

SPEAKING UP

Dear Executives:

There is a powerful dialog in the Academy Award-winning movie, *The King's Speech* where the soon-to-be king, who has a paralyzing speech impediment that strikes him mute, shouts, **“I have a voice!”**

Do you have a voice? This means one thing: do you speak up? Are you speaking up?

Our sector of education has been under planned, massive attack from some government officials, government colleges and universities (our competitors), consumer groups, plaintiff attorneys, and teachers unions ad nauseum. And, into this unholy alliance, like vultures, we have discovered that short-sellers were the chief planners and orchestrators. See *Selling Career Colleges Short*, by Mark Hyman (attached), and *Senior Officials at the U.S. Department of Education Have Admitted to Inappropriately Meeting with Short-Sellers*, available at <http://www.ed-success.com/FOIA.php>. In response our sector has spoken up magnificently.

Never before have so many spoken up in so many ways. We've made personal visits to members of Congress and invited them to visit our campuses. We've sent thousands of letters; we've issued press releases; and we've sent over 90,000 comments in opposition to oppressive regulations. We've spoken both individually and through group efforts such as the Association of Private Sector Colleges and Universities (APSCU) and now through a new group – Coalition for Educational Success (Coalition). We are fighting back. From our sector leaders to our staff and students, we've voiced our pride in our colleges and universities and our opposition to the dreadful assault upon our institutions and our students.

The ugly slander and denunciations by Senator Harkin and promoted by some in the media can be hurtful and demoralizing. The allegations simply are not true. We must keep in mind what marvelous services we provide to our students each and every day. Our model of focused career education, our extreme service and support to our students and our emphasis on career services is a model which other sectors of education envy. Make no mistake about it; many of our adversaries know full well that we are decent organizations delivering a superior product.

So, why are we being attacked? I think there are at least three reasons. First, the most obvious reason is that short-sellers planned and orchestrated the regulations to line their pockets. They are outright criminals. Plain and simple. Senator Tom Coburn declared in a senate hearing, that they and their department of education conspirators could be facing jail time (<http://dailycaller.com/2011/03/03/coburn-education-department-tipping-h>) – and they should be.

The second reason is that we are enormously successful. We have grown ten-fold over the last generation. That is “bad enough” in the eyes of our competitors – government colleges and

universities; but compare community colleges. They, in particular, are hurting badly. Community colleges are cutting budgets, cutting staff, and turning away millions of students. California alone faces an \$800-million cut in funding for the coming school year and may have to turn away 400,000 students (Carla Rivera, Los Angeles Times, March 31, 2011). Imagine how they must feel about us, their “competitors”, flourishing and prospering when they are in such desperate straits. If they could just slow us down, bring us down.... They can’t compete with us, so they damn us and try to shackle us with prohibitions and regulations.

The third reason is philosophic – the most powerful reason. It underlies and “justifies” much of the disgraceful, unethical, and criminal activities of our adversaries: the Marxist view of profit. Karl Marx viewed profit as evil: “Profit, the engine of capitalism, is evil. It rightfully belongs to the proletariat.” – Dr. Judd Patton, Bellevue University (see Marxian Economics: http://www.m1-garand.com/info%20pages/world_war_ii_infopage33.htm). There are many in Washington and in government colleges and universities who are convinced that profit is evil; and, therefore, what we do is evil. That is why they repeat “for-profit colleges” rather than “private sector” or “proprietary colleges”. They use “for-profit” as a scarlet letter, as a slur. If you are for-profit, you are therefore a “bad actor”. Their view regarding profit as evil is their justification for vilifying us and for trying to damage us.

