



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF INSPECTOR GENERAL

THE INSPECTOR GENERAL

January 7, 2019

The Honorable Mitchell M. Zais  
Deputy Secretary  
U.S. Department of Education  
400 Maryland Avenue, S.W.  
Washington, D.C. 20202

Dear Dr. Zais:

Thank you for your letter dated January 3, 2019, regarding an Office of Inspector General (OIG) review of the U.S. Department of Education's (Department) decision to re-recognize the Accrediting Council for Independent Colleges and Schools (ACICS). You provided me that letter in person when we met last Friday, January 4.

As referenced in your letter, the OIG received a request from now-House Education and Labor Chairman Bobby Scott and Senate Health, Education, Labor, and Pensions Ranking Member Patty Murray asking my office to review the Department's decision on ACICS. Your letter raised concerns that the OIG did not inform you of the review; that the OIG reconsider conducting such a review; and that the OIG consider including certain specific issues as part of our review. Your letter also specifically stated that you "expect to receive a clear written explanation with sound reasons" from the OIG if we choose not to include certain areas or items within the scope of our review.

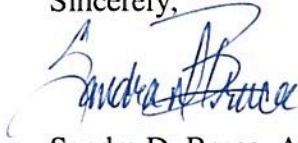
The Inspector General Act of 1978, as amended, provides OIGs with responsibilities to both Congress and their respective Department, including the duty to keep both fully and currently informed about problems within the Department. 5 U.S.C. App. 3, Sections 2(3), 4(a)(5). Accordingly, we routinely inform Congress of our work, and consider their requests for audits, investigations, and other reviews. Although our audit work is generally guided by our annual work plan, we reserve the right to begin additional or different work based on our judgment regarding new and emerging priorities. Once we decide to begin an audit or other review, we inform the Department of the assignment and the objectives through an established notification process that includes an initial letter to the Departmental auditee, as well as a monthly update to your office that lists OIG recent audit starts/audits underway. It has not been our practice to specifically brief any Department official on planned or new audit work.

At this time, we do not believe it is appropriate to engage further with the Department regarding our intended review of this matter. Independence (in appearance and fact) is key in the effective operation of an OIG. Under the Inspector General Act, although an Inspector General is nominally subject to the general supervision by the agency head or the deputy agency head, even those officials may not "prevent or prohibit" the Inspector General from "initiating, carrying out, or completing an audit or investigation." 5 U.S.C. App. 3, Section 3(a).

As is our standard practice, as we consider this request and how we will proceed, please know that we will take into account the concerns raised in your letter, as well as those shared by Chairman Scott and Ranking Member Murray. Per our established processes, we will inform you and the Departmental auditee once we initiate our review. Should the Department have concerns regarding any aspect of our work, there will be multiple opportunities for you to share those concerns and for us to provide our responses thereto in a fully transparent manner. This includes the objectives and scope of the work that will be discussed at the entrance conference, as well as throughout the review process, and of course, comments you may have on any findings or recommendations included in our draft report.

We appreciate the Department's cooperation with the OIG's work and we hope that this is responsive to your letter. Please do not hesitate to call me if you have further questions regarding this matter or any other matter that warrants a discussion.

Sincerely,

A handwritten signature in blue ink, appearing to read "Sandra D. Bruce", with a stylized flourish at the end.

Sandra D. Bruce, Acting