJmIjoxNzEoMTA0MDAwLCJpc3MiOiJzdWJzY3JpcHRpb25zIiwiaXhwIjoxNzE1NDg2Mzk5LCJpYXQiOiE3MTQxMDQwMDAsImpoaSI6IjFiMmY4NzgxLTc3MwYtNGU4NS05MzQ1LTgzZWExNTAxZTNkNSIsInVybCI6ImhodHBzOi8vd3d3Lndhc2hpbmdb25wb3NoLmNvbS9lZHVjYXRpb24vMjAyNC8wNC8yNi9jb2xsZWdlLWNSb3N1cmVzLXNodWRlbnQtaW1wYWNoLyJ9.qFKArhFrdtsp4AZIfjToMs\\_Y-TiB3m5ItxI6vWSiVs](https://www.washingtonpost.com/education/2024/04/26/college-closures-student-impact/?pwapi_token=eyJoeXAiOiJKV1QiLCJhbGciOiJIUzI1NiJ9.eyJyZWZzb24iOiJnaWZolwibmJmIjoxNzEoMTA0MDAwLCJpc3MiOiJzdWJzY3JpcHRpb25zIiwiaXhwIjoxNzE1NDg2Mzk5LCJpYXQiOiE3MTQxMDQwMDAsImpoaSI6IjFiMmY4NzgxLTc3MwYtNGU4NS05MzQ1LTgzZWExNTAxZTNkNSIsInVybCI6ImhodHBzOi8vd3d3Lndhc2hpbmdb25wb3NoLmNvbS9lZHVjYXRpb24vMjAyNC8wNC8yNi9jb2xsZWdlLWNSb3N1cmVzLXNodWRlbnQtaW1wYWNoLyJ9.qFKArhFrdtsp4AZIfjToMs_Y-TiB3m5ItxI6vWSiVs)

Best,  
Marc

**From:** [REDACTED]  
**To:** [AGO - Info](#)  
**Subject:** urgent Goddard info  
**Date:** Saturday, May 11, 2024 3:51:38 PM  
**Attachments:** [Short Version Goddard.pdf](#)

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You don't often get email from [REDACTED]. [Learn why this is important](#)

**EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.**

Good evening,

Please see the attached.

Best,

Elena

[site](#)

## The Board and their Colleagues

Is the closure of one of the most independently minded schools in America a story of precarity or of repetitions? And is there a way to defend such schools in future?

Students were provided with the alternative which was Prescott College, a small school in Arizona that in fact does not offer the degree type or subject of many students whose communication to administration was met with a blanket response to attend recruitment sessions.

Prescott's offerings do not, at this time, include a terminal MFA program at all, nor in a comparable subject area, and Naropa University offered as another teach out option in a hurried email by administration, which does provide an interdisciplinary arts MFA either. Kenneth Macur, known for closing Medaille University last year identified himself as a point person contracted by the administration and did not provide further information on registration for these additional options (Naropa, Vermont State, Lesley, Antioch, California Institute of Integral Studies, Saybrook). The majority of these schools have leadership closely associated with or have been led by current or past members of the Goddard board. The majority are heavily recruitment focused, tuition dependent and struggle with low enrollment, but have received influxes of students from other school closures in recent years.<sup>1</sup>

Many of the transfer options offered are of schools that are not only run by close colleagues of board members responsible for closing or merging schools in this fashion, but also, schools such as Saybrook as well, that cite increasing enrollment margins as a form of much-needed income: "For the issue of finances, the Commission required the university to demonstrate continued efforts to strengthen financial viability through further enrollment growth, diversification of revenue sources, and growth of advancement efforts. In addition, the Commission noted that Saybrook should continue to examine program pricing strategies in light of the changing ecology of higher education." Going back to AY 2018-2019 new student cohorts, Saybrook's graduation rate was 15.87%.<sup>2</sup>

Saybrook University, owned by TCS Education, in the past partnered with Bridgepoint Education to receive transfer students following the for-profit school Ashford University's closure. Ashford had been known for its focus on recruitment for degrees that were not on offer:

"Ashford recruiters paid on a commission basis have led many prospective students to believe that the completion of an Ashford online program or the combination of the Ashford-Rio Salado programs would result in an Iowa teaching license. . . . One recruiter said, "We are trained specifically on how to work the angle of psychology . . . We tell students this is the right thing to do, it will make their parents proud, it will make them a role model for their kids, and it will help them fulfill lifelong goals. If we don't have a degree they want, we are supposed to convince them that one of ours will work for them anyway [sic]... Recruiters who do not hit their

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<sup>1</sup> Reichman, H. (2023, July 25). This College Didn't Just Die; It Was Murdered. Inside Higher Ed. <https://www.insidehighered.com/views/2023/07/25/how-medaille-university-died-opinion>

<sup>2</sup> Long, N. (2021, September 8). Special Visit Report to the Western Association of Schools and Colleges Senior College and University Commission. Retrieved from <https://www.saybrook.edu/wp-content/uploads/2022/04/Saybrook-University-Special-Visit-Report-Narrative-Fall-2021-Submission.pdf>

enrollment quotas were chastised by managers...Recruiters “created urgency” to encourage prospective students to enroll right away by repeating scripted “Words of Wisdom” such as ‘if you wait for all the lights to be green, you will never reach your goals because the lights will never be all green,’ and “it doesn’t get any better later, it just gets later.” Recruiters were taught a sales technique known as “overcoming objections.”<sup>3</sup>

as TCS head Horowitz said, “I had a great time discussing our efforts to transfer in nearly 1000 displaced students from the former Argosy University.”<sup>4</sup>

TCS-Saybrook notwithstanding, Goddard students followed up even to facilitate better teach-out options themselves, including copying NECHE and Vermont Agency of Education, emails were met with non-response from administration, demonstrating not only neglect, but seemingly refusal to comply with regulations.

It was becoming difficult to discern whether the neglect of their mandate to students, faculty, staff, and the institution itself was due to poor governance, or some other intent: when presented with a range of options, the board has continually selected options not only contrary to the feedback of the community, but in secrecy, as well as sometimes in stark contradiction to mandate. Given that in each of these situations, better options were presented to preserve some semblance of the college, it may appear that there were other incentives. However, a conclusive determination of what those were is open to investigation.

The three legal duties of a nonprofit Board of Trustees of Goddard entail the Duty of Care, the Duty of Loyalty, and the Duty of Obedience. The Duty of Care mandates the prudent utilization of all assets, encompassing facilities, personnel, and goodwill, to safeguard the nonprofit's interests. Additionally, the Duty of Loyalty obligates trustees to prioritize the advancement of the nonprofit's mission, disclose conflicts of interest, and make decisions in the organization's best interest, not their own or any other entity's. Finally, the Duty of Obedience necessitates compliance with relevant laws, regulations, and the nonprofit's bylaws, ensuring alignment with its stated purposes and mission.<sup>5</sup> In law, protections against a potential "conflict of interest" on nonprofit boards are enshrined in Vermont Statutes Title 16 and Title 18, United States Code.<sup>67</sup>

Students wrote a demand letter that they should be offered the option of what program to this, given that they had already paid for and pursued, put time and effort into, and, principally, agreed to, both contractually through acceptance of the offer of attending, and through a federally mandated financial aid commitment, were entitled to full input and in fact to determine the replacement, as the promise has been broken, given that this entirely unique and irreplaceable program, a legacy of Goddard’s progressive history, had been destroyed.

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<sup>3</sup> United States Senate Committee on Health, Education, Labor & Pensions. (2023). Executive summary of Bridgepoint Education. Senate HELP Committee.

[https://www.help.senate.gov/imo/media/for\\_profit\\_report/PartII/Bridgepoint.pdf](https://www.help.senate.gov/imo/media/for_profit_report/PartII/Bridgepoint.pdf)

<sup>4</sup> Ibid.

<sup>5</sup> Goddard College. (1993). Governance at Goddard College

<sup>6</sup> Vermont Statutes. (2023). Title 16 Vermont Statutes.

<sup>7</sup> Title 18 U.S. Code. (1984). Title 18 U.S. Code.

Decisions without adequate input from faculty and students reduces transparency, and fails to represent Goddard's interests. This was particularly brazen in the one-sided decision to reject support from Vermont State University to keep Goddard intact, which should be the ultimate goal of any representing her. Further, sale of the school's 117 acres has been entirely without transparency, and offers by Cooperation Vermont, an environmental and arts nonprofit with similar ethos to Goddard, as well as by the town, have been ignored. Director Michelle McCormick said "I'm just not even really sure what to say at this particular juncture because I've never seen a group of people who want to sell a piece of property and not be able to engage with potential buyers." The town of Plainfield expressed interest, which was ignored as well.<sup>8</sup>

Prior, when Goddard nearly closed, NECHE, the accrediting body issued a teach-out in collaboration with the VT Agency of Education offering a more comprehensive list of options in addition to instructions on phase-out.<sup>9</sup> In the 2024 closure, NECHE and Vermont Agency of Education did not intervene when implored by students, redirecting them to the board, while the Department of Education sent an email that stated that they were under the impression Goddard was still open.

[insert student stories]

Students wrote in solidarity with staff and faculty who have been suddenly severed from labor contracts, though deserving of the full benefits, labor rights, and allotments due under federal and state labor protections, did not receive these in full, for instance with pensions shorted and severance withheld.<sup>10</sup> Administrators did not designate a point of contact, even for ADA accommodations. At the same time, the institution was not fully financially insolvent, and the decision to close was in fact a conservative estimation that forestalled consideration of community input, whereupon students could not simply "phase out" their programs.

In fact, by federal law the institution was required to ensure that "all existing students can either complete the course of study, or transition to a mutually agreed course at no disadvantage."

Members of the Goddard community and advocates for progressive education, urged the administration to reconsider its stance and engage in meaningful dialogue with students, staff, and faculty. Instead of succumbing to financial pressures, many advocated for exploring sustainable solutions that uphold Goddard's founding principles and ensure its continued success for years to come. Yet proposals to generate income through use of Goddard's facilities, such as leasing, were obstructed by the board. During his time at ECC, as with at Goddard, Hocoy had also allowed for facilities to fall into disrepair, and both schools experienced accreditation

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<sup>8</sup> Petenko, E. (2024, April 19). Future of Goddard College campus uncertain as group puts bid forward. VTDigger.

<https://vtdigger.org/2024/04/19/future-of-goddard-college-campus-uncertain-as-group-puts-bid-forward/>

<sup>9</sup> VSBPE. (2019, June 4). Goddard's Contingency Teach-Out Plan. Retrieved from <https://education.vermont.gov/sites/aoe/files/documents/VSBPE%20Agenda%20Item%20PAC%20-%20Goddard%20Contingency%20Teach%20Out%20Plan.pdf>

<sup>10</sup> Anonymous. Interview (2024).

crises.<sup>11</sup> Prior to closure, it seems that the Goddard president was receiving about \$250,000 a year, while the average salary for staff members at Goddard College was below \$20,000 annually. Hocoy enjoyed two residences and a covered phone bill, in addition to the salary. This stark contrast in financial benefits becomes more apparent when considering that some staff members facing potential layoffs were struggling with basic needs like housing and food. The salary discrepancy is significant, with the President earning 1150% more than the average staff member, surpassing the entire combined earnings of the kitchen staff and help desk personnel. This implies that the President's compensation equates to the market “value” of approximately 12.5 diligent and hardworking staff members, and yet much of the administrative work was abruptly offloaded to faculty members who were not additionally compensated. In addition, the unilateral decision to close the school did not honor staff and faculty labor contracts as per union agreements, with the result of violations with the Department of Labor regulations- notwithstanding the incredible impact on faculty and staff, many of whom are deeply dedicated and have worked for the college for decades. In 2023, the Goddard College Staff organized a strike to address concerns regarding their pay and working conditions.<sup>12</sup>

Daniel Hocoy, as former President of SUNY Erie Community College (ECC), Antioch College, and current Goddard College, had a reputation, according to some, as a “college closer” following a series of quick exits and land sales at his previous institutions.

Hocoy indicated that he held the position of president and vice chancellor at Metropolitan Community College in Kansas City as well, but it was later revealed that he served as a vice-chancellor of the college and held the presidency of only one of its five campuses. The Goddard Alumni Association held a vote of no confidence, noting the college president’s dishonesty. The Board of Trustees at Goddard College was instructed not to conduct internet searches on candidates' records before voting for the new President. The Goddard board and president responded with a “cease and desist”.<sup>13</sup> Metropolitan Community College had removed Hocoy following a vote of no confidence.<sup>14</sup>

During his tenure at ECC, Hocoy pursued development projects on open fields and recommended leasing the school brand to students in trades courses, to brand student labor like oil changes, and restaurants and hotels. Hocoy proposed various strategies exploring avenues for additional naming rights and corporate sponsorships for campus facilities, optimizing the utilization of underused campus spaces through leasing arrangements, and facilitating the provision of products and services by students undergoing training at the college: "Instead of replacing the brakes on a junker car 20 times, you would actually provide a service to the community at lower cost and students would be able to actually work on a real repair. And it

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<sup>11</sup> Erie County Legislature. (2018). Retrieved from [https://www2.erie.gov/legislature/sites/www2.erie.gov.legislature/files/uploads/Session\\_Folders/2018/Session\\_11/18Comm.11E-3.PDF](https://www2.erie.gov/legislature/sites/www2.erie.gov.legislature/files/uploads/Session_Folders/2018/Session_11/18Comm.11E-3.PDF)

<sup>12</sup> WCAX. (2023, April 21). Goddard College workers reach contract agreement, end strike. Retrieved from <https://www.wcax.com/2023/04/21/goddard-college-workers-reach-contract-agreement-end-strike/>

<sup>13</sup> Inside Higher Ed. (2021, November 3). Goddard College Sends Cease-and-Desist Notice to Alumni. Inside Higher Ed. <https://www.insidehighered.com/news/2021/11/03/goddard-college-sends-cease-and-desist-notice-alumni>

<sup>14</sup> WBFO. (2020). ECC President Leaving at the End of His Contract. <https://www.wbfo.org/education/2020-04-24/ecc-president-leaving-at-the-end-of-his-contract>

would provide the school with some additional non-tuition revenue.” He availed himself of a new Lincoln vehicle. Moreover, a cost-of-living salary augmentation was conferred upon him each July first during his tenure, resulting in his salary approximating \$230,000. Hocoy possessed discretionary access to expense accounts originating from diverse sources within the College infrastructure: an expense allocation from the ECC Foundation, an affiliated entity, and an expense allocation from the Auxiliary Services Corporation (ASC), another affiliated institution of the collegiate assembly. On December 19th, 2019, Erie Community College's Board of Trustees in an executive session, sought to end then President Dan Hocoy's service at the community college, before his term expired in June 2020.<sup>15</sup>

“We at SUNY Erie consider the business community a very close partner in terms of improving the socioeconomic and cultural prosperity of Western New York. As you might know, there's a huge skills gap currently in Western New York, and our job as the community college is really to address those needs. So we have been working closely with GM, Western Automotive, Citibank, Facebook, Tesla, as well as many others, to ensure that they get the talent they're looking for, and that our students get the training and the jobs that they're looking for. Citibank, for instance, provided us with \$200,000 just to put a tablet up to advertise their summer and career opportunities.

