May 14, 2017

Dr. Cheryl Johnson-Odim-Chair, Board of Trustees
Dr. Barbara Gellman-Danley, President
Higher Learning Commission Members

Dear Commission Members:

We are writing on behalf of the Purdue University Senate to express our strongest objection to the proposed acquisition of Kaplan University by the Purdue Board of Trustees. We believe that if this merger were to go forward, Purdue University’s long-standing record of offering high-quality education, as well as its long-standing national and international reputation, will be irreversibly damaged. Given that the Higher Learning Commission’s principal mandate is to ensure that students receive high-quality education from well-qualified instructors and accredited programs, we urge the HLC not to approve the application of the “new university” being proposed by the Purdue Board of Trustees/Kaplan University.

We base this request on two broad and interconnected arguments:

1. Lack of Purdue Faculty Consultation:

   Academic freedom and shared governance are the fundamental principles that enable public universities to openly pursue knowledge in order to serve the common good. These principles have been promoted by the American Association of University Professors (AAUP) for over a century and endorsed by 240 scholarly institutions of higher learning-including Purdue University. In fact, in its last re-accreditation report and in its response to the Core Component 1d, Organization’s Governance, Purdue University cites shared governance as a process that “continues to work well for Purdue.” However, no faculty member (beneath the rank of administrator) was consulted at any time during the secretive 5-month deliberation regarding the Kaplan acquisition. In response to this surprising and disappointing action by the university administration, the University Senate held a special session on May 4th, and a resolution against the Kaplan-Purdue deal was passed by an overwhelming majority (see Senate Resolution 16-19 attached). In this resolution, we made clear that due to the lack of faculty consultation, the proposed acquisition of Kaplan University leaves too many critical questions unanswered that would most likely damage existing (and in-development) Purdue-based on-line programs, as well as a multitude of other successful programs that could be cannibalized by a for-profit and predatory institution like Kaplan. Leaders of various AAUP chapters concur with our concerns and their correspondence to us is attached.
Purdue University is a world-class university that will be celebrating its 150th anniversary soon. Purdue has achieved its highly-valued status through the hard work and commitment of its faculty to Purdue’s mission to serve the people of Indiana and the thousands of other students who come from across the country and the world in pursuit of high-quality education. This hard-earned status was only made possible because Purdue attracts faculty who are innovative researchers and teachers, who have control over the curriculum; and who—as experts in their fields—determine the direction of their programs. This essential component of shared governance is dramatically threatened now by the proposed acquisition of Kaplan University that creates a false equivalence between an online university with a questionable past and Purdue’s well-respected tradition of high-quality research, teaching, and service. Because faculty were not consulted, the proposed Kaplan-Purdue’s application for a “new university” is ill conceived, and too many questions are still to be answered about its designation as a for-profit, “affiliated State Education Institution.” These concerns should be enough to reject the proposal, but in the following section, we provide further evidence that the proposed merger will not only be detrimental for Purdue University, but it will also be detrimental for all universities in Indiana.

2. Kaplan University’s Questionable Past and the Accreditation Process:

We urge both the Indiana Commission for Higher Education and the Higher Learning Commission to investigate fully the accreditation of each program offered by Kaplan and its history of predatory practices. We have included below various articles published in major higher education outlets and local newspapers documenting Kaplan University’s long and controversial history, which includes recent lawsuits and investigations against its predatory practices. For example, the Journal and Courier reported in a May 3rd, article that

Attorneys General in Illinois, Delaware, and North Carolina have launched investigations into that institution. In 2015, Kaplan paid a $1.3 million settlement under a civil settlement with the U.S. Department of Justice for allegedly hiring unqualified instructors. That same year it reached a settlement with Massachusetts on claims that it used harassing sales tactics and misleading representations about its programs and employment in its recruitment materials.

We also include below a link to the US Senate Committee Report (2012) on for-profit higher education institutions that describe how predatory for-profit institutions like Kaplan are not meeting their contractual obligations and causing students to drop out with considerable student loan debt. Similarly, the Veterans Education Success Program provides a shocking report; the GI Bill pays for degrees that do not lead to jobs (2015), which include Kaplan University’s Concord School of Law—a program that is not accredited in Indiana. According to this report, 48 veterans were enrolled in the Concord Law School in 2014 and the Veteran Affairs Department paid $225,000 in tuition and fees. However, the report adds, “the Los Angeles Times reported in 2015 that 9 in10 students drop out of unaccredited for-profit law schools and only 1 in 5 graduates actually become lawyers” (p. 6).
The arguments presented here clearly show that Kaplan University fails to meet most of the core components of each of the Higher Learning Commission’s Criteria for Accreditation; namely, Criterion 1.D (demonstrates commitment to the public good); Criterion 2 (Integrity: Ethical and Responsible Conduct); Criterion 3 (Teaching and Learning Quality); Criterion 4 (Evaluation and Improvement); and Criterion 5 (Resources, Planning and Institutional Effectiveness).

