



Virginia Department of Veterans Services

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Veterans Education Training and Employment  
State Approving Agency

# Approval Issues

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# Topics

- Deemed Approved
- Catalog Reviews
- Modifying Programs
- Dual Degrees & Objectives
- Branch Locations
- Workforce Development



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# Deemed Approved

**PL111-377**

Section 203-Subject to sections 3675(b)(1) and (b)(2), 3680A, 3684, and 3696 of this title, the following programs are deemed to be approved for purposes of this chapter:



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## Deemed Approved Cont'd

- An accredited ***standard college degree program*** offered at a public or not-for-profit proprietary educational institution that is accredited by an agency or association recognized for that purpose by the Secretary of Education.
- A **flight training course** approved by the Federal Aviation Administration that is offered by a certified pilot school that possesses a valid Federal Aviation Administration pilot school certificate.
- An **apprenticeship program registered** with the Office of Apprenticeship (OA) of the Employment Training Administration of the Department of Labor or a State apprenticeship agency recognized by the Office of Apprenticeship pursuant to the Act of August 16, 1937 (popularly known as the “National Apprenticeship Act”; 29 U.S.C. 50 et seq.).
- A program leading to a **secondary school diploma** offered by a secondary school approved in the State in which it is operating.



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## Deemed Approved Cont'd

### 3675 (b) (1) and(b) (2) Approval of accredited courses

As a condition of approval under this section, the Secretary or the SAA must find the following:

- The institution keeps adequate records that shows progress, grades, conduct and satisfactory standards
- Maintains written records of previous education and training
- 85/15 rule - Not more than 85 percent of the students enrolled in the course are having all or part of their tuition, fees, or other charges paid to or for them by the educational institution or by the DVA
- Course that are avocational or recreational in character or advertised as such



## Deemed Approved Cont'd

- Courses offered by third party contract unless the contracted party has SAA approval
- Advertising, sales, or enrollment practices of any type which are erroneous, deceptive, or misleading either by actual statement, omission, or intimation
- Accredited Independence study courses
- Reporting enrollment, adjustments and terminations without delay

***Note: Non-college degree programs are not deemed approved and must be submitted to the SAA for approval***



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## Catalog Review

Effective October 1, 2013 the State Approving Agencies were contracted to perform approvals of new and modified NCD programs and contracted standard college degree programs at accredited public and not-for-profit proprietary institutions of higher learning.

**What does this mean?**

*DVA Modification form is no longer utilized*



# Catalog Approval Request

- **Program curriculum** - course descriptions of each course required for the program, number of credit/clock hours per course and total number of hours to complete the program.
- **Regulatory approval** – evidence of program accreditation (*if accredited*); license or approval from the State Agency that provides oversight.
- **Policies & procedures** – ensure review all policies that apply to the programs you are reviewing for approval
  - Refund policy
  - Tuition and fees
  - Previous credit and training policy
  - Enrollment agreements
  - Advertising Materials



# Catalog Review Cont'd

## Third Party Contracts

- List any program taught through contract
- If the contracted party is not approved or approvable the program cannot be approved
- Ask for the name and contact information for the third party so they can be contacted regarding approval (if necessary)
- Ed2go -<http://www.ed2go.com/>
  - Non-accredited online
  - Offered at Adult Continuing Education Offices
- Condensed Curriculum International, Inc.  
<http://www.condensedcurriculum.com/>
  - Medical Education
  - Online and Classroom



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# Catalog Review Cont'd

## Preparatory/Review Courses

- Per the CFR these courses should not be approved
- Several programs that are considered preparatory are
- currently approved

### Examples of these programs:

Various Computer Certifications

(A+ Certification, Security Certification, ect.)

Project Management Certification



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# Catalog Review Cont'd

## Code of Federal Regulations

### CFR 21.7122 (b) (3) Courses precluded

(b) Courses outside a program of education. **VA will not pay educational assistance for an enrollment in any course that is not part of a program of education** unless the veteran or servicemember is enrolled in:

(3) **A preparatory, special education, or training course necessary to enable the veteran or servicemember to pursue an approved program of education**



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# Catalog Review Cont'd

## Code of Federal Regulations

### CFR 21.7020 (b) (13) (22) Definitions

**(13) Educational objective.** An educational objective is one that leads to the awarding of a diploma, degree or certificate which reflects educational attainment.