Hocoy later noted his prior engagement in a naming opportunity, specifically citing an instance where CitiBank offered SUNY-Erie \$200,000 to affix its name on a lounge during his tenure. He asserted that such an arrangement aligned with the institutional ethos of SUNY-Erie but would be incongruent with the values of Goddard. Hocoy indicated his familiarity with certain aspects of Goddard's history and expressed his understanding that to the Goddard community, “bank is a four-letter word”. At a school meeting he suggested that Goddard transition from a “commune” into a “college”, a remark not kindly felt by many students and faculty.<sup>16</sup>

Matt Anderson, Principal at Heartland LLC, a real estate advisory and investment firm serving as Antioch University's strategic real estate advisor, confirmed that the decision to relocate was driven by the university's desire to fortify its financial optimization of its real estate portfolio. This strategic realignment aligned with Hocoy's broader agenda of reframing educational institutions' assets. By orchestrating the sale and relocation of Antioch Seattle's campus, Hocoy capitalized on the lucrative real estate market in downtown Seattle. He was fired from Antioch in a wave of “restructuring”.<sup>17</sup>

Even when originating from different places, board members' backgrounds followed a pattern of leaving former posts abruptly or amid controversy, as with Hocoy, so had Phyllis Worthy

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<sup>15</sup> BizJournals. (2017, June 21). Hocoy chosen as 11th president of Erie Community College. Buffalo Business First. Retrieved from <https://www.bizjournals.com/buffalo/news/2017/06/21/hocoy-chosen-as-11th-president-of-erie-community.html>

<sup>16</sup> Buffalo News. (2017, June 21). SUNY set to confirm West Coast educator as ECC president. Retrieved from [https://buffalonews.com/news/local/suny-set-to-confirm-west-coast-educator-as-ecc-president/article\\_1a536357-11b7-5c92-a249-3029302ff71b.html](https://buffalonews.com/news/local/suny-set-to-confirm-west-coast-educator-as-ecc-president/article_1a536357-11b7-5c92-a249-3029302ff71b.html)

<sup>17</sup> Chiddister, D. (2016, July 7). All campus presidents fired—Antioch University restructures leadership. 080411\_higheredBANNER.



Dawkins. Despite her history as a leader and activist for HBCUs she came to Goddard after a sudden departure from Bennett College, a historically black institution for women in Greensboro, which has prompted speculation as school officials have refrained from disclosing the reasons behind her exit.<sup>18</sup>

During Daniel Sewell's term as Provost at Saybrook University from 2011 to 2014, Dan Hocoy served as Associate Provost under his leadership.<sup>19</sup> Prior to his role at Saybrook University, Sewell served at Fielding Graduate University for 21 years. Sewall self reports on LinkedIn that among his duties he: “Successfully led structural change approval and implementation as well as the development, approval, and implementation of four new graduate degree programs”, and that he was responsible for accreditation. While Saybrook’s M.A. in counseling program is accredited by The Council for Accreditation of Counseling and Related Educational Programs (CACREP), it lacks accreditation from major national accrediting bodies or professional organizations such as the American Psychological Association (APA).

Goddard hired Mark R. Jones as an “consultant”, and he joined on as well as member of the board. He too is associated with Saybrook University and also attended Antioch Seattle, where Hocoy sold properties. Jones is also responsible for overseeing the operations of the Sunyata Group (which includes “for-profit and nonprofit entities”)<sup>20</sup>, and collaborates with various partners to develop systems designed to cultivate a sense of belonging among individuals and groups, drawing from historical and cultural conceptions of race and ethnicity: “with respect to human relationships, natural resources, converted assets, and economic models; Universal Basic Investment (UBI), Commons Community Ownership Frameworks, and Community Development & Real Estate Frameworks.” For a few hundred dollars, in half a day with Jones, one can learn how to capitalize on diversity.

This absence of accreditation in certain programs may lead to challenges in obtaining licensure or employment in specific agencies, and has resulted in lawsuits by Saybrook students. At Saybrook University, Hocoy introduced graduate courses on Facebook, advocating for this approach in a poorly edited article published in EduCause (2013): “The positive experiences of both students and faculty suggest multiple delivery possibilities that are conducive to learning and fiscally efficient for both the school (in terms of faculty–student ratio) and the student (no textbooks or readers required)”, in what Hocoy himself terms “bit of a gimmick to make online education more interesting.”

Fundraising efforts were led by students in the Goddard Graduate Institute (GGI) two semesters ago. As part of the initiative, a calling campaign was established to contact alumni, friends, and family to raise funds. Unfortunately, despite setting benchmarks and formally requesting responses, no replies were received. In an attempt to explore alternative funding sources for Goddard, discussions were held with both [a person in administration] and [a member of the

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<sup>18</sup> HBCU Advocate. (2019). President of Bennett College Dr. Phyllis Worthy Dawkins stepping down. Retrieved from

<https://www.thehbcuadvocate.com/president-of-bennett-college-dr-phyllis-worthy-dawkins-stepping-down/>

<sup>19</sup> Fielding Graduate University. (2024). Faculty Directory. Retrieved from

<https://www.fielding.edu/faculty-directory/>

<sup>20</sup> Jones, M. R. (n.d.). Professional & Organizational Development. Professional & Organizational Development. <https://hr.uw.edu/pod/consultant/mark-r-jones-ph-d/>

board finance committee] regarding obtaining support from a charitable trust. However, subsequent follow-ups via email to various stakeholders, including the board, administration, and the president's office, yielded either no response or redirection to other individuals. Furthermore, several students expressed their willingness and capability to write grants during meetings with the board, the president, and the administration. Unfortunately, these offers were not given due consideration. One incident was the untimely cancellation of the last on-campus alumni function scheduled for either 2021 or 2022. Despite preparations, including food arrangements, room accommodations, and even flights booked by attendees (including a guest from Hungary), the event was abruptly canceled just days or a week before its scheduled date.

As one student wrote of Saybrook, “Guess it was a learning experience for me. Leaving after my second semester was probably one of the best decisions I ever made.”<sup>21</sup>

Goddard’s former president, Mark Schulman, also was president of Saybrook. According to a WSAC document, Sewell headed structural change committees jointly with a public benefit corporation, TCS Education- essentially the college was in fact not handed off but jointly owned in a merger type acquisition by TCS and Saybrook, meaning that he ran the college in tandem with TCS leadership.<sup>22</sup> Nearly every member of the Goddard board had worked closely on previous administrations of schools that had witnessed substantive change, exemplifying either an insular network of likeminded administrators or a somewhat nepotistic but perhaps normalized system of appointments in higher education. The substantive change was reviewed by the accrediting body, WSAC, which included among many reviewers from within their professional networks, the president of Fielding Graduate School, Katrina Rogers.

Board members such as Lucinda J. Garthwaite pressured union members to disband (a violation of the National Labor Relations Act), which proscribes employers from engaging in conduct that hinders, restricts, or pressures employees in the exercise of their rights pertaining to the establishment, formation, membership, or support of a labor union for purposes of collective bargaining, or from collaborating to enhance terms and conditions of employment: obstructing employee and student input and needs forestalls the health of the institution. The release of information in one precise moment in the middle of the term without discussion has been a recurring pattern in their management, and revealed what some believed was a proclivity for shock tactics as a method of paralyzing the victim long enough to move forward with their own aims. However, this strategy is not unique to Goddard, but indeed suddenness has marked many of Hocoy’s hirings and departures from institutions which one by one, lost significant resources and capacity, or shuttered, while he and others close to him left enriched.<sup>23</sup>

Lucinda Garthwaite, who maintains various nonprofits with Daniel Sewell, though many are not currently running, has a complex history with Goddard College, having served in various capacities including faculty member, program director, and dean at different junctures, and yet aided in this takeover. However, her tenure at the institution was marked by controversy,

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<sup>21</sup> Quora. (2020). What is your experience like attending Saybrook University. Quora. Retrieved from <https://www.quora.com/What-is-your-experience-like-attending-Saybrook-University>

<sup>22</sup> WSCUC Visiting Team. (2021). Report of the WSCUC Visiting Team Special Visit to Saybrook University, November 16 – 19, 2021.

<https://www.saybrook.edu/wp-content/uploads/2022/04/SayU-Team-Report-SV-fall-2021.pdf>

<sup>23</sup> Anonymous. Interview (2024).

including a period of departure amidst speculations of termination, followed by subsequent rehiring to undertake organizational development initiatives under the presidency preceding Bernard. There was an episode of contention surrounding her compensation, purportedly amounting to approximately \$100,000 during a time of financial strain for the college. Despite her involvement in fundraising and rebranding endeavors, the outcomes of these efforts were not substantial. While there is no indication that she was terminated from her position, it is plausible that her contract simply expired.<sup>24</sup> Garthwaite also held a position on the college's board, a role to which she was appointed by the same president who oversaw her other appointments. She advocated for many of the Fielding Graduate University affiliates to join, an institution where she had pursued studies in educational administration. In this way, the Board gained several more individuals from Fielding, including the addition of Fielding Senior Vice President Gloria Willingham-Touré, who identifies in her biography as "a master networker", and has exerted enormous pressure on the board hiring practices. Willingham-Touré said the learning community should not be "digging into how we operate the college itself."<sup>25</sup>

The fate of Goddard College was not just one of financial viability; it was a question of preserving a community dedicated to democracy, intellectual freedom, and social justice. Circumstances around closure were mysterious insofar as decisions were made behind closed doors and NDAs had long ago been signed<sup>26</sup>- though the reasoning one could only speculate, as the president's byline to the press was low enrollment, several new admits were accepted the week prior to the sudden closure, which was announced in the exact moment on all channels with no forewarning to staff or faculty. Yet, the board, despite regulations on colleges and specifically, non-for-profits, did not operate with this mindset. But as the small consulting firm, Stevens Strategy, hired by Goddard Board, notes on their site, "A school closing should be considered early so students, employees and vendors are not left in a lurch."<sup>27</sup> Hocoy himself historically has seemed to misunderstand the purpose of an educational institution, or indeed, a nonprofit, as with ECC, where students, by working for the school, would indeed be paying to work, and to profit Hocoy.

Former Goddard President Schulman also serves on Stevens Strategy firm, a conservative consulting firm responsible for "scaling" colleges around the world. Even smaller institutions that one might not expect appear on the Stevens client list, including Goddard and most of the board member's former schools, including Hocoy's and Dawkin's.<sup>28</sup>

These schools vary widely from openly for-profit unaccredited to WASC-accredited for-profits, to schools that advertise psychology degrees that are not APA accredited, to schools like Prescott College, not so deeply aligned but still offering 'integrative studies'. Fielding President Katrina Rogers served as chair of the board of the presidential selection committee for the newly installed Barbara Morris at Prescott. Many specialize in "transpersonal psychology", and

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<sup>24</sup> Anonymous. Interview (2024).

<sup>25</sup> Inside Higher Ed. (2021, November 3). Goddard College Sends Cease-and-Desist Notice to Alumni. Inside Higher Ed.

<https://www.insidehighered.com/news/2021/11/03/goddard-college-sends-cease-and-desist-notice-alumni>

<sup>26</sup> Anonymous. Interview (2024).

<sup>27</sup> Stevens Strategy. (2022). Colleges in crisis: How to survive. Retrieved from

<https://www.stevensstrategy.com/higher-education-policy-practice/colleges-crisis-survive/>

<sup>28</sup> Stevens Strategy. (2022). Client List. Retrieved from <https://www.stevensstrategy.com/client-map/>

Fielding even features a “think tank” known as the Integral Institute, led by a large group awareness training practitioner, Ken Wilbur. Transpersonal psychology has drawn criticism for its perceived lack of conceptual clarity, evidentiary support, and scientific rigor, as well as "highly biased dogmatic interpretations" that can arguably lead to "fascism" or cult-like behavior.<sup>29</sup> Nearly all of the administrators capitalized off of speaking engagements and 'leadership coaching' programs, in addition to 'consultants' like Jones. In short, a glass palace of revolving doors- either simply a likeminded professional network or a semi-nepotistic system within institutions advertising differentially accredited degrees, a sideshow more interesting than fairground psychism except for the annihilation of the real college when one dares look away.

