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February 3, 2023

Sent via E-Mail

National Council for State Authorization Reciprocity Agreements
Board of Directors
c/o Dr. Marianne Boeke
3005 Center Green Drive; Suite 130
Boulder, Colorado 80301

Re: State Attorneys General Continued Recommendations Regarding Student Protections

Dear Dr. Boeke and Members of the NC-SARA Board of Directors:

In August 2021, twenty-five Attorneys General wrote to NC-SARA urging changes to NC-SARA's State Authorization Reciprocity Agreements Policy Manual, the purpose of which were to provide greater protections to consumers attending NC-SARA participating institutions. In March 2022, a follow-up letter was sent to NC-SARA to re-iterate the need for those policy changes, and to suggest several steps the organization could take to ensure fairness and transparency in its policy modification process. We, the Attorneys General of Arizona, Colorado, Connecticut, District of Columbia, Hawaii, Illinois, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, and Washington, write to reiterate the thoughts and positions outlined in the August 2021 and March 2022 letters (see attached). To date, we are unaware of changes to SARA policy that have addressed the significant student protection deficiencies. Accordingly, we are taking this opportunity to urge NC-SARA to revisit our previous correspondence and seek to enact provisions that will protect students and better serve the interests of the member states and territories.

Our offices acknowledge that the June 2022 changes to the SARA Policy Modification Process increase the participation of member states in NC-SARA policy development, but the veto power afforded to NC-SARA in these changes still leave member states in an unfavorable position to ensure student protections for their residents. We also continue to believe NC-SARA's Board would benefit from increased participation by state consumer protection agencies, including those in our Offices. Additionally, as NC-SARA considers candidates to be its next Executive Director, we hope it will select an independent leader who is eager to engage with state regulators on these and other issues.

As NC-SARA begins to undertake the next phase of policy modification in 2023, we urge the Board to review the attached letter and re-consider the proposed modifications to address the student protections missing from current policy. Among other things, the Attorneys General reiterate the following:

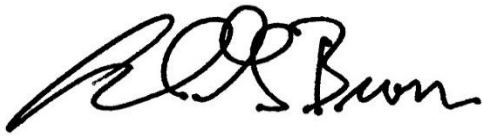
- Member states should be allowed to enforce their education-specific consumer protection laws against all participating institutions enrolling students living in their states and not be limited to enforcing those laws only when the participating institution is located in the state.

- Consumer protections should be added to those minimum protections that already exist for participating schools, including standards that address the abuses that our offices have shown through our investigations and litigation involving improper marketing, admissions, financial aid, and school closure practices.
- The prohibition against the use of mandatory arbitration clauses should be clarified.
- Participating institutions that are facing investigations by government agencies should be required to report such investigations, so that states can take earlier action when necessary to protect students. State portal entities should also be given greater authority to place schools into a provisional status. Finally, loss of an institution's accreditation should trigger its placement into provisional status, as well as other protections for students.

Additionally, we write to request that NC-SARA continue to consider the proposals regarding its modification process contained in the March 2022 letter. As set forth more fully therein, our proposals, consistent with NC-SARA's guiding principles, are designed to ensure more open and collaborative communication between states, stakeholders, and NC-SARA.

We appreciate your attention to our concerns and would welcome the opportunity to provide further information on our requested policy changes. Please reach out to any of the undersigned to engage our group in a conversation.

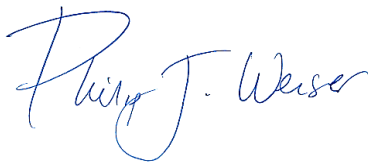
Sincerely,



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Maryland Attorney General



Kris Mayes
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Philip J. Weiser
Colorado Attorney General



William Tong
Connecticut Attorney General



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Kwame Raoul
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Andrea Joy Campbell
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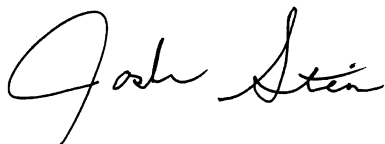
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