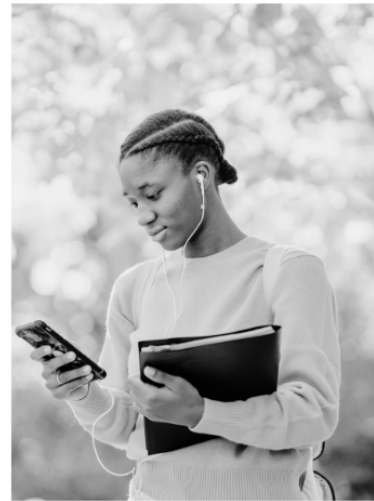
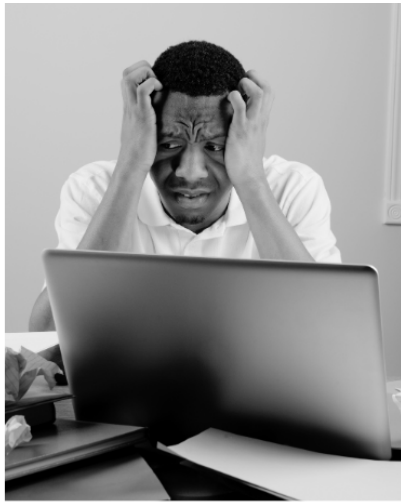




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PRINCIPLES PROJECT



THE DEPARTMENT OF EDUCATION'S OFFICE OF ENFORCEMENT:
**THE OBSCURE AGENCY LEADING A CRUSADE
AGAINST CHRISTIAN COLLEGES AND
HOW NEW DATA PROVES THE BIAS**

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EXECUTIVE SUMMARY





This month, voters chose to turn the page on the Biden-Harris Administration and re-elect Donald J. Trump as the 47th President of the United States.

This was an enormous win for the American people. It's clear that Trump's vision for freedom, populism, and patriotism inspired tens of millions of voters from all backgrounds, including those from working class communities. A critical part of his victory can be attributed to people of faith, who, for the last four years, have been mocked, ridiculed, targeted, and persecuted by the Left. Under the Biden-Harris Administration, the power of the federal government was unleashed on America's large Christian population and even sought to destroy higher education institutions that offer alternatives to traditional universities. While Republicans should certainly look to the future and focus on delivering on our political mandate, we should also identify the harmful anti-Christian discriminatory actions taken by the Biden Administration – and ensure that no future Administration can ever pursue such an agenda again.

While it is safe to say that President Trump, who has a great deal of respect for Christians, will not continue the Biden Administration's lawfare and targeted persecution of Christian institutions, Congress must enact reforms to the Department of Education to prevent it from arbitrarily targeting certain schools because they refuse to adopt left-wing woke orthodoxy and indoctrinate their students.

- **After a prolonged attack on career colleges, the Biden-Harris Department of Education has turned its aggressive scrutinize-and-penalize campaign against Christian students and the colleges and universities that serve them.**
- **The Department of Education's assault on Christian colleges is being carried out by its Office of Enforcement—an obscure agency created under President Obama and resurrected by President Biden. This secretive office's mission is to shut down colleges and universities that don't align with the Administration's woke agenda.**
- **Nearly 70 percent of penalties imposed by the Office of Enforcement have been against Christian institutions and career colleges, even though these schools represent less than 10 percent of college students.**
- **Within the last year the Biden-Harris Department of Education imposed record fines against two of the nation's most prominent Christian universities—Grand Canyon University (\$37.7 million) and Liberty University (\$14 million). These fines total more than all other penalties assessed by the Department of Education over the past seven years.**
- **President Biden increased the Office of Enforcement's budget by nearly 600 percent last year—and it has requested another almost 230 percent raise this year—signaling the Department of Education's plans to escalate its attacks further.**

THE BIDEN-HARRIS ADMINISTRATION'S WAR ON CHRISTIAN COLLEGES

Days before his inauguration then President-elect Joe Biden wrote in a statement that “ensuring freedom of religion remains as important as ever” and that government must safeguard “bedrock protections.” No one should be “afraid to attend a religious service, school, or community center,” the statement asserts.¹

That statement is not representative of what Joe Biden and Kamala Harris actually believe. Since assuming office, the administration has waged an unprecedented assault against Christian colleges, universities, and students, while systematically protecting “elite” public and private institutions, foisting woke ideology on reluctant students, and enabling antisemitic, violent protests on campuses across the nation.

It's done so by weaponizing the Department of Education's Office of Enforcement—an obscure subsidiary of the Office of Federal Student Aid (FSA) that was created with the implicit intent of shutting down schools and programs that do not conform to the administration's radical agenda. This campaign, which has been advanced under the auspices of protecting students from “predatory” colleges and universities,² threatens to erode traditional family values from higher education and financially squeeze and shut down schools that align with Christians' values and beliefs.

Some of the Biden-Harris administration's actions to dismantle religious protections are well documented. In 2023, it rescinded an executive order that required colleges and universities to treat religious student groups equally to other student groups. As one legal organization explains, the measure was “put in place to prevent universities from censoring students' religious speech and denying religious student groups the same benefits that other student groups receive.”³ The Biden-Harris Department of Education called it “unduly burdensome.”⁴

Only weeks earlier, the Department of Education issued guidance warning teachers not to encourage or endorse prayer or religious expression in public schools.⁵ The edict was applauded by American Atheists. “We all see through Christian nationalists' lies,” the organization's president said in a statement. “The Biden administration's guidance protects families from Christian nationalists' hypocritical attempts to foster coercive religious exercise in schools.”⁶

1 <https://www.presidency.ucsb.edu/documents/statement-president-elect-biden-religious-freedom-day>

2 <https://fsapartners.ed.gov/knowledge-center/library/electronic-announcements/2023-03-14/fsa-enforcement-bulletin-march-2023-announcing-use-secret-shoppers-evaluate-recruitment-and-enrollment-practices-and-monitor-title-iv-compliance>

3 <https://firstliberty.org/news/biden-admin-says-religious-freedom-on-campus-is-burdensome/>

4 <https://www.nationalreview.com/2023/03/the-biden-administration-is-sacrificing-college-students-religious-freedom/>

5 <https://www.ed.gov/laws-and-policy/laws-preschool-grade-12-education/preschool-grade-12-policy-documents/guidance-on-constitutionally-protected-prayer-and-religious-expression-in-public-elementary-and-secondary-schools>