The licensure rate stands at a mere 69%, a figure particularly concerning for a practitioner-focused program like Fielding. 31% of graduates are unable to attain licensure, severely limiting their professional prospects and ability to mitigate the substantial debt incurred during their education. Mike Cairns, formerly of the MLM- adjacent Transamerica Insurance corporation, also joined Dan Hocoy from Saybrook on the Goddard board, as in fact, the financial auditor. Nathan Long, now president of Saybrook, is among the leadership board of TCS Education System as well. Dr. Michael Horowitz founded The Community Solution, which “utilizes strategic partnerships to foster economies of scale, academic innovation, risk mitigation, and resourceful business solutions to maximize students' educational experiences.”<sup>30</sup>

On November 14, 2012, a group of 40 students, represented by Attorneys Michael E. Reznick and Jan Del Toro, initiated a class action lawsuit against The Chicago School of Psychology (and thus, its owner, TCS), seeking damages exceeding \$30 million. The lawsuit alleges that the students were induced to invest in an education at the school's newly established Los Angeles campus under false pretenses, specifically regarding accreditation by the American Psychological Association (APA). According to the lawsuit, the students were misled by the school's management, who assured them that APA accreditation was forthcoming and that it would be secured before their graduation. Despite these assurances, the Los Angeles campus never obtained APA accreditation, unlike the established Chicago campus. The plaintiffs assert that deceit and fraud were pervasive throughout their enrollment at TCS. APA accreditation is highlighted as crucial for the value of a doctoral degree in Psychology in the job market, with many employers, including governmental and healthcare institutions, requiring accreditation from APA-accredited institutions. The students involved in the lawsuit express profound disappointment and concern over the prospect of starting their careers with degrees deemed worthless due to the lack of accreditation.<sup>31</sup>

Further, a Substantive Change Committee (WASCSR) has been formed on WSCUC that: “meets annually to orient new members and discuss trends and policy matters relating to substantive change.” For instance, Charles McClintock, PhD, is Doctoral Faculty and Dean Emeritus at

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<sup>29</sup> Ellis, Albert. "Fanaticism that may lead to a nuclear holocaust: The contributions of scientific counseling and psychotherapy". *Journal of Counseling & Development*, Nov 1986, Vol. 65, pp. 146-151

<sup>30</sup> Goddard College. (2024). Board of Trustees. Retrieved from <https://www.goddard.edu/about/board-of-trustees/>

<sup>31</sup> TCS Education System. (n.d.). TCS Education System Community Celebrates Another WSCUC Seal of Approval. Retrieved from <https://www.tcsedsystem.edu/news/blog/tcs-education-system-community-celebrates-another-wscuc-seal-of-approval/>

Fielding Graduate University, is another member. He led the integration of The Santa Barbara & Ventura Colleges of Law into the TCS Education System, a public benefit corporation, which is led by the Chicago School. Micheal Horowitz, director, is among the highest paid public education officials in America at a salary of \$1.1 million in 2013, of which \$550,000 was base pay and \$370,000 in bonuses, other benefits notwithstanding.<sup>32</sup>

Historically, the 90-10 rule imposed restrictions on the proportion of federal student aid funding, stipulating that no more than 90 percent of a for-profit college's revenue could originate from federal aid sources. However, exemptions for veteran-specific federal aid programs, such as the GI Bill and Defense Department tuition assistance, created an avenue for exploitation by for-profit entities. By enrolling veterans who did not count toward the 90 percent cap, these institutions could circumvent regulatory constraints and subject veterans to deceptive marketing tactics, leading to the accumulation of substantial student debt burdens without commensurate educational benefits. Veterans Education Success (sensitive to trends of for-profits targeting veteran demographics for access to GI Bills designated for education) penned a letter noting this collegiate atmosphere, as it were, of the WSCUC accrediting body, which is the gatekeeper for a total of \$9.2 billion of federal loan money. They wrote expressing strong concerns about academic improvement targets, especially regarding accrediting law degrees that do not meet standards for bar exam eligibility in most states outside California- as unacceptable to the public, who rely on WASC SR for accreditation assurance. Further exacerbating the issue is the alleged conflict of interest involving a former WASC SR Vice President providing consulting services to law schools seeking WASC SR recognition while serving on WASC SR panels reviewing accreditation applications. While there are no allegations of direct payment from schools seeking accreditation, the simultaneous offering of consulting services and participation in accreditation panels presents an appearance of conflict of interest. Although WASC SR management is aware of these allegations and their potential implications, the matter remains unresolved. They noted that many of these schools were for-profits owned by Zovio, formerly Bridgepoint Education.<sup>33</sup>

### The Politics of Associations

Interestingly, Figuli has both led TCS, and is a close partner of Stevens Strategy, as noted on their site, in addition to other roles.

In his capacity with TCS, a law school in California, Southern California Institute of Law, initiated legal proceedings on October 25, 2010, against him. The Dean of the school “..was approached by Figuli.. [the school was] motivated in part to engage in the affiliation due to the prospect of achieving WASC accreditation and gaining access to federal student loans. Figuli and Haynes explained that TCS was interested in acquiring a California law school...Figuli stated that he had extensive background in strategic acquisitions in the education sector and that, through defendant HEG, he had been assisting TCS with identifying suitable acquisition

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<sup>32</sup> Prairie State Wire. (2022, December 7). Second highest salary for a not-for-profit executive in... Retrieved from

<https://prairiestatewire.com/stories/637632984-second-highest-salary-for-a-not-for-profit-executive-in>

<sup>33</sup> VetsEDSuccess. (2022). Our letter to the Department of Education on WASC SR. Retrieved from <https://vetsedsuccess.org/our-letter-to-the-department-of-education-on-wascsr/>

candidates and structuring transactions..TCS misappropriated all of the plaintiff's most closely guarded secrets to gain an unfair competitive advantage.”

Further, through an NDA, “...TCS, its employees and agents were commanded "not to use, reproduce, or directly or indirectly disclose or allow access to the [I]nformation except as required to facilitate the Relationship.”

Therefore, the case alleges that “TCS misappropriated all of the plaintiff's most closely guarded secrets to gain an unfair competitive advantage.”

The complaint was lodged as per the Sherman Antitrust Act, which states that “every person who shall monopolize,or attempt to monopolize, or combine or conspire with any other person or persons, to monopolize any part of the trade or commerce among the several States, or with foreign nations,shall be deemed guilty of a felony.” 15 U.S.C. § 2, as well as fraudulent misrepresentation, Securities Exchange Act of 1934, 15 U.S.C. § 78j (1934).<sup>34</sup>

In the legal brief, the school concluded that “The law should not condone wrongdoing even if the wrongdoing may create social good for some. To do otherwise is Machiavellian.” According to this testimony, Figuli was targeting and approaching schools in order to gain an unfair competitive advantage, not simply treating universities as a market, but employing a highly calculated strategy:

“Like TCS, Figuli sees himself as an innovator in the development of new business models for higher education, including strategic alliances, sponsorship arrangements, public/private and nonprofit/for profit ventures, international partnerships, mergers and acquisitions and investment relations. He offers his clients the following array of services, among others: (i) transactional services that include assistance in negotiating and drafting conceptual documents, facilitating changes in corporate structure to achieve growth, raising capital, selling assets, divisions or equity, compliance with regulatory requirements, formation of systems, conversions of a legal entity from one type to another, and redistribution of assets among various entities; (ii) preparation and presenting applications for substantive change to institutional accrediting agencies and presenting changes of control to state licensing bodies and the U.S Department of Education ("DOE"); (iii) conceptualizing, forming and executing affiliations between tax-exempt entities, public and -private entities and non-profit and for profit enterprises with the goal of ensuring that tax-exempt status is not compromised and the appropriate level of control is created to satisfy institutional accrediting agencies; (iv) providing legal and business advice to educational institutions and investors desirous of forming domestic and international ventures that combine core competencies, educational assets, investment capital, expertise and/or specialized services to achieve common goals with an emphasis on deal structuring, regulatory compliance and risk management; and (v) conducting due diligence investigations in a wide range of transaction settings, ranging from the simple to complex and involving for-profit and nonprofit institutions and organizations engaged in all aspects of the post-secondary sector. Such services include "comprehensive investigation of corporate structures, litigation, contractual relationships, Title IV compliance [i.e., federally funded student financial aid programs], accreditation compliance, employment practices, faculty related issues, intellectual property, and

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<sup>34</sup> Ibid

owned and leased property. We investigate all potentially relevant and material aspects of a transacting party's business, compel all necessary disclosure, and recommend third-party investigations and reports as well as further action based upon our findings."<sup>35</sup>

David Figuli and others, including Ryan Craig, have founded firms and funds including but not limited to: Salud Education, Bridgepoint Education, Zovio, Higher Education Group, University Ventures, Dream Center Education Holdings, Colbeck Capital, Synergis Education, Achieve Partners. At the time, David Figuli served as the CEO of Global Equities, retained by TCS to aid in identifying potential acquisitions or affiliations with educational institutions and structuring associated deals. University Ventures (UV) is an investment firm focused exclusively on the global higher education sector. UV pursues a differentiated strategy of 'innovation from within'. By partnering with top-tier universities and colleges and then strategically directing private capital to develop programs of exceptional quality that address major economic and social needs, UV expects to set new standards for student outcomes and advance the development of the next generation of colleges and universities on a global scale.<sup>36</sup>

For-profit schools are both difficult in terms of regulatory risks and marketability, and of non-profit and preexisting institutions, the smaller liberal arts school has particular suitability for for-profit ventures, but cultural challenges to access. Stevens Strategy writes: "We are working diligently to develop a Vulnerability Model that will reliably forecast the closures of private colleges in the face of powerful economic, demographic, and financial constraints. We are beginning to get promising results from our tests of this Vulnerability Model, which utilizes both traditional and new measures of financial health."

So who is Figuli? David Figuli, identified on LinkedIn as the "Owner & Chairman" of Hussian College, occupies multiple roles within the educational landscape, and is a many of mystery (or just many erased websites). As a co-owner of Hussian College, founded in 1946 in Philadelphia and now expanded to seven campuses nationwide, he has been instrumental in shaping its growth trajectory. The closure of Hussian College left a multifaceted crisis for students, parents, faculty, and regulatory bodies, highlighting systemic issues within the for-profit higher education sector.

Figuli works closely with a strategic conservative consultant called Stevens Strategy that used to be named Higher Education Executive Associates of Detroit (HEEA), and originated in 1967. Dr. Thomas Emmett, formerly the Dean of Men at the University of Detroit and later serving as the Special Assistant to the President at Regis University in Denver, Colorado, helmed HEEA until its merger with Stevens Strategy in 2007.<sup>37</sup>

If we analyze the biographies and services of the "Stevens Strategy" team, there is substantial experience in psychometrics as well as financial expertise. In fact the group was highly involved in responding to the wave of protests at the University of Michigan in the 1960s. Four unarmed college students were murdered and several others were injured by the Ohio National Guard

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<sup>35</sup> Ibid

<sup>36</sup> AJW Southern California Institute of Law v. TCS Education System et al, No. 2:2010cv08026 (C.D. Cal. 2011). <https://cases.justia.com/federal/district-courts/california/cacdce/2:2010cv08026/485655/1/0.pdf>

<sup>37</sup> Smith, R. (2021). Reconsidering the Ombuds as Advocate or Subversive Bureaucrat: Exploring the Foundations of the University Ombuds. *Journal of the International Ombudsman Association, JIOA*, 2021(1)

when protesting the expansion of U.S. military involvement in Cambodia and the presence of National Guard troops on the Kent State University campus. The aftermath of the shootings reverberated across the nation, sparking outrage and catalyzing widespread student activism. The subsequent student strike, involving millions of participants across various educational institutions, underscored the depth of public sentiment against the Vietnam War and the perceived heavy-handedness of state forces in dealing with dissent. The legal proceedings following the Kent State shootings, wherein eight National Guard soldiers were charged with depriving students of their civil rights but ultimately acquitted, further underscored the civil rights concerns surrounding brutality of law enforcement. As a result, perhaps, the largest antiwar protest of the 1960s in Ann Arbor transpired on October 15, 1969, as part of the Moratorium to End the War in Vietnam, a nationwide mobilization.

The HEEA firm sent a spokesman to the state senate to ensure that the legislators bought into the idea that this was not an attempt at repressing students. The "Special Senate Committee to Investigate Colleges and Universities" was compared by student journalists to the McCarthyist crackdown through the "House Committee on UnAmerican Activities", and seems to act as mechanism to in front of an "investigative" body. HEEA was hired by administrators to "maintain order".<sup>38</sup>

Emmett suggested that the administration "clarify" the rules regarding "disorder", and reestablish "communication" between administrators and students. He sought to use a study of interviews and meetings to collect data on arts, underground movements of students so as to design, methods by which to manipulate peace on behalf of future administrators. Stevens, given his close relationship with Emmett and even coleadership with the firm, refers to his previous experience as "another consulting firm", numerous times and omits the name from all of his pages. A common trend among his colleagues and others in these networks- the number of websites with missing information or that are entirely blank is significant. Figuli, for instance, has more blank sites than working pages.

Stevens and friends seem to have an ideological, perhaps neocolonial interest, and various partners of the consultancy take up the pen to wax absurdist on various blog posts: "Things can get seriously out of whack... many African nations at continuous war. But still, their industries and their national economy thirst for skilled labor that the Namibian educational system is not yet positioned to produce. It's our view that we have temporarily lost our vision for American society's interface with the world in the midst of our response to its treacherousness. We are focused on stopping terrorist attacks on our soil—as we must; ..... America needs to reestablish its special vision in this contemporary world, and the special recipe for our zesty stew is, and has always been, the essence of that vision...Ours is spiced uniquely with personal autonomy and religious freedom—and it has proven to be quite appealing for many tastes."

In another post he calls Milo Yiannopoulos "a provocateur" alongside "Betsy Devos, the Education Secretary; political commentator Ben Shapiro; and Vice Media co-founder Gavin McInnes", apparently confusing freedom of speech with platforming the most idiotic of discourse. At the same time, the firm notes that "It is a skill that all administrators have to learn

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<sup>38</sup> Students of Central Michigan University. (1969, September 29). Enrollment hits high of 72,883. Central Michigan Life. Page 1.



for the sustainability of the institution, especially newly appointed presidents, who Stevens Strategy previously emphasized are in a difficult transitional phase."- that is, cultural assimilation tactics must be used to garner sufficient legitimacy for the wolf in sheep's clothes. The board and president must appease the student body enough to profit off of them. Throughout the posts, the writers from the firm note the obstructive nature of college culture and true freedoms of thought to their agenda: "Though aware of the need for succession planning, boundaries exist within the institutional culture that prohibits the use of a formal approach. The egalitarian nature of the academy and the current system of shared governances are primary limitations."

The firm is targeting small private colleges that might be financially vulnerable but still asset-rich, ripe for online conversion, land sales, layoffs, and student enrollment marketing to incentivize sudden redistribution to schools with more extractive models. He advocates for removal of programs that are not "financially viable"- which in essence would result in colleges being completely susceptible to markets rather than harbors for independent thought.

Stevens then, again, mentions the cultural obstruction of faculty and students and how to circumnavigate this "Obstacles include: faculty reluctance to eliminate programs, the time needed for faculty approval to revise programs or develop new programs, the fixed cost of the current structure (faculty compensation and facilities, accreditation and state regulatory approvals), and the cost of new programs. For most institutions, responding to changes in student markets is slow, painful, and always carries the chance that after the program has started it may have missed the bus."

