

SCO VA WORKSHOPS

12/1- Vancouver (International Air & Hospitality School)

1/12- Bellevue (Bellevue College)

2/23- Spokane (Spokane Community College)

**COMPLIANCE
SURVEYS**



OBJECTIVES OF COMPLIANCE SURVEYS

What are they and what is the purpose?

- Routine reviews of selected students' records to verify that payments of GI Bill benefits were properly made to your VA students
- Assist School Officials in better understanding their responsibilities and the procedural requirements of VA
- Conducted in order to ensure schools and training establishments, along with their approved courses and programs, are in compliance
 - To determine, on the basis of facts disclosed from document reviews & personal visits, whether there are deviations from the responsibilities & requirements by eligible individuals, schools or training establishments
- Scheduled to previously approved facilities to monitor and assure continued acceptability of approval
 - To assure that proper action is promptly taken through appropriate channels for the correction of existing discrepancies

COMPLIANCE SURVEY - PREPARATION

How are schools selected?

- **VA will establish and maintain a schedule of compliance surveys and inform SAA of which schools it has been assigned to visit**
 - Schedules will be prepared before the beginning of each fiscal year
 - Certain number of schools assigned to the SAA; VA retains the balance
- **Visits conducted at approved schools and facilities with veterans enrolled during the previous federal fiscal year (October - September)**
- **Several schools visited per week to reduce costs**
 - **Same geographical location**
 - Majority of compliance surveys we conduct involve travel meaning a number of institutions may be scheduled for a given week (Monday – Friday). We strive to not schedule at institution peak workload periods however this may not occur based on travel plans.
 - **May be more than one person conducting visit**

COMPLIANCE SURVEY – Records & Accounts Needed

What Records & Accounts are needed for the survey?

Institutional Records Needed for Student Records:

- Copy of unofficial transcript
- Copy of Degree Audit Report (DAR)
- Copy of Student Account Ledger
- Copy of Student term registration schedules
 - Identifying start date, end date
 - Identifying modality of instruction
 - Captures non-standard term dates by subjects
 - Verification of prior credit evaluations
 - Progress Standards (GPA)
 - Obtaining LDA or last activity to confirm withdraw of subjects for student records

COMPLIANCE SURVEY – Guidance to SCO

What Records & Accounts to review prior to certification?

Records & Accounts to Review Prior to Certification/Compliance Survey:

- Ensure student has applied to be a student
- Prior credit evaluation completed or pending
- Degree program approved
- Student term registration schedule
 - Confirm modality of instruction
 - Confirm length of period to certify
 - Confirm subjects apply to program
- DAR – Degree Audit Record
- Student Account Ledger for charges

COMPLIANCE SURVEY – ON-SITE - Review

What is reviewed during the survey?

The following standards are those used by SAA and VA when reviewing records related to the compliance surveys...

COMPLIANCE SURVEY – ON-SITE - Review

Records and Accounts

Are your records/files available?

- Records and accounts of VA beneficiaries and other students must be provided for examination

(38 CFR § 21.4209, 21.7307, 21.9770)

GUIDANCE

- Review checklist provided to you by SAA or VA (whoever is conducting the visit)
 - Ensure all items are addressed
 - Ask questions if unsure
- Must have records available at time of visit

COMPLIANCE SURVEY – ON-SITE - Review

Commencement of Courses

Did the student begin when certified?

- **Date certified must agree with start date**

(38 CFR § 21.4131, 21.4203, 21.5810, 21.5831, 21.7131, 21.7152, 21.7631, 21.7652, 21.9720)

GUIDANCE

- **IHL: First day of classes for the semester or quarter**
- **NCD: First day the student is actually physically in class**
- **Flight: Date of first flight or ground school lesson**
- **OJT/Apprenticeship:**
 - **For OJT - first day on the job**
 - **For registered apprenticeships - the date of indenture or the first day on the job, whichever is later**

COMPLIANCE SURVEY – On –Site Review

Program Certified

Is the correct program certified?

- Program certified must be the same as what the VA beneficiary is enrolled in and pursuing

(38 CFR § 21.3030, 21.5131, 21.7130, 21.7630, 21.9710)

GUIDANCE

- Review transcript, registrar records, enrollment agreement
 - If they do not agree, update records and/or certification
- Monitor WEAMS (22-1998) reports
 - Ensure program certified is exactly as appears on WEAMS

COMPLIANCE SURVEY – On –Site Review

Previous Education & Training

Is There Prior Credit?

- **Record and evaluation of all previous education and training must be maintained in files**

(38 CFR § 21.4253, 21.4254, 21.4263)

- **Must review and evaluate acceptance of prior credit after no more than two semesters (or equivalent). If additional information is received at a later date, the evaluation can be revised.**
- **The school must maintain a written record that clearly indicates that appropriate previous education and training has been evaluated and granted, with training time shortened and tuition reduced proportionately, and the VA and the veteran so notified (mandatory – not a suggestion!)**

COMPLIANCE SURVEY – On –Site Review

Previous Education & Training (cont.)