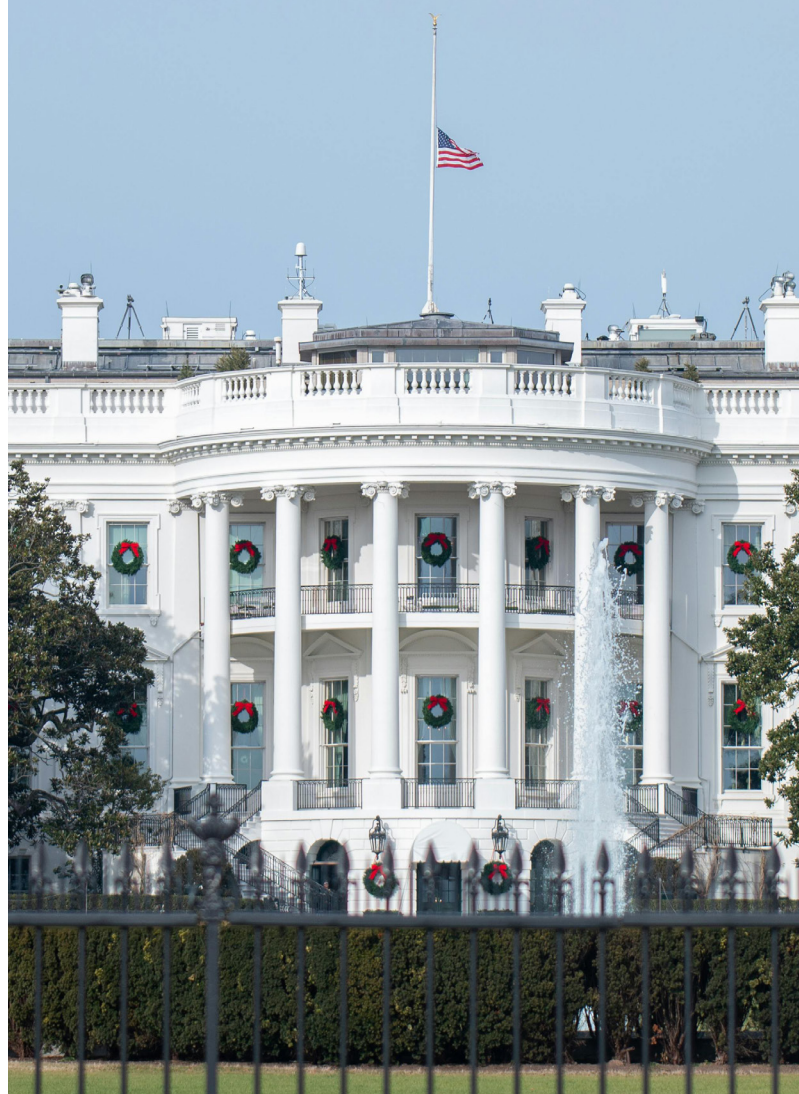
6 <https://www.npr.org/2023/05/16/1176476800/the-department-of-education-updates-guidance-on-public-school-prayer#:~:text=%22The%20Biden%20Administration's%20guidance%2C%22,Department%20of%20Education's%20updated%20guidance.>

This year the Department of Education published new Title IX regulations that codify “sweeping” protections for transgender and LGBTQ+ students. The administration punted its plan to include a policy that would prevent schools from banning transgender athletes from participating on teams inconsistent with their gender at birth—a decision NBC News described as a “political maneuver during an election year”⁷ and U.S. News called “too much for the White House to risk in the run-up to the 2024 presidential election.”⁸ But experts predict, if elected, Vice President Kamala Harris would revive the effort.

“The religious practice of student groups and individuals is under immense fire at universities,” 21 state attorneys general wrote in a letter to Education Secretary Miguel Cardona last year.

“[Students] are owed the right to freely exercise their religion, however out of fashion with an increasingly anti-religious bureaucratic regime that might be.”⁹

The Biden-Harris administration’s campaign against Christian students has now shifted to the institutions that serve them. Students are increasingly choosing faith-affiliated colleges and universities over public and private schools. Enrollment at faith-based schools grew 82 percent between 1980 and 2020, about 44 percent faster than the national average.¹⁰ That doesn’t sit well with the Biden-Harris administration, which is working hard to curb these trends and confine students into conventional four-year schools by limiting student choice.



Employing a scrutinize-and-penalize strategy and executive regulatory fiat, the Department has targeted Christian colleges and universities with baseless accusations, sensationalized public-opinion campaigns, and egregious penalties—with the goal of shutting down these schools, which do not comport with the administration’s “woke” agenda.

Drawing on newly released federal data, this report reveals the Biden-Harris Department of Education’s radical, biased agenda to shutter America’s Christian colleges and universities and pulls back the curtain on the administration’s vehicle for doing so—the Federal Student Aid (FSA) Office of Enforcement.

⁷ <https://www.foxnews.com/politics/education-department-warns-against-schools-encouraging-private-prayer-other-religious-activity>

⁸ <https://www.usnews.com/news/national-news/articles/2024-04-19/white-house-title-ix-regs-punt-on-transgender-athletes-after-betting-big-on-student-debt-relief>

⁹ <https://ago.mo.gov/attorney-general-bailey-pushes-back-on-bidens-attempt-to-rescind-protection-for-student-religious-groups/>

¹⁰ <https://www.bestcolleges.com/news/enrollment-nationwide-slows-down-religious-schools-buck-trend/>

WHAT IS

THE OFFICE OF ENFORCEMENT?

Staffed with 50 employees, a combination of new hires and personnel reassigned from existing posts,¹¹ the new office's purpose was to "respond more quickly and efficiently to allegations of illegal actions by higher education institutions."¹² President Obama's 2017 budget proposal requested \$13.6 million in taxpayer funding from Congress to pay for the new office.¹³

The Office of Enforcement consolidated three existing units, including "a newly formed team of lawyers who have been working on debt relief claims spurred by the collapse of Corinthian Colleges," Inside Higher Ed reported in February 2016.¹⁴

Corinthian Colleges—once the largest career-education institution in the country, serving some 110,000 students and operating 105 campuses nationwide—was fined \$30 million in 2015 by the Department of Education for allegedly failing to provide "clear and accurate information" to prospective students.¹⁵ The Department also barred Corinthian Colleges from receiving federal student aid. Later that year, Corinthian filed bankruptcy, affecting nearly 16,000 students.¹⁶

The undoing of Corinthian Colleges was led by Kamala Harris, who was then working as attorney general of California. Ms. Harris accused the organization of intentional misrepresentation to students and false and predatory advertising. Although she "struggled to support her claims," the Department of Education "rode to her rescue by making exhaustive document demands," the *Wall Street Journal* editorial board wrote.¹⁷

THE WALL STREET JOURNAL.

