

## **Public and Not-for-Profit Proprietary Educational Institutions**

### **Section 203, Public Law 111-377**

Section 203 of Public Law 111-377 deemed certain programs of education to be approved for the purposes of the Department of Veterans Affairs (VA) education benefit programs (Title 38, United States Code). It gives VA the authority to approved or disapprove certain programs of education.

The following programs are deemed to be approved effective August 1, 2011, subject to sections 675(b)(1) and 3675 (b)(2), 3680A, 3684, and 3696 of Title 38, United States Code. Code sections can be downloaded from the Internet or requested from your Veterans Education Advisor.

Programs deemed to be approved are:

- An accredited standard college degree program offered at a public or not-for-profit proprietary educational institution, that is accredited by an agency or association recognized for that purpose by the Secretary of Education.

Effective immediately, School Officials will notify VA's Education Liaison Representatives (ELRs) regarding any new non-college degree programs or program modifications. Accredited public and not-for profit institutions will no longer have to report new standard college degree programs or changes to those standard college degree programs. School must continue to forward and maintain all appropriate records.

**Ohio's Education Liaison Representatives (ELR) is:**

Department of Veterans Affairs –Regional Office  
Attn: Harry Dulick  
1240 East Ninth Street  
Cleveland, Ohio 44199

Phone: (216) 522-3531  
Fax: (216) 522-3389

E-Mail: [Harry.Dulick@va.gov](mailto:Harry.Dulick@va.gov)

**The ELR Information above is for school certifying officials only.  
Do not give this information to veterans.**

Title 38, Section 3680A U.S.C. discusses programs that cannot be approved. Contracted programs must be approved. The ELR will review, then approve or deny programs as appropriate. Should you have any question regarding if a program meets the deemed approval criteria, please contact your ELR.

All institutions noted above that have programs deemed approved should immediately report to their ELR and SAA any changes in accreditation, certification, or licensure. In addition, any program changes, (other than for standard college degrees) must be reported to the ELR.

VA must continue to be notified of new/modifications of **non-college degree programs** in order to properly pay benefits and will approve or deny programs offered under contract.

Effectively immediately, public and not-for-profit proprietary educational institutions, that are accredited by an agency or association recognized for that purpose by the Secretary of Education, may enter standard college degree programs under Standard Programs in VA-ONCE and certify eligible persons and Veterans in those programs.

Attached you will find the “Notification Form for Modifications to Programs” (Page 1), “Part I – Facility Information” (Page 2), “Institution of Higher Learning (IHL) (Public or Not-for-Profit)” Page 3, and the agreement to conditions (page 4). These forms must be completed and submitted to your ELR each time you report a new or modified program to the VA.

Note: The agreement to conditions form (Page 4) is to be signed by the Administrative Official at your institution. The form should be signed by the Administrative Official who has the authority to enter into a contract with VA. Administrative Officials should consider the legal implications of signing this form before submitting it to VA. The School Certifying Official should **NOT** sign this form.

All institutions and facilities noted above that have programs deemed approved should immediately report to their Educational Liaison Representative (ELR) and State Approving Agency (SAA) any changes in accreditation, certification or licensure. In addition, any program changes (other than for standard college degrees) must be reported to the Education Liaison Representative (ELR) at the address above using the forms attached to this newsletter.

These changes take effect immediately. We will make every attempt to notify you of additional guidance, clarification, or procedures as soon as we receive them.

Please contact your ELR with further questions.



## United States Department of Veterans Affairs (VA) Notification Form for Modifications to Programs

Veterans and other eligible individuals may enroll in any education program they choose, if they meet the school's requirements for admission. However, Veterans and other eligible individuals who want to receive their GI Bill benefits must enroll in a program of education that has been deemed approved by law or that has been approved by the State Approving Agency (SAA) or the United States Department of Veterans Affairs (VA).

Courses deemed approved by Public Law 111-377, Section 203, subject to sections 3675 (b)(1) and (b)(2), 3680A, 3684, and 3696, of Title 38 U.S.C. effective August 1, 2011 are:

- Standard college degree programs and non-college degree programs offered at a public or not-for-profit proprietary educational institution accredited by an agency or association recognized for that purpose by the Secretary of Education. (Note: Courses taken that do not count towards a degree or certificate and programs offered under contract are not deemed approved)
- Flight training that is approved by the Federal Aviation Administration and offered by a certified pilot school that possesses a valid Federal Aviation Administration pilot school certificate.
- Apprenticeship program(s) registered with Office of Apprenticeship of the Employment Training Administration of the Department of Labor or a State apprenticeship agency recognized by the Office of Apprenticeship.
- Programs that lead to a secondary school diploma offered by a secondary school approved in the state in which it is operating
- A licensure test offered by a Federal, State, or local government