GUIDANCE

- Make available for review *all* transcripts from previous institutions
- Review VA Forms 22-1990, 22-5490, 22-1995, 22-5495 for indication of any previous education & training
- Take note of previous institutions in VA Once
- Review school application or other documentation
- Record prior credit submitted and total granted

COMPLIANCE SURVEY – On –Site Review

Records

Are your records accurate, current and complete?

- Records of enrollment, correspondence lessons serviced, flight training hours or OJT/APP hours must be accurate, current and complete (38 CFR § 21.4253, 21.4254)

GUIDANCE

- IHL: Registration documents, class schedules, transcripts, drop slips, withdrawal documentation, tuition payment ledgers, etc.
- NCD: Attendance records, registration documents, class schedules, transcripts, drop slips, tuition payment ledger, etc.
- Flight: Follow the Student Checklist that is supposed to be maintained in your files
- OJT/APP: Records of hours worked and wages paid to include pay and leave records, and records of training given

COMPLIANCE SURVEY – On –Site Review

Records (cont.)

GUIDANCE

- **Class Schedules must:**
 - 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;
 - be sufficient for SAA or VA to verify whether any particular class meets the regulatory requirements to be considered resident or online; and
 - be coded to differentiate between resident and online/independent study classes and campuses (and should also be made clear in the catalog, handbooks, etc.).

COMPLIANCE SURVEY – On –Site Review

Records (cont.)

- **Detailed Records of Tuition and Fees**
 - **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 account from VA and all other sources including institutional, private, federal and other financial aid program**
 - **Must be detailed enough to determine the source of all charges and credits/payments, including how charges were determined and payments were credited**
 - **The term in which any charges/payments/credits occur should be clearly identified and linked to the appropriate dollar amount**
 - **VA payments and refunds should be clearly labeled as such**
 - **VA payments made to multiple campuses (with separate facility codes) should be distinguishable from the payments for your campus**

COMPLIANCE SURVEY – On –Site Review

Records (cont.)

GUIDANCE

- **Attendance (programs approved in clock hours)**
 - Records must be maintained, monitored and policies enforced
 - Records should be based on daily attendance (positive attendance as opposed to negative attendance records)
 - Files must contain documentation of excused absences
- **Once it is determined a student failed to meet attendance standards, you MUST terminate the student's enrollment certification. You may have an attendance policy that is more strict for the receipt of VA benefits than for other students.**
 - Monitor attendance to ensure compliance with reporting within 30 days

COMPLIANCE SURVEY – On –Site Review

Accurate & Prompt Certifications

Did you submit your certifications accurately and in a timely fashion?

- **Enrollment, tuition and fees, lessons serviced, flight training hours or OJT/APP hours must be accurately and promptly submitted to VA**
(38 CFR § 21.4203(e)(f)(g), 21.4204, 21.7156, 21.9735)

GUIDANCE

Accurate Certifications

- **Ensure enrollments dates are correct – utilize academic calendar, class schedules**
- **Ensure tuition and fees are properly allocated**
 - **If unsure about fees to report, ask VA or SAA (See electronic bulletin dated January 28, 2013, regarding which fees may be included in net charges)**

COMPLIANCE SURVEY – On –Site Review

Accurate & Prompt Certifications (cont.)

GUIDANCE

Timeliness

- All certifications must be submitted within 30 days of the latter of any of the following three (3) things:
 - Start of the term
 - End of drop/add
 - Veteran's request for certification of benefits
- Consider having student submit request for certification
- If at a school where students frequently change schedules, consider certifying closer to or after drop/add, although changes made during this period must be reflected.
- If the certification is submitted within 30 days of the veteran's request, the request must be documented in writing through a veteran's request form, **detailed telephone contact form, etc.**

COMPLIANCE SURVEY – On –Site Review

Terminated or Interrupted Training

Was this reported to VA?

- **Terminations or interruptions in training must be promptly reported to VA** (38 CFR § 21.4203, 21.7156, 21.9735)

GUIDANCE

- **Have a system or mechanism (internal audit, report) in place to identify when students withdraw/terminate or interrupt training**
 - **An automatic notice to the SCO through your computer system of any changes to a file marked VA, veteran, etc., is most helpful**
- **Last dates of attendance must be able to be identified during compliance survey visit and notification must be made to VA within 30 days of the student's last date of attendance**
 - **Maintain drop and withdrawal slips in file**

COMPLIANCE SURVEY – On –Site Review

Progress and Grades

Do you have adequate records of progress and grades?

- **Accurate, current and complete records of progress or grades must be maintained for VA beneficiaries**

(38 CFR § 21.4253, 21.4254, 21.4262, 21.4263)

GUIDANCE

- **Unofficial transcripts and/or progress (grade) reports should be monitored to ensure students are meeting satisfactory academic progress**

COMPLIANCE SURVEY – On –Site Review

Satisfactory Progress

Did you promptly notify VA when satisfactory progress was not made?