Among the Stevens consultants, Ellen Hurwitz speaks up in a post, suggesting that liberal arts can also be essentially career-based, thus demonstrating the firm's purpose, which is not just mercantile, but also fully colonialist. Hurwitz believes that "not all colleges and universities can afford to stay "pure", and need conversion: "We trustees are the first barrier, and without the elimination of that barrier, innovation in higher education will not occur." To suggest that liberal arts are too politicized reveals more about her viewpoint than the liberal arts themselves, as in existing in an unjust world, we are inherently political, but undoing institutions that decry injustice to rejoin unjust systems suggest that there is no escaping polarization through actual political dialogue. Reifying bastions of independent thought is necessary and is not equivalent to complacency for the sake of financial convenience.<sup>39</sup>

Likely this partnership between the German media conglomerate and the consulting firms arose given Figuli's extensive network through hawkish firms better poised to infiltrate college communities, including TCS Education, and Stevens Strategy: "an experienced management team headed by David Figuli. In a career in higher education spanning more than 30 years, he has represented and advised numerous universities, associations and investors as a lawyer and corporate development expert. And no one in the entire United States has supported more successful transformations of universities from non-profit organizations into for-profit companies than he has. It is beyond dispute that there is a big need for change in U.S. higher education; the educational and general-audience media have chronicled the issues facing academia, and commentators have suggested a host of solutions. The need for thought leaders resourced to inspire and direct that change is what led to the creation of the University Ventures Fund (UV), a

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<sup>39</sup> Ibid.

private equity fund focused on innovations from within higher education. It was a desire to build a global education business that would have a positive impact that caused Bertelsmann to become the lead and largest investor in UV in 2011. Dave Figuli was one of the fund's founding partners and the driving force behind its leading investments. "At the time, I had drawn up a list of possible areas where I thought we could inspire change that would have a global impact –...[he goes on to discuss healthcare education as well].<sup>40</sup>"

As Figuli himself says: "Given its special ownership structure with the Bertelsmann Foundation as its largest shareholder, Bertelsmann is also a very desirable and suitable partner for a network of benefit corporations and universities... Thanks to Bertelsmann, we can seize our opportunities and think big."<sup>41</sup>

The following post, endorsed by Rabe and UV "Labs" was deleted, along with the entire site:

"By 'innovating from within' and partnering with universities and employers, UV Labs aims to prepare a new generation of learners to identify clear and efficient pathways through education to meet their academic and professional goals...."<sup>42</sup>

### Conglomerates, Equity, and Ventures

Upon its closure, Goddard held shares in BREIT CL I, Starwood REIT CL I, Owl Rock Core Income Corp., and Blackstone BCRED, acquired shortly before its closure, in 2023, though the college, according to its statements, had not invested anywhere else before aside from its long-term USDA loan. Of these firms, Blackstone is directly implicated in the private equity anti-trust case. So is Blue Owl Blue Owl, which in a merger with Dyal Capital, formed Owl Rock Capital Group through a special-purpose acquisition company, Altimar Acquisition Corp, and in a transaction valued at \$12.2 billion, further expanding its operations by acquiring Oak Street and Ascentium Group, and announcing plans for office expansions in Greenwich, Connecticut, and New Jersey.<sup>43</sup>

Dyal Capital specializes in providing financing to hedge funds and private equity firms through the acquisition of minority interests in various entities, including Bridgepoint Group, Clearlake Capital, Energy Capital Partners, Golub Capital, H.I.G. Capital, HPS Investment Partners, ICONIQ Capital, JANA Partners LLC, KPS Capital Partners, MBK Partners, Providence Equity, Silver Lake, Sixth Street Partners, Starwood Capital Group, Stonepeak, Waterfall Asset Management, and Vista Equity Partners. Of these firms, Silver Lake, Vista Equity Partners, Providence Equity are at minimum, among firms investigated by the DOJ and confirmed to be

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<sup>40</sup> Bertelsmann. (2018). Education @ Bertelsmann: Seven stories about new businesses - What's Your Story? (Vol. 3). Retrieved from <https://www.bertelsmann.com/media/news-und-media/downloads/education-bertelsmann-whats-your-story-engl.pdf>

<sup>41</sup> Ibid

<sup>42</sup> Bertelsmann. (2015, September 10). Bertelsmann Education Group: A New Unit Set for the Company's Education Businesses [Press release]. New York/Gütersloh.

<sup>43</sup> Goddard College. (2023). Financial statements. Retrieved from <https://www.goddard.edu/about-goddard/policies/consumer-information/financial-statements/>

involved in anti-trust activities. However, as the DOJ investigator notes, following market analysis that confirmed a monopolistic relationship, this is likely not the full extent of these financial relationships.

For one small insight into the activities of these investors, consider the DOJ reporting, that as early as February 2006, key private equity entities, including Blackstone, TPG, Silver Lake, Bain, and KKR, engaged in dialogues pertaining to potential leveraged buyouts within the semiconductor sector, with firm managers often speaking over the phone about coordinated buy-outs and sell-offs. These discussions encompassed the prospect of a privatization transaction involving the amalgamation of Freescale and Philips Semiconductor. By May 2006, Blackstone articulated its interest to Freescale's board in acquiring the company at a valuation range of \$37-\$38 per share, subsequently being accorded the privilege to collaborate with Freescale on an exclusive basis. On September 14, 2006, Blackstone's consortium formally submitted an offer of \$40 per share for Freescale, with an expiration deadline set for 10:00 a.m. the following day. This offer, although falling at the lower end of KKR's indicated range of \$40 to \$42 per share, was accepted by the Freescale board. The Freescale board's acceptance culminated in a definitive agreement with the Blackstone Group on the afternoon of September 15, 2006. Promptly thereafter, the KKR Group withdrew from the bidding process, enabling Blackstone to secure the acquisition of Freescale at \$40 per share, notwithstanding assertions in *The Wall Street Journal* suggesting that the KKR-Bain group could potentially offer significantly higher amounts, leveraging synergistic benefits. Hereafter, Leon Black of Apollo initiated discussions with David Bonderman of TPG regarding a prospective transaction, laying the groundwork for a club deal and a partnership with Apollo. In accordance with the guidelines of the collusion, TPG committed to reciprocate with a future deal. In 2006, a consortium of many of these private equity entities, including Goldman Sachs, orchestrated the acquisition of Education Management Corp. (EDMC), the same for-profit college operator, under various names, in a leveraged buyout valued at \$3.4 billion. Mergers and acquisitions data compiled by PitchBook and Acuris, and analyzed by Education Dive, illustrates the influx of private equity capital into the for-profit college sector in recent years, delineating key targets and stakeholders.<sup>44</sup>

Noteworthy among these transactions was the \$3.8 billion acquisition of Laureate Education in 2007, orchestrated by an investor consortium comprising private equity firms Kohlberg Kravis Roberts (KKR), Citi Private Equity, and S.A.C. Capital Management, alongside company executives. The surge in for-profit college buyouts mirrored the sector's evolution over the past twelve years, reaching a zenith of 20 deals in 2009, following consecutive years of 17 transactions each. These years represented a period of robust revenue and enrollment growth within for-profits, driven by adults seeking reskilling opportunities in the aftermath of the financial crisis. However, the sector's rapid expansion engendered significant fixed costs that proved detrimental when enrollment trends reversed.<sup>45</sup>

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<sup>44</sup> Dahl, K., et al. (2007). A lawsuit against private equity (Lead Case No. 1:07-cv-12388-EFH). United States District Court, District of Massachusetts.  
[https://archive.org/stream/460540-a-lawsuit-against-private-equity/460540-a-lawsuit-against-private-equity\\_djvu.txt](https://archive.org/stream/460540-a-lawsuit-against-private-equity/460540-a-lawsuit-against-private-equity_djvu.txt)

<sup>45</sup> Unglesbee, B. (2019, May 6). Private equity's role in the rise — and fall — of for-profit colleges. Higher Ed Dive.  
<https://www.highereddive.com/news/private-equitys-role-in-the-rise-and-fall-of-for-profit-colleges/554077/>

Core Education, the boutique public benefit corporation hired by Goddard board, and featured on Stevens Strategy consulting list alongside many other Stevens' clients schools, is owned by Richard (Rick) M. Beyer, whose estimated net worth stands at a minimum of \$14 million. Beyer says, "I would say 90 percent of the time mergers are not viewed as a strategic alternative until it is too late. Sometimes even when an institution is not in financial distress, its long-term prospects for survival are so unpromising that a dignified closure is the best option. Institutions looking for a long-term partner usually start the process late in their life cycle and thus have little to offer another institution, whereas, if they had started 18 months earlier, they would have been in a much better environment. I am, however, starting to see some consciousness among board members that it is not business as usual. Institutions are now starting to call us to explore options a couple of years in advance." It seems the board agrees- they are liquidating Goddard before financial insolvency occurs, and without providing the remaining assets to fulfill contracts and commitments prior in a regular phase out. Goddard presents such a thorny community for capitalists, even if also a soft target in terms of the lack of resources and decentralization of the students that could reduce collective bargaining power- the mix might feel too mercurial to remain profitable, and the idiosyncrasies too difficult to predict.

Core also has other services through its affiliates, including Core BTS, in collaboration with Microsoft, which uses "artificial intelligence and machine learning algorithms to analyze student data", as well as CoreScholar, which "integrates diverse testing data with student information", but also seeks to warehouse and commodify scholarly databases. Bertelsmann, in parallel, has been refocusing its data management platforms to ramp up analytics in both media and education, including through artificial intelligence applications.<sup>46</sup> Another partner of Stevens Strategy, featured prominently on its website, advertises its use of artificial intelligence enabled surveillance systems, including California State University as a former client.<sup>47</sup>

Beyer holds directorial positions at Micron Technology Inc, Freescale Semiconductor Ltd, and serves as the CEO of Intersil Corp. His holdings include approximately 95,660 shares of Micron Technology Inc (MU) valued at over \$11 million, around 40,000 shares of Freescale Semiconductor Ltd (FSL) worth over \$1 million, and about 55,284 shares of Intersil Corp (ISIL) valued at over \$1 million. In addition, Miles Howland, his other firm, owns a share in HFA acquired US-based Lighthouse Investment Partners (Lighthouse), which in August 2017, it rebranded as Navigator Global Investments to signify its expansion beyond hedge funds. NGI's acquisitions include Mesirow Advanced Strategies, and minority stakes in alternative investment managers like Bardin Hill Investment Partners, Capstone Investment Advisors, Capital Fund Management, GROW Investment Group, Invictus Capital Partners, Longreach Alternatives, Marble Capital, MKP Capital Management, Pinnacle Asset Management, and Waterfall Asset Management.<sup>48</sup>

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<sup>46</sup> Bertelsmann SE & Co. KGaA. (2023, December 9). Bertelsmann focuses on artificial intelligence. Retrieved from <https://www.bertelsmann.com/news-and-media/news>

<sup>47</sup> IXP Corporation. (n.d.). California State University Northridge Campus, CA: Intelligent video surveillance and analytics. Retrieved from <https://www.ixpcorp.com/case-studies/california-state-university-northridge-campus-ca-intelligent-video-surveillance-and-analytics/>

<sup>48</sup> Ibid.

HFA and Apollo made an alliance deal in 2010.<sup>49</sup>

Beyer's Freescale is owned by Blackstone.<sup>50</sup>

Leeds, as well as Providence Equity, in collaboration with Goldman Sachs, owned EDMC, of David Figuli.<sup>51</sup>

Beyer's thoughts on insider trading, as announced in 2023, as Senior Fellow of the Association of Governing Boards of Universities and Colleges (AGB) Consulting (alongside his fellow Core Education board member Mr. Ken Knueven, AGB Consulting Managing Director), are outlined below:

“SEC regulation of college and university trustees' conduct is not needed, where such conduct is already regulated. Regulation of trustees' conduct under the Dodd-Frank Act is not only contrary to legislative intent and inconsistent with longstanding Commission interpretation of "advisor," it is also unnecessary. The conduct of trustees of colleges, universities, and institutionally related foundations is already subject to a multitude of laws. Trustees must comply with state not-for-profit corporation law; fiduciary duty laws; institutional policies, such as policies on conflicts of interest; state education law; the standards of accreditation bodies; IRS rules for tax-exempt organizations; and multiple other regulatory regimes.”<sup>52</sup>

At the AGB conference a small group session titled "Putting You in the Driver's Seat: Messaging & Communication"<sup>53</sup> provided an interactive platform for institutional leaders to engage directly with third-party partners, including Pearson, echoing Bertelsmann's approach, articulated by Rabe, that “we now have activities that benefit from megatrends like the growing demand for education and digitization”.<sup>54</sup>

David Figuli and Ryan Craig, as head of Bridgepoint, at the time more commonly known as Dream Studios, was under congressional scrutiny for fraudulent activities: Betsy DeVos aide, Diane Jones, illegally permitted funding to the same consortiums of for-profit non-accredited institutions for whom she had formerly lobbied. Now, the lobbying PAC that Ryan Craig is on

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<sup>49</sup> Beyer, R. (n.d.). Rick Beyer profile. Forbes.

<https://www.forbes.com/profile/rick-beyer/?sh=52c56ad62145>

<sup>50</sup> Granite Hall Partners. (2015, March 2). Carlyle, Blackstone show gain on Freescale Semiconductors. Retrieved from

<https://granitehall.com/2015/03/carlyle-blackstone-show-gain-on-freescale-semiconductors/>

<sup>51</sup> Brusi, R., & Fuentes-Ramírez, R. R. (2022, April 20). College accountability: With the University of Puerto Rico Gutted, Private Equity Is Poised to Profit. [Web log post]. Retrieved from <https://tcf.org/content/commentary/with-the-university-of-puerto-rico-gutted-private-equity-is-poised-to-profit/>

<sup>52</sup> Association of Governing Boards of Universities and Colleges (AGB), Baker Tilly, the Council of Independent Colleges (CIC), and the National Association of College and University Business Officers (NACUBO). (n.d.). Collaborative Leadership for Higher Education Business Model Vitality.

<sup>53</sup> Ibid.

<sup>54</sup> Bertelsmann. (2018). Education @ Bertelsmann: Seven stories about new businesses - What's Your Story? (Vol. 3). Retrieved from <https://www.bertelsmann.com/media/news-und-media/downloads/education-bertelsmann-whats-your-story-engl.pdf>

the leadership board of American Public Education, Inc. (APEI) has relationship with members of Congress of both parties. Bertelsmann has no lobbyists officially listed.

Upon her confirmation by the Senate, Betsy DeVos, lacking expertise in education, appointed individuals associated with the for-profit college sector to key positions within the Department of Education. Julian Schmoke, responsible for investigating fraud in higher education, had previous ties to DeVry University, a college implicated in fraudulent activities resulting in substantial fines. Similarly, Robert Eitel, also hired by DeVos, had affiliations with Bridgepoint Education

The Association of Governing Boards of Universities and Colleges (AGB) unveiled a new consulting service called AGB Institutional Strategies on January 7, 2016, and seems to facilitate, along with other networks of search firms as well as bodies such as Career Education Colleges and Universities (CECU), and Council of Independent Colleges (CIC), in placing administrators on boards. Partners at Stevens Strategy, University Ventures, and Core are all prominent donors or leaders in strategic committees in this network, including for example, CIC's President's Network, and AGB Search<sup>55</sup>.

