



Compliance Surveys



AVECO July 2022

Agenda

At the end of this session,
you will be able to:

- 01** Understand the Role of the School Certifying Official
- 02** Understand the roles of the Education Liaison Representative
- 03** Understand the roles of the State Approving Agency
- 04** Understand the roles of the Education Compliance Survey Specialist
- 05** Understand the purpose of a Compliance Survey
- 06** Implement strategies to have a successful Compliance Survey



The Role of Certifying Official

School Certifying Official Designation



Each school will designate at least one VA Certifying Official to carry out reporting requirements.

- VA recommends one (1) School Certifying Official (SCO) full-time employee (FTE) for every 200 GI Bill® students and/or dependents enrolled in the educational institution. This number should be adjusted as appropriate by the educational institution when the SCO's duties are expanded beyond certifying GI Bill beneficiaries' enrollments.

The designation will be made on VA Form 22-8794 (Designation of School Certifying Official(s)).

- It is important that a new VA Form 22-8794 be submitted anytime there is a change in certifying officials. Each VA Form 22-8794 submitted must include all names, since the new form supersedes the old one. The form may be obtained from your ELR or State Approving Agency, point of contact.

Responsibility for Reporting



SCOs must:

- Submit timely and accurate enrollment information for each VA student.
- Monitor the subjects pursued by a student to certify to VA only those subjects that apply to the student's program
- Monitor student's grades to ensure satisfactory progress is being made.
- Report when a student was terminated due to unsatisfactory progress
- Monitor student's conduct and report when student is suspended or dismissed
- Keep VA informed of enrollment status changes.
- Contact the SCO Hotline regarding student's payment related issues
- Contact the ELR for VAOnce user and certification issues
- Contact the SAA for approval related issues



The Role of the Education Liaison Representative

The Role of the Education Liaison Representative



- Serves as a VA representative to an assigned state(s) in matters requiring liaison activities between the educational and training institutions, VA Regional Processing Offices (RPO), and State Approving Agency (SAA).
- Maintains records of all approved, suspended, or withdrawn educational institutions and training facilities and distributes current status to appropriate VA personnel.
- Conducts local, state, regional, and national training workshops and conferences for educational and training institution officials. Training topics include regulations, procedures, new laws enacted, changes in VA Education Benefits, as well as initial training for new School Certifying Officials (SCOs) and sustainment training to experienced SCOs.
- Provides training on paper VA forms and VA Education computer processing systems to ensure SCOs are properly entering initial enrollment and subsequent adjustments, amendments, or termination certification data in accordance with statute, regulations, and policies in order to ensure accurate and timely payments of VA Education benefits.



The Role of the State Approving Agency

The Role of the State Approving Agency



Congress recognized that it was the responsibility of the state to determine the education of its citizens. It was decided that each state would establish a “State Approving Agency” and that the governor of each state would designate a state bureau or department within which the SAA would operate.

The SAA would be supported through funding, under contract, (Cooperative Agreement) from the Department of Veterans Affairs (VA). This originated as part of the compromise that facilitated the passage of the original World War II GI Bill[®] and which has evolved into a cooperative federal-state effort that maintains states’ rights for education while monitoring and protecting a federally sponsored program administered under the terms and conditions of federal laws.

SAA and Program Approval



SAA's re-evaluate schools, facilities, and programs minimally, every 24 months, and must include review of licensure, accreditation, potential misleading and erroneous practices, and all requirements as outlined in Title 38 US.C.

When reviewing the initial catalog, as well as processing re-approvals, the SAA must ensure, in part:

- All required policies are outlined in the catalog (e.g., pro-rata refund policy, attendance policy, granting prior credit standards of progress, etc.)
- There is a listing of faculty members including their qualifications
- Course outlines with credit hours or clock hours documented
- Tuition and fee changes
- Reporting of any address changes
- Appropriate licensure including the business license (as appropriate)

SAA and Program Approval

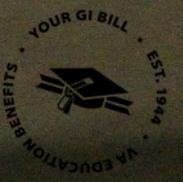


The SAA, after final determination, shall promptly provide VA and the educational institution with a **written report of the details of each approval or disapproval** as required by the appropriate Appendix in the Cooperative Agreement, including, in the case of disapproval, the reason or reasons therefor.

The SAA shall promptly provide VA with **written notice** of each amendment, modification, suspension, or withdrawal of any course or program approval and the reasons for the action.

