

Compliance Survey



Approved SCO Training

This is approved SCO Annual Training!

Participants will earn credit toward their annual training requirement if they...

- Log onto the SCO Training Portal
- Self-certify they completed the conference training
- Print the certificate and keep for their records







Learning Objectives

Upon completion of this module, you should be able to:

- Define a Compliance Survey
- State the purpose of a Compliance Survey
- Identify how to prepare for a Compliance Survey
- Describe what to expect during a Compliance Survey





Topics

- Purpose & Authority
- Compliance Survey Scheduling
- Facility Notification
- Briefing School Officials
- Areas of Review
- General
- All Except Training Establishments
- All Except Flight Schools and Training Establishments
- Nonaccredited Courses Only
- Additional Areas of Review
- Exit Briefing
- Referrals
- Notification Letter to Facility

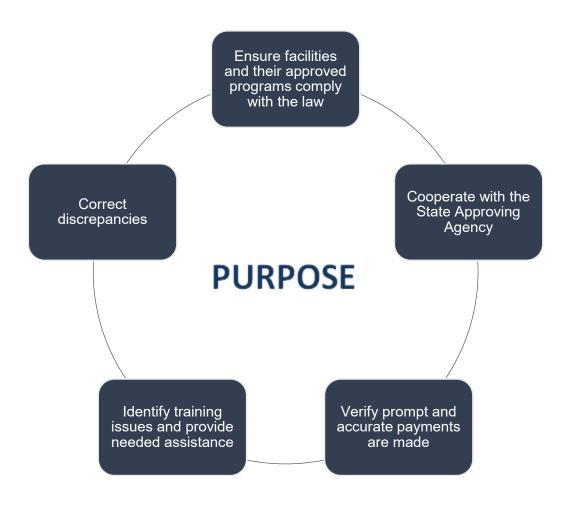


Purpose & Authority



Purpose of Compliance

The purpose of a compliance survey is to prevent deficiencies and violations, as well as to identify and correct them when they are found.



Bottom line: ensure that VA students are receiving all the benefits to which they are entitled and to ensure the taxpayers are receiving their money's worth for the benefits being paid



Authority

Schools and training establishments must make records of progress and training, tuition and charges, and other records available upon request by a duly authorized representative of the Government. (38 U.S.C. 3690(c))

The records of both VA beneficiaries and non-VA students must be reviewed when comparing tuition charges, determining the 85-15 percent ratio, etc. The Buckley amendment (Public Law 93-380) requires that institutions receiving Federal funds administered by the Department of Education must obtain the student's consent to release information from school records. One exception to the law, however, is that information sought in connection with a student's application for receipt of financial aid is exempt. It has been determined that school records relating to VA benefits fall into the "financial aid" category and are therefore exempt from the provisions of the Buckley amendment. Therefore, the VA (and SAA) shall have access to the records of VA beneficiaries as well as non-VA students without the written consent of the student in order to monitor the school's compliance with the law.

Additional Reasonable Criteria

Title 38 CFR §21.4253(d) & §21.4254(d)(14)

The State Approving Agency may set any additional reasonable criteria for approval of programs for veterans and other persons eligible for VA education benefits.



FERPA

As of January 3, 2012, the U.S. Department of Education's FERPA regulations expand the circumstances under which education records and personally identifiable information (PII) contained in such records - including Social Security Number, grades, or other private information - may be accessed without the student's consent.

FERPA allows the institution the right to disclose student records or identifiable information without the student's consent under the following circumstances:

To authorized representatives for audit of Federal or State supported programs

Veteran's Administration officials



Compliance Survey Scheduling



Compliance Survey Scheduling Procedural Advisory FY Compliance Survey Scheduling

A schedule for each Fiscal Year (FY) will be projected and prepared before the start of the FY. This forecast schedule must meet the minimum requirements established by VA.

Goals, strategies and priorities for the Fiscal Year are set by Education Service and communicated to the C&L Divisions at the beginning of each fiscal year in the form of a Procedural Advisory. This advisory is written in accordance with VA statute and outlines priority compliance surveys for that fiscal year. It will include (but is not limited to) the goals for the fiscal year, strategies, compliance survey requirements, remote compliance surveys, centralized surveys, schedule of compliance surveys, sample size, equal opportunity reviews, SAA compliance survey assistance, and reporting requirements.

Procedural Advisory: Compliance Survey Scheduling, FY2019 until rescinded

September 13, 2018

Purpose: To reset the strategic vision and posture of annual compliance surveys and outline how it will be executed through fiscal year goals, aligning actions, and available resources focusing on quality.

Goals and Strategies: Fiscal year 2019 (FY19) is the first of a three-year focus on annual compliance surveys and establishes a baseline to ensure the oversight and accountability of all approved GI Bill education and training institutions are considered.

As part of the initial year, a recalibration of survey assignments will be driven by statutory requirements followed by VA, Education priorities to gain efficiencies and focus on compliance history, referrals, risks, and data that threaten the integrity of the GI Bill:

- Mandatory
- 2. Highly Recommended
- 3. Discretionary

Mandatory

Annual compliance surveys required by statute - "must conduct an annual compliance survey of educational institutions and training establishments offering one or more courses approved for the enrollment of eligible veterans or persons if at least 20 such veterans or persons are enrolled in any such course." (Reference: Public Law 114-315, Section 411 – Amending 38 U.S.C. 3693). VA must survey each institution not less than once during every 2-year period or may waive the requirement if determined the record of compliance is in the best interest of the U.S. Government. A report that lists all the education and training institutions establishes a baseline of compliance history. This includes surveys completed or waived in FY18 and the determination of survey work for FY19.

Highly Recommended

- a. Compliance history. Compliance survey from a prior year that identified major findings OR an expansion of original survey by VA targeted areas (e.g., benefit chapter, program, specific deficiency, etc.) OR newly approved facilities with active VA beneficiaries.
- Public Flight Programs. Review compliance history from prior three years (FY16-18) and conduct surveys at all public IHL flight programs that had major compliance survey deficiencies. Prioritization by enrollment of beneficiaries.



Compliance Survey Scheduling Procedural Advisory FY Compliance Survey Scheduling

Survey Schedule: The compliance survey schedule is developed based on the "Active Facilities" report. If the facility is not currently active, it will be surveyed based on the schedule that was developed, if there has been activity since the last survey.