OPINION REVIEW & OUTLOOK

A Reading From Kamala Harris to the Corinthians

"Obama Administration officials then complained the college wasn't producing documents fast enough, and the Education Department cut off federal student aid. This drove Corinthian into bankruptcy and stranded tens of thousands of Corinthian students."¹⁸

11 <https://www.insidehighered.com/news/2016/02/09/education-department-creates-new-office-crack-down-fraud-colleges>

12 <https://www.seattletimes.com/business/govt-creates-new-student-aid-enforcement-office/> (Associated Press wire story)

13 <https://www.insidehighered.com/news/2016/02/09/education-department-creates-new-office-crack-down-fraud-colleges>

14 <https://www.insidehighered.com/news/2016/02/09/education-department-creates-new-office-crack-down-fraud-colleges>

15 <https://www.latimes.com/business/la-fi-corinthian-colleges-fine-20150414-story.html>

16 <https://www.insidehighered.com/news/2022/06/02/all-former-corinthian-students-have-loans-forgiven#:~:text=In%202015%2C%20the%20Education%20Department,16%2C000%20students%20at%20the%20time.>

17 <https://www.wsj.com/articles/a-reading-from-kamala-harris-to-the-corinthians-for-profit-colleges-student-debt-education-department-biden-11654204161>

18 <https://www.wsj.com/articles/a-reading-from-kamala-harris-to-the-corinthians-for-profit-colleges-student-debt-education-department-biden-11654204161>

In February 2016 under acting Education Secretary John King, Jr. the Department of Education announced the creation of the Student Aid Enforcement Unit.

“Once a thriving university system educating hundreds of thousands of students across the nation, Harris’ bold move set the higher ed shakedown into motion,” Thomas Jones, president of the American Accountability Foundation, wrote earlier this year. This “was a defining moment in Harris’ early political career: it was a huge win for the political left establishment who have harbored ill will against career colleges or any school they cannot control.”¹⁹

In September 2016, less than 18 months after Corinthian Colleges filed for bankruptcy, ITT Technical Institute was also forced to close. The school, which operated 130 campuses, had also been fined and prevented from receiving federal aid by the Department of Education.

U.S. Representative Virginia Foxx (R-NC), chair of the House Committee on Education and the Workforce, attributed ITT Technical Institute’s closing to the Department of Education “intentionally” targeting career colleges with “unnecessary regulations that threaten student choice, innovative schools and an American economy that stands to benefit from responsive higher learning institutions.”²⁰

Collectively, Corinthian Colleges and ITT Technical Institute served hundreds of thousands of students—students who made informed decisions to attend those schools over traditional public, private, and state-run schools based on their educational needs, career goals, and life circumstances. These schools’ collapse, caused by the actions taken by the Department of Education, upended countless students’ college plans.

“This enforcement unit is not exclusively about for-profits,” then-acting Education Secretary John King, Jr. said at the time. “It’s about the higher education sector generally.”²¹

However, as discussed in greater detail below, the Biden-Harris Department of Education’s actions tell a different story. Appropriated by liberal activists, the Office of Enforcement has been formed into a weapon to single out and penalize schools that the administration disfavors. Once focused primarily on career colleges, the Department of Education has now turned the Office of Enforcement on Christian colleges and universities, which threatens to have the same disastrous effects.

19 <https://www.washingtontimes.com/news/2024/sep/11/vice-president-kamala-harris-extreme-higher-educat/>

20 <https://www.politico.com/story/2016/09/itt-tech-closes-its-doors-227765>

21 <https://www.insidehighered.com/news/2016/02/09/education-department-creates-new-office-crack-down-fraud-colleges>

IMPORTING THE CFPB'S SUBJECTIVE ENFORCEMENT MODEL TO THE DEPARTMENT OF EDUCATION

After being “deprioritized” under the Trump-Pence administration, the Student Aid Enforcement Unit was “restored” by the Biden-Harris Department of Education in October 2021 under a new moniker, the Office of Enforcement, still housed under the Office of Federal Student Aid (FSA).²²

The relaunched enforcement unit would “vigorously” increase oversight of post-secondary schools and federal student aid programs.²³

Kristen Donoghue was tapped to serve as chief enforcement officer, a position that reported directly to then FSA Chief Operating Officer Richard Cordray.

Prior to joining the Department of Education, Mr. Cordray and Ms. Donoghue were leaders at the Consumer Financial Protection Bureau (CFPB)—an agency, like the Office of Enforcement, created by executive action and with little Congressional oversight. During Ms. Donoghue’s and Mr. Cordray’s tenure at CFPB, the agency sued numerous career colleges, including Corinthian Colleges and ITT Technical Institute.^{24 25}

As director of the CFPB, Mr. Cordray wielded “more unilateral power than any government official save the president,” David Rivkin and Andrew Grossman wrote in a 2017 *Wall Street Journal* op-ed.²⁶ Under his leadership, the CFPB was criticized as “disastrous” and run by “unelected and unaccountable bureaucrats.”²⁷ It “would have been hard to imagine the extent to which the Bureau became a partisan agency under the leadership of former Director Richard Cordray,” one financial services association opined in 2018.²⁸

When Ms. Donoghue and Mr. Cordray moved to the Department of Education, they brought with them a strategy to single out and penalize schools that did not conform with the administration’s political dogma, which they honed at the CFPB.²⁹

Inside Higher Ed mildly characterized Office of Enforcement as “subject to political whims.”³⁰ Others have been more direct: This “another example of a weaponized federal government,” U.S. Representative Andy Biggs (R-AZ) wrote in April 2024.



22 <https://www.ed.gov/about/news/press-release/us-department-of-education-to-establish-an-enforcement-office-within-federal-student-aid>

23 <https://finance.yahoo.com/news/student-loans-education-department-enforcement-office-163133224.html>

24 <https://www.consumerfinance.gov/about-us/newsroom/cfpb-sues-for-profit-corinthian-colleges-for-predatory-lending-scheme/>

25 <https://studentloanborrowerassistance.org/cfpb-sues-profit-college-company-itt/>

26 <https://www.wsj.com/articles/youre-fired-trump-should-tell-richard-cordray-1492124207>

27 https://outreach.senate.gov/record/view_newsletter.aspx?id=100898&c=SenSasse

28 <https://www.cfsaa.com/news/cfsa-commentary/in-the-news-cfpbs-structural-flaws-come-to-light-amid-change-in-leadership>

29 <https://www.insidehighered.com/news/government/student-aid-policy/2024/08/26/new-data-show-how-us-cracks-down-colleges-misconduct>

30 <https://biggs.house.gov/media/press-releases/congressman-biggs-demands-investigation-outrageous-377-million-fine-against#:~:text=%22The%20Department%20of%20Education's%20egregious,unjustly%20target%20a%20Christian%20University>

A LONG, BIASED HISTORY OF PURSUING CAREER COLLEGES

Under Secretary Cardona and FSA Director Cordray, the Office of Enforcement ditched any commitment to fairness described by former Secretary King, if indeed it ever existed.