ARTICLE II – APPLICATIONS: APPROVALS – SUSPENSIONS – DISAPPROVALS

Goal	Performance Measure	Minimally Required Target
Respond to program approval inquiry timely	Percent within 14 calendar days	95%
Visit institution w/in 30 days of the date of receipt of the completed application	Percent within 30 calendar days	90%
Process completed approval package (For FY20 and beyond, including uploading to Salesforce)	Percent within 30 calendar days of receipt	90%
Submit accurate program approval packages, including original date of receipt of approval package	Percent of received and accepted packages with no substantive errors	90%



The Role of the Education Compliance Specialist

The Role of the Education Compliance Survey Specialist

Education Compliance Survey Specialist:

- Prepares and Schedules Compliance Surveys for approved education and training institutions.
- Conducts on site and remote compliance surveys to ensure compliance with applicable laws and VA regulations.
- Reviews survey results to identify discrepancies and provide corrective actions (e.g., training and payment adjustments).



THE PURPOSE OF A COMPLIANCE SURVEY





What is the purpose of a Compliance Survey?

Compliance surveys are conducted to ensure that schools and training establishments, and their approved courses, are following all applicable provisions of the laws administered by the Department of Veterans Administration (VA).



What Are The Objectives Of A Compliance Survey?



✓ To verify the propriety of payments of educational benefits to eligible individuals under the provisions of the laws administered by VA.

✓ To confirm continued compliance with all approval criteria.

✓ To assist school or training officials and eligible individuals in better understanding their responsibilities and the procedural requirements of VA.

✓ To determine, based on facts disclosed from document reviews and personal visits, whether there are deviations from the responsibilities and requirements by eligible individuals, schools, or training establishments; and

✓ To assure that proper action is promptly taken through appropriate channels for the correction of existing discrepancies, or for the discontinuance of benefits in the event correction is not accomplished.

When Are Compliance Surveys Conducted?



Compliance surveys shall be conducted at schools and training establishments in which eligible individuals are enrolled under Chapters 30, 31, 33, and 35, Title 38, United States Code (USC), and Chapters 1606 and 1607, Title 10, United States Code.

1. 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 USC 3690c.
2. Schools and training establishments must retain records for a minimum of 3 years after termination of each period during which a VA beneficiary was enrolled. When a beneficiary's program of education or training consists of several separate terms or unit courses, the time limit will be applied separately to each such term or course 38 CFR 21.4200(p)(2) and 38 CFR 21.4209(f).