Sample Size. The sample size will be developed in accordance with the following table:

VA Student Population	Records to Review		
0 to 99	10		
100 to 199	15		
200 to 299	20		
300 to 399	25		
400 to 499	30		
500 or more	35		



Proportional Breakdown of Students to be Surveyed Procedural Advisory FY Compliance Survey Scheduling

When establishing a sample of student records to be reviewed, student records from the three prior academic years will be included if the facility had a student attending in that school year or the date of the last survey, if that record was included in the sample. For the purposes of this paragraph, "student" is any individual receiving VA education benefits. Samples for review will be proportionally distributed by national benefit usage as follows:

Chapter	Percentage			
CH33	Min of 80%			
Non-CH33	At least one of each type			

Records of any SCO who has received education benefits for attending the same facility will be included in the review sample.

Yellow Ribbon facilities: Twenty-five percent of the chapter 33 records reviewed must include Yellow Ribbon students.



Facility Notification



Facility Notification



VA and SAA will notify schools in advance of an anticipated compliance survey

Email or phone call to inform you of our visit

Survey confirmation letter will subsequently be emailed or mailed

- ✓ Confirm date and time of appointment
- ✓ Provide school official with names of student files required and items/types of records to be reviewed
- ✓ Schedule face-to-face interviews with students, if applicable





Example of Scheduled Survey Email

Good morning,

A routine compliance survey has been scheduled at your facility on [date] at approximately x:xx AM. Routine compliance surveys are conducted at educational/training facilities by the VA to verify enrollment data certified by the educational/training facility, identify and correct erroneous payments, and provide training to the school certifying officials as needed or requested.

I will provide you with a listing of veteran names, additional information concerning the scheduled compliance survey and the documents that will be required for the compliance visit prior to the scheduled visit. In addition to the listed documents a work area needs to be made available during the compliance audit along with Wi-Fi access.

If you have any questions prior to the survey, please feel free to contact me either by phone at (xxx) xxx-xxx extension xxxx or email.



Appointment Letter



DEPARTMENT OF VETERANS AFFAIRS

Regional Office PO Box 1437 St. Petersburg, Florida 33731-1437

Date

In Reply Refer To: 317/272A

Facility Code

SCO Name Title Facility's Name Address Address Address

Dear Mr./Ms. SCO:

This is to confirm that Mr./Ms. [ECSS Name], Education Compliance Survey Specialist, will conduct a routine compliance survey of your school on Weekday, Month Day, Year. He/She is scheduled to arrive at your facility at approximately [Time a.m./p.m.].

Enclosed is a list of the records to be reviewed and the names of the trainees whose files will be audited. He/She does not wish to disrupt your operations during the compliance survey and will only need a small table or desk at which to work. Someone who is familiar with your records should be available to answer any questions that may arise.

If you have any questions prior to the survey, please feel free to call Mr./Ms. [ECSS Name], at [phone number] or E-mail him/her at [email address].

Sincerely yours,

CYNTHIA KUJAWSKI Education Liais on Representative

Enclosure: Records Required for Compliance Survey



Records Required for Compliance Survey

	RECORDS REQUIRED FOR COMPLIANCE SURVE	Υ
Items to	be reviewed in each file:	Completed /
1.	Application	
	Student's application for admission to school.	
2.	Enrollment Agreement	
	Student's enrollment agreement/contract with school (if applicable).	1
3.	Prior Training	
	Record of prior training - that all has been obtained and evaluated, and credit	1
	granted toward the current program as appropriate.	
4.	Copies of all VA paperwork	
	All VA forms received or submitted regarding each student's education benefits	1
	(e.g., applications for education benefits, changes of program or place of training, certificates of eligibility, enrollment certifications, notices of changes in	
	student status, etc.).	
5.	Transcript	
	Transcript of grades assigned and credits earned (with hard copy to be printed	1
	and retained for VA or SAA records)	
6.	Attendance Records	
	Records of attendance showing dates and nature (excused or unexcused) of	
	absences and class rolls (if applicable/schools with an Attendance Policy). NCD facilities - all files reviewed	1
	IHL facilities - files for beneficiaries enrolled in NCD programs (all files if the	1
	attendance policy includes courses leading to a standard college degree)	
7.	Records of Tuition and Fees	
	Detailed records of tuition and fees (student ledger) assessed each student. For	
	Chapter 33 students, this will include all charges to the student's account, all payments/credits to the student's account from VA and all other sources	
	including institutional, private, federal, and other financial aid programs.	
	Records must be detailed enough to determine the source of all charges and	
	credits/payments, including how charges were determined and payments were	
	credited. Must be reflected on one form (ledger). Supporting documentation to be maintained. We typically also request review of non-VA/non-supported	
	student records.	
8.	Yellow Ribbon Program	
	Yellow Ribbon Program (if applicable) - All financial records relating to the	1
	school's waiver of their Yellow Ribbon portion of tuition and fees and the exact	
	source for the funding of that waiver, as well as records showing that the VA's Yellow Ribbon payment was applied to the student's account. For	
	documentation, we will need to see the ledger records and other documents	
	that verify the source funding of the waivers, whether there is a specific fund	
	from which the waivers are derived or if the school writes the waivers off as a	
	general business expense for tax purposes. Where private for-profit and non- profit schools are involved, we will need to see the same records the internal	
	Revenue Service would request to see to verify funding sources and audit trails.	
9.	Class Schedule	
	A class schedule must be provided for each student that indicates whether each	
	course is in-resident or online/independent study and which specifies the	
	number of class meetings scheduled per week/every other week (or other	
	frequency), start and end dates as well as the starting and end times of each class meeting. There must be a schedule for each	
	term/period/semester/quarter.	