A 2021 statement by Senator Dick Durbin (D-IL), an ardent opponent of career colleges, signaled the agency's true directive—to eliminate proprietary higher education institutions.

"Reestablishing an aggressive enforcement office at the Department of Education is key to holding for-profit colleges accountable," Senator Durbin said. "For-profit colleges essentially ran the Department for four years under Donald Trump and Betsy DeVos... President Biden and Secretary Cardona are making clear that those days are over."³¹

It bears noting that Senator Durbin's statement makes no mention of public, private, or state-run schools; only proprietary career colleges.

Certainly, that seems to reflect the Office of Enforcement's unofficial mission. Behind

the spin, the Office was always tasked with one goal: punishing non-traditional post-secondary institutions, which have and continue to grow in popularity and are disrupting the higher education status quo.

The U.S. Government Accountability Office has also questioned the Enforcement Office's decision-making. In 2022, GAO wrote: "[The Department of Education] has not completed written procedures for investigating colleges and has not updated its internal written procedures for imposing penalties for substantial misrepresentation."³² FSA reported in March and April of 2024 it had completed these requirements, months after the office imposed record-setting penalties on two of the nation's leading Christian institutions.³³

Staffed with a cadre of liberal activists, the Department of Education quickly sought to expand the Office of Enforcement's budget. The Office received a \$4.4 million budget increase in the 2023 fiscal year. In 2024, President Biden's executive budget asked for another \$25.6 million funding increase—a nearly 600 percent increase over the previous year.³⁴ In the current budget request, the administration plans to increase the office's budget to \$60.8 million, close to a 230% increase from 2024.³⁵ In a lean budget era, such increases are unprecedented.

These budget and staffing hikes amounted to taxpayer-funded witch hunts against faith-based and career-education colleges and universities—

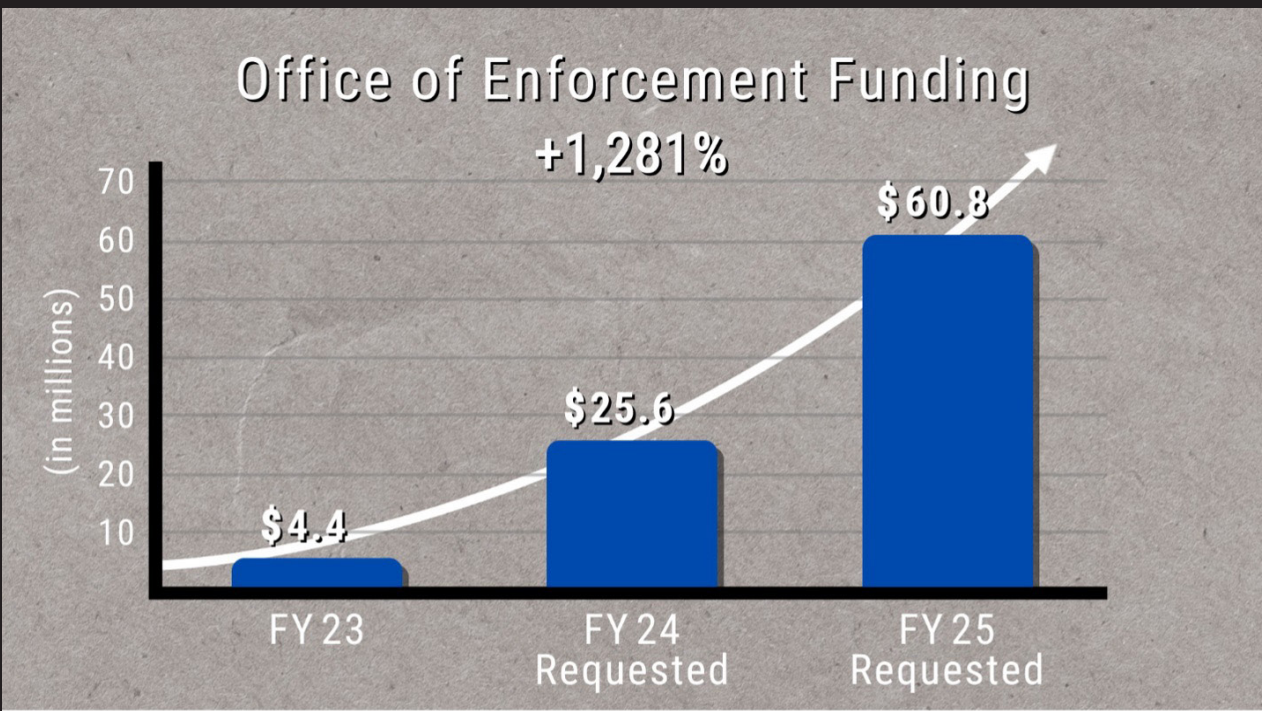
31 <https://www.durbin.senate.gov/newsroom/press-releases/durbin-statement-on-department-of-education-establishing-an-enforcement-office-within-federal-student-aid>

32 <https://www.gao.gov/assets/gao-23-104832.pdf>

33 <https://www.gao.gov/products/gao-23-104832>

34 <https://www.ed.gov/sites/ed/files/about/overview/budget/budget24/justifications/q-saa.pdf>

35 <https://www.ed.gov/sites/ed/files/about/overview/budget/budget25/justifications/r-saa.pdf>



a concerted effort by the Biden-Harris Department of Education to single out and penalize higher education institutions that it disfavored. Its aim was two-fold: First, to prop up conventional public, private, and state-run universities, where enrollment has long been dwindling to historic lows; and, secondly, to help fulfill the Biden-Harris administration's promise of massive student debt cancellation.

The FSA Office's narrow focus against career colleges and now increasingly against Christian colleges and universities has come at the expense of its real duty, which is supposed to be protecting student interests. The FSA's botched roll-out of the Free Application for Federal Student Aid (FAFSA) has been roundly criticized. The application, which was delayed multiple times, created uncertainty for hundreds of thousands of high-school graduates and contributed to a five percent drop in college enrollment among first-time students.³⁶ Enrollment at four-year colleges fell more than 10 percent.