If a program is not deemed approved by law, the school must submit an application to the SAA requesting approval of the program(s). An education program must be approved before benefits can be paid to the Veteran or other eligible individuals by the VA. Any new institution or facility and existing facilities that have programs that are not deemed approved by law should contact their SAA: <http://www.nasaa-vetseducation.com/contacts/default.aspx>

This notification form is to be used for modifications to programs for existing institutions and facilities that have programs deemed approved by law and will assist the VA in ensuring compliance with Title 38, United States Code and appropriate regulations. This form and any questions pertaining to it would be submitted to the VA Education Liaison Representative of jurisdiction: <http://www.gibill.va.gov/school-certifying-officials/elr.html>

**NOTE:** Modifications to standard college degree programs at accredited public and not-for-profit institutions do not have to be reported (both new and removed standard college degree programs). VA must continue to be notified of new/modifications of non-college degree, flight, licensure, and high school programs in order to properly pay benefits and will approve or deny programs offered under contract.

**PART I – FACILITY INFORMATION**

**Date:**  
**Name of School:**  
**Mailing Address:**  
**Physical Address:**  
**Chief Administrative Officer/Title:**  
**Name/Title of Contact:**  
**Tel. #            Fax #**  
**Email Address:**

**School is organized as:**  Public Entity (City, State, or Federal)  
 Non-Profit Corporation  
 Other (specify) \_\_\_\_\_

**Accreditation Status:**  Accredited  
(Provide name of accrediting agency below)  
\_\_\_\_\_

Expiration Date of Accreditation: \_\_\_\_\_  
 Non-accredited

**Facility is:**  Institution of Higher Learning  
 Apprenticeship  
 High School  
 Flight School

**Other:**  Licensure Test (Federal, State or Local Govt)

**Comments:**  
\_\_\_\_\_  
\_\_\_\_\_

**INSTITUTION OF HIGHER LEARNING (IHL) (Public or Not-for-Profit)**

*\*Attach additional pages if required*

<b>Are you reporting a change in accreditation status?</b>
<input type="checkbox"/> Yes   <input type="checkbox"/> No <b>If Yes, notify your SAA also</b>
<b>If yes, explain:</b>
<b>Are you removing a non-college degree program?</b>
<input type="checkbox"/> Yes   <input type="checkbox"/> No
<b>If yes, please list the program here</b>
<b>Are you adding a non-college degree program?</b>
<input type="checkbox"/> Yes   <input type="checkbox"/> No
<b>If yes, please list the program here and attach the new catalog or an addendum with appropriate page number(s): Note: You <u>must</u> indicate if the program listed is a continuing education program or a program that is offered under contract</b>
<b>Are you modifying an existing non-college degree program?</b>
<input type="checkbox"/> Yes   <input type="checkbox"/> No
<b>If yes, please document here and attach new catalog or addendum with appropriate page number(s):</b>
<b>Are you reporting other changes?</b>
<input type="checkbox"/> Yes   <input type="checkbox"/> No
<b>If yes, please specify change(s):</b>

*\*Page 4 must be completed and submitted with this notification form*

**I agree to the following conditions:**

- To immediately report applicable changes to VA: New and removed non-college degree programs, accreditation status or air agency certification, address, etc..
- To keep adequate records that show the progress and grades of the eligible person or Veteran and to show that satisfactory standards relating to progress and conduct are enforced. (see 38 USC 3680A (b)(1))
- To maintain a written record of the previous education and training of the eligible person or Veteran that clearly indicates that appropriate credit has been given by the educational institution for previous education and training, with the training period shortened proportionately. (see 38 USC 3680 (b)(2))
- To not certify eligible persons or Veterans in courses precluded such as bartending or personality development courses, courses pursued by radio, and courses avocational or recreational in character, unless the course will be of bona fide use in the pursuit of present or contemplated business or occupation. NOTE: The listing is not all-inclusive. (see 38 USC 3680A and the Code of Federal Regulations 21.4252)
- To report enrollment and any interruption or termination without delay of the education of the eligible person or Veteran. The listing is not all-inclusive. (see 38 USC 3684)
- The institution must not engage in enrollment practices of any type, which are erroneous, deceptive, or misleading either by actual statement, omission, or intimidation.
- To make students' files available for review by representatives of the U.S. Department of Veterans Affairs and State Approving Agencies.
- To provide a certified copy of the school's catalog to VA, when changes are made. (if applicable – high schools are not required to submit catalogs)
- The school will select an employee to act as the contact person for VA, and will inform VA and complete a new VA Form 22-8794, Designation of Certifying Official when a new employee is selected.

**I certify that:**

The information contained in this notification form is true and correct in content and policy and I am aware that the institution or facility must comply with applicable statutes and regulations and that failure to comply may lead to suspension or withdrawal of programs by the VA.

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(Signature of Administrative Official)

(Date)

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(Name and Title of Administrative Official)