	RECORDS REQUIRED FOR COMPLIANCE SURVEY (con	t.)							
10.	Other Documents								
	Any other documents related to each student's enrollment – including, but not limited to:								
	any records of any disciplinary action taken;								
	 drop/withdrawal slips and other documentation showing last dates of attendance; 	'							
	 list of scholarships to include which ones are designated toward application to tuition and fees only; 								
records of probation related to satisfactory academic progress reported to VA (via www.benefits.va.gov/gibill through RightNowWeb / VA's Inquiry System); and									
	 reporting of graduation/completion of program to VA (within VA ONCE – on the 22-1999b). 								
	In addition, the following school documents will be reviewed:								
• T	e school's advertising folder containing samples of all advertising used by the								
	hool during the past 12 months.								
	thool documents verifying that the provisions of the 85 - 15% ratio have been m	net							
	r each approved course.	_							
	generally a statement of total school/campus enrollment vs. VA enrollment								
	4 Work Study records (if applicable). If available, at least one VA Work Study udent will be interviewed.								
	A Tutorial Assistance records (if applicable).								
	porting Fees documentation showing funds received are being used strictly for	VA							
	rposes (conferences, etc.).	·^							
	ternal email correspondence (instructors/School Certifying Officials).								
	STUDENT FILES TO BE MADE AVAILABLE FOR REVIEW								
	Name	Chapter							
2.									
3.									
4									
5.									
6.									
7.									
8.									
9.									
10									
	4								



Example of face-to-face email



Effective January 2011, VA will be conducting face-to-face interviews with Veteran students at proprietary institutions as part of our compliance visit protocol. Please provide a private office to use for these meetings. In order to ensure an opportunity for all veteran students to meet with a VA representative, I am asking that you send the following email to all the active veteran students in advance of my visit.

The Veteran representative will be available on DATE from TIME FRAME to conduct individual interviews. These interviews will focus on your experience at our school, not on individual benefit issues. I encourage you to participate. Please remember for benefit issues please call 1-888-GIBILL-1. Participation is strictly voluntary.

We appreciate your cooperation on this matter.



Briefing School Officials



Entrance Interview

VA or SAA surveyor will provide an entrance briefing before conducting the survey

Typically with certifying official

Others included as school / facility or auditor sees fit

The institution's principal official should be informed of the compliance survey. The surveyor will be available to meet with him or her at any time during the onsite survey.





Areas of Review General



Referrals



Payment Issues

- Corrective award action will be referred to the RPO
- Initiated by Surveyor or School Certifying Official



Approval Issues

- State Approving Agency jurisdiction
- SAA will take action involving approval issues



Other Issues

- ELR has jurisdiction of issues involving 85/15%
- If WEAMS needs to be updated, the issue will be referred to ELR

The facility provided the records and accounts of VA beneficiaries and other students for examination (38 CFR 21.4209, 21.7307, 21.9770)

The facility must be able to provide all of the records necessary for the Department of Veterans Affairs to ascertain institutional compliance with the requirements of GI Bill® benefit programs.



During the visit, the following documents will be reviewed:



- Copies of all VA paperwork
- School's transcript
- Grade reports
- Drop slips (for those courses dropped during drop/add)
- Registration slips
- Tuition and fee ledgers
- •Transcripts from previous schools with evaluations of same
- Student's school application
- Records of disciplinary action
- •program outline, curriculum guide, or graduation evaluation form
- Any other pertinent forms

Additional records required of a Yellow Ribbon school:

- √ Track the number of students enrolled under Yellow Ribbon
- √ Track the annual Amount of Tuition and Fees.
- ✓ Develop and document a process for the *first come-first serve* enrollment of students into the Yellow Ribbon Program





Examination of Records

Notwithstanding any other provision of law, student records must be made available for review (38 USC 3690 (c)). Refusal to make records available for review could lead to withdrawal of approval (38 CFR 21.4209).





Commencing/Beginning Dates

Question: What Beginning Date Must A School Report To VA?

<u>Answer</u>: Schools should report the first scheduled date of classes for any standard term, quarter, or semester in which the student is

enrolled.

Exception: Course begins after seven calendar days - report actual date.

JANUARY						
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						



Commencement of Courses

VA beneficiaries commenced the course on the date certified. (38 CFR 21.4131, 21.4203, 21.5810, 21.5831, 21.7131, 21.7152, 21.7631, 21.7652, 21.9720)

For example: If term starts on Friday, January 1st, then the first day of attendance must be between January 1st and January 7th (i.e. from the first through the seventh calendar day of the term).

JANUARY						
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

If a student enrolls in a course and the actual first day that the student is scheduled to attend class is <u>after</u> the seventh calendar day of the term, then the beginning date of the award (or increased award) will be the actual date of the first class scheduled for that particular course.



Commencement of Courses

VA beneficiaries commenced the course on the date certified. (38 CFR 21.4131, 21.4203, 21.5810, 21.5831, 21.7131, 21.7152, 21.7631, 21.7652, 21.9720)

Corrective Award Action

This type of discrepancy will frequently affect the award. Payment related discrepancies will be referred to the Regional Processing Office for corrective award action.





PURSUING PROGRAM AS APPROVED

VA beneficiaries are enrolled in and pursuing the approved program as certified (38 CFR 21.3030, 21.5131, 21.7130, 21.7630, 21.9710)

Course Applicability

Only courses that satisfy requirements outlined by:

- curriculum guide
 or
- graduation evaluation

can be certified to VA

TOTAL CREDITS TRANSFERRED: EARNED: DDDDD 38 CREDITS IN PROGRESS D 14 CREDITS

 VA beneficiaries are enrolled in and pursuing the approved program as certified (38 CFR 21.3030, 21.5131, 21.7130, 21.7630, 21.9710)

Pursuing the program as approved includes issues such as:

Course Applicability

Audited Courses

Repeating Courses

Courses Required for Admission to the Next Level of Training

Remedial and Deficiency Courses

Undeclared Major

Non-matriculated Students

Guest Student

Practical Training

Rounding Out

Course Substitutions

Courses pursued for sole purpose of raising the student's CGPA

NOTE: The list is not all inclusive

VA beneficiaries are enrolled in and pursuing the approved program as certified (38 CFR 21.3030, 21.5131, 21.7130, 21.7630, 21.9710)

Corrective Award Action

This type of discrepancy will frequently affect the award. Payment related discrepancies will be referred to the Regional Processing Office for corrective award action.









One of the <u>criteria for approval</u> of any school for Veterans' training is that it <u>review prior credit</u> and grant credit as appropriate to a VA student's current program. This is found in Title 38, Code of Federal Regulations, Sections 21.4253(d)(3) and 21.4254(C)(4). In essence, this requires every approved school to <u>have and enforce a policy</u> with regard to transfer courses, credits, and previous experience.