Minority, low-income, and first-generation college students were hurt the most by the Department of Education's mishandling of the FAFSA introduction. Some 432,000 fewer FAFSA applications were received this year compared to 2023,³⁷ and communities with high shares of families living in poverty, non-college adults, or Black or Latino residents saw year-over-year declines in FAFSA completions that were 20 percent greater than those in communities with a low share of these groups.³⁸

Indeed, as American Principles Project argued at the time, "the Department of Education's botched rollout of the Free Application for Federal Student Aid (FAFSA) upended hundreds of thousands of high school graduates' college aspirations, and minority, low-income, and first-generation prospective students have been hurt the most. Amid the worst fiasco in higher education in recent memory, the Biden administration wants to give the very office responsible a raise. And for what? To fast track its attack on unconventional college options."³⁹

³⁶ <https://www.cnn.com/2024/10/23/first-year-college-enrollment-falls-though-more-students-qualify-for-aid.html>

³⁷ <https://www.gao.gov/blog/botched-fafsa-rollout-leaves-uncertainty-students-seeking-financial-aid-college>

³⁸ https://www.nasfaa.org/news-item/34066/Report_FAFSA_Rollout_Disproportionately_Affected_Low-Income_Black_and_Latino_Students#:~:text=Specifically%2C%20communities%20with%20a%20high,low%20share%20of%20these%20groups.

³⁹ <https://www.newsmax.com/politics/cardona-christian-college/2024/07/09/id/1171825/>

DECLINE OF CONVENTIONAL HIGHER EDUCATION

For years enrollment at public, private, and state-run colleges and universities has been in steady decline. Between 2010 and 2021, undergraduate enrollment fell nearly 15 percent, resulting in over 2.6 million fewer students.⁴⁰ Enrollment declined by 12 percent at public two-year universities and two percent at public four-year universities between 2019 and 2022.⁴¹ “Doubts about the value of a college degree are a key contributor,” *Inside Higher Ed* reported earlier this year.⁴²

The luster of a traditional college education has worn off for many Americans, who increasingly question whether a degree is worth the cost and who have grown tired of anti-family and anti-religion messages being pushed at many schools. The percentage of U.S. adults who say they have a lot of confidence in higher education fell from 57 percent to 36 percent over the past decade,⁴³ and most Americans today do not believe that a degree is worth the cost.⁴⁴ Nearly half of parents say they would prefer their children not go directly into a four-year college.⁴⁵

“Enrollment in vocational training programs is surging as overall enrollment in community colleges and four-year institutions has fallen,” the *Wall Street Journal* reported this year.⁴⁶ “Growing skepticism about the return on a college education, the cost of which has soared in recent decades, is adding to their shine.”

Students’ exodus away from conventional public, private, and state-run schools does not sit well with the Biden-Harris administration. College campuses have become a breeding ground of progressive ideology—over half of

students say they do not feel comfortable giving their opinion on social and political issues—and they are paramount to President Biden’s and Vice President Harris’ “free college” promise.

As a result, the administration has sought to corner students into conventional, brand name colleges by targeting schools and programs that threaten the status quo. This creates a two-fold outcome and a self-fulfilling cycle. Using its scrutinize-and-sue tactics, the Department of Education can penalize and withhold federal aid to non-traditional schools. When they go under, the administration can cancel students’ loan debt, making good on its campaign promise. And, of course, students then have fewer higher education options, cornering the market for conventional universities.

The newfound Office of Enforcement has emerged as the Department of Education’s vehicle to target and penalize proprietary schools. Its mission is not about protecting student interests or holding bad actors to account, no matter how often and loudly the administration and its allies say it. It’s about discouraging competition and strong-arming students into conventional colleges and universities. Unfortunately for religious students and their families, Christian schools are now in the crosshairs.

“The [Office of Enforcement’s] myopic focus on a sliver of the higher education landscape has come at the expense of ignoring abuses at traditional universities that often saddle students with over \$100,000 in student loan debt with little prospect of gainful employment,” Thomas Jones told *Inside Higher Ed*.⁴⁷ “The only explanation for the Office of Enforcement ignoring traditional four-year universities is that liberals in the administration want to protect their traditional allies in academia.”

40 <https://www.usatoday.com/story/news/education/2024/08/13/college-enrollment-tuition-since-covid-graphics/74729160007/>

41 <https://www.highereddiver.com/news/net-tuition-private-public-colleges/730632/#:~:text=Between%202019%20and%202022%2C%20total,Board's%20analysis%20of%20federal%20data.>

42 <https://www.insidehighered.com/news/students/retention/2024/03/13/doubts-about-value-are-deterring-college-enrollment>

43 <https://news.gallup.com/poll/508352/americans-confidence-higher-education-down-sharply.aspx>

44 <https://www.wsj.com/articles/americans-are-losing-faith-in-college-education-wsj-norc-poll-finds-3a836ce1>

45 <https://thechingerreport.org/poll-nearly-half-of-parents-dont-want-their-kids-to-go-to-a-four-year-college/>

46 <https://www.wsj.com/lifestyle/careers/gen-z-trades-jobs-plumbing-welding-a76b5e43>

47 <https://www.insidehighered.com/news/government/student-aid-policy/2024/08/26/new-data-show-how-us-cracks-down-colleges-misconduct>

NEW DATA PROVES BIAS AGAINST CHRISTIAN SCHOOLS

In August 2024, the Department of Education disclosed the details of the legal actions taken by the Office of Enforcement online.⁴⁸

The “data dump,” as characterized by *Inside Higher Ed*, was likely a response to Congress’ request in the most recently passed appropriations bill for more transparency regarding the activities of the office.

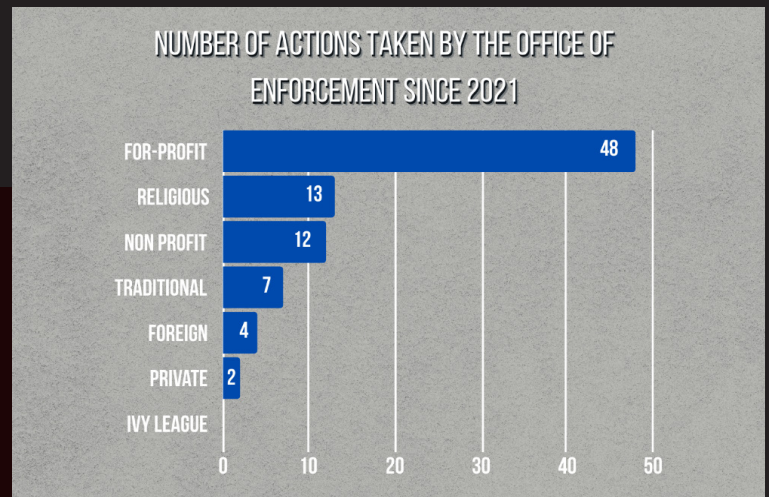
However, APP’s analysis of the limited data found that the Office of Enforcement’s actions have been anything but equitable. Instead, the agency has almost exclusively targeted Christian universities and career colleges with massive penalties that far exceed the alleged violations, which have frequently been contended by schools, experts, and even students. For example,

the Office of Enforcement’s record fines against Grand Canyon University (GCU) and Liberty University—two of the country’s largest Christian universities—totaled more than all other penalties over the past seven years combined.