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## Catalog Review Cont'd

### Professional or Vocational Objectives

Programs that have vocational or professional objectives provide sufficiently comprehensive training through lecture, labs, and often externships/internships to independently permit a graduated student to obtain training-related employment.



## Catalog Review Cont'd

### Professional or Vocational Objectives

Programs with professional/vocational objectives differ from examination preparatory courses. Examination prep devotes instructional time to preparing the student for an **examination** rather than an **occupation**. It often provides testing information to people who have existing occupational knowledge and/or experience for the **sole purpose** of preparing them for a certification examination that pertains to their profession.



# Modifying Programs

## What needs to be reported

- Application for revised approval
- Degree Programs
  - Change in accreditation
  - Third party contract
- Non-degree programs
  - New Program
  - Program name change
  - Hour change
  - Teach-out
  - Discontinued
  - Third party
  - Change in accreditation



# Modifying Programs Cont'd

## Supporting Documentation

- Program curriculum
- Course description
- Evidence of accreditation
- Effective date of change/approval
- Instructor's qualification
- Third party contract information
- Policy and procedures



## Modifying Programs Cont'd

- Documentation from other state agency, if applicable
  - Certified Nursing Assistant-*Board of Nursing*
  - Massage Therapy-*Board of Nursing*
  - Pharmacy Technician-*Board of Pharmacy*
  
- Changes in-
  - Policies and procedures
  - Tuition and fees



## Dual Major and Objective

### ➤ Dual Major-

Dual majors pursued under an academic policy that defines the dual major's requirements can be certified if both majors are approved. Only courses required to complete the dual major can be certified.



## Dual Major Cont'd

- Both majors must be listed on student' academic transcript and enrollment certification (VAF 22-1999)
- A combination of two approved degree programs at the **same school** does not need additional approval, **unless** one of the program is taught in whole or part by a third party entity



# Dual Major and Objective

## ➤ Dual Objective-

A program of education may lead to more than one educational, professional, or vocational objective if all objectives pursued are generally recognized as being reasonably related to a **single career field**. The objectives do not necessarily have to be on the same professional or technical level.



## Dual Objective Cont'd

- Both objectives must be listed on student' academic transcript and enrollment certification (VAF 22-1999)
- If one of the objective is a non-college degree program or any portion of either program is provided by third party you must get approval from the SAA
- A combination of two approved degree programs at the same school does not need additional approval



## Branch Locations

- **Branch campus** means a location of an educational institution that—
  - ✓ Is geographically apart from and operationally independent of the main campus of the educational institution
  - ✓ Has its own faculty, administration and supervisory organization
  - ✓ Offers courses in education programs leading to a degree, certificate, or other recognized education credential
  
- **Extension** means a location of an educational institution that is geographically apart from and is operationally dependent on the main campus or a branch campus of the educational institution



# Branch Campus Approval

- Each location where the course or program is offered has administrative capability;
  - Exception to the requirement that administrative capability exist at each location if the main campus of the educational institution within the same State maintains a centralized recordkeeping system
  
- Each location where the course or program is offered has a certifying official on site
  - Exception to having a SCO on site- when the SAA combines the approval of the courses offered by the **extension** with a branch campus or main campus



# Workforce Development

- Approval
  - Must meet criteria under CFR21.4254 (Nonaccredited courses)
  - Under school's existing facility code
  - May establish independent approval
- Clock hour programs
- Program approval from state oversight agencies (*if applicable*)
  - Department of Professional & Occupation regulations
  - Board of Nursing
  - Board of Pharmacy
- Programs taught by third party
- Not approved for independent study (online/distance learning)



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# COMPLIANCE SURVEY ISSUES





## Why Have Compliance Surveys?

The purpose of a compliance survey is to prevent deficiencies and violations, as well as to identify and correct them when they are found, in other words, to ensure the integrity of the GI Bill

- Ensure facilities and their approved programs comply with the law
- Identify approval issues
- Verify prompt and accurate certifications are made
- Identify training issues and provide needed assistance
- Correct discrepancies



# Who Conducts Compliance Surveys?

## SAA Compliance Survey Assistance:

Authorized by Public Law 111-377, section 203, the SAAs will also schedule and conduct compliance surveys. VA and SAA personnel will work in partnership to plan and coordinate the SAA compliance visit schedule and compliance activity consistent with applicable statute, regulations, manuals and procedures each fiscal year.