Schools no longer have to report prior credit to VA, **Schools must:**

- Evaluate prior credit,
- Grant credit as appropriate,
- Notify the student of the evaluation, and
- •Shorten the program certified accordingly



PRIOR CREDIT

The facility maintains a record of previous education and training of VA beneficiaries, has granted appropriate credit and has reported the grant to the beneficiaries (38 CFR 21.4253, 21.4254, 21.4263)

Whenever a student initially enrolls in your school or changes programs at your school a credit evaluation must be completed. VA will review credit evaluations during compliance surveys and credit evaluation records must be kept and made available to VA upon request.



Schools should make every effort to obtain transcripts to comply with the requirement to evaluate and grant credit where appropriate. However, if a transcript cannot be obtained, you may continue to certify enrollment as long as the student has matriculated. Reviews of prior credit policies will be conducted during compliance surveys and treated as approval issues if the school is not complying.



PRIOR CREDIT

The facility maintains a record of previous education and training of VA beneficiaries, has granted appropriate credit and has reported the grant to the beneficiaries (38 CFR 21.4253, 21.4254, 21.4263)

Military Education and Training Resources

Military education and training should be evaluated for prior credit. Information needed to evaluate military education and training is available online.

The ACE Military Guide

Find information about the American Council on Education (ACE) Military Guide (Guide to Evaluation of Educational Experiences in the Armed Services) at their website.

Military Transcripts

Find information about the Military Joint Services Transcripts and how transcripts may be requested by current and former members of the Army, Coast Guard, Marine Corps, and Navy at their webpage.





The facility maintains a record of previous education and training of VA beneficiaries, has granted appropriate credit and has reported the grant to the beneficiaries (38 CFR 21.4253, 21.4254, 21.4263)

Violation of Approval Criteria

Failure to maintain adequate records of prior education or training or to give appropriate credit.

If an approval related discrepancy is identified, the issue may also be referred to the State Approving Agency (approving authority).





ACCURATE, CURRENT, AND COMPLETE RECORDS

The facility maintains accurate, current and complete records of enrollment, correspondence lessons serviced, flight training hours or APP/OJT hours (38 CFR 21.4253, 21.4254)

The facility must maintain accurate, current and complete records of enrollment.

For example, when reviewing class schedules or tuition and fees ledgers, the records must contain the following elements:

Class Schedules	Detailed Records of Tuition and Fees
lust:	
Be provided for each term/semester/quarter; include begin and end dates of course(s), days per week course(s) are scheduled to meet, hours per day, and location each class is scheduled to meet;	Will be assessed for each student Chapter 33 students – this will include all charges to the student's account, all payments/credits to the student's accour from VA and all other sources including institutional, private, federal and other financial aid program (scholarship payment requirements)
Be sufficient for VA or SAA to verify whether any particular class meets the regulatory requirements to be considered	Must be detailed enough to determine the source of all charges and credits/payments, including how charges were determined and payments were credited
resident or online; and	The term in which any charges/payments/credits occur should be clearly identified and linked to the appropriate dollar amount
Be coded to differentiate between resident and online/independent study classes and campuses (and should also be made clear in the catalog, handbooks, etc.)	VA payments and refunds should be clearly labeled as such
	Do not lump other campus payments (with a separate facility code) within the payments for your campus

Each type of record must contain sufficient detail in order to determine whether the facility is meeting the compliance requirements of GI Bill® benefit programs.

ACCURATE, CURRENT, AND COMPLETE RECORDS

The facility maintains accurate, current and complete records of enrollment, correspondence lessons serviced, flight training hours or APP/OJT hours (38 CFR 21.4253, 21.4254)

Examination of Records

Type of records. Each educational institution must upon request of duly authorized representatives of the Government make available for examination all appropriate records and accounts (38 CFR 21.4209).





ACCURATE & PROMPT REPORT The facility accurately and promptly reported enrollment, tuition and the facility accurately and promptly reported enrollment, tuition and facility accurately accurately and promptly reported enrollment, tuition and facility accurately accurately and promptly reported enrollment, tuition and facility accurately ac

This is one of the most common findings – it is very broad and encompasses numerous discrepancies.

In addition to the facility promptly reporting the enrollment information, reporting accurate enrollment involves issues such as (this list is not all inclusive):

Reporting the correct enrollment periods

Term basis in credit hours

Operate on block/unit/modular/lock-step basis in clock hours

Do NOT operate on block/unit/modular/lock-step basis in clock hours

Reporting the correct number and type of hours

Residence

Distance

Remedial/Deficiency

Clock

Chapter 33 Tuition and Fees

Tuition

Fees

Scholarships and other aid



ACCURATE & PROMPT REPORTING

The facility accurately and promptly reported enrollment, tuition and fees, lessons serviced, flight training hours or APP/OJT hours (38 CFR 21.4203(e)(f)(g), 21.4204, 21.7156, 21.9735

Corrective Award Action

This type of discrepancy will frequently affect the award. Payment related discrepancies will be referred to the Regional Processing Office for corrective award action.









Non-punitive grades. Benefits are not payable for any courses in which a non-punitive grade, for example a "W" for withdrawal, is assigned when the effective date of withdrawal (last date of course pursuit) is after the official drop period and mitigating circumstances do not exist. The last date of course pursuit varies as follows:

Residence Courses—Last date of attendance. This may include regularly scheduled exam days **Independent Study Courses**—Official date of change in status under the practices of the institution. This usually is the last date the student accessed the online system or was in contact or met with the instructor/professor

Cooperative Training—Date of last training

NCD schools must report the first date from which no credit accrued, if:

The instruction is organized on a block or unit basis; and
The block or unit must be repeated in its entirety (no credit for work completed)

This is in addition to the effective date of change, last date of attendance for reduction in clock/credit hours of attendance, or termination of attendance. SCOs should not submit adjustments for absences that are allowed within the schools approved attendance policy. Additionally, they may not extend enrollment for students who need additional hours simply because of absences. However, if a student failed a portion of the course and has to repeat it, that portion may be re-certified as long as the student continues to meet the Standards of Progress for the school.

The facility promptly notified VA when beneficiaries terminated or interrupted training (38 CFR 21.4203, 21.7156, 21.9735)

Corrective Award Action

This type of discrepancy will frequently affect the award. Payment related discrepancies will be referred to the Regional Processing Office for corrective award action.