Following this crackdown, it became imperative to establish a lower regulatory risk route to tap into education markets, likely principally public student loan markets, the largest source of education funding worth \$1.6 trillion. University of the West, which has many overlapping administrators with the aforementioned institutions, including Figuli's son Joshua among its trustees, is among those schools which has turned to the public benefit corporation model<sup>56</sup>. Meanwhile, a Change.org petition was filed this year by one student alleging understaffing, security lapses, substandard residential conditions, and security lapses, as well as instances of unprofessionalism and xenophobia by administration.<sup>57</sup>

As Fisch and Soloman note in a research study, "Despite being portrayed as instruments to implement stakeholder governance, PBCs have the same mechanisms of shareholder control as a traditional corporation – shareholder power to elect the board and shareholder power to impose capital market discipline. A vague purpose constrains neither manager or shareholder authority, leaving the PBC subject to purpose drift, opportunism, or a shift in shareholder priorities. Without a legal or structural tool for binding a PBC to specific social objectives, the operational decisions of the publicly traded PBC may be subject to change according to the vision and preferences of individual officers, directors and shareholders."<sup>58</sup>

In academia, there's been a rising interest in the emergence of college benefit corporations as a potential model for higher education institutions. Laureate Education's move to become the first public benefit corporation to sell shares on the stock market brought these corporations into the spotlight. Also known as benefit corporations, they are characterized by having a social mission embedded in their charters, focusing on public well-being, environmental concerns, and

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<sup>55</sup> Ibid.

<sup>56</sup> University of the West. (n.d.). Board of Trustees. Retrieved [insert retrieval date], from <https://www.uwest.edu/board-of-trustees/>

<sup>57</sup> v., z. (2024, February 29). Students Want Change at University of the West [Petition]. <https://www.change.org/p/students-want-change-at-university-of-the-west>

<sup>58</sup>Fisch, J. E., & Solomon, S. D. (2021). The value of a public benefit corporation. In *Research Handbook on Corporate Purpose and Personhood* (pp. 68-90). Edward Elgar Publishing.

workforce issues. Since their authorization by 34 states in 2010, numerous public benefit corporations have emerged across the nation. Notable examples include Purdue University's acquisition of Kaplan University to form Purdue University Global, and Artist-owned Alliant International University's conversion into a college benefit corporation. These entities are perceived as having a conscience and a commitment to social responsibility, which resonates with stakeholders. Despite this, the practical implications of being a benefit corporation extend beyond social responsibility; they offer access to loans as well as marketability.<sup>59</sup> Given the significance of nonprofit status, it directly impacts regulatory oversight by the Education Department, and regional accreditors. Genuine nonprofit status safeguards federal tax dollars and ensures that students, faculty, and other stakeholders can make informed decisions about educational institutions. However, recent transactions involving purported nonprofit educational institutions, such as the reorganization of Apollo-group owned Grand Canyon University (GCU), raise concerns about maintaining the public trust in the nonprofit form and the prudent use of taxpayer funds. GCU's reorganization involves splitting its assets to form a nonprofit college while contracting with its for-profit entity for various services, raising questions about the true nature of its nonprofit status and the potential risks associated with such arrangements.

Dr. Brian Galle at Georgetown Law notes that:

“State law makes an organization either for-profit, non-profit, or some other intermediate status, such as a “public benefit corporation.” Each status carries with it a distinct set of obligations and entitlements, and the individuals in control of a business entity may choose which to elect. An organization that opts into non-profit status is thereafter prohibited from distributing any portion of its profits to its members, contributors, or insiders. State attorneys general have the power to enforce this restriction against the organization, and in most states, non-profits must register with the A.G.’s office and provide regular updates about the organization’s activities and finances.... Crucially, to obtain and keep § 501(c)(3) status, an organization must show that it is organized and operated so that “no part of [its] net earnings... inures to the benefit of any private shareholder or individual.”

“When a charity engages in what amounts to a joint venture with a for-profit firm, existing private inurement rules require that the agreement satisfy what is sometimes known as the “control test.” The control test derives from an IRS guidance document, Revenue Ruling 98-15, as well as a series of federal appellate decisions upholding and applying the revenue ruling. The ruling is unfortunately typical of IRS guidance in its reliance on a long list of factors, or “facts and circumstances, without clear statements about which factors are the most important... But there are no assurances that the new organization will prioritize its charitable mission over profit. Under the control test, overlapping boards between the for-profit and nonprofit are a serious red flag. So, too, is the inability of the nonprofit to escape its management agreement.”<sup>60</sup>

It is noteworthy that the Tax-Exempt and Governmental Entities unit of the IRS has significantly reduced its reported enforcement activities following congressional hearings into potential political bias within the unit. IRS data reveals a drastic decrease of over 90% in the rejection rate

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<sup>59</sup> House, J., & Plourde, M. (2018, February 6). Are college benefit corporations a new model for higher ed? Higher Ed Dive.

<https://www.highereddive.com/news/are-college-benefit-corporations-a-new-model-for-higher-ed/516249/>

<sup>60</sup> Galle, B. (2018, May 7). [Letter to Dr. Arthur Keiser and Mr. Frank H. Wu regarding Oversight of For-Profit Institutions’ Conversions to Non-Profit Entities]. Unpublished manuscript, Georgetown University Law Center, Washington, DC.

of new applications for nonprofit status from 2009 to 2016. The IRS, in addition to its current enforcement challenges, is not specifically tasked with safeguarding the integrity of the federal student loan system. Furthermore, the IRS's historical application of the control test to hospitals, and its potential reluctance to extend this test to colleges and universities, suggests a hesitancy to allocate limited resources towards such endeavors.<sup>61</sup>

Figuli is founder of a company of many names: “In September 2014, Figuli teamed up with Bertelsmann to establish the Arist Education System, a network of universities and educational service providers focused on improving global healthcare by reforming global healthcare education. Before Alliant could be part of Arist and therefore of Bertelsmann, however, the university had to first change its legal form from a non-profit structure to a shareholding form. This follows a nationwide trend that has been shaking up the entire U.S. higher education system in recent years, where economic problems are increasingly prompting non-profit colleges to change their organizational form to for-profit organizations and bring financially strong investors and their capital resources into the ownership structure and the boardroom. This development has sparked much debate and political furor among the general public and higher education regulators of the United States. However, after careful consideration Arist and Alliant have taken another path, a third way – and have thereby taken on a pioneering role for the entire industry. They chose a new form of organization for Alliant – that of a “benefit corporation.” Benefit corporations are profit-oriented, but also committed to the common good... “Benefit corporations are much more transparent and reliable than pure for-profit institutions, which gives our ‘third way’ an entirely different credibility,” says Figuli.<sup>62</sup>

In the words of Laureate, another public benefit corporation firm:

“Higher education markets around the world are highly fragmented and are very competitive and dynamic. Our institutions compete with traditional public and private colleges and universities and other proprietary institutions, including those that offer online professional-oriented programs. In each of the countries where we operate a private institution, our primary competitors are public and other private universities, some of which are larger, more widely known and have more established reputations than our institutions. Some of our competitors in both the public and private sectors may have greater financial and other resources than we have and have operated in their markets for many years. We also face potential competition from alternative education providers that prioritize open access education to students. A number of these providers have been formed recently to provide online curriculum from leading academics at little or no cost to the student. If this new modality is successful, it could disrupt the economics of the current education model (both for-profit and not-for-profit institutions). Other competitors may include large, well-capitalized companies that may pursue a strategy similar to ours of acquiring or establishing for-profit institutions.”<sup>63</sup>

It might be worth noting that Ryan Craig was among the founders of Wellspring, part of Aspen Education, known to many as the “troubled teen industry”, which in the last few years has finally

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<sup>61</sup> Ibid

<sup>62</sup> Ibid

<sup>63</sup> U.S. Securities and Exchange Commission. (2016). FORM S-1/A - Registration statement under the Securities Act of 1933. U.S. Securities and Exchange Commission.  
<https://www.sec.gov/Archives/edgar/data/912766/000104746916017211/a2228849zs-1a.htm>



been brought to light, to a greater degree, through lawsuits and truth-telling stories of LGAT-type abuse of children. In an interview with the Confederate sympathizer newspaper, the Washington Times, Mr. Craig, then age 36, appears attired in wire-frame glasses, khaki slacks, and a button-down shirt, projecting a demeanor reminiscent of a youthful minister rather than an ambitious entrepreneur. In January 2014, Aspen Education Group was confronted with legal allegations encompassing charges of "slavery," "abuse," and "false imprisonment," articulated in a lawsuit filed by the family of a teenage girl. The Aspen Education Institutes later became the Apollo Group.<sup>64</sup>

According to the Department of Education, the Gainful Employment rule for-profit institutions, select non-degree programs across all institutions, and the majority of graduate programs, will be mandated to demonstrate that their graduates possess the financial means to meet annual debt obligations. Moreover, graduates must exhibit earnings surpassing those of an adult residing in their respective state with only a high school diploma and lacking a postsecondary degree.<sup>65</sup>

Figuli published an article entitled "Legal Issues: Identification and Management" for administrators of higher education. The Gainful Employment Rule is meant to mitigate educational costs for students and promote informed investment decisions by restricting access to federal student aid for educational programs that result in graduates accumulating excessive debt relative to their earning potential. Data disclosed that "over 800 programs, catering to hundreds of thousands of students, failed to meet the Department's accountability benchmarks."<sup>66</sup>

A lack of empirical substantiation is clear from the semantic tricks embedded in the discourse, wherein Figuli mimics the speak of more critical theorists, i.e., those who note the truly systemic issues at play, invoking the same terminology ("level the playing field"), but in reverse, rendering his own argument meaningless, in an attempt at a straw man that backfires, except by bringing it into the world in his words and his actions, he brings forward a more harmful falseness, one that harms the under-resourced first. In what appears to be racism outright, Figuli means to fault minority students for "student outcomes" which he apparently hopes to "normalize- but these "low graduation rates, excessive debt, and student defaults" he wrongly suggests are evidenced as being due to "the type of student enrolled."

"Two rules in particular—the US Department of Education's (ED) new "gainful employment" (GE) rule and the "90/10" rule<sup>10</sup>— through complex regulatory metrics with contradictory implications, penalize proprietary institutions that serve high minority populations and discourage them from providing the type of access that federal student funding initiatives were intended to enable. If, as the data and analysis suggest, it is the type of student enrolled, as opposed to the quality of the program offered or the institution offering it, that is the primary cause of low graduation rates, excessive debt, and student defaults, then it is pointless to shift

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<sup>64</sup> California Healthline. (2024). Boarding school to help obese teens lose weight will open. <https://californiahealthline.org/morning-breakout/boarding-school-to-help-obese-teens-lose-weight-will-open-in-reedley/>

<sup>65</sup> U.S. Department of Education. (2023, May 17). Gainful Employment. [Web page]. Retrieved from <https://www.ed.gov/category/keyword/gainful-employment>

<sup>66</sup> Tremblay, K., Lalancette, D., & Ro, D. (2012). Assessment of higher education learning outcomes (AHELO): Feasibility study report, Volume 1: Design and implementation. Retrieved from <https://www.oecd.org/education/skills-beyond-school/AHELOFSReportVolume1.pdf>

these students from proprietary institutions to nonprofit and public colleges. Both rules should be eliminated in favor of policies that apply to all types of institutions, that are designed to ensure student access and success, that require transparency and comparability, that consider institutional mission where appropriate, that measure student outcomes normalized against populations served, and that treat at-risk students equitably no matter what institution they choose to attend.”<sup>67</sup>

DeVos’ cited his article to amend the gainful employment protection on lending for for-profit institutions, therefore allowing for increased, what might be termed, predatory lending: “The Secretary of the Department of Education (Department) amends the regulations on institutional eligibility under the Higher Education Act of 1965, as amended (HEA), and the Student Assistance General Provisions to rescind the Department's gainful employment (GE) regulations.”<sup>68</sup>

Note that the University Ventures owners: Ryan Craig, Gregg Rosenthal, Daniel Pianko, and Dave Figuli published articles, including Figuli's pseudoacademic and racist discourse published by University of Chicago, and Craig's many articles, featured on Forbes and Higher Ed, while Pianko appears before Congress, thanking Chairman Scott and Ranking Member Foxx, connections that Craig seems to share through his role on the board of a lobby firm. Like a paid advertisement, Pianko recites the names of companies he invests in that Congress might turn to for workforce technology education solutions, playing up edtech and career education.

The CFPB, like the state attorneys general suits, note that Navient has exhibited willingness to manipulate its clients before, by steering federal student loan borrowers away from income-driven repayment plans and toward forbearance, a temporary pause in payments. Loan servicers, whether managing government-backed student loans or private loans, derive revenue through a range of mechanisms. Although University Ventures owns a few high-interest loans targeted to minority groups and DACA students, these are in partnership with Sallie Mae, which also includes public loan servicer Navient. Servicers earn income from a portion of the interest paid by borrowers, late fees assessed on missed payments, and collection fees in cases of loan default. Government reimbursements for managing federally-backed student loans contribute to their revenue stream. The specific revenue generated varies based on factors such as loan volume, contract terms, and portfolio performance, and Navient as well as other servicers, collect and analyses student data. For government plans, servicers typically receive fixed fees, while bailouts may offer additional financial support during economic crises. Revenue from student repayment primarily consists of interest payments and fees, while defaults can result in incurred costs despite collection fees: “In September 2019, the lawsuit uncovered an internal memo that shed light on Navient's strategy for collecting loan payments. It was written in 2010 by a senior director at Navient's former parent company, Sallie Mae. On the topic of forbearance, the memo indicated, 'Our battle cry remains 'forbear them, forbear them, make them relinquish

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<sup>67</sup> Dickeson, R. C., & Figuli, D. J. (2007). Slouching toward Privatization. *Trusteeship*, 15(6), 13-17.