Compliance Survey Authority

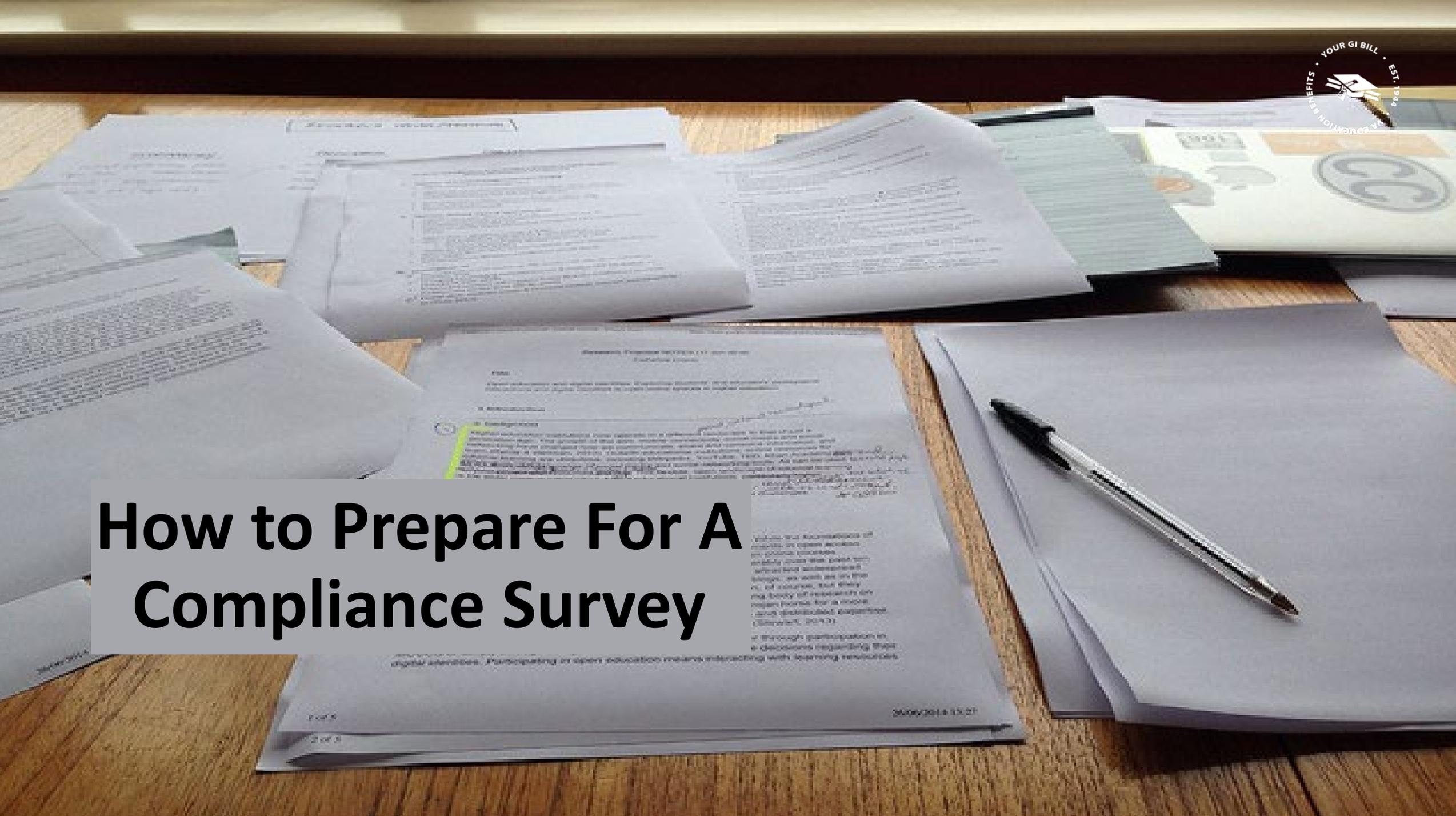


Important Note:

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.

How to Prepare For A Compliance Survey





RECORD RETENTION REQUIREMENTS

Records of an institution or establishment must be retained for a period of at least **THREE** years following the termination of the enrollment of an eligible individual, or longer if requested by the VA or Government Accountability Office (GAO).

Any institution offering courses approved for the enrollment of eligible individuals must maintain a complete record and copies of all advertising, sales, or enrollment materials utilized by or on behalf of the institution during the preceding 12-month period.



Compliance Survey Scheduling



The Survey Specialist conducting the compliance survey will contact the SCO prior to the compliance survey; they will provide adequate notice to schedule a time and date(s).



