

Risk Based Surveys



6/16/2022

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

- 01** Define a Risk Based Survey
- 02** Understand the Principal Objectives of a Risk Based Survey
- 03** Define a Compliance Survey
- 04** Principal Objectives of Compliance Surveys
- 05** Why do we need RBS?
- 06** What is the process of RBS?
- 07** What are the outcomes of RBS?

What is a Risk Based Survey?

DEFINITION OF RISK BASED SURVEY



Risk Based Surveys (RBS) are conducted in order to identify and mitigate misleading and deceptive practices within approved GI Bill® institutions and training facilities.

The RBS process will identify risk factors from continuous data collection and analysis within various Federal and State resources. This data identifies facilities that may need corrective action from VA Education Service, State Approving Agencies (SAA), or other State and Federal actors to reduce fraud, waste, and abuse of the GI Bill®.

RBSs do not replace legislative mandated Title 38 U.S. Code § 3693: Compliance Surveys or Executive Order (EO) 13607.

An RBS will enhance Education Service's Oversight and Accountability strategy for institutions and training facilities receiving GI Bill® benefits.

What are the objectives of an RBS?

NEED FOR RISK BASED SURVEYS



Concern

- Advocates and government watchdogs were concerned that the VA “compliance surveys” did not prioritize SAA/VA resources and was not comprehensive enough.
- Concerns included failure to prioritize facilities:
 - Under investigation by federal and state regulators
 - Facilities engaging in misleading or deceptive recruiting practices.
 - Where student’s complaints indicated problems
 - Who were not financially stable
 - Who were facing collapse and closure

Response

- Congress passed the Harry W. Colmery Veterans Educational Assistance Act of 2017. known as the Colmery Act
 - Requires that State Approving agencies evaluate the risk posed by currently GI Bill® approved schools by conducting risk-based surveys

PRINCIPAL OBJECTIVES OF AN RBS



Provide mechanism for VA and SAAs to identify potential fraud, waste and abuse at education institutions and training facilities by utilizing data and risk factors that are outside of the normal approval and compliance liaison processes.

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

Assure prompt action is taken through appropriate channels if allegations are substantiated with RBS visit.

DEFINITION OF A COMPLIANCE SURVEY



Compliance Surveys are conducted at institutions and training facilities in accordance with 38 USC § 3693, and are scheduled at the beginning of each fiscal year. The surveys are conducted to ensure that schools and training establishments, and their approved courses, are in compliance with all applicable provisions of the laws administered by VA. Institutions may receive a waiver based on their compliance survey history.

PRINCIPAL OBJECTIVES OF COMPLIANCE SURVEYS



- 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 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.