**Effective October 1,  
2012**



# When Are Surveys Conducted?

As required **annually** by 38 U.S.C. Sec. 3693(a)

100% of facilities with 300 or more VA students

100% of active NCD, OJT, Apprenticeships and Flight

Additional surveys as determined by VA

**NOTE:** Active means the facility has VA students enrolled who are receiving education benefits.



## When Are Surveys Conducted?

- If you have over 300 veterans you will have a compliance survey each year unless you qualify for a waiver
- You should always be prepared for a possible survey
- The DVA sends the list of schools every year
- The DVA also send compliance survey guidance every year
- Guidance may change yearly depending on the needs of various stakeholders



# Choosing Files For Survey

- **Minimum number of student files is 10 unless there are fewer than 10 student records available (Plus one similarly situated non-beneficiary)**
- **Student files randomly selected**
- **Maximum number of student files is 45**
- **Expanded sample is same number as initially s**
- **100% expansion is possible.**





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# Survey Notification



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- A notification letter will be sent to you via e-mail generally at least 5 days before the survey
- This notification will provide you with detailed information as to:
  - What student(s) will be reviewed
  - What documents and information needs to be provided
- Generally compliance surveys cannot be rescheduled
- The school gathers copies of requested records
- Notify officials from various departments so they can be available during the survey
- On day of visit provide a quiet work area for surveyors



# Compliance Survey Records

- Academic Records
- VA Documents (1999, 1999b, Debt Letters)
- Financial Aid Files
- Student Payment Records
- Application for Admission
- Program Curriculum
- Students Unofficial Transcripts



# Compliance Survey Records

- Prior Credit Evaluation -*AARTS, SMARTS, CCAF*
- Tuition and Fees Payment Ledger
- Registration Information
- Drop/Add Slips
- Evidence of Remedial Training (test scores)
- Copy of Catalogs and Schedules of Classes (Residence or Distance) for survey period

**Please have catalogs from three years prior available**



# Compliance Survey Records

- Advertising Material
- Attendance Records (if applicable)
- List of offered scholarships
- Parent School Letters
- Correspondence between school and student
- Correspondence between DVA and school



# Audit Your Files

- The audit will cover at least 3 years or when the student enrolled in your institution
- Notify the SAA of any issues you have before the survey





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# Areas of Review



1. Is program approved and are courses taken in the degree plan?
2. Was prior credit evaluated and the student notified of the results?
3. Were term dates certified accurately?
4. Were credit/clock hours accurately certified?
5. Were status changes promptly reported?
6. Were standards of progress enforced?
7. Other issues (Tuition and Fees, POE, Yellow Ribbon, 85/15 rule, Work-study, independent study/online, etc.)



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# Areas of Review



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8. Were tuition and fees certified accurately?
9. Are your program violating the 85/15 rule?
10. Did the student take remedial course, and were the coursed needed per the required placement test?
11. Were reductions reported accurately?
12. Were refund given according to your refund policy?
13. Were residential and distance education course certified accurately



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# Common Errors



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Late Reporting

Inaccurate Term Dates

Inaccurate Tuition and Fees



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**Common Errors (cont.)**



Scholarships

Enrollment Changes

Inappropriate Courses



## Exit Interview

Recognize  
School Official's  
Efforts

Discuss every  
Discrepancy

Identify/Provide  
needed Training



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# Compliance Tips



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< 30 Day Self Review

Accurate Forms

Compliance

Updated Degree  
Plans

Organized Files



## FY 2015 VCCS Results

- ✓ SAA Conducted 15 surveys at 15 VCCS campuses
- ✓ 395 records were reviewed
- ✓ 142 records had discrepancies
- ✓ 190 referrals were sent to the DVA
- ✓ \$37, 682.42 in school debt
- ✓ **\$252,296.60** in student debt





# Top **THREE** VCCS Errors

## Certifying Incorrect Programs

- ✓ The program listed on the transcript should match the program you certify
- ✓ Programs are verified through official school documentation
- ✓ “What If” reports do not show the students actual program
- ✓ Documents should show date student changed programs
- ✓ Dual objectives should be approved by the SAA
- ✓ If a student is enrolled in a dual major or dual objective both program should be certified in VAONCE