*We must not accept an unearned guilt; to do so is wrong in itself. Our adversaries are running a giant guilt trip on us through disgraceful tactics, such as the fraudulent Government Accounting Office (GAO) sting operation which used contrived, freakish situations (such as my uncle left me \$250,000, do I need to declare it on my FAFSA). How ridiculous! The GAO was not able to get the “dirt” they sought, so they fraudulently embellished their report to make our sector look awful (see <http://www.ed-success.com/FOIA.php>). Refuse to accept this unearned guilt!*³

We have been speaking up, and now two hard-hitting, beautifully crafted lawsuits have been filed. One of the lawsuits, filed by APSCU, challenges three most egregious regulations: forcing states to create regulatory machinery to regulate us, the prohibition of any incentive compensation, and the misinterpretation of the meaning of misrepresentation. The second, a lawsuit from the Coalition, takes the GAO to task for their biased “investigation” and their corrupt report.

We must continue to speak up. Our enemies have not gone away. They will not go away. We have a long fight ahead of us.

Ayn Rand wrote an article, What Can One Do? in answer to the question, “What can one person do?” She answers, “SPEAK!” and offers some suggestions:

³ I’m reluctant to sing our enemies’ song about “bad actors”. Of course we have some bad actors – a small percentage. So what? We have no more bad actors and probably less than bad government colleges (some of which are awful); there are bad cops, bad lawyers, bad banks, bad teachers, and even bad doctors. And yes, politicians... by far the highest percentage.

"Do not wait for a national audience. Speak up on any scale open to you, large or small – to your friends, your associates, your professional organizations, or any legitimate public forum. You can never tell when your words will reach the right mind at the right time. You will see no immediate results – but it is of such activities that public opinion is made.

Do not pass up a chance to express your views on important issues. (emphasis added) Write letters to the editors of newspapers and magazines, to TV and radio commentators and, above all, to your congressmen (who depend on their constituents). If your letters are brief and rational (rather than incoherent and emotional), they will have more influence than you suspect.

The opportunities to speak are all around you."

There are opportunities to speak up all around; some suggestions are:

1. Write thank you letters to elected officials, reporters, and to all those who support us and forward our ideas. People enjoy receiving thank you letters/cards.
2. Forward appropriate articles to friends, family, business associates, and elected officials. Do so selectively; don't inundate them.
3. Comment on an article or blog; and/or simply check "like" if you agree.
4. Above all, invite elected representatives into our campuses. Let our professional facilities, our students, and employers (important) speak for us. *This is a Center of Gravity*. After visiting our campus, many will move to the friend side. (We must maximize our friends and minimize our enemies.) See the excellent Congressional Visit Guide for how to do this at http://www.career.org/iMISPublic/Content/NavigationMenu/LegislativeIssues/CongressionalVisitProgram/2007_Congressional_Visit_Guide.pdf.
5. If elected officials cannot visit us, visit them in their local office or in Washington. Be prepared – know what you want to say and have something to leave behind. Many times you will meet with a staff person; that too is worthwhile.
6. Make phone calls to elected officials. Have a single, simple message clearly in mind. Know what you are talking about. This is especially true and important when legislation is pending.
7. Write to everyone: elected officials, newspapers, Department of Education, colleagues, professionals, and friends.

8. Encourage others to write. Encourage staff and students to write, but also employers and our vendors (publishers, etc.). Ask our PAC members and professionals to speak for us. Frequently, others' writing carries more weight.
9. Contribute money to political candidates who are honest and who support us. Contribute what you can afford; the amount does not have to be large (of course, the bigger the better).
10. Contribute to the APSCU PAC. APSCU speaks up on our behalf. That's what they do, and they should be supported in every way possible. Contact Ms. Robbe Bendick at 202-503-6846 or robbedb@career.org to find out how to contribute.

We will succeed in defending ourselves to the degree we speak up and only to that degree. We must speak up. We must speak up *frequently*. Indeed, if we do not speak up, many of us may not survive.

We have great colleges, dedicated staff and many student success stories. We have a great story to tell. Let's tell it.

Yours in speaking up and fighting back,

Carl B. Barney
Chairman
April 26, 2011