We also note that the Kaplan deal with Purdue is opposed by faculty at regional campuses. Steven Carr, a member of the Indiana University Purdue University Fort Wayne campus wrote, “It’s not entirely clear how this deal will affect regional comprehensive public institutions throughout Indiana. Nor is it clear how this deal will interface with our mission and the mission of the other regionals to serve many of the collective populations who seem to overlap with the populations that the Kaplan deal would target.”

We could go on with many more examples, but the list of additional articles included below clearly illustrate that associating Purdue’s highly valued and internationally recognized brand of high-quality education with a questionable for-profit and predatory entity like Kaplan University will not only impede the free advancement of knowledge in Indiana, but it will irreversibly dilute the quality and appeal of pursuing higher education at Purdue University.

Once again, we urge Members of the Higher Learning Commission not to approve the proposed Kaplan-Purdue application for a “new university,” and that HLC seek to further investigate the impact of Kaplan’s practices on Indiana residents’ aspirations to pursue high quality education.

Sincerely,

Alberto J. Rodriguez,
Incoming Chair, Purdue University Senate
Mary Endres Chair in Education &
Professor, Cross-Cultural Science Education
E-mail: alberto-rodriguez12@purdue.edu
Cited Documents
Purdue University Senate Resolution against proposed merger, May 3rd, 2017 (see attached)

Letters of concern from AAUP Chapter Leaders (see attached)

Journal & Courier, May 3rd, 2017 article


Veteran Education Success Report: The GI Bill pays for degrees that do not lead to jobs

Kaplan Higher Education Corporation
Summary: 2012 U.S. Senate Committee Findings + 2015 Update

Kaplan-Purdue Acquisition in the news across the country

6 Questions To Ask About The Purdue-Kaplan Deal

Purdue’s Massive Blunder

Indiana Professors Oppose Kaplan’s Deal

Faculty Seeks to Rescind Kaplan’s Deal

Indiana Professors Against Kaplan Deal

There’s a Reason the Purdue-Kaplan Deal Sounds Too Good to Be True
To: Purdue University Senate
From: Senators Alan Beck, Tithi Bhattacharya, Evelyn Blackwood, Elena Coda, Cheryl Cooky, Alan Friedman, Alberto Rodriguez, and Laurel Weldon
Subject: Resolution on the Purdue Purchase of Kaplan University
Disposition: University Senate for Discussion & Approval

Whereas,

Faculty governance and faculty control of curriculum are the lifeblood of any healthy University.

As, unfortunately, the unique nature of the announced purchase by Purdue of Kaplan University resulted in a violation of both of those central tenets.

1. No input was sought through regular faculty governance before this decision was made.

2. No assessment of the impact on the academic quality of Purdue, now or in the future, was made.

3. No transparency was demonstrated in this process.

4. No impact study has been taken of effects on faculty, curriculum, students and staff at Purdue.

5. Faculty governance and academic freedom at what will become the “New University” is not assured by the Purdue agreement with Kaplan.

6. The Faculty has already requested, in writing, that the administration use the Senate’s Academic Organization Committee when considering any re-structuring of programs or the creation of new ones at any campus.

Be it resolved that

Based on these violations of both common sense educational practice and respect for the Purdue faculty, we call on the President and Board of Trustees to include faculty in all aspects of decision-making regarding the proposed “New University” and to rescind any decisions, to the degree possible, made without faculty input.

Sponsors:

Alan Beck, Tithi Bhattacharya, Evelyn Blackwood, Elena Coda, Cheryl Cooky, Alan Friedman, Alberto Rodriguez, Laurel Weldon
Colleagues,

I have been asked by colleagues at other institutions to share the following messages in preparation for today's meeting.