GCU’s and Liberty University’s fines are some of the largest fines ever issued by the Department.⁴⁹

APP’s analysis finds that Christian schools have received the largest fines and some of the most aggressive legal harassment from the Office of Enforcement despite, at the time, a lack of official procedures for identifying, investigating, or penalizing colleges.

Meanwhile, virtually no actions have been taken against public, private, and state-run schools, despite the fact public confidence in these institutions is at record lows—most Americans believe a four-year degree is not worth the cost—and “sticker prices” at public and private four-year colleges increased more than 70 and 46 percent, respectively, between 2000 and 2021.⁵⁰ By comparison, the average costs at a four-year career college fell by nearly eight percent during the same period.⁵¹



⁴⁸ <https://studentaid.gov/data-center/enforcement>

⁴⁹ <https://studentaid.gov/data-center/enforcement>

⁵⁰ <https://www.wsj.com/articles/americans-are-losing-faith-in-college-education-wsj-norc-poll-finds-3a836ce1?mod=rsswn>

⁵¹ <https://www.bestcolleges.com/research/college-costs-over-time/>

THREE WAYS THE OFFICE OF ENFORCEMENT TARGETS CHRISTIAN COLLEGES WHILE IGNORING FAILING CONVENTIONAL UNIVERSITIES

The Department of Education has refined a strategy for dismantling its targets:

- 1 IMPOSE MASSIVE PENALTIES AGAINST LEADING INSTITUTIONS
- 2 HARASS SCHOOLS OPERATING IN GOOD FAITH WITH SCRUTINIZE-AND-FINE INVESTIGATIONS
- 3 CUT OFF OR THREATEN COLLEGES' AND UNIVERSITIES' ACCESS TO TITLE IV FUNDING

Christian colleges and universities have been targeted, harassed, and in some cases put out of business by this weaponization of the Department of Education's weaponization of its Enforcement Office.

Nearly 70 percent (59 out of 87 actions) of the Department's enforcement actions involved faith-based or career-education schools, despite these institutions representing only about 10 percent of students

EGREGIOUS PENALTIES

At least 12 Christian colleges and universities have been the target of excessive penalties from the Office of Enforcement or banned from receiving federal student aid. By comparison, no Ivy League school has been the recipient of punitive action by the Office of Enforcement.

Perhaps the most high-profile example of this egregious penalization is the Department of Education's recent actions against Grand Canyon University (GCU), the nation's largest Christian university.

In October 2023, the Department of Education assessed a record \$37.7 million fine against GCU, despite not having completed written procedures for selecting or investigating colleges nor having updated its penalty procedures.^{52 53} The penalty—which officials called the “largest of its kind”⁵⁴—was imposed for allegedly “not fully informing” students about the costs of GCU's doctoral programs on its website.⁵⁵ Doctoral students represent less than five percent of the school's student body.

52 <https://www.ed.gov/about/news/press-release/us-department-of-education-office-of-federal-student-aid-fines-grand>

53 <https://www.gao.gov/products/gao-23-104832>

54 <https://www.insidehighered.com/news/government/student-aid-policy/2023/11/01/education-department-fines-grand-canyon-university>

55 <https://www.ed.gov/about/news/press-release/us-department-of-education-office-of-federal-student-aid-fines-grand>

GCU “categorically” denied the allegations, noting that an independent accreditor described the school’s marketing and recruitment materials as “clear and transparent.”⁵⁶ The accreditors specifically said of GCU’s doctoral program materials: “The information and resources provided are robust and thorough, providing prospective students a clear picture of their academic and financial path toward a degree at GCU.”⁵⁷

In a letter to Secretary Cardona preceding the Department of Education’s announcement, GCU president Brian Mueller called the accusations “incredulous” and asked to “sit down and discuss these matters in a rational and productive way.”⁵⁸ That request seems to have been ignored. Mr. Mueller’s letter notes that GCU did not raise tuition for 15 years, does not “rely on state taxpayer subsidies as state universities do,” and that GCU graduates incur “less debt than the national average.”

The same month the *Wall Street Journal* editorial board called the Department of Education’s allegations a “hit job,” the victims of which “will be students.”⁵⁹ The editorial notes that GCU offers students “woke-free vocational training,” and that 40 percent of on-campus students complete a degree in less than three years.

“Progressives oppose private competition in education, and they’re willing to use the government to punish schools that won’t bow to their wishes,” the *Wall Street Journal* editorial board wrote separately.

Since the announcement of the fine, the Department of Education has been sued to disclose records that would support its action. It has been beseeched by lawmakers asking for accountability and transparency and called before Congress to provide more information to the relevant oversight committees. But despite all of that, the Department of Education has produced virtually nothing.

Instead, the administration has doubled down. Former senior Department of Education officials called GCU “liars.”⁶¹ Education Secretary Miguel Cardona pledged to “shut down” GCU in testimony before Congress this spring.⁶² Yet, the Department of Education has provided no evidence to support its claims, and, in fact, an audit this year by the school’s accreditor, the Arizona State Approving Agency, found no wrongdoing.⁶³

Only following media scrutiny of its handling of its actions against GCU did the Office of Enforcement complete written procedures for selecting colleges for investigation and updated internal procedures for imposing penalties.

GCU is continuing to appeal the Department of Education’s decision and has refused to pay the fine. “It doesn’t matter whether the fine’s \$37 million or \$1 — we’re not paying it,” the school’s president told the Christian Broadcasting Network (CBN) earlier this year.⁶⁴

THE WALL STREET JOURNAL

OPINION REVIEW & OUTLOOK

Biden’s Regulators Gang Up on a Christian College

Multiple agencies attack Grand Canyon University for dubious reasons.

“The liberal press frets with some cause that Donald Trump will target his political opponents if he wins the White House in 2024, but why aren’t they bothered by the Biden Administration’s weaponization of government?”⁶⁰

56 <https://news.gcu.edu/press-releases/gcu-categorically-refutes-department-of-educations-lies-and-deceptive-statements/>

57 <https://news.gcu.edu/press-releases/gcu-categorically-refutes-department-of-educations-lies-and-deceptive-statements/>

58 <https://news.gcu.edu/gcu-news/open-letter-from-gcu-to-department-of-education-secretary/>

59 <https://www.wsj.com/articles/bidens-assault-on-a-christian-college-grand-canyon-university-education-for-profit-447e587a>

60 <https://www.wsj.com/articles/biden-administration-fines-grand-canyon-university-department-of-education-dcce7075>

61 <https://www.insidehighered.com/news/government/student-aid-policy/2023/11/01/education-department-fines-grand-canyon-university>

62 <https://www.foxnews.com/media/bidens-education-secretary-vows-shut-largest-christian-university-us>

63 <https://news.gcu.edu/press-releases/arizona-va-agency-finds-no-wrongdoing-in-audit-of-grand-canyon-university/>

64 <https://cbn.com/news/us/biden-admin-trying-shut-down-largest-christian-university-america>

Only months after its penalty against GCU, the Office of Enforcement announced an equally outrageous \$14 million penalty against Liberty University, another prominent Christian university.⁶⁵ The alleged violations stem from a failure to comply with crime-reporting requirements under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, or “Clery Act.”