# Top **THREE** VCCS Errors

## Certifying Classes that DO NOT Apply to the Program

- ✓ Only courses listed as part of the curriculum should be certified
- ✓ If course substitutions are allowed there should be documentation
- ✓ You are responsible to ensure that you know when a student changes programs
- ✓ Students can round out with courses that do not apply





# Top **THREE** VCCS Errors

## **LATE Reporting of Drops and Terminations**

- ✓ Changes in the student's status should be done within 30 days of the change
- ✓ You should have a system in place that allows you to catch drops
- ✓ A large number of that reporting errors could result is suspension of your facility





# VCCS Concerns

## Concern #1 – Not Enough Preparation Time

DVA policy states that we should not routinely give more than 72 hours notice; The SAA policy has been to give larger schools at least 5 days notice; The SAA notification standards have been deemed acceptable by DVA.

**M22-4, Part X, Section 3.01 PREPARATION FOR SURVEY** ...For a survey conducted entirely on site, do not routinely give advance more than 72 hours before the scheduled survey visit, unless necessary to ensure contact with appropriate officials...

**Note: the M22-4 is a DVA policy manual**



# VCCS Concerns

## Concern #2 – Surveys take too long

Compliance Surveys will only be conducted between 9:00 am – 5:00 pm; We will come back for a second day or more if necessary rather than have the staff stay late.

Schools with over 300 VA students should be prepared for the SAA staff to stay for at least two days; Based on the time it has taken to complete past surveys a third day may be needed at some schools.



## VCCS Concerns

### Concern #3 – On the spot referrals before schools can review discrepancies

Now that the SAA will be spending more time on site the school should be prepared to review any findings while the SAA is on site and then submit referrals if necessary.

Referrals have never been sent without giving the school time to provide documentation



## VCCS Concerns

### Concern #4 – School and Students get debt letter before audit results are received

The school is well aware of the referrals that are being sent to the DVA. While the exact amount of debt may not be known, the school can be proactive and let students know to expect a debt; Many schools do this to make the students aware of the possible debt.

Letters are sent to schools once the SAA receives the underpayment and/or overpayments information from the DVA; The SAA has no control over how long it takes the DVA to process debts (referrals); We send the school letters out within 15 calendar days after we receive the last student referrals from the DVA (this is per SAA contract with the DVA).



## VCCS Concerns

### Concern #5 – School not given an opportunity to fix issues before being reported to the DVA

This is an audit. We are required to report all findings. The time for the school to fix issues is before we come on site. Once we have identified the issues we will discuss it with the school and even help you figure out what process can be put in place as to not repeat the same mistakes, but no you will not be given an opportunity to fix mistakes before we report them the DVA.



## VCCS Concerns

### Concern #5 – School not given an opportunity to fix issues before being reported to the DVA

This is an audit. We are required to report all findings. The time for the school to fix issues is before we come on site. Once we have identified the issues we will discuss it with the school and even help you figure out what process can be put in place as to not repeat the same mistakes, but no you will not be given an opportunity to fix mistakes before we report them the DVA.



## VCCS Concerns

### Concern #6 – The SAA is reporting issues found from previous audits

The school should be auditing their records after we complete a survey. This is especially true when the SAA find issues that are systemic. For example, the SAA has found you have been certifying a fee that the DVA should not be paying. You know that you have been certifying this fee for all of your student. After the survey, you should amend all your records to correct this deficiency.



## VCCS Concerns

### Concern #7 – School Officials are not aware of rules in the CFR

Every school certifying official should be aware of both the SCO Handbook and the federal regulations that govern GI Bill benefits.

During surveys, we are reviewing information to ensure that you are meeting approval standard and following regulations. When we speak of regulations we are referring to the Code of Federal Regulations Title 38 Chapter I Part 21.

If you have questions about the regulations or need clarification you can contact the DVA or the SAA.



## VCCS Concerns

### Concern #7 – We want to change documents so that student can avoid debt

Audits unfortunately will often cause student debt. The best way to avoid this is to follow the regulations and use the SCO Handbook to ensure the information that you are sending to the DVA is accurate.

You should not be changing documents or retroactively adjusting paperwork merely to help a student to avoid a debt.



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# Compliance Surveys

