



NON-ACCREDITED NEW INSTITUTIONS

GUIDE FOR SCHOOLS IN PREPARING AN APPLICATION FOR NON-ACCREDITED INSTITUTIONS TO TRAIN VETERANS AND OTHER ELIGIBLE PERSONS UNDER SECTION 3676, TITLE 38, UNITED STATES CODE

Return to:

New Mexico Department of Veteran Services
State Approving Agency
5201 Eagle Rock NE, Suite 1A
Albuquerque, New Mexico 87113
505-383-2418/505-383-2431

Email: Marilyn.Dykman@state.nm.uns



**New Mexico Department of Veteran Services
State Approving Agency**

Application for Approval to Train VA Eligible Persons (Non - Accredited Schools)

_____ Original Request _____ Update

1. Name of School _____
2. Address of School _____
Mailing Address _____
Web Page Address _____
3. Federal, State or Municipal Licensing Body or Authority _____
4. Name of President/Director/Owner _____
5. Name of VA Certifying Official _____
Phone _____ Fax _____ Email _____
6. The above-named institution requests approval to train VA eligible persons in the programs listed on the attached page.
(Attach a listing of those degree and certificate programs to be considered for approval.)

I understand that: (reference 38 Code of Federal Regulations 21.4209)

- The school will make available to the authorized government representative records and accounts pertaining to veterans or eligible persons who received educational assistance.
- Other students' records necessary for the Department of Veteran Affairs and its authorized representative to ascertain institutional compliance.
- The school must retain records and account for at least three years following the termination of student's enrollment period.

I certify that:

- This institution does not provide any commission, bonus, or other incentive payment based directly or indirectly on success in securing enrollments or financial aid to any persons or entities engaged in any student recruiting or admission activities or in making decisions regarding the award of student financial assistance.
- 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. (38 USC 3676 §21.4254 (b)(6)).
- 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. (38 U.S.C. 3676(b)).
- To ensure that not more than 85% of the students enrolled in a course of study are having all or part of their tuition, fees, or other charges paid to or for them by the educational institution or by the Department of Veterans Affairs, unless the school has obtained a waiver from the DVA (see 38 USC 3680A).
- 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 advertising and/or enrollment practices of any type, which are erroneous, deceptive, or misleading either by actual statement, omission, or intimidation (see USC 3696).
- To make students' files available for review by representatives of the U.S. Department of Veterans Affairs and State Approving Agencies.
- To provide two certified copies of the school's catalog to NMSAA when changes are made.
- 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.

True and Correct Statement – I certify that the information contained in this application and attachment(s), catalog or bulletin, student handbook, supplements, addenda and the supporting approval material is true and correct in content and policy as required by 38 Code of Federal Regulations 21.4254.

*****Please provide month/day/year for all effective dates*****

- | | |
|--|--|
| <input type="checkbox"/> Catalog(s) <i>Effective Date:</i> _____ | <input type="checkbox"/> Student Handbook <i>Effective Date:</i> _____ |
| <input type="checkbox"/> Addendum <i>Effective Date:</i> _____ | <input type="checkbox"/> Class Schedule <i>Effective Date:</i> _____ |
| <input type="checkbox"/> <i>Additional documentation:</i> _____ <i>Effective Date:</i> _____ | |

Please check the box above of the item you are requesting for approval.

Signature of Authorized School Official

Title

Date

Note: Progress policies – if the institutional policy does not meet the standards described in the enclosed Progress Policy Guidelines, please submit a VA policy. Progress policies should be included in the printed catalog or provided as an addendum to the catalog, as applicable (undergraduate, graduate, certificate programs).

- [] True and correct statement applicable to the:
 Catalog(s) or Bulletin(s) Addendum to the Catalog(s) or Bulletin(s) Student Handbook
- [] IRS Designation: ___ Not-For-Profit _____ For-Profit
- [] Off-Campus Locations
- [] Programs to be approved

	Programs to be approved	Student/Teacher Ratio	Technical/Vocational/Business
Degree			
Certificate			

- [] School maximum enrollment in above programs: _____

ALL courses listed in the schedule of classes MUST be described in the printed catalog. If not, course descriptions must be provided as an addendum to the catalog.

- For institutions with programs offered in credit hours, provide the number of credit hours that constitute the following at your school (check which division of the school year applies):

- _____ quarter (usually 10-13 weeks)
 _____ semester (usually 15-19 weeks)
 _____ term (any regularly established division of the ordinary school year)
 _____ indicate if school does NOT operate on a term basis

	Undergraduate Fall/Spring	Undergraduate Summer	Graduate Fall/Spring	Graduate Summer
Full time	12 hours			
Three-quarter (3/4) time	9-11 hours			
Half (1/2) time	6-8 hours			
Less than half (1/2) time	4-5 hours			
Quarter (1/4) time	1-3 hours			

- Training time for Clock Hour Programs

	Theory Predominates	Shop predominates
Full time (clock hours)	18 clock hours	22 clock hours
¾ time	13-17	16-21
½ time	9-12	11-15
Less than ½ but more than ¼ time	5-8	6-10
¼ time or less	1-4	1-5

Statement of Assurance of Compliance with 85/15 Enrollment Ratios

The Code of Federal Regulations (38 CFR 21.4201) states VA shall not approve the enrollment of any VA-eligible person, not already enrolled, in any course for any period during which more than 85 percent of the students enrolled in the course are having all or part of their tuition, fees, or other charges paid to or for them by an Educational Institution or VA. VA is requesting that you provide this information within 30 days.

