

# ROUSE FRETS WHITE GOSS GENTILE RHODES, P.C.

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**JANUARY 31, 2020**

*Via Email*

Mr. David North, Fellow  
Center for Immigration Studies  
[snrascal@yahoo.com](mailto:snrascal@yahoo.com)

Re: San Diego University for Integrative Studies (SDUIS) and  
USA English Language Center (USAELC)

Dear Mr. North:

I write on behalf of our clients, San Diego University for Integrative Studies (SDUIS), and, its affiliate USA English Language Center (USAELC), concerning comments made by you in a post on the website of the Center for Immigration Studies (CIS) on January 20, 2020, entitled “Department of Education Agrees with CIS on Two Marginal Colleges” appearing at <https://cis.org/North/Department-Education-Agrees-CIS-Two-Marginal-Colleges>, and in a post made on January 17, 2020 entitled “The Do’s and Don’ts of Handling Immigration Law Enforcement Tips” appearing at <https://cis.org/North/Dos-and-Donts-Handling-Immigration-Law-Enforcement-Tips> . As explained below, your comments about SDUIS are false and defamatory and we demand that CIS issue a retraction of those comments.

Initially, I note that you did not bother to inform my client of the allegations that you had received and offer them an opportunity to comment on those allegations before you published your posts, which is a failure to follow typical professional practice for journalists and investigators who care about truth and fairness. If you had bothered to contact SDUIS and speak to its management, you would have learned that the accusations you have expressed, including those you repeated from a U.S. Department of Education (USDE) November 21, 2019 letter, are not supported by the facts. Since SDUIS has a website with a phone number and you are an investigator, I am sure you could have made contact with the administrative office or the school’s President if you had been

interested in doing so, instead of simply accepting at face value and publishing unsubstantiated negative accusations against a proprietary school, but that seems to have resonated with your views on for profit schools.

Regarding both of your posts, SDUIS has never claimed that it was or is accredited by the Accrediting Council for Continuing Education & Training (ACCET), but USAELC, a division of SDUIS, was accredited by ACCET until August 23, 2019 and the SDUIS website in the past has identified ACCET as the accreditor of USAELC. After an ACCET Appeals Panel issued a decision on August 23, 2019 denying USAELC's appeal of the December 28, 2018 ACCET Commission decision to deny reaccreditation to USAELC, the institution asked a federal court to issue a Temporary Restraining Order (TRO) that would have reinstated ACCET accreditation pending the final outcome of the case. The court denied the TRO in a ruling issued on September 11, 2019, after which USAELC set about to remove references to ACCET accreditation from its printed materials and its website.<sup>1</sup> Apparently, despite USAELC's best efforts to remove all references to ACCET, a reference on one page of its website was inadvertently overlooked.<sup>2</sup> If you had simply called this fact to the attention of the school's staff, USAELC would have promptly removed this one remaining ACCET reference, which is what they did when the California Bureau of Private Postsecondary Education (BPPE) contacted them. Nobody had to "force" USAELC (or SDUIS) to remove the ACCET reference, as you dramatically report in your January 20 post.

In your January 20 post, you refer to SDUIS as one of those "marginal colleges that major in foreign students" and whose students receive "educations of varying value." Your January 17 post also refers to SDUIS as a "marginal school in the foreign-student business" and that post also refers to an unidentified "tipster" whom you state had told you "earlier about SDUIS in unflattering terms." You provided no details or evidence to back up these broad and negative judgments, but they clearly are defamatory smears of my client.

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<sup>1</sup> The federal court case is *USA English Language Center v. Accrediting Council for Continuing Education & Training, Inc.*, Case 1:19-cv-945, U.S. District Court E.D. VA; the federal district court dismissed the case in a November 14, 2019 ruling. USAELC has appealed that ruling to the United States Court of Appeals for the Fourth Circuit, where the appeal is pending as Case No. 19-2308.

<sup>2</sup> Indeed, your January 17 post recites a comment by a California regulator telling you that "you found one line in a long website," which clearly indicates that USAELC had removed all other references to ACCET except the one that was overlooked.

SDUIS enrolls not only foreign nationals but also individuals who are U.S. residents and citizens. SDUIS has never been accredited by ACCET and has never claimed to be so accredited. If you carefully and fully read the USDE November 21, 2019 letter, which was sent from Herman Bounds to another accrediting agency, the Accrediting Council for Independent Colleges & Schools (ACICS), it is clear that USDE's concern was about the extent to which ACICS, as part of its ongoing assessment of an accreditation application filed by SDUIS, had adequately evaluated the relationship between SDUIS and USAELC and also the extent of any relationship between SDUIS and ACCET. Mr. Bounds closed out his letter by requesting further information on this and other matters (relating to the other institution addressed in the letter), a clear indication that USDE had not reached final conclusions on these matters.

Contrary to what you write in your January 20 post, the USDE letter does not fault ACICS for making decisions, as you put it, "to allow the two institutions to continue to operate." (emphasis added). While the other school mentioned in your post, Virginia International University, according to the USDE Bounds letter, was already accredited by ACICS and thus subject to review and oversight by ACICS, SDUIS was not accredited by ACICS and thus was not subject to oversight by ACICS. Rather, SDUIS was in the process of seeking accreditation from ACICS. Mr. Bounds and USDE most definitely did not criticize ACICS for "allowing" SDUIS to operate, as your post falsely reports. It is hard to understand how any open-minded person could have interpreted the Bounds letter as you did. Certainly, before publicizing statements about SDUIS that obviously would tarnish its reputation, you should have contacted the University's President to ask for its position on what is stated in the Bounds' letter, but you failed to do so, which is simply inexcusable, and, consequently, you published inaccurate and demeaning statements.

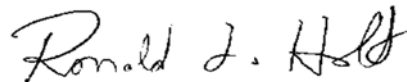
SDUIS has been licensed as an unaccredited graduate institution for over 21 years by the California BPPE, which coincidentally (or perhaps not) just conducted an unannounced all-day comprehensive site visit to the school on January 28, 2020 and at the end of the visit stated that it found no irregularities. During its 21 years of operation, SDUIS has turned out thousands of satisfied graduates during that time period with degrees in graduate programs. The institution's graduates include professional athletes. Far from being loosely demeaned as a "marginal" school, SDUIS has been recognized in the San Diego community as an outstanding holistic postsecondary

institution and its founder and CEO also has been recognized in the San Diego business community.<sup>3</sup>

The facts presented in this letter demonstrate that your assertions about SDUIS are unfounded falsehoods. We, therefore, demand a retraction of those statements. Refusal to make a retraction may result in harm to the business and reputation of SDUIS and USAELC and require us to take legal action to remedy the situation.

Very truly yours,

**ROUSE FRETS WHITE GOSS GENTILE & RHODES, LLC**



Ronald L. Holt

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<sup>3</sup> While USAELC, the English language school division of SDUIS, has lost the ACCET accreditation it obtained in late 2013 on the basis of a determination by the ACCET Commission that USAELC in late 2018 not in compliance with ACCET standards, USAELC is challenging that determination in the previously referenced federal court case and is confident that the Commission's decision will not be supported upon an objective and thorough review of the record that was in existence before the Commission. Though USAELC paid ACCET literally thousands of dollars for membership and site visit fees, ACCET failed to correctly review and interpret USAELC records and materials. Like SDUIS, USAELC has had thousands of satisfied graduates from its English language programs, many of whom have matriculated to academic programs at colleges and universities in the United States.