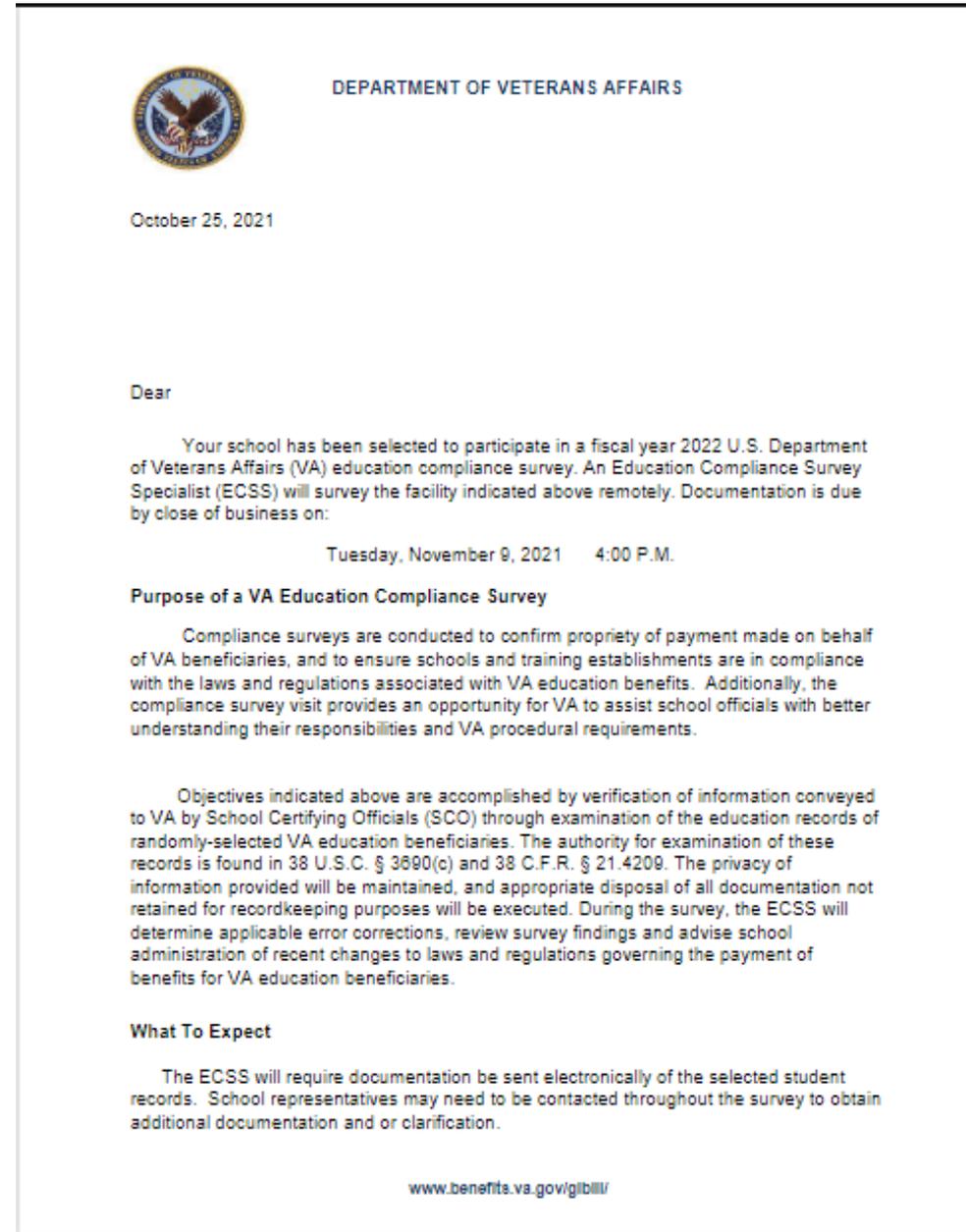
The Survey Specialist will send the SCO a notification letter containing a Compliance Survey Checklist and the List of Student Record(s) to be reviewed



Typically, once the notification letter is sent date changes are not allowed.

Compliance Survey Notification Letter

- Confirm the date and time of the appointment
- Provide SCOs with names of student/trainee files required and items/types of records to be reviewed
- Request to schedule face-to-face interviews with students/trainees, if applicable



Compliance Survey Record Selection



How are records selected?

VA STUDENT POPULATION	RECORDS TO REVIEW
1 TO 9	Up to AFC Amount
10 TO 99	10
100 TO 199	15
200 TO 299	20
300 TO 399	25
400 TO 499	30
500 OR MORE	35

Preparing for the Compliance Survey



Gather and provide all documents requested by the Survey Specialist

Ensure that the Survey Specialist has adequate space and resources to review the records such as a room or office without potential distractions

Inform leadership or security personnel prior to Compliance Survey

Provide parking information, if necessary

Provide directions to the meeting place on campus

Be readily available in case there are questions from the Survey Specialist



Special Records Request

If the active school certifying official is currently attended or has attended the facility their record will be included in the student sample. It will not replace one of the records requested – It will be in addition to the records collected.



Entrance and Exit Briefings



The Survey Specialist will conduct an entrance briefing and an exit briefing with the SCO and any leadership that may want to attend. The SCOs may be asked questions in the entrance briefing:

- Are you using VA ONCE to certify enrollment?
- Are any VA students receiving scholarships or grants?
- Does the school charge any fees that are not mandatory?
- Have you submitted any changes since being notified of the survey?
- Has the school added/removed any certifying officials?

Student Interviews

Face to Face interviews are requested at Private-for-Profit schools/NCD

Email verbiage will be included in the notification letter

Used to gauge the student experience. Will not be used to discuss issues with any VA benefits



List of Request School Documents



School catalog information - three academic years

Tuition and Fees schedule

List of tuition specific scholarships or waivers

Advertising materials

Academic calendar

Attendance Policy

Yellow Ribbon agreement

Completed 85/15 Statement of Assurance

Grading Policy

Refund Policy

Annual Reporting Fees documentation

Student Interview notification email

Title 38 USC 3679 (e) compliance

List of Request Student Documents



Transcripts



Financial Ledgers



Degree/Program requirements



Enrollment Agreements



Application for Admission to School



Transfer Credit Evaluation



Class Schedules



Attendance Records



Unsatisfactory Progress Documentation



Remedial Test scores



Related Student Documents



VA Work Study Files



Non-Veteran Records

Compliance Survey Record Review



What is the Compliance Specialist looking for in the records?