RISK BASED SURVEY VERSUS COMPLIANCE SURVEY



RISK BASED SURVEY

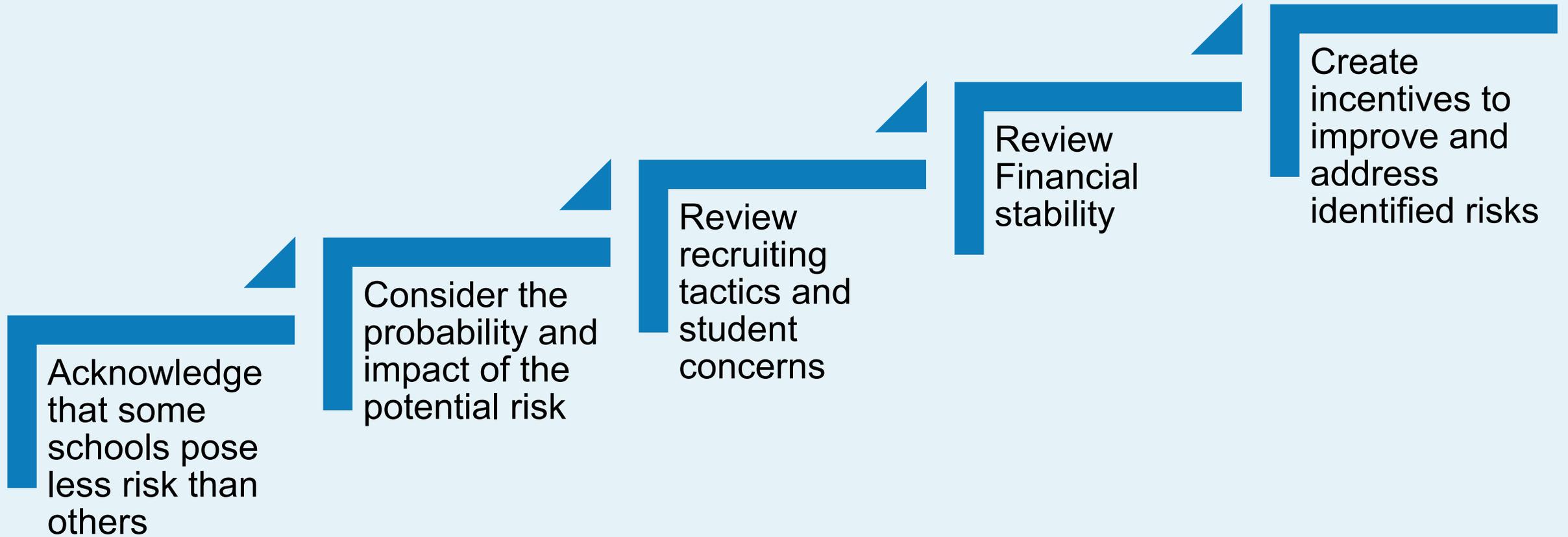
- Scheduled based on data received from multiple sources
- Number of records reviewed may vary
- Thirty-day initiation requirement to conduct survey
- Must be completed within 90 days of facility visit
- Facility notification is within three business days of visit
- Punitive actions can be handled immediately



COMPLIANCE SURVEY

- Criteria for compliance visits is set annually
- Number of records reviewed based on veteran student population
- Schedule is set at the beginning of the fiscal year
- Compliance Surveys have to be completed within 30 days of site visit
- Facility notification can be notified at the compliance specialist discretion
- Punitive actions are referred