Dear Purdue University Senate Members,

If I may write you as a colleague downstate in Bloomington: the Purdue-Kaplan deal stands to have not only a local effect on Purdue's campuses but an effect on college students statewide, especially the most vulnerable. It represents, moreover, not just a failure of due process to consult (or even to inform) the Purdue faculty, but also a corrupt goal in general. If the deal is approved, it will have far-reaching consequences for privatizing public education statewide and nationally.

Consider just one small piece of the puzzle: the legally mandated statewide transfer core for
general education and the state core transfer library. Through that transfer system, the deal will have a direct impact on all 100-200-level courses offered in the state, which will be easily interchangeable with online Kaplan courses (IU transcripts are barred from indicating mode of instructional delivery). The effect will disproportionately hit our liberal arts and sciences departments, which rely on the general education enrollments that are being outsourced by this deal. Without face-to-face advice, without the encounter in real time with other students, without the discipline of a shared time and place, students will take away little from cheap online courses, and all of us in the state will be confronted with a race to the bottom in our curricula. The problem is not only the alienated and commercialized mode of delivery, but the academic content this will make pervasive: what sells is a first-person singular, how-can-I-get-ahead promise—and as we know, promising success is not education, but marketing.

I imagine that IU Online may seek to respond in kind with the model of a "public benefit corporation" run by outsourced "online management programs," throwing yet more public money (and more public mission) into the predatory market that private interests have been so doggedly trying to open up to profit. Our badly strapped liberal arts and sciences departments will be driven to rely increasingly on non-tenure-track and part-time instructors. Our ability to grant comprehensive degrees will be damaged.

Education from K to PhD is close to 40% of Indiana's state budget and profiteers are eager to get their hands on that big chunk of money. The Purdue-Kaplan deal is a lynchpin in the ongoing process of undercutting public education. The losers will be our students, our teachers, and our democratic public culture. Students and faculty statewide—indeed all Hoosiers—are counting on the Purdue faculty senate to do the right thing today and draw a bright line opposing this corruption of higher education.

Sincerely,
Ben Robinson, Associate Professor of Germanic Studies, Indiana University Bloomington; Executive Committee Member, Bloomington Chapter of the AAUP

Hi all, my name is Steve Carr and I'm on the Faculty Senate at Indiana University - Purdue University Fort Wayne as well as President of the Fort Wayne AAUP chapter.

I'm writing to you to express my concern regarding the upcoming Purdue-Kaplan Deal in advance of the Purdue Senate meeting tomorrow. Enough people have raised worries about this deal, beyond Bob Shireman's piece in the Chronicle and which I've included below for reference, that would warrant the Purdue Senate introducing a resolution under New Business at tomorrow's meeting.

While it's not at all my place to tell you what to do as a Purdue senator, and I can only speak for myself here, I would urge that the Senate consider introducing an item under New Business giving faculty on Senate an opportunity to provide input on this issue. I think it would be appropriate to introduce a Senate resolution expressing opposition to this deal, especially since faculty input was neither sought nor heeded through established channels of shared governance. However, if you can't introduce such a resolution, or are unable to do so, then a more modest resolution might call for more time to study and review the Kaplan contract so that the Senate can better understand what otherwise appears to be getting rushed through. If the Purdue-Kaplan deal is as good as some claim, then it should be able to withstand a little
sunlight and accountability before it goes into effect.

As a faculty member in Fort Wayne, I can tell you that we witnessed first hand our share of governance issues. These cropped up on our campus with the recent elimination of programs, mostly in the Liberal Arts, because of how a few were trying to anticipate what they thought Purdue wanted. We are grateful for the support we received throughout that time from the Purdue and IU Senates, as well as from the Indiana Conference of the AAUP and AAUP National. More importantly, we are in a unique position to judge when a threat to shared governance is a threat to the entire state system of public universities. Indeed, it’s not entirely clear how this deal will affect regional comprehensive public institutions throughout Indiana. Nor is it clear how this deal will interface with our mission and the mission of the other regionals to serve many of the collective populations who seem to overlap with the populations that the Kaplan deal would target.

Like the realignment process that occurred here, there are too many unanswered questions about the Purdue-Kaplan deal, and the manner in which this is getting rammed through recalls much of what happened a year ago when decisions to eliminate academic programs were taking place without meaningful faculty input. One thing I personally learned from all of this is the importance of vigilance in fighting for faculty rights to control the curriculum. As I understand the Kaplan deal, there is no provision for Purdue faculty to have any oversight over - let alone input on - a decision that will have tremendous implications for Purdue’s curriculum.