<sup>68</sup> Federal Register. (2019, September 23). Student Assistance General Provisions; Federal Register Vol. 84, No. 184. [Web page]. Retrieved from <https://www.federalregister.gov/documents/2019/09/23/2019-20185/student-assistance-general-provisions>

the ball.' Said another way, we are very liberal with the use of forbearance once it is determined that a borrower cannot pay cash or utilize other entitlement programs." <sup>69</sup>

UV Fund co-owner Daniel Pianko frequently writes about the importance of students adhering to career work programs that will incidentally maximize service payment through government programs. With student debt in the United States reaching a \$1.3 trillion market, he has also encouraged income-share agreements (ISAs), contractual arrangements that entail students' tuition coverage in exchange for a portion of their prospective earnings. Despite ISAs constituting a fraction of the annual \$200 billion education loan market, increasing investments and institutional endorsements project a promising trajectory. Venture capital entities like University Ventures Fund are spearheading this paradigm shift, channeling substantial funds into educational institutions and startups pioneering ISA-based educational models. By sharing the financial risk associated with students' post-graduation prospects, investors and educational institutions are poised to capitalize on this emerging asset class, potentially rivaling the conventional private student loan market. Currently, ISAs remain nascent, with only a modest number of students enrolled in such programs. However, their proliferation is anticipated as different ISA models gain traction. Traditional universities are initiating their ISA programs, such as Purdue's "Back a Boiler" fund, while vocational schools and coding boot camps exclusively operate on the ISA framework. Alternatively, firms specializing in ISAs offer direct sales to students or educational institutions. For instance, Blair, a startup backed by Y Combinator, aggregates students and finances their educational expenses, which are later repaid through a share of their income. Blair's innovative approach aligns student incentives with those of educational institutions and investors, ensuring debt repayment commences only upon graduates' attainment of financial stability. Despite the potential benefits, concerns linger regarding the ethical implications and regulatory oversight of ISAs. <sup>70</sup>

EPF's involvement in the acquisition of DCEH schools is further complicated by its association with Studio Enterprise, a for-profit company set to provide services to these schools. Studio Enterprise is linked to Colbeck Capital Management as well. The arrangement sends taxpayer dollars flowing from the Department of Education to EPF-affiliated schools, has reportedly been influenced by officials within the DeVos Department of Education, demonstrating the impact of compromised oversight and federal rule of law on the education landscape, according to attorney generals from multiple states:

"We, the Attorneys General of Oregon, Minnesota, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Hawaii, Idaho, Illinois, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Jersey, New Mexico, New York, North Carolina, Pennsylvania, Rhode Island, South Dakota, Tennessee, Vermont, Virginia, Washington, and Wisconsin, respectfully request that you exercise your authority to extend the closed school discharge timeframe and take immediate action to discharge federal student loans for student borrowers who were enrolled at schools operated by Dream Center Education Holdings, LLC

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<sup>69</sup> Coren, M. J. (2019, August 22). Higher Returns: Startups aiming to transform tuition into the next asset class. POLITICO. Retrieved from [https://www.politico.com/news/stories/0812/80062\\_Page2.html](https://www.politico.com/news/stories/0812/80062_Page2.html)

<sup>70</sup> Ibid.

(“DCEH”).<sup>1</sup> As Secretary of Education, you have discretion to relieve the student borrowers harmed as a result of the extraordinary circumstances outlined in this letter.”<sup>71</sup>

Moreover, in November 2017, the California Attorney General filed a lawsuit against Ashford University and its parent company, Bridgepoint, alleging unlawful marketing and debt collection practices. DeVos’ administration made payments to Dream Center. In particular, DeVos Aide Diane Jones was in direct contact via text and email and sought to pressure the HLC for unwarranted accreditation. Jones used to be the chief lobbyist for Career Education Corporation, another former name of Dream Center. That is:

“I. Dream Center repeatedly and explicitly accepted a period of non accreditation status as a condition of HLC’s approval of Dream Center’s purchase. 3 II. Dream Center executives delayed resolving the accreditation dispute to put off the consequences of unaccredited status and though HLC offered Dream Center an appeal, Dream Center executives failed to pursue it in good faith. 5 III. Department officials took “extraordinary measures” to continue Dream Center’s access to federal funds in violation of the HEA and Department regulations, all while Dream Center was defrauding students. 7 IV. Shortly after HLC explicitly informed the Department of Dream Center’s accreditation misrepresentations, Department officials pursued retroactive accreditation for Dream Center, but did not require it to correct those misrepresentations for months. 8 V. Under Secretary Jones promised to provide HLC with “an easy way” to facilitate retroactive accreditation, but when HLC informed her that it could not lawfully retroactively accredit Dream Center, she questioned its compliance with Department regulations. 10 VI. Documents Reviewed by the Committee Contradict the Department’s Narrative of Events 12 VII. The Department opened an investigation into HLC’s actions shortly after the Committee’s investigation into the Department and has since publicly blamed HLC for the problems arising out of the accreditation dispute.”<sup>7273</sup>

The higher education industry wields considerable political influence through various channels, with campaign contributions and lobbying being prominent avenues. While public and private nonprofit institutions typically refrain from direct campaign contributions, for-profit colleges and their associated organizations actively engage in political donations. For instance, during the 2020 election cycle, the for-profit lobby, represented by the Career Education Colleges and Universities (CECU) PAC (2020), donated \$64,800 to congressional campaigns. Additionally, individual for-profit colleges, such as the Apollo Education Group, which owns the University of Phoenix, and Adtalem Global Education, formerly owning DeVry University and now owning Walden University, Chamberlain University, and others, contributed significant sums, totaling \$57,000 and \$54,000, respectively. Perdoceo Education Corporation, the owner of several

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<sup>71</sup> U.S. Department of Education. (2023, December 8). Letter to The Honorable Miguel Cardona regarding student loan relief. [PDF]. Retrieved from <https://www2.ed.gov/policy/highered/reg/hearulemaking/2023/letter-to-secretary-cardona-re-neg-reg-comment-on-student-debt-submitted-by-yael-shavit.pdf>

<sup>72</sup> U.S. Department of Education. (2020, July 10). Shattered dreams: Examining the Education Department's role in the misconduct of Dream Center Education Holdings. [PDF]. Retrieved from <https://sites.ed.gov/naciqi/files/2020/08/Shattered-Dreams-Examining-the-Education-Departments-Role-in-the-Misconduct-of-Dream-Center-Education-Holdings1.pdf>

<sup>73</sup> Education & The Workforce Committee Democrats. (2019, July 23). Emails show DeVos aides pulled strings for failing for-profit colleges. Retrieved from <https://democrats-edworkforce.house.gov/media/news>

for-profit universities, also contributed \$28,800 to congressional campaigns during this cycle. These figures highlight the financial influence exerted by for-profit institutions in shaping political discourse and decision-making processes.<sup>74</sup>

“Senate HELP Committee staff analysis of private equity firm portfolios as of October 2010 and IPEDS, Fall Enrollment, Fall 2009 for unit identification numbers controlled by private equity owned for-profit education companies. The chart below refers to the following private equity firms: Housatonic Partners; JLL Partners; Great Hill Partners; Gryphon Investors; BC Partners; Kohlberg, Kravis, Robert s& Co.; Leeds Equity Partners; Liberty Partners; Quad Partners; and Willis Stein and Partners. The chart below refers to the following publicly traded companies: Apollo Group; Education Management Corp. ; Washington Post Co.; Career Education Corp.; Corinthian Colleges; Bridgepoint Education ; ITT Educational Services, Inc.; DeVry Inc.; American Public Education, Inc.; Strayer Education, Inc.; Grand Canyon Education, Inc.; Capella Education Co.; Lincoln Educational Services; Universal Technical Institute, Inc.; and National American University Holdings, Inc.”<sup>75</sup>

Halperin notes that a shift to public benefit corporations from for-profit education, characterized by predatory practices and regulatory scrutiny, allows schools circumvent federal regulations that uniquely target for-profit entities, such as restrictions on the proportion of revenue derived from Department of Education aid and compliance with gainful employment rules. However, despite the veneer of non-profit status, these institutions retain ties to for-profit entities, enabling them to continue profiting from student enrollment while sidestepping regulatory oversight- as we have seen in many of the strategies employed above, with clear unconcern for conflict of interest policies.<sup>76</sup>

Figuli is founder of a company of many names: “In September 2014, Figuli teamed up with Bertelsmann to establish the Arist Education System, a network of universities and educational service providers focused on improving global healthcare by reforming global healthcare education. Before Alliant could be part of Arist and therefore of Bertelsmann, however, the university had to first change its legal form from a non-profit structure to a shareholding form. This follows a nationwide trend that has been shaking up the entire U.S. higher education system in recent years, where economic problems are increasingly prompting non-profit colleges to change their organizational form to for-profit organizations and bring financially strong investors and their capital resources into the ownership structure and the boardroom. This development has sparked much debate and political furor among the general public and higher education regulators of the United States. However, after careful consideration Arist and Alliant have taken another path, a third way – and have thereby taken on a pioneering role for the entire industry. They chose a new form of organization for Alliant – that of a “benefit corporation.” Benefit corporations are profit-oriented, but also committed to the common good... “Benefit corporations are much more transparent and reliable than pure for-profit institutions, which gives our ‘third way’ an entirely different credibility,” says Figuli.

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<sup>74</sup> Ibid.

<sup>75</sup> Ibid.

<sup>76</sup> Halperin, D. (2012, August). Taming the for-profit college monster. POLITICO. Retrieved from [https://www.politico.com/news/stories/0812/80062\\_Page2.html](https://www.politico.com/news/stories/0812/80062_Page2.html)

Education, for Figuli, is about “efficiency of operation”, using “strike contingency plan[ning] [as Goddard board failed to even do in adherence to legal convention though they have certainly made their best effort to union-break]”, “consultative services to assist in the contract management effort [though in another context this is as Goddard did with Jones, essentially self-dealing by hiring him for consulting while on the board].” Figuli writes of unionization disparagingly: “While unionization was not the cause of poor institutional performance, the processes of accommodating this new relationship distracted both VSC and the Faculty Federation from issues and actions that needed immediate attention. By the time negotiations for a successor contract had begun, awareness began to take hold that a simple rearrangement of deckchairs might give the appearance of new order and of possible relief, but it would not make the ship sail into any port.”

Note that the University Ventures owners: Ryan Craig, Gregg Rosenthal, Daniel Pianko, and Dave Figuli published articles, are frequently featured on Forbes and Higher Ed, while Pianko appears before Congress, thanking Chairman Scott and Ranking Member Foxx in an address, connections that Craig seems to share through his role on the board of APEI. As Craig self companies that he invests in, such as Synergis Education, “The lectures are digitized, indexed and coded to learning objectives. When students come to class, they don’t have to listen to a lecture. Instead, each class is spent on five to ten multiple choice questions based on the lecture.” Each extolls “bootcamps, income-share programs, apprenticeships, and staffing models are attractive alternatives to great jobs in numerous growing sectors of the economy: coding, healthcare, sales, digital marketing, finance and accounting, insurance, and data analytics.” He published a book called “Faster + Cheaper Alternatives to College”. As Michael Levy, Managing Partner of Levy Capital Partners said as he collected fees for facilitating the acquisition, “We are pleased to have facilitated a transaction to fuel the expansion of Synergis Education [a start-up under UV]. The company is an emerging leader in the education technology sector, and we believe the investment by Bertelsmann will further enhance the company's strategic position and growth opportunities.”<sup>7778</sup>

Moreover, the higher education industry strategically maneuvers to shape policy outcomes, as evidenced by its opposition to regulations such as Gainful Employment (GE). In this case, for-profit institutions seemingly mobilized narratives to frame regulatory oversight as a threat to academic freedom and institutional autonomy, thus garnering public and political support for their opposition efforts.<sup>79</sup>

The school has retained such a firm Core Education, another public benefit corporation. Core Education is a Stevens Strategy Partner. Rick Beyer, a co-founder of Miles Howland Education

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<sup>77</sup> Bertelsmann. (2018). Education @ Bertelsmann: Seven stories about new businesses - What's Your Story? (Vol. 3). Retrieved from <https://www.bertelsmann.com/media/news-und-media/downloads/education-bertelsmann-whats-your-story-engl.pdf>

<sup>78</sup> Pianko, D. (2018, November 29). Testimony: “Eliminating Barriers to Employment: Opening Doors to Opportunity.” Congress.gov. Retrieved from <https://www.congress.gov/116/meeting/house/109510/witnesses/HHRG-116-ED00-Wstate-PiankoD-20190521.pdf>

<sup>79</sup> Education & The Workforce Committee Democrats. (2019, July 23). Emails show DeVos aides pulled strings for failing for-profit colleges. Retrieved from <https://democrats-edworkforce.house.gov/media/news>

Partners, LLC, under which SEC filings, Reid Miles is listed as owner. Miles Reid (in addition to being caught in a dishonest practices suit against many small tech firms' underwriters misleading investors in conjunction with numerous other technology firms in the Northern Virginia area- his was Net2000) had a hedge fund with Sandra Manzke called Miles MAXAM Deep Value Managers Fund for about 100 million in the Cayman Islands.<sup>80</sup> The Madoff investment scandal, a prominent case of stock and securities fraud, surfaced in late 2008 when Bernie Madoff, former Nasdaq chairman and founder of Bernard L. Madoff Investment Securities LLC, acknowledged that the wealth management segment of his enterprise operated as an extensive Ponzi scheme, amounting to billions of dollars. Maxam Capital, was one of the initial figures identified in conjunction with Bernard Madoff following his apprehension, was one of the most significant feeder funds. Manzke was sued by a Madoff trustee who was awarded almost 100 million. Additionally, Howland Miles' custodian fund is a prominent hedge fund administrator Citco Group, which recently reached a settlement totaling \$125 million concerning allegations of misleading investors into affiliating with Fairfield Greenwich Group, a major operator of "feeder funds" for Madoff.<sup>81</sup>

The board on one of their many sites lists: Rick Beyer, Ken Kneuvan, Reid Miles, John Gee, Neil Kerwin, and Paul Friga. "Core was founded on the premise that we can accomplish more working together than our partners can by themselves. We provide treasury services, real estate, and endowment management support to alleviate the pressures our partners are facing in the current environment. We also work closely with our partners to help unlock the balance sheet for strategic investments."

AGB Consulting boasts among its members former Trump Department of Education pick Bob King, who among his other duties, served on the board of Prescott College for three years, as well as Laurene Sperling, of the Sperling family, among the richest in America following the founding of the University of Phoenix, later to become the Apollo Group.

A college should be beholden to its students and faculty as form the true community and therefore the heart of the institution. Yet there has been mounting pressure upon many schools, resulting in different adaptations, from exploitative bureaucratization of larger research universities like Johns Hopkins' to contestation and closure of smaller, off-beat ones like Goddard. Yet, it is these small, alternative communities, derivative of larger schools, and inherent to smaller ones, that often imagine new futures in arts, research, and discourse. Communities of learning are responsible for creating new worlds. Through progressivism, what might at one time seem radical is often later, a reality. In many ways Goddard students and faculty have influenced. We are at a juncture where society needs such dreamers. It's an unfortunate fact that the institutional support is utterly precarious both within and without. Without it, we lose the exhibits, the collaborations, the research products, the writings, the residencies, the friendships, the staff and faculty support, the emergant organizing efforts, the full variety of experiences afforded each of us who learn in a community- the list is innumerable. So often the focus becomes the lack of generative discourse requisite of true democracy, and

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<sup>80</sup> Reuters. (2013, August 26). Madoff trustee reaches \$98 mln settlement with Maxam fund. Retrieved from <https://www.reuters.com/article/idUSL2N0GS00W>

<sup>81</sup> Markopolos, Harry (November 7, 2005). "The World's Largest Hedge Fund is a Fraud" (PDF). Securities Exchange Commission. Retrieved February 9, 2018.

through capitalism and interest groups, this occurs again, smaller scale, quietly among small schools- one by one, they fall- and it is in the small places where dialogue might have been found. Rather in some performative signaling- of schools inviting controversial speakers, or this or that polarizing politics, why not focus on creating environments equitable enough for real and localized involvement and support- for mutual aids and activisms, and ultimately, for the classroom as a commons for freedoms of expression to be enjoyed at least momentarily apart from the powers that be, long enough that is- for one original thought?

