



U.S. Department
of Veterans Affairs

The Under Secretary of Veterans Affairs for Benefits
Washington, D.C. 20420

September 4, 2015

The Honorable Richard J. Durbin
United States Senate
Washington, DC 20510

Dear Senator Durbin:

Thank you for your co-signed letter dated July 17, 2015, to the Department of Veterans Affairs (VA) regarding a recent report from the Center for Investigative Reporting alleging that several non-accredited schools do not meet federal requirements for participation in VA educational benefit programs. I am responding on behalf of the Department.

VA is committed to ensuring Servicemembers, Veterans, and their dependents are well-served by our educational programs. Veterans' hard-earned educational benefits are the vehicle by which many of our Nation's heroes pursue their educational goals and successfully transition to civilian life. Our goal is to ensure that VA education program participants are able to make well-informed decisions concerning the use of their benefits and receive a quality education.

The authority for the approval of educational programs is specifically granted to the State Approving Agencies (SAA) under Title 38 of the United States Code (38 U.S.C.). SAAs are required to ensure that all schools, including non-accredited schools, have been licensed to operate in their state or appropriately granted a waiver by the authorized state licensure agency. For non-accredited schools, SAAs must also ensure compliance with the approval criteria outlined in 38 U.S.C. § 3676 (discussed below). Further, SAAs approve any modifications to programs submitted by the institutions and ensure continued compliance with the established criteria through annual reviews of school catalogs. Any course approved for benefits that fails to meet any of the approval requirements should be immediately disapproved by the appropriate SAA. VA is prohibited, by law, from exercising any supervision or control over the activities of the SAAs, except during the annual SAA performance evaluations.

Veterans and their eligible dependents have many choices when utilizing education benefits and may attend any school that has programs approved by the SAAs. A typical university or college setting is not always the best fit for everyone. Moreover, the breadth of programs offered allows for trade schools, on-the-job-training, apprenticeships, and distance learning to meet various beneficiaries' needs. There is no legal basis to refuse to approve or to disapprove a previously approved program solely based on its non-accredited status. The relevant statute governing the approval of non-accredited programs is enclosed for your review. As noted in your letter, the courses, curricula, and instruction are required to be consistent in quality, content, and

The Honorable Richard J. Durbin

length with similar courses in public schools and other private schools in the state with recognized accepted standards.

There are nearly 16,000 approved domestic and international institutions of higher learning and non-college-degree institutions and, of which, 11,260 were active in calendar year 2014. In fiscal year (FY) 2014, 18,791 beneficiaries enrolled at 1,463 non-accredited institutions. VA and SAAs conduct approximately 5,000 compliance surveys each year to ensure that schools and training establishments remain in compliance with all provisions of 38 U.S.C. These surveys verify the accuracy of enrollment documents and academic records for beneficiaries; ensure action is taken to immediately correct any discrepancies; and assist school officials in understanding their responsibilities in the VA education process. However, these surveys typically do not review all of the general approval criteria the SAA is required to review during the program approval process.

You asked that VA, in partnership with the SAAs, investigate the allegations by the Center for Investigative Reporting and increase our enforcement of protections. VA is taking the following actions:

- VA performed compliance surveys at three of the four schools named in the report: Institute for Advanced Study of Human Sexuality; Vitality College of Hearts; and Christ for the Nations Institute. The fourth school, Oklahoma Baptist College and Institute, has not enrolled any new VA beneficiaries in several years, making a compliance survey unwarranted.
- VA will increase the focus on non-accredited schools for the FY 2016 compliance survey schedule.
- VA will request that the appropriate SAAs provide a report to VA on the four named schools and their compliance with the approval criteria in 38 U.S.C. §3676, as well as the general prohibition in 38 U.S.C. § 3680A(a) against approval of enrollment in courses that are avocational or recreational.
- VA will review and assess the criteria SAAs use to determine if GI Bill[®] approval is appropriate under 38 U.S.C. § 3676, with special attention to the more subjective criteria such as:
 - The courses, curriculum, and instruction are consistent in quality, content, and length with similar courses in public schools and other private schools in the state, with recognized accepted standards;
 - The institutions' administrators, directors, owners, and instructors are of good reputation and character; and

Page 3.

The Honorable Richard J. Durbin

- The institution is financially sound and capable of fulfilling its commitments for training.

To assist Veterans in making informed decisions about their education benefits, we have developed the GI Bill® Comparison Tool. This online application provides information to calculate benefits; compare school costs; and view complaint data, accreditation status, graduation rates, credit transfer policies, loan default rates, and median borrowing rates. We continue to add functionality and options to this tool and will soon add information about student retention, persistence rates, and feedback ratings.

VA also offers an online tutorial, *Choosing the Right School*, that educates users on the steps to take to ensure they find a school that is the right fit. It also provides resources to gauge and evaluate interests, accreditation, and Veteran support on campus.

Thank you for your continued support of our Nation's Veterans. Should you have any further questions, your staff may contact Mr. Tony Adams, Congressional Relations Officer, at (202) 461-6473, or by email at Tony.Adams@va.gov.

A similar response was sent to the cosigners of your letter.

Sincerely,



Allison A. Hickey

Enclosure