PROGRESS RECORDS

The facility maintains accurate, current and complete records of progress or grades for VA beneficiaries (38 CFR 21.4253, 21.4254, 21.4262, 21.4263)

Progress Records. Adequate records must be kept by the school to show progress or grades. Standards relating to progress, grades, and conduct must be enforced.

For non-accredited courses, attendance records must be kept and an attendance standard must be enforced

For IHL courses, the school's progress standard is usually based on minimum grades or grade point average

For NCD courses, the school's progress standard may be based on the following:

Minimum grades or grade point average Minimum attendance requirements A combination of the above

NOTE: IHLs that have an attendance policy must maintain attendance and enforce those standards

PROGRESS RECORDS

The facility maintains accurate, current and complete records of progress or grades for VA beneficiaries (38 CFR 21.4253, 21.4254, 21.4262, 21.4263)

Violation of Approval Criteria

Failure to maintain adequate records showing progress.

If an approval related discrepancy is identified, the issue may also be referred to the State Approving Agency (approving authority).





Determine if Termination of Attendance was Promptly Reported.

Termination of attendance must also have been reported to VA timely.

Verify the last date of attendance by cross-checking the date reported with the instructor's or school's daily attendance record, if one is kept

If the course is organized on a unit or block basis and no credit accrued for the work completed, verify that the school also properly reported the first date from which no credit accrued



NOTIFY VA WHEN BENEFICIARIES ARE NOT PROGRESSING SATISFACTORILY

The facility promptly notified VA when beneficiaries did not progress satisfactorily according to approved standards and practices of the facility (38 CFR 21.4203(d), 21.4277)

Violation of Approval Criteria

Failure to enforce the approved policy relating to attendance, conduct, or progress.

If an approval related discrepancy is identified, the issue may also be referred to the State Approving Agency (approving authority).





Areas of Review
All Except Training Establishments



CHARGES TO VA BENEFICIARIES FOR TUITION AND FEES WERE THE SAME OR LESS THAN THE CHARGES TO OTHER SIMILARLY CIRCUMSTANCED STUDENTS (38 CFR 21.4210(d), 21.9600, 38 U.S.C. 3690(a))

The school may not charge or receive from any Veteran or eligible person any amount in excess of the established charges for tuition and fees which the school requires from similarly circumstanced students who are not VA beneficiaries and are enrolled in the same course. School policy for the payment or refund of tuition and fees which differs for students who are not VA beneficiaries and Veterans or eligible persons may not have the effect of increasing charges to those students receiving VA benefits.





CHARGES TO VA BENEFICIARIES FOR TUITION AND FEES WERE THE SAME OR LESS THAN THE CHARGES TO OTHER SIMILARLY CIRCUMSTANCED STUDENTS (38 CFR 21.4210(d), 21.9600, 38 U.S.C. 3690(a))

Actions Affecting Groups

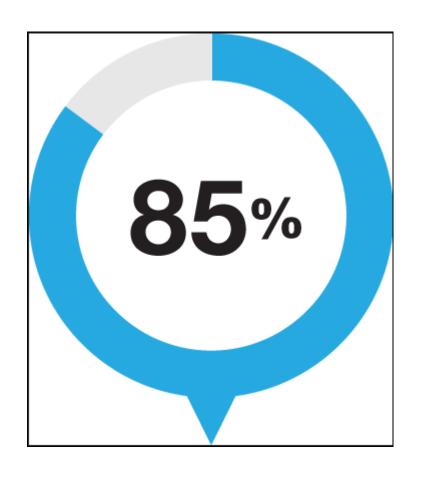
§21.4210 Suspension and discontinuance of educational assistance payments, and of enrollments or reenrollments for pursuit of approved courses.

Overcharges by educational institutions may result in the disapproval of enrollments.





CERTIFICATION OF THE 85 PERCENT ENROLLMENT LIMITATION WAS VERIFIED (38 CFR 21.4201)



PERCENTAGE OF VETERANS AND ELIGIBLE PERSONS ENROLLED.

By law VA cannot approve enrollment in any course for a person who is not already registered if 85 percent of the students enrolled in a course have all or part of their tuition, fees, or other charges paid by the educational institution or by VA. This is known as the 85 percent enrollment limitation.



Statement of Assurance of Compliance With 85 Percent Enrollment Ratios

Program Name	Number of VA Students FTE	Number of Non VA Students	Total Enrollment	VA Student Percentage	Date of Calculation
Totals					
I certify that this information is true and correct as of the date submitted.					

I certify that this information is true and c	orrect as of the date submitted.
Name of Facility	
Facility Code	
School Official's Printed Name	
School Official's Signature	 Date Signed



CERTIFICATION OF THE 85 PERCENT ENROLLMENT LIMITATION WAS VERIFIED (38 CFR 21.4201)

Ratio Exceeds 85 Percent

The ELR must suspend enrollments and reenrollments effective the date that the ratio exceeds 85 percent VA students when notified by the school.





Areas of Review All Except Flight Schools and Training Establishments



THE FACILITY PROMPTLY NOTIFIED VA OF ANY CHANGES IN CREDIT OR CLOCK HOURS, OR TUITION & FEES, THAT WOULD AFFECT THE AMOUNT OF PAYMENT TO BENEFICIARIES (38 CFR 21.4203, 21.7156(b), 21.9735)

Schools should report changes in enrollment within 30 days of the change





Policy Advisory on F Grades

November 15, 2013
Advisory: Questions and Answers on School Reporting
Requirements for Changes in Attendance

SCHOOLS WITH NO ATTENDANCE POLICY

- •If the student completes a period of enrollment with a failing punitive grade (i.e., an F) assigned, does the school need to report the last date of attendance during that enrollment period?
- •No. The last date of attendance during a period of enrollment does not need to be reported if a student completes the enrollment period with a punitive grade and does not violate the school's standards of conduct, progress, or attendance during that term.