Potential discrepancies and Positive findings

Potential discrepancies are any practice, procedure, course, or record-keeping process undertaken by a school or training establishment, or the officials thereof, that is in violation of, or out of compliance with, any applicable provisions of the law administered by VA.

Positive findings are evidence that the school is completing VA paperwork accurately, in a timely manner, and correctly following all VA guidelines and regulations.

Compliance Survey Worksheet



Compliance Survey Worksheet														
Name of Student: William Smith				SSN: 000-00-0000				Program of Study: AA Amount of Benefits Transferred: 0						
Chapter(s): ch33		Eligibility Level:	1st	100%	CH33 Expiration Date:		Prior Credit: 0		Credit Granted:					
REMENT			2nd		Free Benefit:		TOE Status: 0		Amount of Benefits Transferred: 0					
Name of Facility: Fresh Prince Academy					Discrepancies:					1934 Line:		Action:		
Facility Code:					Late Reporting: SCO certified Fall 2018 Term beyond 30 days					6				
Period Covered by Survey: 01/10/18 to 05/10/21														
Academic Year	Instate Tuition & Fees Max:	BAH Year	Monthly BAH:	Yellow Ribbon	School's Full-Time Undergrad. Modifier 12 Semester									
2017-18	\$21,970.46	2016	\$2,188.00	\$0.00										
2018-19	\$22,805.34	2017	\$2,102.00	\$0.00										
2019-20	\$23,671.94	2018	\$2,300.00	\$0.00										
2020-21	\$24,476.79	2019		\$0.00		DOD Rate Effective 08/01/2018 = \$								
Date of 1999: 12/15/17	Begin Date	End Date	TotalHours	In-Res.	Dist.	Rm/Clk	Tuition	Fees	Yellow Ribbon (06Y)	Total amount of T&F VA paid to school (06S)	Date VA records shows pmts were issued	Date Treasury shows school rec'd pmts	Overpayment (75B)	
Certified:	1/10/18 Wed	5/11/18 Fri	C.0	12.0	0.0	0.0	\$1,000.00	\$500.00	\$0.00					
VA Paid:			C.0	12.0	0.0	0.0	\$1,000.00	\$500.00	\$0.00					
Findings at School:		No Discrepancy												
Student Refund at School:		N/A	GPA:	3.7	Courses Apply to Degree? Yes		B&S: (06C)		\$0.00	MHA: (06H or FFP)		FALSE	ROP:	0%
Date of 1999: 9/11/18	Begin Date	End Date	TotalHours	In-Res.	Dist.	Rm/Clk	Tuition	Fees	Yellow Ribbon (06Y)	Total amount of T&F VA paid to school (06S)	Date VA records shows pmts were issued	Date Treasury shows school rec'd pmts	Overpayment (75B)	
Certified:	8/10/18 Fri	12/14/18 Fri		12.0	0.0	0.0	\$1,000.00	\$250.00	\$0.00					
VA Paid:	08/10/2018	12/14/18		12.0	0.0	0.0	\$1,000.00	\$250.00	\$0.00					
Findings at School:		Late Reporting of Enrollment												

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Correcting Discrepancies



The Survey Specialist oftentimes will inform the SCO of discrepancies during the Compliance Survey so that corrections can be made via VA ONCE. The Survey Specialist will also discuss discrepancies during their Exit Interview. The following are what you should do to correct the applicable discrepancy, which was found:

- **Amend** is used to change begin date, end date, Tuition and Fees, Yellow Ribbon, add a remark, and advance pay and accelerated pay requests on a certification already submitted.
- **Adjust** is used to report an increase or decrease in credit hours. If tuition, fees, or Yellow Ribbon were reported, they must also be changed to correspond to the adjusted number of credit hours.
- **Terminate** is used to report a complete withdrawal from an enrollment period, or to report graduation or program completion. If a student certified for multiple enrollment periods completely withdraws from one enrollment period, then terminate the enrollment period from which he/she withdrew. VA- ONCE will give you the option to terminate any subsequent enrollment periods or to leave those periods as certified.