(38 CFR § 21.4203(d), 21.4277)

GUIDANCE

- Unofficial transcripts should be monitored to ensure students are meeting satisfactory academic progress
- Maintain documentation in files (e.g., letters of probationary status, suspension)
- SAP must be monitored and your approved policy enforced (i.e., students must be suspended/dismissed in strict adherence with your approved policy – that policy may be more strict for the receipt of VA benefits than for other non-VA students)
- Report probation to VA via RightNowWeb (mandatory as of August 1, 2011)

COMPLIANCE SURVEY – On –Site Review

Charges

How do tuition and fees compare to other students' charges?

- Tuition and fees charged to VA beneficiaries must be the same or less than charges to other similarly circumstanced students
(38 CFR § 21.4210(d), 21.9600, 38 U.S.C. 3690(a))

GUIDANCE

- Monitor programs and charges for non-VA students
- Some non-VA files may be randomly selected for this purpose

COMPLIANCE SURVEY – On –Site Review

Percentage of Enrollment

Are you monitoring enrollment numbers?

- Verification of the 85 percent enrollment limitation must be performed
- Schools must provide documents verifying that the provisions of the 85 – 15 % ratio have been met for each approved course (generally, a statement of total school/campus enrollment v. VA student enrollment) (38 CFR § 21.4201)

GUIDANCE

- Monitor enrollment
- Waiver of reporting requirements for schools with fewer than 35% VA students
- Flight: The ratio includes only Part 141 students

COMPLIANCE SURVEY – On –Site Review

Timely Changes

Did you submit changes to VA in a timely fashion?

- Changes in clock or credit hours, tuition or fees must be promptly reported to VA (within 30 days)
 - This includes reporting a Last Date of Attendance for students who received a punitive grade of “F” when they did not complete the course (i.e., unearned or walkaway F – did not take the final exam)

(38 CFR § 21.4203, 21.7156(b), 21.9735)

GUIDANCE

- Consider having your IT office set up a veteran indicator/attribute in your system with automatic prompts sent to you for any changes to enrollment in an indicated file
- Use VA work-study students to help monitor for changes

COMPLIANCE SURVEY – On –Site Review

Information furnished to students

Did you provide the student with all appropriate copies?

- **A copy of the course outline, schedule of tuition and fees and other charges, as well as regulations pertaining to attendance, grading policy and conduct of rules of operation must be furnished to students (38 CFR § 21.4254(c))**

GUIDANCE

- **Create an acknowledgment form listing all items**
- **Have the student initial next to each item indicating s/he has received the above, then sign and date**

* Unless part of the approval criteria for an accredited course

COMPLIANCE SURVEY – On –Site Review

Enrollment Limitation

Are you within the limits?

- **Enrollments must be within the limitation established by the State Approving Agency**

(38 CFR § 21.4254(c))

GUIDANCE

- **Enrollment limitations (typically based on number of students per instructor or classroom space), if applicable, will be specified on the WEAMS report**

* Unless part of the approval criteria for an accredited course

COMPLIANCE SURVEY – On –Site Review

Refund Policy

Do you have and enforce a Pro Rata refund policy?

- Refund policies must meet the requirements of VA regulations

(38 CFR § 21.4254(c), 21.4255, 21.4256)

GUIDANCE

- For non-accredited schools, the refund policy must be pro rata or more advantageous to VA students than pro rata
 - Must be pro rata to the very end
- Example: Student drops out after completing 75% of the course; the school must refund 25% of the tuition to the student
- An accredited school could have a nonaccredited program to which the pro rata refund rule would apply

COMPLIANCE SURVEY – On –Site Review

Advertising

Is your advertising in compliance with the law?

- Past 12 months of advertising is reviewed to ensure advertising, sales or enrollment practices are not “erroneous, deceptive or misleading by actual statement, omission, or intimation.”

(38 CFR § 21.4252(h)(1) and 21.4254(c)(10))

GUIDANCE

- Review your website, publications, television and radio spots, etc., to ensure your advertising is not false or misleading; no promises of placement

COMPLIANCE SURVEY ~ Common Findings

- Overall the findings have been very good.
- Common errors involve:
 - Not reporting changes or terminations
 - Not reporting net charges correctly
 - Not reporting unearned F grades
 - Not reporting distance learning correctly
 - Late reporting of enrollment changes to VA
 - Failure to monitor prior credit evaluations
 - Certifying credits that do not apply to program requirements
 - Certifying remedial subjects when offered on line
 - Incorrectly reporting LDA – last day of attendance on withdrawing
 - Certifying incorrect program name or type of training
 - Not reporting unsatisfactory progress or probation
 - Lack of institutional records to support certifications to VA
 - Certifying programs not approved by VA or SAA

COMPLIANCE SURVEY

Questions?