SCHOOLS WITH AN ATTENDANCE POLICY MUST ENFORCE THAT POLICY

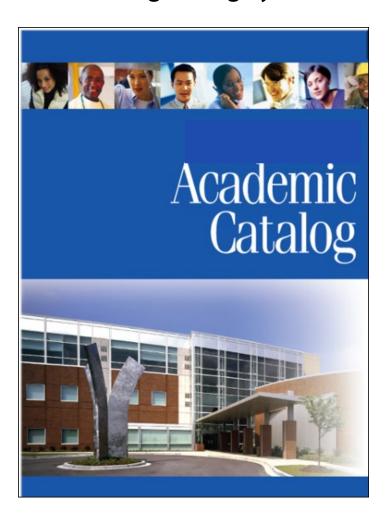


Areas of Review Nonaccredited Courses Only



STUDENTS WERE FURNISHED A COPY OF THE COURSE OUTLINE, SCHEDULE OF TUITION AND FEES AND OTHER CHARGES, AND REGULATIONS PERTAINING TO ATTENDANCE, GRADING POLICY, CONDUCT AND RULES OF OPERATION (38 CFR 21.4254(c))

Students must be furnished a catalog or bulletin containing official policies with regard to tuition, fees, and other charges, refunds, grading system, course description, etc.





ENROLLMENTS WERE WITHIN THE LIMITATION ESTABLISHED BY THE STATE APPROVING AGENCY (38 CFR 21.4254(c))

Enrollment must be within the limitations approved by the SAA. Enrollment limitations may be based on a maximum number of students for the institution and/or on student teacher ratios.





THE SCHOOL'S REFUND POLICY MEETS THE REQUIREMENTS OF VARIEGULATIONS (38 CFR 21.4254(c), 21.4255, 21.4256)

For students who terminate the course, a pro rata refund of tuition, fees and other charges is required in proportion to the amount of the course completed before withdrawal or discontinuance. The refund must be made promptly, i.e., within 40 days of the notice of termination.





Nonaccredited Courses Only

Violation of Approval Criteria

Failure to furnish a copy of the course outline, school policies, and similar material.

Failure to adhere to enrollment limitations.

Failure to make required refunds of tuition and fees, or charging tuition and fees in excess of those approved.





Additional Areas of Review



THE FACILITY HAS CORRECTED AND NOT REPEATED ANY DISCREPANCY FOUND ON THE PRIOR SURVEY, OTHER THAN AN OCCASIONAL CLERICAL ERROR (38 CFR 21.4210(d))



Are there repeat discrepancies?



THE FACILITY HAS CORRECTED AND NOT REPEATED ANY DISCREPANCY FOUND ON THE PRIOR SURVEY, OTHER THAN AN OCCASIONAL CLERICAL ERROR (38 CFR 21.4210(d))

Actions Affecting Groups

§21.4210 Suspension and discontinuance of educational assistance payments, and of enrollments or reenrollments for pursuit of approved courses.

Submission of improper or incorrect reports in such number, manner, or period of time as to indicate negligence on its part, including failure to maintain an adequate reporting or recordkeeping system.





ADVERTISING, SALES OR ENROLLMENT PRACTICES OF ANY TYPE (38 CFR 21.4252(b)(h), 21.4254(c))

Advertising
Sales or Enrollment

Advertising, Sales, or Enrollment by Omission





ADVERTISING, SALES OR ENROLLMENT PRACTICES OF ANY TYPE (38 CFR 21.4252(b)(h), 21.4254(c))

Violation of Approval Criteria

Evidence that the school is not financially sound or that it is using false or misleading advertising.

If an approval related discrepancy is identified, the issue may also be referred to the State Approving Agency (approving authority).





INDEPENDENT STUDY (38 CFR 21.4267)



Independent Study Education that is tailored to fit the interests of a specific student, which occurs outside the traditional "classroom/laboratory setting", and is carried out under the direct supervision of a trainer. Independent Study can be offered via in-residence or distance learning.



INDEPENDENT STUDY (38 CFR 21.4267)

Approval of Independent Study

Referral to SAA-

Nonaccredited NCD courses offered by independent study programs.





OTHER (Specify)



Example:

Proper Use of Reporting Fees



OTHER (Specify)

Example:

Priority Enrollment



Priority Enrollment Designation Field Available in GI Bill Comparison Tool

Dear School Certifying Official,

Section 303 of the Harry W. Colmery Veterans Educational Assistance Act of 2017, known as the "Forever GI Bill," requires the Department of Veterans Affairs (VA) to publicly report whether or not a school offers priority enrollment to Veteran and servicemember students. We are requesting your help to carry out this provision.

"Priority enrollment" for the purposes of fulfilling this provision is a policy allowing a Veteran or servicemember student to register for classes earlier than other students. It does not mean Veterans or servicemembers need to be allowed to register before *all* other students.



OTHER (Specify)

Example:

Reporting graduation or program completion information



Department of Veteran Affairs

12 June 2018

To Whom It May Concern:

The Department of Veterans Affairs, Department of Education, and Department of Defense have collaborated for the last several years to develop and publish outcome measures. Previously, VA did not have the statutory authority to require schools to report this information. However, with the passage of the Jeff Miller and Richard Blumenthal Veterans Health Care and Benefits Improvement Act of 2016, Public Law 114-315, Section 404, VA is <u>required</u> to make it a condition of approval for schools to submit information regarding academic progress for GI Bill students.

The Department of Veteran Affairs (VA) Education Service is formally notifying educational institutions about applicable changes noted in Public Law 114-315 Section 404: Reports on Progress of Students Receiving Post 9/11 Educational Assistance.



OTHER (Specify) Trademark Terms of Use – Authorized Use:

The term "GI Bill®" is a federally registered trademark owned by VA. Authorized third-parties users of the trademark are:



- Educational institutions approved for GI Bill[®] benefits
- State Approving Agencies
- Recognized Veterans Service Organizations

GI Bill® is a registered trademark of the U.S. Department of Veterans Affairs (VA).



OTHER (Specify)

Verify compliance with PL 115-407 Sections 103 and 104 Effective August 1, 2019 Allow Individuals to Stay Enrolled in Courses of Education Pending Receipt of Educational Assistance from VA

Title 38 United States Code Section 3679(e) School Compliance Form

As part of the Veterans Benefits and Transition Act of 2018, section 3679 of title 38, United States Code was amended, and educational institution will be required to sign this compliance form to confirm your compliance with the requirements as outlined.

Effective August 1, 2019, the State approving agency, or the Secretary when acting in the role of the State approving agency, shall disapprove a course of education provided by an educational institution that has in effect a policy that is inconsistent the areas below:

NOTE: A *Covered Individual* is any individual who is entitled to educational assistance under chapter 31, Vocational Rehabilitation and Employment, or chapter 33, Post-9/11 GI Bill benefits.