The Department of Education’s investigation against Liberty University covered more than seven years of records, “by far, the most extensive review period of any higher education institution in the Department’s history of published reviews,” according to the school.⁶⁶ A Liberty University statement also notes: “Many of the Department’s methodologies, findings, and calculations in the report were drastically different from their historic treatment of other universities.”⁶⁷

The Department’s penalty, the largest ever for a Clery Act violation, hardly fits the accusation—especially considering steps the school voluntarily took to remedy its reporting. As part of the settlement, Liberty agreed to spend \$2 million towards “on-campus safety improvements and compliance enhancements,” in addition to already budgeted funds for Clery Act compliance. The school created an Office of Equity and Compliance to facilitate both Title IX and Clery Act reporting, invested in major capital projects to improve campus security, and offered prevention and awareness training to “promote transparency, accountability and intervention.”⁶⁸

By comparison, Michigan State University was fined \$4.5 million in 2019 for failing to report sexual abuses by former team doctor Larry Nassar, who assaulted hundreds of victims.⁶⁹ In 2016, Penn State University was fined \$2.4 million for failing to report 11 “serious findings of non-compliance” related to the school’s handling of Jerry Sandusky’s sexual misconduct and the

University’s longstanding failure to comply with federal requirements on campus safety and substance abuse.⁷⁰ Both were at the time the largest penalties imposed by the Department of Education for violations of the Clery Act.

The Department of Education’s handling of the Liberty University investigation also raises concern. In the fall of 2023, while the investigation was still under program review, it was leaked to the Washington Post and subsequently reported by numerous media outlets.⁷¹ The school’s president, Dondi Costin, said the report was leaked by someone within the Department of Education to “poison the well.”⁷² The university also said the Department used methods and calculations that were “drastically different from their historic treatment of other universities.”⁷³

It’s impossible to reconcile the allegations against Liberty University with the punishment assessed by the Department of Education. School officials acknowledged reporting errors, including “incorrect statistical reports” and “timely warnings and emergency notifications that were not sent.” While not insignificant, the mistakes do not justify the record fine.



65 <https://www.ed.gov/about/news/press-release/us-department-of-education-imposes-14-million-fine-against-liberty#:~:text=The%20U.S.%20Department%20of%20Education,by%20an%20outside%20accounting%20firm.>

66 <https://www.liberty.edu/news/2024/03/05/liberty-university-and-department-of-education-finalize-clery-program-review/>

67 <https://www.liberty.edu/news/2024/03/05/liberty-university-and-department-of-education-finalize-clery-program-review/>

68 <https://www.liberty.edu/news/2023/10/03/university-statement-on-u-s-department-of-education-clery-act-program-review/>

69 <https://www.insidehighered.com/news/2019/09/06/education-department-fines-michigan-state-45-million-not-reporting-nassar-crimes>

70 <https://www.statecollege.com/articles/local-news/penn-state-faces-record-2-4-million-fine-for-clery-act-violations/>

71 <https://www.washingtonpost.com/education/2023/10/03/liberty-university-clery-act/>

72 <https://www.foxnews.com/media/departments-education-responds-liberty-university-claims-trying-tarnish-image>

73 <https://fox59.com/news/national-world/liberty-university-to-pay-14-million-the-largest-fine-ever-leveled-under-the-clery-act/>

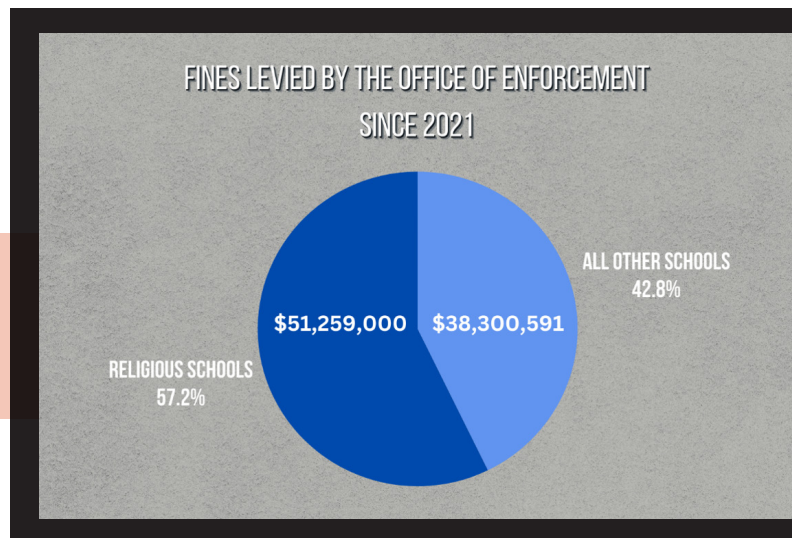
SCRUTINIZE-AND-HARASS TACTICS

Financial penalties for undone paperwork is another tactic used by the Department of Education to target Christian colleges. These fines have mainly come through two laws: 1) The Clery Act; and 2) Integrated Postsecondary Education System (IPEDS) surveys. IPEDS is a system that gathers data from every college, university, and technical and vocational institution that participates in the federal student financial aid programs.

APP's analysis finds that Christian and faith-affiliated schools have been unreasonably subject to these kinds of penalties, which, while not as large as other penalties imposed by the Department of Education, expend schools' resources and tarnish their reputations.

Over the last 10 years, the Department of Education has issued **nearly 75 fines for Clery Act violations**, totaling \$27.5 million in penalties. Twenty of those, more than a quarter, were against Christian colleges and universities. **The average fine against a Christian school was \$815,000, compared to \$228,571 against public and private institutions.**

- Last year the Department of Education announced a \$24,000 fine against Bacone College for failure to submit an annual IPEDS survey in a timely manner.⁷⁴
- It announced a \$15,000 fine against Saint Augustine's University for failure to submit an annual IPEDS survey in 2023.⁷⁵
- Samford University was fined \$76,000 for violations of the Clery Act. Samford University is rated as one of the top schools for career preparation.⁷⁶
- The Baptist Bible College was fined 35,000 in 2022 for violations of the Clery Act. The fine was significantly larger than universities ten-times larger received.
- Bethesda University, a school with only 264 undergraduates, was fined \$37,000 for Clery Act violations.