PURPOSE OF A RISK BASED APPROACH

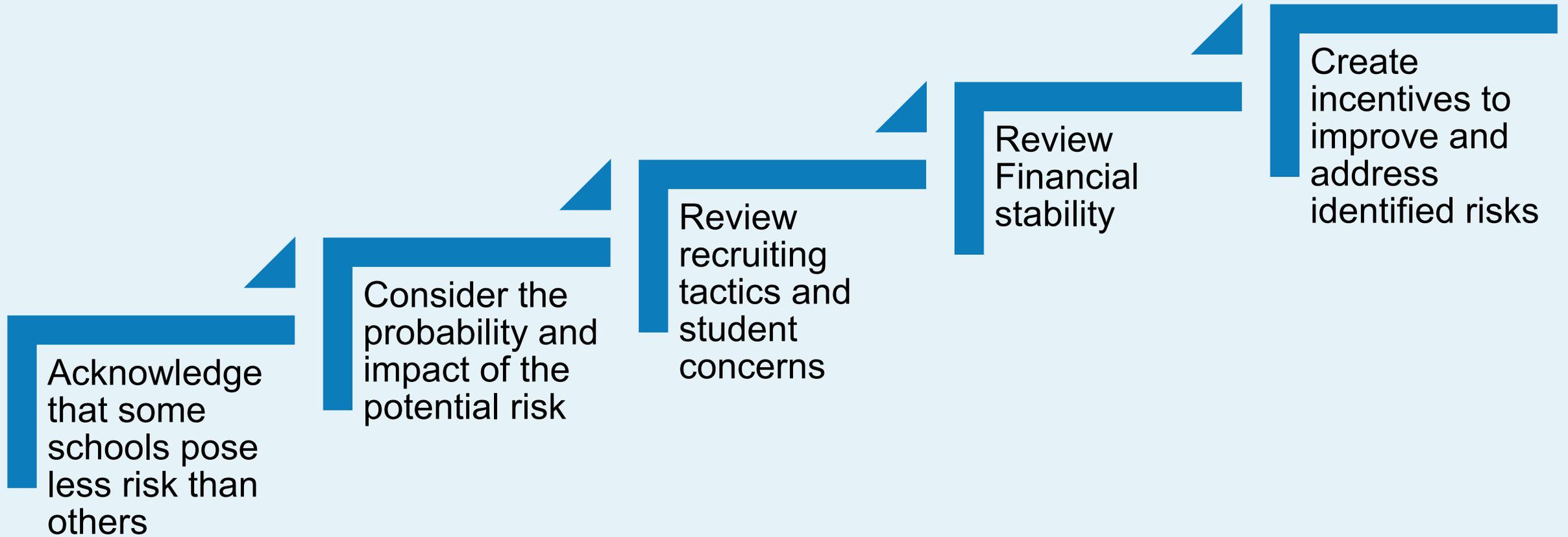


PURPOSE OF A RISK BASED APPROACH



Acknowledge
that some
schools pose
less risk than
others

PURPOSE OF A RISK BASED APPROACH

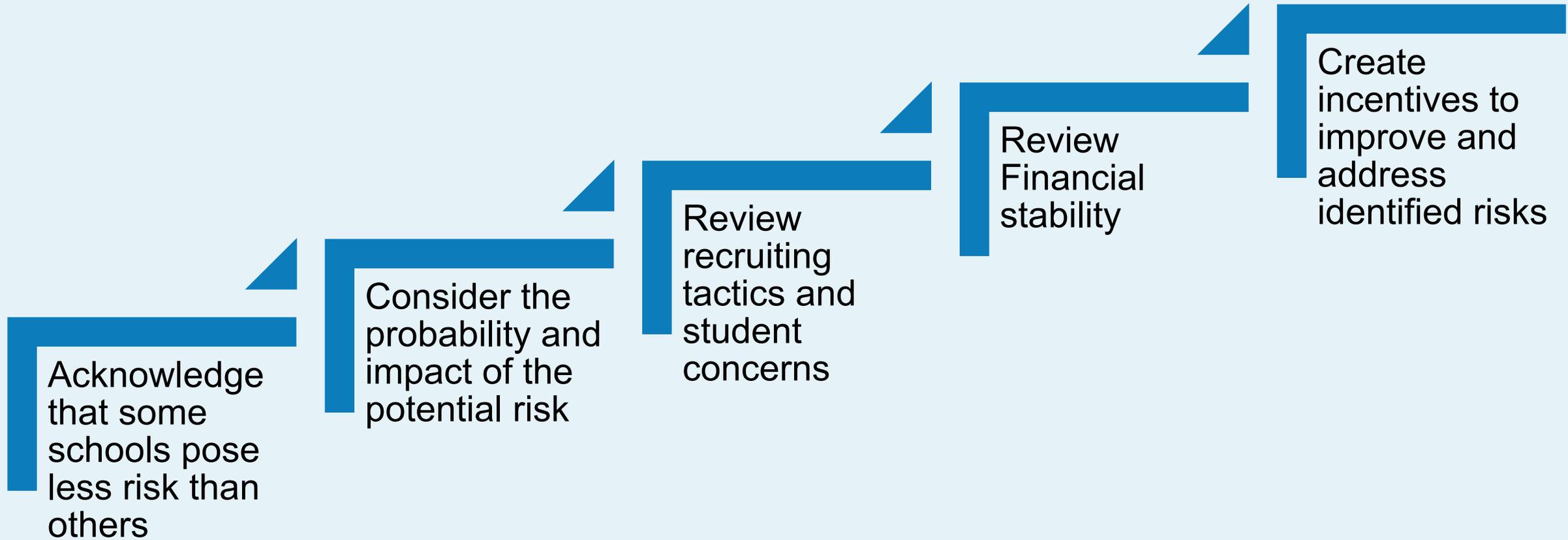


Purpose of a Risk Based Approach



Consider the probability and impact of the potential risk

PURPOSE OF A RISK BASED APPROACH

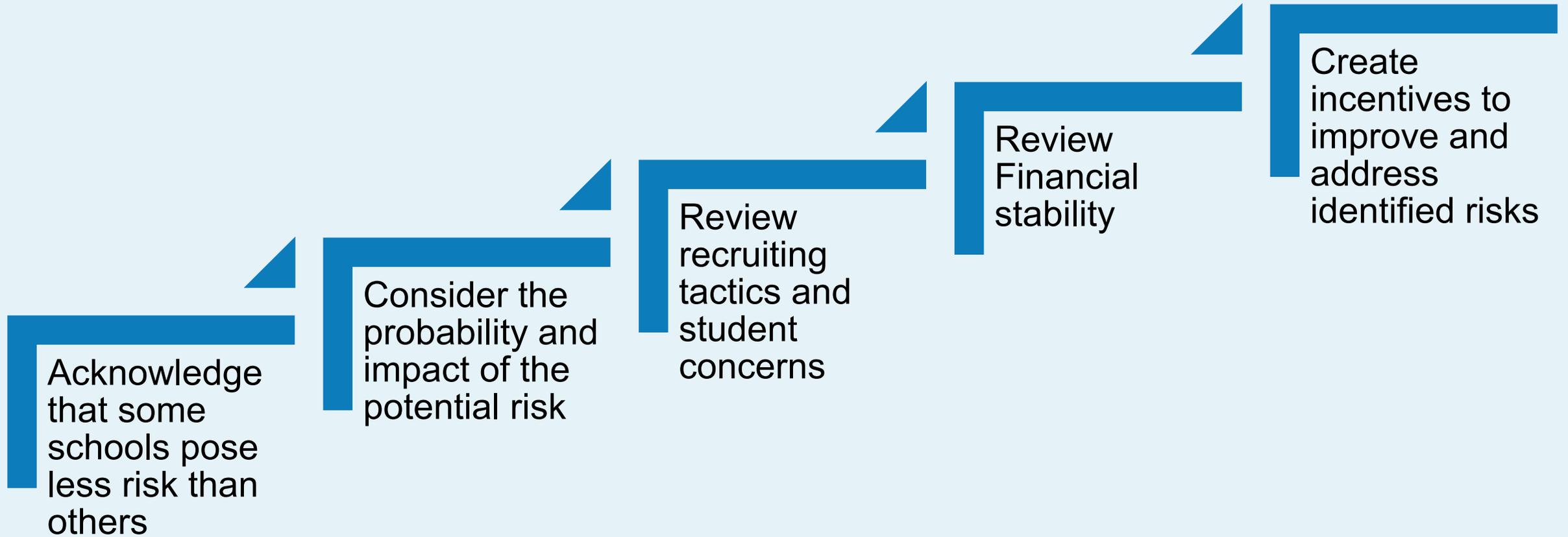


Purpose of a Risk Based Approach



Review
recruiting
tactics and
student
concerns

PURPOSE OF A RISK BASED APPROACH

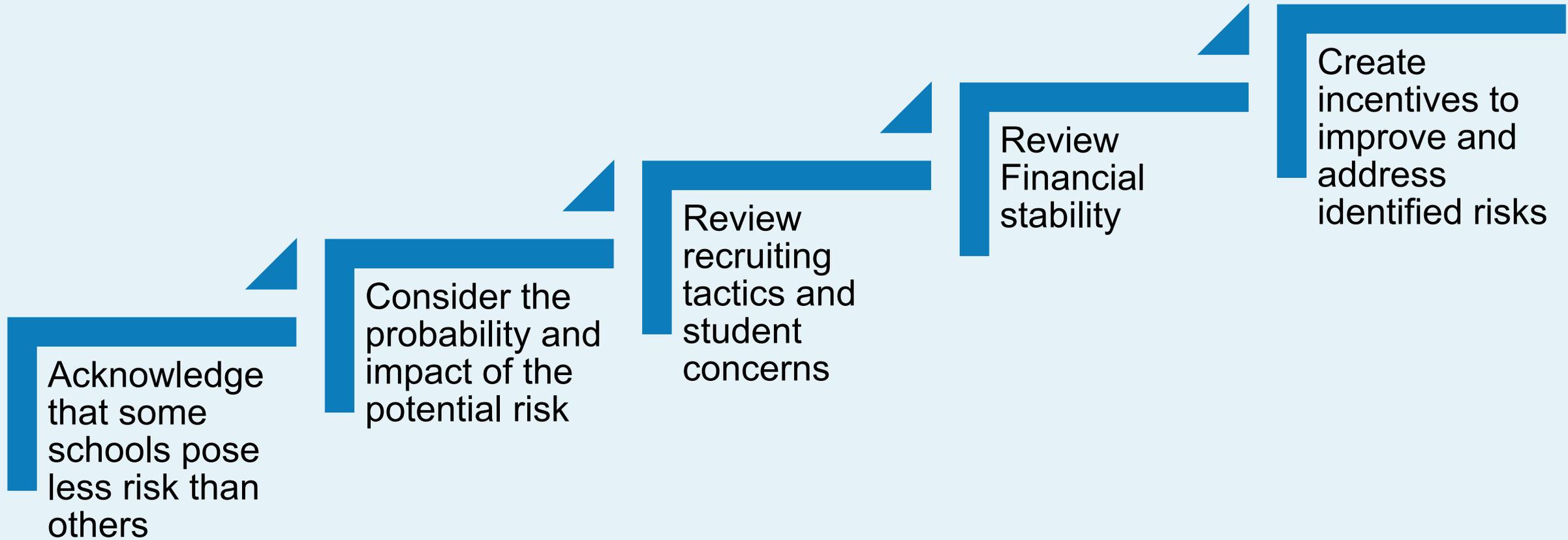


Purpose of a Risk Based Approach



Review
Financial
stability

PURPOSE OF A RISK BASED APPROACH



Purpose of a Risk Based Approach



Create
incentives to
improve and
address
identified risks

DANGERS TO STUDENTS FROM RISKY SCHOOLS



Large schools closing without warning have made big headlines the past several years—but schools can harm students in less obvious ways:

- More than 500 federally funded institutions spend less than 25% of their revenue on instructing their students.