- Your policy must permit any <u>covered individual</u> to attend or participate in the course of
 education during the period beginning on the date on which the individual provides to the
 educational institution a certificate of eligibility for entitlement to educational assistance under
 chapter 31 or 33 (a "certificate of eligibility" can also include a "Statement of Benefits" obtained
 from the Department of Veterans Affairs' (VA) website eBenefits, or a VAF 28-1905 form for
 chapter 31 authorization purposes) and ending on the earlier of the following dates:
 - 1. The date on which payment from VA is made to the institution.
 - 90 days after the date the institution certified tuition and fees following the receipt of the certificate of eligibility.



Exit Briefing



Exit Briefing



EXIT INTERVIEW

Conducted with Certifying Official and others as school or auditor sees fit

Results of the survey are discussed

Discuss discrepancies

- oPayment related discrepancies
- Approval criteria discrepancies
- oDiscrepancies that restrict enrollment

Provide general training and assistance

Corrective action will be discussed

VA will initiate

SCO will initiate



Common Errors

Common Errors

- Type of Hours not Properly Certified (hybrid)
- Inaccurate Term Dates
- Inaccurate Tuition and Fees
- Scholarships/Discounts
- Enrollment Changes
- Inappropriate Courses





Referrals



Referrals



Payment Issues

- Corrective award action will be referred to the RPO
- Initiated by Surveyor or School Certifying Official



Approval Issues

- State Approving Agency jurisdiction
- SAA will take action involving approval issues



Other Issues

- ELR has jurisdiction of issues involving 85/15%
- If WEAMS needs to be updated, the issue will be referred to ELR

Corrective Award Action

- SCO Initiated

Corrections to education records for errors found during Compliance Surveys are accomplished through the use of either **VA-ONCE** or a referral memo that is prepared by the surveyor.



Compliance

Survey

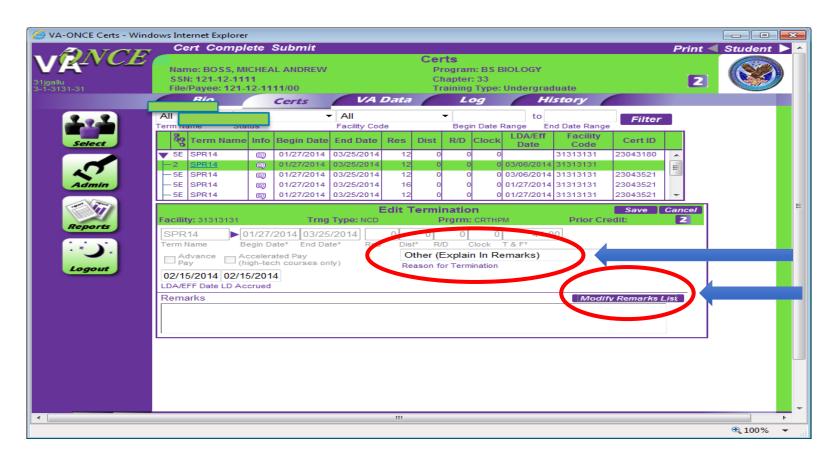
Referral

Surveyor Submitted





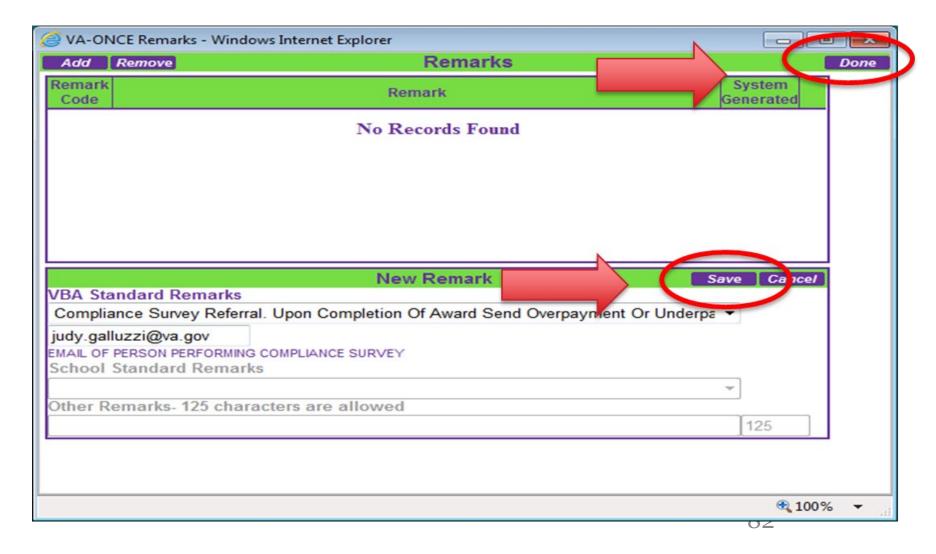
The surveyor will instruct and actively assist the SCO in submitting the appropriate corrections (e.g. amendment, adjustment, or termination) through VA-ONCE at the time of the compliance survey.





The VA-ONCE standard remark for these submissions reads:

"Compliance Survey Referral. Upon completion of award send overpayment or underpayment amounts to..." prompting the entry of contact information for the surveyor. This email address must be for the person controlling the response for the survey.





Corrective Award Action

- SCO Initiated

IKWCI	Stande BODE, MICHEAL ANDREW Program: BS 880 Chapter: 33 File Payee: Training Type: Un			
202	All • All • All • Ito Filter Term Name Status Facility Code Begin Date Range End Date Range			
Select	Term Name Info Dogo Date Led Date Ros Dest RO Clock Date Code CertID			
	▼ 56 SPR14 @ 6102712814 63050014 13 0 0 0 31313131 23043180 .			
47	-58 SPR14 (2) 81/27/2014 05/25/2014 1/2 0 0 0 05/06/2014 3/31/31/31 236/35/21			
Admin	-56 59914 @ 81/27/2014 83/25/2014 16 0 0 0 01/27/2014 31/31/31 2304/321 - 58 59914 @ 81/27/2014 83/25/2014 12 0 0 0 01/27/2014 31/31/31/31 -			
(V)	Edit Termination Several			
Erporte .				
	Advance Accelerated Pay Other (Explain In Remarks)			
Logout	02/15/2014 02/15/2014 LDA/BFF Date LD Accroed			
	Remarks Aboutly Remarks List			
	Compliance Survey Referral, Upon Completion Of Award Send Overpayment Or Underpayment Amou			

Submitting corrections in this manner does not eliminate the requirement to identify the error in the compliance survey narrative.