Feel free to share this email with colleagues. I’ve included AAUP leadership at the state and national level, a few colleagues involved with shared governance structures at IPFW, and a subset of some on the Purdue Senate. I’ve left those emails visible in the header above so that you can determine who else you might contact if you have similar concerns and want to share those concerns with others.

Finally, let me just say that I am not opposed to online education, nor am I even opposed to a carefully crafted public-private partnership that evidences collaboration with faculty and puts protections in place for shared governance and especially faculty control over the curriculum - and control over the introduction of new curriculum - at all Purdue campuses across the state. There are enough blank spots and fuzzy patches in the Kaplan deal, however, that should give you pause as it gets rammed through without any kind of meaningful faculty oversight.

Sincerely,

Steven Alan Carr
Professor of Communication and
Chapter President of the IPFW AAUP

Dear David Sanders,

I want to thank you for taking the time to come to Fort Wayne last fall. It meant a lot to know that the Purdue Senate cared about what was happening on our campus, and because I appreciated your concern so much then, it emboldens me to write to my colleagues at Purdue now.

Best wishes,
Rachel Hile

Dear Purdue Faculty Senate,

I am writing to add my voice to that of my colleague Steve Carr, who wrote to you last night about his concerns with the Purdue-Kaplan deal to ask you to oppose it during your Senate meeting today.

I’ve been thinking about how groups are constrained by their missions and charges, whereas individuals can speak and act more broadly. So for example, the American Association of University Professors (AAUP) has a certain set of principles that it defends, and, as an organization, it has to limit its official responses to those principles. The Higher Learning Commission, the Indiana Commission for Higher Education, the U.S. Department of Education—the three organizations that must sign off on this deal (or not) by April 30, 2018—will all look at the situation through the lenses created by the mission and charge of each entity. I myself am a member of many groups that can justly have an opinion about the Kaplan deal—member of the IPFW faculty, member of the IPFW faculty Senate, secretary of the IPFW chapter of AAUP, mother of a Boilermaker entering the class of 2021 this fall, Indiana resident, U.S. citizen, human being—but because I am writing as an individual, I have the opportunity to write as a representative of that broadest group, to say why I oppose this deal as a compassionate human being, and ask you to use your power to take action to join me in opposing it today.

I believe that every group tasked with responding to this deal can find a reason to oppose it, because it’s a cynical bid to convert public money to corporate profits under the cloak of benevolently providing educational access. But the groups that will respond can go only as far as their mission allows. I am an individual telling you that Kaplan harms people and that your role as the Faculty Senate, as stated on your website, to “respect . . . human dignity, especially that of the less fortunate in the United States and around the world,” gives you the moral authority to reject a deal that allows Purdue’s name and reputation, which you built, to be used by a predatory for-profit company to harm people with greater impunity than they now can.

Bill Mullen identified both the cynicism and the harm in his column yesterday when he wrote “They boast to increase ‘access’ to a University whose academic name is not worth the paper it is printed on, and which seeks to prey on the most vulnerable of American society: the poor, working people, people of color, women, immigrants, people with disabilities, military veterans.” Kaplan students’ very high rate of loan default, Kaplan’s having several programs fail the Department of Education’s “gainful employment” rule, Kaplan’s being investigated by multiple states for deceptive business practices—all these result from Kaplan’s business model of profiting from federal student aid to provide students with low-quality credentials for which students are crippled with debt.

I’ve been teaching at IPFW for 11 years, and I know these students. I have seen how vulnerable first-generation students are and how much help they need. The first-generation college students who come to IPFW may not be savvier than the students who end up at Kaplan University—they may just have a little bit of extra freedom in their lives to allow them to seek a face-to-face degree. I have taught, advised, counseled these students, and they believe, correctly, that I care about them and have their best interests at heart when I help them navigate the overwhelming complexity of getting a degree. I see the way these students need me and therefore trust me, because they need me, and can imagine how easy it would be for a for-profit school like Kaplan to lead such a student into tens of thousands of dollars of debt for a credential that won’t actually help her to get a job.
Please don’t let Purdue’s name make it even easier for the most vulnerable Americans, who need high-quality education the most, to be duped. I hope you will take a strong stand today against the deal to acquire Kaplan, using all your power and authority as the Senate of a free faculty.

Wishing you all the best from Fort Wayne,

Rachel Hile

Associate Professor of English, IPFW
Secretary of the IPFW chapter of AAUP