Facilities that do not use VA ONCE will need to complete the corrections on the prescribed form 22-1999B. The update can be provided to the Survey Specialist before their departure.

Notating Discrepancies

LINE NO.	AREAS OF REVIEW	FINDINGS	
	GENERAL	YES	NO
1	THE FACILITY PROVIDED THE RECORDS AND ACCOUNTS OF VA BENEFICIARIES AND OTHER STUDENTS FOR EXAMINATION (38 CFR 21.4209, 21.7307, 21.9770)	<input type="checkbox"/>	<input type="checkbox"/>
2	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)	<input type="checkbox"/>	<input type="checkbox"/>
3	VA BENEFICIARIES ARE ENROLLED IN AND PURSUING THE APPROVED PROGRAM AS CERTIFIED (38 CFR 21.3030, 21.5131, 21.7130, 21.7630, 21.9710)	<input type="checkbox"/>	<input type="checkbox"/>
4	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)	<input type="checkbox"/>	<input type="checkbox"/>
5	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)	<input type="checkbox"/>	<input type="checkbox"/>
6	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)	<input type="checkbox"/>	<input type="checkbox"/>
7	THE FACILITY PROMPTLY NOTIFIED VA WHEN BENEFICIARIES TERMINATED OR INTERRUPTED TRAINING (38 CFR 21.4203, 21.7156, 21.9735)	<input type="checkbox"/>	<input type="checkbox"/>
8	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)	<input type="checkbox"/>	<input type="checkbox"/>
9	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)	<input type="checkbox"/>	<input type="checkbox"/>
ALL EXCEPT TRAINING ESTABLISHMENTS			
10	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))	<input type="checkbox"/>	<input type="checkbox"/>
11	CERTIFICATION OF THE 85 PERCENT ENROLLMENT LIMITATION WAS VERIFIED (38 CFR 21.4201)	<input type="checkbox"/>	<input type="checkbox"/>
ALL EXCEPT FLIGHT SCHOOLS AND TRAINING ESTABLISHMENTS			
12	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)	<input type="checkbox"/>	<input type="checkbox"/>

Discrepancy Trends



- Failure to accurately and timely report changes in credits, especially withdrawals or cancellations
- Errors in reporting T&F amount
- Not amending T&F amount when adjusting credits (added/dropped) for a previously certified term
- Reporting the wrong start or end date for non-traditional or traditional terms
- Certifying Late. Report within 30 days of when informed of enrollment or changes to enrollment
- Certifying incorrect fulltime enrollment for graduate students
- Confusing or combining the mode or type of instruction
- Confusing and reporting the total number of credits as a particular type of credit (Resident, Distance or R/D).

Discrepancy Trends



- Certifying R/D credits that have been taken online line or as independent study
- Certifying R/D classes without academic evidence of need or without institution's approval
- Errors in reporting the school's Yellow Ribbon Program (YRP) contribution
- Failure of the Business Office to inform the SCO of correct (current?) tuition and fees
- Failure of the Business Office to inform the SCO of receipt of federal funds for T&F payment
- No documentation to support evaluation and transfer of prior training/credits.
- Not terminating enrollment due to graduation or end of program (NCD).
- Not reporting students placed on academic probation.
- Failure to meet annual SCO Training requirements.

What happens after the Compliance Survey?



1. Upon returning to their workstation, the Survey Specialist will review all documents received and complete post compliance survey procedures, which includes a Narrative Report and VA-Form 22-8794
2. Submit and track any payment referrals send to the Regional Processing Office
3. Load all collect documents from the Compliance Survey into Sales Force
4. Send the facility a closeout letter informing them of the Survey results

A Few Best Practices



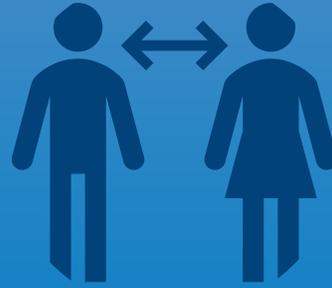
Read and Re-read the notification letter

- Communicate any questions about the requested documents with the Survey Specialist



Organize each file in the same order ensuring the Survey Specialist success in finding each document

- Alphabetical order is easiest
- Labeling documents is helpful



Offer to go through the first record with the Survey Specialist



Remain available throughout the visit for any clarifying questions from the Survey Specialist



Be willing to “phone a friend” if you don’t have the answers to questions asked by the Survey Specialist



Be prepared to make corrections (if necessary)

Thank You