- More than half of institutions left the majority of their students earning less than \$28,000—the typical salary of a high school graduate.
- More than 1,800 degree and certificate-granting institutions graduate less than 50% of their students, even after eight years.
- More than 500 institutions leave 75% without any certificate or degree.

RISK BASED SURVEY PROCESS



- Each facility identified will be asked to provide a set of materials
- Documents requested could include: Advertisements and recruiting materials; student complaints, financials, 90/10 and 85/15 compliance and pending investigations.
- This data will then be evaluated and prepared for the site visit to focus on the issues identified.
- Site visit will be conducted which could include classroom observation and student interviews
- A summary report will be sent to the facility along with a report to the VA and any referrals will be made to respective agencies.

OUTCOMES OF RBS



Some reviews will find the initial risk factors were not actually indicative of heightened risk and no reason for corrective action is warranted.

Other reviews, however, will find academic shortcomings, financial noncompliance, or deceptive recruiting practices that may rise to the level of a substantial misrepresentation.

Potential Consequences Of RBS



- Mandatory School Official Training
- Require demonstration of improved performance on specified metrics within a particular timeframe
- Program Suspension (i.e. disapprove New GI Bill® Enrollments)
- Withdrawal of Program (i.e. discontinue all GI Bill Payments)
- Continuation of GI Bill participation pending no further detrimental performance
- No corrective action required based on satisfactory SAA review

SUBSEQUENT ACTIONS



- Mandatory re-review in 1 year including follow-up site visit
- Possible re-review in 2 years depending on demonstrated performance improvement
- No mandatory further review required based on a satisfactory deeper review
- Ineligibility period for programs that are disapproved, as needed

QUOTE

“Do the best you can until you know better. Then when you know better, do better”

-Maya Angelou



QUESTIONS?

Thank You



**EDUCATION SERVICE
GI BILL PROGRAMS**