A copy of the referral submitted through VA-ONCE should be retained by the surveyor.



SAA Referrals (Sample Letter)

If discrepancies
are found that
involve approval
criteria, the approval
discrepancies will be
referred to the SAA.



DEPARTMENT OF VETERANS AFFAIRS

Regional Office PO Box 1437 St. Petersburg, Florida 33731-1437

In Reply Refer To: 317/272A

Date

Ms. Betsy Wickham Bureau Chief Bureau of State Approving for Veterans Training St. Petersburg, FL 33731

Dear Ms. Wickham:

During a routine compliance survey at Facility's Name, City, Florida, the following areas of review contained discrepancies that relate to approval criteria:

We have enclosed a copy of the Narrative Report of Compliance Survey that further explains our findings.

Please take action as deemed necessary and make a report of your findings within 30 days.

If you have any questions regarding this referral please feel free to contact me at your earliest convenience.

Sincerely yours,

CYNTHIA KUJAWSKI Education Liaison Representative

Enclosures: Narrative Report of Compliance Survey



Correspondence to Facility



Correspondence to Facility

Findings Letter

- Identify student records reviewed
- Detail any discrepancies/findings
- Specify corrective actions (if any) required by the school or facility



DEPARTMENT OF VETERANS AFFAIRS [RPO Address]

Date]

[Institution Name] [Attn: Name] [Street Address] [City, State, Zip Code]

Dear [Highest School Official],

A compliance survey was recently conducted at your facility on [date]. Thank you for the hospitality you extended to the surveyor during their visit. Attached you will find the narrative report of the survey findings, including any discrepancies found during the visit. This attachment will provide more specific information concerning the individual discrepancies.

If you have questions or require assistance with any VA regulations or requirements, please contact [ELR name], the VA Education Liaison Representative for [ELR State] by phone at [phone number] or email at [email address].

Sincerely, [Your Name] [Signature]

Enclosure: Narrative Report

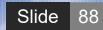
cc: [School Certifying Official]



You should be able to:

- Define a Compliance Survey
- State the purpose of a Compliance Survey
- Identify how to prepare for a Compliance Survey
- Describe what to expect during a Compliance Survey





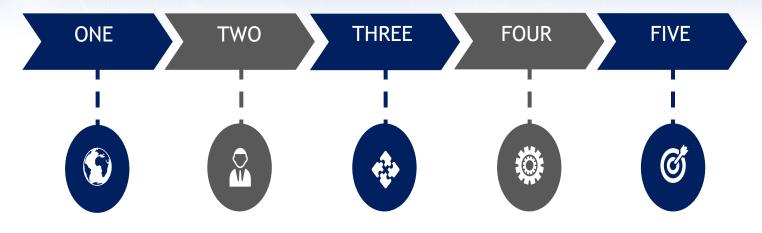


Q&A





CONFERENCE/VIRTUAL TRAINING CREDIT PROCESS



1. ATTEND

Attend a National,
Regional, Local
Conference or
Workshop offering
eligible SCO Annual
Training. Training must
be taught or co-taught
with an ELR or VA staff
member.

2. RECORD

Record your attendance using the tracking method designated by presenter.

3. CERTIFY

Go on the SCO Training
Portal and certify each
conference session you
attended. By completing
this form you are certifying
that you attended this
training in-person and
documented your
attendance at the
conference training
session.

4. PRINT

Print your certificate and keep for your records.

5. PROFILE

Check your profile to make sure all of your online and conference credit is properly counted.



FY'21 Qualifying Training Topics – Existing SCOs

	Existing SCO - Training Topics
1	New School Certifying Official Training
2	Advanced School Certifying Official Training
3	Compliance Surveys
4	Flight School Program at IHLs
5	Certification Process for Non-College Degree (ND) Programs
6	Education Programs and Benefits
7	Program Approval and the State Approving Agency
8	Yellow Ribbon
9	Work-Study
10	School Liability
11	Debt Management Center
12	85/15 Rule
13	VA-ONCE for Institutions of Higher Learning (IHLs)
14	VA-ONCE for Non-College Degree (NCDs)





SCO Annual Training Requirement by Facility Type

New SCO Annual Training Requirements				
Facility Type	Number of Training Modules Required			
Institutions of Higher Learning (IHL)	10			
Non-College Degree (NCD) Programs	10			
High Schools and Residency Programs	1			
OJT/Apprenticeship Programs	1			
Vocational Flight	1			

Existing SCO Annual Training Requirements				
Facility Type	Number of Training Modules Required			
Institutions of Higher Learning (IHL)	4			
Institutions of Higher Learning (IHL) with Flight Courses	4			
Institutions of Higher Learning (IHL) with NCDs	4			
Non-College Degree (NCD) Programs	4			
Vocational Flight	4			
High Schools and Residency Programs	1			
OJT/Apprenticeship Programs	1			



Important Training Dates

Annual Training Window Opened. Updated training requirements for all new SCOs and continuing education requirements for existing SCOs are effective.

October 1, 2020

60-Day Training Alert!
Notifications and reminders
of the approaching August
31st continuing education
deadline will be posted on
the GI Bill website and sent
to SCOs via Gov Delivery
notice.

July 1, 2021

15-Day Training Alert!
Notifications and reminders
of the approaching August
31st continuing education
deadline will be posted on
the GI Bill website and sent
to SCOs via Gov Delivery
notice.

August 15, 2021 Existing SCOs - No training in progress

New SCOs – Training is continuous throughout the year

Sept 1-30, 2021

June 1, 2021

90-Day Training Alert!
Notifications and reminders
of the approaching August
31st continuing education
deadline will be posted on
the GI Bill website and sent
to SCOs via Gov Delivery
notice.

August 1, 2021

30-Day Training Alert!
Notifications and reminders
of the approaching August
31st continuing education
deadline will be posted on
the GI Bill website and sent
to SCOs via Gov Delivery
notice..

August 31, 2021

Annual Training Window Closes! Continuing education requirements for existing SCOs completed.

Please remember, if you don't complete your annual training requirements,

VA has the authority to remove your access from VA-ONCE and the SAA has the authority to disapprove your school's programs.



Thank you for your time today!