⁷⁴ <https://studentaid.gov/data-center/enforcement/actions>

⁷⁵ <https://studentaid.gov/data-center/enforcement/actions>

⁷⁶ <https://www.samford.edu/news/2024/09/Samford-University-Garners-3-Top-10-National-Rankings-in-The-Wall-Street-Journals-2025-List-of-Best-Colleges>

ELIMINATION OF TITLE IV FUNDING

Title IV of the Higher Education Act allows the Department of Education to administer financial student aid, which the agency can withhold, or bar, colleges and universities from receiving.⁷⁷ The Department of Education awarded more than \$91 billion of Title IV funding during the 2020-21 academic year.⁷⁸

Students at smaller colleges and universities are more likely to be dependent on Title IV funding compared to students at larger schools. In 2022, more than 60 percent of students at colleges with fewer than 1,000 students received Title IV federal aid, while only about 35 percent of students at schools with enrollment exceeding 20,000 did.⁷⁹

Losing access to Title IV funding can be “akin to a death sentence,”⁸⁰ especially for smaller schools that lack the financial resources of larger, well-established universities. The Department of Education has used these purse strings to create financial turmoil schools that it disfavors—and, in many cases, to put them out of business entirely. Unable to use their federal aid at the school they prefer, students must choose other options, which causes a decline in enrollment at the targeted school. With exacerbated financial challenges, it is then harder for the school to rectify the issues that triggered the withholding in the first place.

Over the past three years, the Department of Education has cut off Title IV funding to 35 post-secondary schools. Twenty-three of those were career colleges. Only seven were public or private institutions. (The other five were international programs.)⁸¹

The data reinforces “what the [Department of Education’s] critics have long suggested — that the Office of Enforcement might as well be named the Office of For-Profit Enforcement,” the Washington Times reported in September 2024.⁸²

“Nobody on the nonprofit side ever loses their federal funding. Title IX violation? You don’t lose it. Title VI violation? You don’t lose it. Free-speech violation? You’re not going to lose it,” said Adam Kissel, a former Deputy Assistant Education Secretary under President Trump. “Only for these [career] colleges do you actually lose it.”⁸³

APP’s analysis identified multiple examples of the Department of Education withholding Title IV funding from Christian colleges and universities:

- The Department of Education revoked **Wiley College’s** access to Title IV funds when the Maryland Higher Education Commission didn’t renew its certification.
- The Department revoked **Maple Springs Baptist Bible College & Seminary’s** access to Title IV funds in 2022 when the Maryland Higher Education Commission didn’t renew its certification. Maple Springs later recertified with another accreditation firm.
- Shepherds College, which was later renamed **Mission University**, was informed in 2022 that the Department of Education determined that the school and its students no longer qualify for Title IV funds. Shepherds College’s mission is to help train students with intellectual and developmental disabilities.
- In September 2023, the Department issued a letter stating its intent to terminate **King’s College’s** access to Title IV education funds.⁸⁴ The announcement came after the school learned that its accreditation from the Middle States Commission on Higher Education (MSCHE) was ending.⁸⁵ MSCHE cited the college’s failure to meet accreditation standards, including updating public financial disclosures and paying dues and fees.

77 <https://fsapartners.ed.gov/knowledge-center/library/electronic-announcements/2023-11-21/title-iv-aid-disbursement-reporting-excess-cash-and-reconciliation-requirements#:~:text=Excess%20Cash%20Requirements,for%20the%20excess%20cash%20regulations>.

78 [https://research.com/education/what-is-a-title-iv-school#:~:text=For%20the%20school%20year%202020,billion%20\(FSA%2C%202021\)](https://research.com/education/what-is-a-title-iv-school#:~:text=For%20the%20school%20year%202020,billion%20(FSA%2C%202021)).

79 <https://www.highereddive.com/news/fafsa-debacle-enrollment-budget-mergers-acquisitions/720050/#:~:text=While%20all%20Title%20IV%20schools,the%20smallest%20schools%20the%20most>.

80 https://www.linkedin.com/pulse/does-anyone-stand-gain-from-gainful-employment-rule-jay-rossello?trk=portfolio_article-card_title

81 <https://studentaid.gov/data-center/enforcement/actions>

82 <https://www.washingtontimes.com/news/2024/sep/11/career-colleges-targeted-by-biased-biden-bureaucra/>

83 <https://www.washingtontimes.com/news/2024/sep/11/career-colleges-targeted-by-biased-biden-bureaucra/>

CONCLUSION

Since taking office, the Biden-Harris administration has weaponized the U.S. government against everyday citizens that do not genuflect to their radical left-wing agenda.



From siccing the Department of Justice after parents for protesting school board meetings⁸⁶ to a recently finalized Department of Health and Human Services rule that could remove children from foster families if they don't buy into the lie of transgenderism,⁸⁷ this administration has introduced a destructive brand of "woke" authoritarianism and thrown tolerance and decency out the window.

The latest front in the administration's attack on religion and traditional family values is taking place in higher education. It is against Christian colleges and universities, which have grown in popularity because they offer students an education that better aligns with their principles. Even though President Trump's victory likely means a departure from some of these discriminatory policies, there is still a need for Congress to take action and demand answers. This should include oversight hearings of the enforcement office, and subpoenas for those Biden Administration officials who engaged in these unlawful actions. Additionally, Congress should invite outside experts and college administrators

that have been unfairly targeted by these enforcement proceedings. The American people -- among which there are more than 200 million Christians -- deserve to hear the truth about this extremely important issue. And they certainly deserve assurances that this type of unfair discrimination will never happen again.

Created with the implicit purpose of advancing this administration's anti-Christian agenda, the Office of Enforcement has evolved into a cudgel to put schools and programs that dare to threaten the status quo or espouse conservative beliefs.

Absent a departure in policy from the executive branch, Congress must take action and demand answers. This should include oversight hearings of the enforcement office. In addition to the relevant Biden Administration officials, Congress should also invite outside experts and college administrators that have been unfairly targeted by these enforcement proceedings. The American people -- among which there are more than 200 million Christians -- deserve to hear the truth about this extremely important issue.



84 <https://studentaid.gov/sites/default/files/enforcement/kings-college-ea-ta.pdf>

85 <https://www.insidehighered.com/news/quick-takes/2023/05/30/kings-college-loses-accreditation><https://www.insidehighered.com/news/quick-takes/2023/05/30/kings-college-loses-accreditation>

86 <https://www.foxnews.com/politics/house-judiciary-report-no-legitimate-basis-biden-admin-target-parents-school-board-meetings.amp>

87 <https://www.dailysignal.com/2023/12/01/unconstitutional-state-ag-explains-biden-admin-twists-law-new-transgender-foster-care-rule/>



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