The owners of Core Education, Bridgepoint, University Ventures, and more, are in an antitrust complaint from 2012 and KKR is again under DOJ investigation when they got busted by the Department of Education as well for for profit college loans, and they are still investing in each other offshore now. A DOJ agency investigator noted that they discuss being non competitive prior to deals and violated the antitrust laws. In the present case, the defendant private equity firms issued varied offers to targeted sellers, deviating from making uniformly below-market offers to all firms involved in Leveraged Buyouts (LBOs). Additionally, sellers lack the ability to arbitrage buyers' offers within LBOs. For instance, a firm receiving multiple bids from competing buyers during an LBO process cannot exploit its competitive acquisition share price to compel buyers to submit competitive offers to targeted firms mentioned in this Complaint. Consequently, the relevant product market encompasses the acquisition of targeted firms specified in this Complaint through LBOs.<sup>82</sup>

A leap from for-profit schools to liberal arts schools is evident insofar as the money does indeed flow from the government student aid budgets into private equity. At minimum, investors on the consulting firms or investing in the companies directly that are hired by them can make money off a prioritized commission, additionally priming edtech and loan markets for more business, while school administrators receive well salaried postings amid insular networks. Is this technically fraudulent insofar as it is bad faith business against the institution that actually hired them, and the community a board is meant to represent?

Although small liberal arts schools have relatively small assets, especially those already on the brink, the education arm of Bertelsmann is 'small' but 'strategic', and has doubled its profits in the past few years- through the venture capitalists' leadership, by circumnavigating regulatory risks:

“By investing in Synergis, we are now creating the nucleus of our third field of activity in education: services. This means that we now have activities that benefit from megatrends like the growing demand for education and digitization, in all of the education segments that are relevant for us....Moreover, Education activities are subject to regulatory provisions of government authorities and accreditation bodies.....These risks are being continuously monitored by the relevant divisions within the Group.....higher education is highly regulated in the United States and Brazil, especially in relation to government-backed financial aid programs.”<sup>83</sup>

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<sup>82</sup> Dahl, K., et al. (2007). A lawsuit against private equity (Lead Case No. 1:07-cv-12388-EFH). United States District Court, District of Massachusetts.  
[https://archive.org/stream/460540-a-lawsuit-against-private-equity/460540-a-lawsuit-against-private-equity\\_djvu.txt](https://archive.org/stream/460540-a-lawsuit-against-private-equity/460540-a-lawsuit-against-private-equity_djvu.txt)

<sup>83</sup> Bertelsmann. (2018). Education @ Bertelsmann: Seven stories about new businesses - What's Your Story? (Vol. 3). Retrieved from



## Musings and Visions

Figuli is what Hocoy, like some common carpetbagger, could only dream to be, a more strategic grifter- as from the bottom, the transpersonal psychology self-betterment ethos of the Fielding crew burgeons into a more dilute and nuanced manipulation of truth, wherein banality and uniformity accent an actual meaningfulness, harbinger of erasure for those whose real and vivid lives are gravely impacted by such language and policy. Cashing in on coaching events turns into galas and paid-for appearances on business successes that rest upon the same cronyst networks. Can we imagine, for a second: one former professor, fired for reasons we might guess at, returns to the board, adds a few friends who share in a similar set of New Age-isms, at least on the surface- just as academic Ellis notes that there is a certain predilection for facism, or at least Machiavellian tactics encouraged by the self-serving notions of the “human development” of humanistic psychology, and maybe her friends add their friends, more fiercely, and plan or not, they have the support of a friend from the school they used to work at, and he is running an entire operation through his ‘charity’, devising sales and mergers out of what was once learning (naive in such markets to suggest learning might be valuable for its own sake)- and he is seeking a strategic alliance with, in fact, a firm which has no qualms in openly advertising its expertise in ‘scaling’ education, buzzing in Betsy DeVos’ assistant’s pocket, but now still perhaps regulatory enforcement caught in the inertias of a lobbied Congress, cashed in several Cayman accounts, and then fed into the data channels of a media conglomerate, thereby redesigning education from the very top? This is speculation. Regardless of if it’s a pattern of aligned interests or a coordinated strategy, it allows the whole circus to continue.

This model is unsustainable because it detracts from society as a whole by manipulating knowledge and media production and access, and the great blindness of firms and governments that may be engaging in this is in destroying the heart of any actual product and disempowering their so called customer base. Why collect and manipulate data to sell educational systems and the loan collection services associated, as with media and marketing data, without self reported input- instead of looking for a sale, why not coordinate use of technology with user expressed desire, respecting privacy in terms of consent in generating ideas for education and media technology? Why extract wealth from schools and communities that if sustained, could shape a more democratic society and thereby stabilise investments? Or not regulate for-profits in their many guises, as a for-profit is not a for-student, by definition? We could be designing educational and media technology that enhance deeper dialogue, and complement the needs of teachers and students, rather than short-selling automatized systems. “Social entrepreneurship”

and ESG investing so often follows a mercantile model, not taking into account the inherent worth and dignity of the individuals and communities who should be empowered and equal collaborators, if not the directors, of this process. Why is this a partisan debate? It isn't, we all live on earth together, down to the very land, sold and resold.

It is time to return home, then, to build communities of thought, formal or informal, with a small group, a Clockhouse Collaborative, a Save Goddard praxis, a warmer chaos of humanity seeking and dreaming. It is true perhaps that education serves as democracy's bastion, and it cannot indifferently support a society that is uneven in its justice, but rather requires careful thought in its governance.

Sometimes in all these searches through news (and case texts and SEC files), I would instead be diverted to some little obituary, and I would feel a bit sorry, as to see someone among this cadre pass, and they had left behind a long legacy of harms inflicted on so many communities, but I hope they left a few good things too, as any person would, and I would think selfishly I hope, I hope I am not leaving behind me such darkneses in my wake, crippling debts that hinder opportunities and break learning communities, on any scale I hope I am not so guilty, but really I cannot know, I'm sticking by some errant principle in all this, and maybe the truth is in the profit and I was not made to see it.

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## Addendum

### Legal Basis

#### Laws Governing Conflict of Interest:

##### - Federal Law:

- Title 18, United States Code, Section 208: "Acts affecting a personal financial interest"
- Title 18, United States Code, Section 371: "Conspiracy to commit offense or to defraud United States"
- Title 18, United States Code, Section 1001: "Statements or entries generally"
- Title 18, United States Code, Section 1341: "Frauds and swindles"
- Title 18, United States Code, Section 1343: "Fraud by wire, radio, or television"

##### - Vermont State Law:

- Vermont Statutes Title 16, Chapter 5, Subchapter 2: "Conflict of Interest and Ethics"
- Vermont Statutes Title 3, Chapter 31: "Election and Duties of Officers"
- Vermont Statutes Title 17, Chapter 29: "Libraries"
- Vermont Statutes Title 18, Chapter 33: "Municipalities"
- Vermont Statutes Title 24, Chapter 73: "Public Officers and Employees"

#### Student Rights/Federal Aid:

U.S. Department of Education. (n.d.). Title 34: Education, Part 668—Student Assistance General Provisions. Retrieved from <https://www.ecfr.gov/cgi-bin/text-idx?SID=4e1e34e6c709ce2be5d89b1c3f754b65&mc=true&node=pt34.4.668&rgn=div5>

#### Laws Governing Conflict of Interest in NGOs:

- Federal Law (pertaining to NGOs operating in the United States):
  - Internal Revenue Code (IRC) Section 501(c)(3): Pertains to tax-exempt organizations, including nonprofits and NGOs, and requires them to operate exclusively for charitable purposes and not for private gain.
  - Title 26, United States Code, Section 4941: "Taxes on self-dealing," which prohibits private foundations from engaging in transactions that involve self-dealing, defined as any direct or indirect financial transaction between the foundation and a disqualified person.
  - Title 26, United States Code, Section 4958: "Taxes on excess benefit transactions," which imposes excise taxes on certain transactions between a tax-exempt organization and disqualified persons that result in an excess benefit.
- Vermont State Law (pertaining to NGOs operating in Vermont):
  - Vermont Statutes Title 11B, Chapter 13: "Nonprofit Corporations"
  - Vermont Statutes Title 11B, Chapter 14: "Unincorporated Nonprofit Associations"
  - Vermont Statutes Title 11B, Chapter 15: "Limited Liability Companies"
  - Vermont Statutes Title 11B, Chapter 17: "Professional Service Corporations"
  - Vermont Statutes Title 11B, Chapter 18: "Benefit Corporations"

#### Non-competitive prioritization of firms based on financial ties.

- Citation: United States Department of Justice. (n.d.). Sherman Act, 15 U.S.C. §§ 1-7. Retrieved from <https://www.justice.gov/atr/sherman-act-0>
- Higher Education Act of 1965: U.S. Code Title 20, Section 1099c.
- Citation: U.S. Government Publishing Office. (n.d.). Title 20: Education, Chapter 28: Higher Education Resources and Student Assistance, Subchapter IV: Student Assistance, Part H: Program Integrity, § 1099c. Retrieved from <https://uscode.house.gov/view.xhtml?path=/prelim@title20/chapter28/subchapter4/partH&edition=prelim>
- Vermont Law Compliance with Federal Law: Vermont State Legislature. (n.d.). Title 16: Education, Chapter 003: Education Agencies, Subchapter 001: Vermont State Board of Education, § 1099a.
- Citation: Retrieved from <https://legislature.vermont.gov/statutes/section/16/003/01099a>

#### Labor

United States Department of Labor. (n.d.). U.S. Code Title 29, Chapter 7: Labor-Management Relations, Subchapter III: National Labor Relations, Part 1: Definitions; short title. Retrieved from

<https://uscode.house.gov/view.xhtml?path=/prelim@title29/chapter7/subchapter3/part1&edition=prelim>

Citation: Vermont General Assembly. (n.d.). Vermont Statutes Title 21, Chapter 17: Labor Relations, Subchapter 3: Collective Bargaining; Strikes; Lockouts. Retrieved from <https://legislature.vermont.gov/statutes/title21/chapter017/section02032>

In addition to (possible) FERPA, ADA, Title 9 complaints, and other financial violations

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## Addendum

Despite these findings, the Department of Education has initiated efforts to dismantle these safeguards for students. In June 2017, the Department announced its intention to convene a rulemaking committee to reassess the Gainful Employment Rule as part of a broader "regulatory reset." Subsequently, in July, the Department announced delays in the implementation of key provisions of the rule, including extensions for disclosing "graduate employment rates or debt levels to prospective students" and the allowance for "alternate earnings appeals." In August, a second extension was announced for appealing earnings data of graduates: "Secretary DeVos, The Deputy Secretary, The Under Secretary, The Assistant Secretary for Postsecondary Education, The Deputy Assistant Secretary for Higher Education Programs, The Deputy Assistant Secretary for Policy, Planning, and Innovation, The Assistant Secretary for Career, Technical, and Adult Education, The General Counsel, The Deputy General Counsel for Postsecondary Service, any other political appointee or SES employee in the Office of the Secretary, the Deputy Secretary, the Under Secretary, the Office of the, Adtalem Global Education (adlatem.com), Lisa Wardell, Eric Dirst, Robert Paul, Liza Sodeika, Christopher Begley, DeVry University (devry.edu), Keller Graduate School of Management (Keller.edu), Ross University (rossu.edu), Carrington College (carrington.edu), Chamberlain University (chamberlain.edu), American Public Education (americanpubliceducation.org), Assistant Secretary for Postsecondary Education, the Office of Higher Education Programs, the Office of Policy, Planning, and Innovation, the Office of Career, Technical, and Adult Education, or the Office of the General Counsel, Anyone acting on behalf of any of the individuals listed above, such as administrative assistants or chiefs of staff, Karan Powell, Barbara Fast, American Military University (amu.apus.edu), American Public University (apu.apus.edu), Apollo Education Group (apollo.edu), Anthony Miller, Gregory Cappelli, Mark Brenner, Jeff Langenbach, Peter Cohen, Joan Blackwood, Byron Jones, Raghu Krishnaiah, University of Phoenix (phoenix.edu), Bridgepoint Education (bridgepointeducation.com), Andrew Clark, Kevin Royal, Tom McCarty, Vickie Schray, Ashford University (ashford.edu), University of the Rockies (rockies.edu), Capella Education (capellaeducation.com), J. Kevin Gilligan, Steven Polacek, Ricahrd Senese, Andrew Watt, David Smith, Capella University (capella.edu), Career Education Corporation (careered.com), Todd Nelson, Andrew Cederroth, Andrew Hurst, John Kline, Colorado Technical University (coloradotech.edu), American InterContinental University (aiuniv.edu) ED-17-0398 4, Sanford-Brown (sanfordbrown.org), Education Affiliates (edaff.com), Duncan Anderson, Stephen Budosh, Education Corporation of America (ecacolleges.com), Stu Reed, Christopher Boehm, Erin Shea, Roger Swartzwelder, John Woods, John Schuman, Dominic Fedele, Virginia College (vc.edu), New England College of Business (necb.edu), Education Management Corporation (edmc.edu), Cynthia Baum, Frank Jalufka, Mark McEachen, Art Institutes (artinstitutes.edu), South University (southuniversity.edu), Argosy University (argosy.edu), Global University Systems (globaluniversitysystems.com), Aaron

