



Bradley R. Byrne
Chancellor

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February 6, 2009

Dr. Jerry Haenisch, Chancellor
Preston University
2520 Fairlane Drive, Suite 360
Montgomery, AL 36116

Dear Dr. Haenisch:

The Alabama Department of Postsecondary Education is in receipt of a Private School License renewal application for Preston University. The Private School License staff has visited the office on three separate occasions. During the on-site visits, it was determined that the location for the institution is based out of a virtual office setting which is not staffed properly nor has operating equipment, the school is not accredited nor it is in the process of accreditation and no up to date records were available for viewing.

The *Code of Alabama* (1975), § 16-46-5 (j) (1), requires that the courses, curriculum, and instructions of such schools are consistent, in quality and content, with recognized educational standards as determined by the Alabama State Department of Education or the Alabama Department of Postsecondary Education (ADPE), as appropriate.

Based on the above Code section, the State of Alabama Board of Education adopted the Guidelines for Policy 720.01: Private School Licensure in Alabama (GFP). As you aware, new Guidelines for Policy were effective September 1, 2008. In addition to these guidelines, the State of Alabama Board of Education has adopted the enclosed Board Policies that guide and direct the ADPE, therefore providing a recognized standard. The following are critical issues that were found to be unacceptable to the ADPE:

- GFP (III) Licensing a Private School
 8. No private school shall seek reimbursement from any student for any charges on any enrollment contract if such school was not the holder of a license as required by the *Code of Alabama* (1975) §§ 16-46-5 (a) and 16-46-6 (a), at the time that such school or its agent entered the contract.
 9. No license private school, no public school, and no college university subject to the State Board of Education shall accept transfer credits from school which is not exempted, entitled to an exemption, properly licensed in the state in which it is domiciled, accredited or licensed as required under the provisions of the *Code of Alabama* (1975).
- GFP (IV) Minimum School Rules – none of these objectives have been met successfully:
 - A. School Purpose and Objectives
 - B. The Educational Program

education works.

- C. Organization, Administration, and Fiscal Responsibility
 - D. Essential Documents
 - E. Student Records
 - F. Instructional Staff
 - G. Administrative and Supervisory Staff
 - H. Instructional Resources and Materials
 - I. School Policies
 - J. Site and Facilities
 - K. Admission and Student Services
 - L. Catalog, Bulletin, or Brochure Requirements
- GFP (V) (A) (B) (D) (G) (I) - Publicizing the Private School
 - A. Publicity by a school shall be based upon relevant facts and supporting evidence maintained in a file and stored in the school.
 - B. No private school shall advertise, claim, nor make guarantees of any kind by direct statement or implication that it will train students in any given length of time.
 - D. A school shall advertise only as a school and under the school name license by the Department. It shall not advertise in conjunction with any other business or establishment or use an emblem or logo associated with another business.
 - G. No private school may advertise that it is endorsed by manufacturers, business establishments, other institutions, or organizations until and unless prior written evidence of this fact is submitted to the ADPE and written approval is granted by the Department.
 - I. A file shall be maintained by each private school of all promotional materials, bulletins, brochures, contacts, agreements, and forms used to publicize the private school courses.
 - GFP (VI) – Agents Permits
 - A. No person, except those representing schools exempted or entitled to exemption in the *Code of Alabama* (1975) § 16-46-3, shall present materials, sell courses, or solicit students for enrollment outside the boundaries of the licensed school from the facilities unless an Agent’s Permit is first secured by the school from the ADPE.
 - I. No persons or private school shall seek reimbursement from any student for any charge(s) on any enrollment contract secured by an agent of the private school if the agent soliciting the students or selling the course(s) was not a holder of an Agent’s Permit at the time of presentation.

Other related findings:

- Preston University does not appear to have an independent governing body. There are not sufficient institutional controls within the organization for separation of duties.
- The admissions policies are not rigorous and are unacceptable. There are no entrance test thresholds applied, therefore, there are no assurances that

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the student possesses the necessary skills to achieve and succeed in a given program of study.

- All assessment decisions are based on a fee for a diploma rather than class attendance, lecture participation and projects; no quantifiable tests are used to assess student and program effectiveness.
- Evidence has been received by the Department that Preston University issues Honorary Degrees for a fee.
- Evidence has been received by the Department that Preston University is affiliated with other universities that are not of good standing in their respective countries.
- Evidence has been received by the Department that Preston University is operating and is domiciled in the State of Wyoming without proper licensure from the Wyoming Department of Education.

The number of violations has been determined to be serious both individually and cumulatively. Therefore, the ADPE has denied the Private School License renewal application. Please remove the Private School License approval from all educational and advertising material immediately, including but not limited to the website. It is required that Preston University cease and desist all operations in Alabama. Based on *Code of Alabama* (1975), § 46-4-46, any institution that knowingly operates in violation of the laws of the State of Alabama does so through the use of fraud and deception.

If Preston University is interested in pursuing a private school license in the future, the application for the ADPE can be found on the website at www.accs.cc.

Sincerely,



Lynne R. Thrower, J.D.

Associate Counsel

Private School License Director

LT/am

Enclosure [2], with original

cc: Chancellor Bradley Byrne, ADPE

Members of the Alabama State Board of Education

Joan Davis, Vice-Chancellor of Legal and Human Resources, ADPE

Martha Simmons, Director of Communications, ADPE

Don Edwards, Vice-Chancellor of Operations, ADPE

Nancy Lacey, ACHE