Etingen, Maurits Van Rooijen, Graeme Simpson, Grand Canyon University (gcu.edu), Brian Mueller, Stan Meyer, Dan Bachus, Antoinette Farmer-Thompson, Graham Holdings (ghco.com), Kaplan, Inc. (kaplan.com), Don Graham, Andrew Rosen, Matthew Seelye, Gregory Marino, Kaplan University (kaplanuniversity.edu), International Education Corporation (iecolleges.com) ED-17-0398 5, Fardad Fateri, Shoukry Tiab, Sanjay Sardana, Mara Schteinschraber, Darcy Dauderis, Nader Timsah, Doug Min, Aaron Mortensen, UEI College (uei.edu), Florida Career College (floridacareercollege.edu), U.S. Colleges (uscmed.com), Laureate Education, Inc. or Laureate International Universities (laureate.net), Douglas Becker, Eilif Serck-Hanssen, Jonathan Kaplan, Paul Lussow, Ryan Bartelmay, Michael Coatrieux, Jen Briar, Lee McGee, Marvin Malecha, Vivian Sanchez, Leonard Zegarski, Christine Guevara, Susan Fairbairn, Bonnie Copeland, Eric Riedel, Kendall College (kendall.edu), NewSchool of Architecture (newschoolarch.edu), Santa Fe University of Art and Design (santafeuniversity.edu), Walden University (waldenu.edu), Lincoln Group of Schools or Lincoln Educational Services Corporation (lincolneducationalservices.com), Scott Shaw, J. Barry Morrow, Brian Meyers, Ami Bhandari, Peter Tahinos, Lincoln Tech (lincolntech.edu) ED-17-0398 6 § Lincoln Technical Institute § Lincoln College of Technology § Euphoria Institute, Lincoln College of New England (lincolncollegene.edu), Linden Education Partners or Boutique Universities Consortium (lindeneducationpartners.com), Oksana Malysheva, Josef Merrill, Rosanna DePinto, United States University (usuniversity.edu), University of the Potomac (potomac.edu), Brookline College (brooklinecollege.edu), Premier Education Group (premiereducationgroup.com), Gary Camp, Nick Hastain, American College for Medical Careers (acmc.edu), Branford Hall Career Institute (branfordhall.edu), Harris Casel University (harriscasel.com), Harris School of Business (harrisschool.edu), Salter College (saltercollege.com), Salter School (salterschool.com), Salter School of Nursing (salternursing.com), Seacoast Career Schools (seacoastcareerschools.edu), Quad Partners (quadpartners.com), Lincoln Frank, Daniel Neuwirth, Russell Dritz, James Tieng, Connor O'Keefe, Lauren Klein ED-17-0398 7, Linda Diaz, Basil Katsamakis, Malcolm Youngren, William Bernard, Beckfield College (beckfield.edu), Blue Cliff College (bluecliffcollege.com), Dorsey (dorsey.edu), Endeavor Schools (endeavorschools.com), Strayer Education Inc. (strayereducation.com), Robert Silberman, Karl McDonnell, Daniel Jackson, Strayer University (strayer.edu), Universal Technical Institute (uit.edu), Kimberly (Kim) Waters, Bryce Peterson, Chad Freed, Sherrell Smith, Piper Jameson, Rhonda Turner, Zenith Education Group (zenith.org), Peter Taylor, Mary Ostrye, Todd Allard, Jim Gilbertson, Karen Turner, Altierus (altierus.org), Wyotech (wyotech.edu), Everest (everestonline.edu), Vatterott College (vatterott.edu).”

Stevens' Clients:

Here is his client list on the site:

Albright College  
Brandeis University  
Butler University  
College of Saint Scholastica  
Drew University  
Emerson College  
Franklin College, The American College in Switzerland  
Gallaudet University

Gettysburg College  
Indiana University  
Jackson State University  
Keene State College  
Linfield College  
New York Chiropractic College  
New York University  
Northeastern University  
Northfield Mount Hermon School  
Nyack College  
Pro Arts Consortium  
Radford University  
Regis College  
Smith College  
Stevens Institute of Technology  
Tiffin University  
University of Alaska  
University of Delaware  
University of Evansville  
University of Indianapolis  
University of Maine  
University of Mary Hardin-Baylor  
University of Massachusetts At Amherst  
University of Medicine and Dentistry of New Jersey  
University of New Hampshire  
University of Pennsylvania  
Virginia Five Consortium  
Wayne State University  
Webster University  
West Virginia University  
Wilmington College  
Woods Hole Oceanographic Institute  
Stevens Strategy Clients



All items

Albany State University  
American Boat and Yacht Council  
American University of Central Asia, Kyrgyzstan  
Ancilla College  
Arcadia University  
Association of Adventist Colleges And Universities  
Association of Private Universities of Japan  
Association of Theological Schools  
Austen Group  
Barry University

Bellarmino University  
Benedictine College  
Berklee College of Music  
Bethany College  
Bob Jones University  
Cabrini College  
California Lutheran University  
Canisius College  
Cedar Crest College  
Chester College  
Cincinnati State Community and Technical College  
Clearwater Christian College  
College of Notre Dame of Maryland  
Colleges of the Fenway  
Colorado Mountain College  
CORE Education PBC  
Dar Al-Hekma University, Saudi Arabia  
Davis and Elkins College  
Dillard University  
Dominican College  
Drexel University  
Earlham College  
Eastern New Mexico University-Ruidoso  
Emirates National Schools, UAE  
Fei Tian Academy of the Arts  
Flagler College  
Foreman Christian College, Pakistan  
Fort Lewis College  
Franklin Pierce University  
Gannon University  
Georgian Court University  
Gerson Lehrman Group  
Goddard College  
Goodwin College  
Graduate Theological Union  
Grit Digital Health  
Gwynedd Mercy University  
Hellenic College  
Hiram College  
Holy Family University  
Idaho State University  
Immaculata University  
Innopolis University  
Iowa State University  
Ivy Tech Community College System  
Johnson C. Smith University

Kentucky Wesleyan College  
Khalifa University of Science and Technology, United Arab Emirates  
Labouré College  
LaGuardia Community College  
Lasell College  
Lazaridis School of Business and Economics  
Lewis University  
Lynn University  
Maine College of Art  
Marian Court College  
MBC Group, United Arab Emirates  
Mid-Continent University  
Mount Aloysius College  
Mount Holyoke College  
Myers University  
NetEd  
Neumann College  
New England Association of Schools and Colleges  
New England College  
New Hampshire Institute of Art  
New School Jazz and Contemporary Music Program  
North Bennet Street School  
Oberlin College  
Ohio Wesleyan University  
Olin College  
Pacific Oaks College and Children \_sSchool  
Pacifica Graduate Institute  
Paine College  
Peirce College  
Pine Manor College  
Polytechnic of Namibia  
Presbyterian College  
Presidio Graduate School  
Roanoke College  
Rosemont College  
Saint Mary's University  
Saint Thomas University  
Saybrook University  
Schreiner University  
Seton Hall University  
South Dakota School of Mines and Technology  
Southern California University of Health Sciences  
Southern New Hampshire University  
Springfield College  
St. Mary-of-the-Woods College  
Thomas More College



Thomas University  
Thunderbird Graduate School  
Unity College  
Universidad del Sur  
University of Baltimore  
University of Cumberland  
University of Mount Union  
University of Nebraska, Lincoln, Boros Center  
University of Providence  
University of Puget Sound  
University of St. Francis  
University of St. Thomas  
Ursinus College  
Vaughn College of Aeronautics and Technology  
Voorhees College  
Wentworth Institute of Technology  
Wheaton College  
Wheelock College  
Wilson College  
Virginia Wesleyan University  
University of Washington

#### HEAA Clients

All items  
Adelphi University  
Agnes Scott College  
Aims Community College  
Albertson College of Idaho  
Alvernia College  
American Association of State College and Universities  
American College Personnel Association  
American Council on Education  
Ana Mendez University System  
Arapahoe Community College  
Association of Governing Boards of Colleges and Universities  
Association of Mercy Colleges, Sisters of Mercy of the Americas  
Aurora University  
Barat College  
Bayamon Central University  
Bennett College  
Bethany College  
Bethel College  
Bunker Hill Community College  
Caldwell College  
California Institute of Integral Studies  
California Lutheran University

California State College and University System  
California State University at Chico  
California State University at Long Beach  
California State University at Sacramento  
Cameron University  
Caribbean University, Puerto Rico  
Carroll College  
Chaminade University of Honolulu  
Chapman College  
Chatham College  
Clark-Atlanta University  
Clarke College  
Cleveland Chiropractic College  
Coastal Carolina University  
Colby Sawyer College  
College of Aeronautics  
College of Charleston  
College of Santa Fe  
College of St. Benedict  
College of St. Catherine  
College of St. Mary  
College of the Virgin Islands  
College of William and Mary  
Colorado Christian University  
Colorado Community College System  
Colorado Mines University  
Colorado State College and University System  
Community College  
Community Colleges of Arizona  
Council of Independent Colleges  
Curry College  
D'Youville College  
Dakota Wesleyan University  
Davidson College  
Dawson Community College  
Defiance College  
Delaware State College  
Dutchess Community College  
East St. Louis (State) Community College District  
East Stroudsburg University of Pennsylvania  
Education Commission of the States  
Elmhurst College  
Embry-Riddle Aeronautical University  
Emmanuel College  
Fairleigh Dickinson University  
Fontbonne University

Friends University  
Gordon College  
Greensboro College  
Guam Community College  
Hamline University  
Hastings College  
Henderson State College  
Heritage College  
Holy Names College  
Huntingdon College  
Husson College  
Huston-Tillotson College  
Illinois Benedictine College  
Institute of American Indian Art  
Iowa Wesleyan College  
Ithaca College  
Jacksonville State University  
Jesuit Educational Association  
Johnson County Community College  
Juniata College  
Kansas City Art Institute  
Kansas City Kansas Community College  
Lewis and Clark College  
Logan College of Chiropractic  
Louisiana State Medical Centers  
Lourdes College  
Lynchburg College  
Madonna University  
Marian College  
Marian University  
Marygrove College  
Maryland Institute College of Art  
Marymount College  
Maryville University  
Mayo School of Health Related Sciences  
McPherson College  
Medaille College  
Mercy College  
Mercy College of Health Sciences  
Metropolitan State University  
Middle Tennessee State University  
Millikin University  
Mills College  
Minneapolis College of Art and Design  
Minnesota College and University System  
Minnesota West Community and Technical College

Mississippi Board of Regents  
Monmouth University  
Montana Board of Regents  
Mount Marty College  
Mount Mercy College  
Mount Royal College  
Mount Saint Clare College  
Mount Saint Mary's College  
Mount Vernon Nazarene College  
Nebraska College and University System  
Nebraska Methodist College  
Nevada Board of Regents  
New Hampshire Vocational Technical Institute System  
New Jersey Institute of Technology  
New Mexico Board of Regents  
North Dakota Board of Regents  
Northampton Community College  
Northern Arizona University  
Northern Iowa University  
Northern Michigan University  
Northern West Virginia Community College  
Northland College  
Northwest Chiropractic College  
Northwest Nazarene College  
Notre Dame College  
Notre Dame de Namur University  
Oakton Community College  
Oklahoma Baptist University  
Olivet College  
Ontario Community College Systems  
Pacific University  
Palmer College of Chiropractic  
Phillips University  
Pittsburg State University  
Point Park University  
Pratt County Community College  
Pratt Institute  
Prescott College  
Quincy Junior College  
Quincy University  
Red River Community College  
Regis University  
Rhode Island School of Design  
Ringling School of Art and Design  
Rivier College  
Rocky Mountain College of Art and Design

Sacred Heart University  
Saint John's University  
Saint Joseph College  
Saint Joseph's College of Maine  
Saint Leo University  
Saint Mary's College  
Saint Mary's University  
Saint Mary's University  
Saint Michael's College  
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Siena Heights University  
Sisters of Saint Francis of Clinton  
57501

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These Co-conspirators include but are not limited to:

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Co-conspirator Citigroup Global Markets Inc., an investment banking and securities brokerage business headquartered in New York, New York.

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Co-conspirator Madison Dearborn Partners ("MDP"), a private equity firm headquartered in Chicago, Illinois.

Co-conspirator Merrill Lynch Global Private Equity, a private equity firm headquartered in New York, New York.

Co-conspirator Morgan Stanley, a global financial services corporation headquartered in New York, New York.

Co-conspirator Permira, a global private equity firm headquartered in London, United Kingdom, with U.S. offices located in New York, New York.

Co-conspirator Warburg Pincus LLC ("Warburg"), a private equity firm headquartered in New York, New York, with investments exceeding \$35 billion in approximately 600 companies worldwide.

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The Toys "R" Us, Inc. LBO 62

The SunGard LBO 68

The Neiman Marcus LBO 75

Warner Music 80

The Texas Genco LBO 82

Susquehanna 89

The Education Management Corporation LBO 91

The Univision LBO 99

The Michaels Stores LBO 109

The HCA LBO 116

The Aramark LBO 124

The Kinder Morgan LBO 1 3 1

The Freescale LBO 139

Philips/NXP 146

Vivendi 152

The Harrah's LBO 154

The Clear Channel LBO 160

The Sabre Holdings LBO 167

TheBiomet LBO 173

The TXU LBO 180

Community Health Systems 186

The Alltel LBO 188

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**To:** [AGO - CAP](#)  
**Subject:** Webform submission from: Consumer Assistance Program Complaint Form  
**Date:** Monday, April 22, 2024 3:33:20 PM

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Submitted on Mon, 04/22/2024 - 19:32

Submitted by: Anonymous

Submitted values are:

## Your Contact Information

**First Name**

elena

**Last Name**

botts

**Daytime Phone**

3

**Daytime Phone Type**

Home

## Personal Information

**Address**

3

**City**

3

**State**

Vermont

**Zip Code**

3

**I am a... (Select all that apply)**

## Complaint Information



**Is your complaint about:**

goddard college

**Business Name or Person's First Name**

goddard college

**Please Describe Your Complaint**

Good morning,

I write to you after a rather sleepless night of combing through a revolving door of LLCs and financial reports. As a former MFA student at Goddard College, which just closed very abruptly a few weeks back, I really would like your help. The school hasn't honored its teach-out or financial aid mandates and the administration refuse to communicate with us.

At the same time, there have been suspicions for awhile about some activities of the school, and now about the legality of circumstances surrounding Goddard's closure. Prior to this latest liberal arts school casualty, members packed onto board despite community outcry worked closely with a shadow nonprofit organization that, in partnership with a venture capitalist previously under congressional scrutiny for fraudulent activities.

I think, given its deep impact on our community, all stakeholders, including students, faculty, alumni, and the broader community deserve answers for why this has happened. I also am seeking accountability from those entrusted with stewarding our educational institutions- which is why I write you, for assistance in either publication or representation of this matter. To put it with a bit more humor under the circumstances, I guess it's not a real story unless there is grift, cult abuse apologism, a few messiahs, fascist charities, and Betsy DeVos.

I welcome a fact-check, as I am a bit taken aback that Goddard appears to have been two business deals away from Trump associates. I really do appreciate your reply, if you have thoughts, feedback, or in fact, have interest in helping in this matter. I am not sure who else to reach out to with this information I have uncovered. Please let me know if you'd like me to send over. Hoping you are well.

All my best,

Elena

site

**Incident Date**

2024-04-09

**Please attach any documents you feel are relevant to the complaint**

[A college should be beholden \(1\).pdf](#) (1.3 MB)