Instructions for completing this form:

Column #1 – Program Name: List each program approved for VA education benefits. All concentrations (may also be identified by school as emphasis; specializations; etc.) must be listed and computed separately. If “**Undeclared**” is listed, those students counted within that program may have only taken general education coursework. Any undeclared student who has taken courses associated with a specific major’s curriculum must be calculated within that program, even if student has not officially declared that major.

If the program is offered at more than one location, i.e. main campus and a branch or extension location, the program must be listed and computed separately for each location.

Column #2 – Number of (Full-time Equivalent) FTE VA Students: Enter the number of FTE students in receipt of VA education benefits. (If the “VA student” elects to not use benefits or if eligibility for benefits has ended, the student should not be counted in column #1).

How are students counted using institutional aid?

If VA students are excluded from the school's financial aid (i.e., grants, scholarships, or other financial assistance including the school disregarding nonpayment) because they are entitled to VA benefits, the school must count them on the VA side of the ratio even if they are not receiving VA benefits. This requirement does not apply to financial assistance from the school or federal agencies for graduate level training

Example:

- XYZ Scholarship, an institutional tuition waiver is not available to veterans due to the fact they receive VA education benefits. The number of non-VA students receiving XYZ Scholarship must be added with VA students in column #2.
- XYZ Scholarship, an institutional tuition waiver is available to ALL students who qualify regardless of receipt of any other educational assistance. The number of non-VA students receiving XYZ scholarship will not be counted in column #2.

How are part-time students counted?

The FTE should be computed by multiplying the number of part-time students by their individual training time (non-ch33) or rate of pursuit (ch33) and then add that number to the full-time number.

For example:

# Students	X	TT/RoP	=	FTE
20	x	.25	=	5
15	x	.5	=	7.5
<u>10</u>	x	.75	=	<u>7.5</u>
45				20

These 45 part-time students equate to a total of 20 FTE and should be added to the total full-time number.

Column #3 – Number of FTE Non-VA Students: Enter the number of FTE students not already counted in column #1

Column #4 – Total Enrollment: Enter the total number of students enrolled in the program. (Column 4 should be the sum of column 2 and 3)

Column #5 – VA Student Percentage: Divide the number of FTE VA students entered in column #2 by the total number of students enrolled as listed in column #4. The result should be entered as a percentage.

For example:

6 total FTE VA students / 20 total enrollment = .3 or 30% (30% would be entered in Column 5)

Column # 6– Date of Calculation (self-explanatory)

VA has identified the following programs as consisting of flight training. If you have any additional programs that include flight training that are not listed here, you should include them and provide the requested information

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5	COLUMN 6
Program Name	Number of FTE VA Students	Number of FTE Non-VA Students	Total Enrollment	VA Student Percentage	Date of Calculation
Totals					

I certify that this information is true and correct as of the date submitted.

Name of Facility

Facility Code

School Official's Printed Name

School Official's Signature

Date Signed

PROGRESS POLICY GUIDELINES

Institutions are required by law to have and to enforce standards of progress in order for their programs to be approved for VA benefits. These standards should be stated plainly in the catalog or bulletin. The policy must define the following:

1. The school's grading system,
2. The minimum grades considered satisfactory,
3. A clear description of any probation period,
4. Conditions for interruptions of training due to unsatisfactory grades or progress, and
5. Conditions for a student's re-entrance/admission following dismissal/suspension for unsatisfactory progress.

School officials are responsible for enforcing the established standards of progress. This will require that you specify intervals between enrollment and graduation/completion when each student's progress will be evaluated.

Schools that provide a period of academic probation may not continue to certify a veteran or eligible person for an indefinite period of time. It is not unreasonable to expect that an institution will report a termination due to unsatisfactory progress if a student remains on academic probation beyond two (2) terms, quarters, or semesters without an improvement in his/her academic standing.

Please ensure that your progress policies for undergraduate, graduate and certificate programs meet the above requirements. If your catalog does not contain all of this information, a progress policy must be submitted as an addendum to the current catalog (and noted on the true and correct statement).

NOTE: PROGRESS POLICIES FOR VA STUDENTS CANNOT BE LESS STRINGENT THAN POLICIES FOR OTHER STUDENTS.

ATTENDANCE POLICY GUIDELINES

A nonaccredited school **MUST** have a stated attendance policy that covers:

- Leave of absence
- Class cuts
- Make-up work
- Tardiness
- Interruption for unsatisfactory attendance.

Attendance records documenting the policy can be an indicator of whether a Veteran is making progress toward a diploma, degree or certificate.

SAMPLE ATTENDANCE POLICIES

ABSENTEE POLICY

An absence in ANY portion of the regularly scheduled class day for which the student is NOT in attendance. This includes minutes, hours, or the entire class day. The total hours of absence must be converted to days of absence. There will be no carryover from one calendar month to another.

(For example if the student is tardy 30 minutes, this is 30 minutes of absence. If the student is scheduled to attend from 8:00 am to 1:00 pm and shows up for classes at 10:00 am, this 2 hours of absence. If the student's schedule is 5 hours per day, 5 days per week, 5 total hours of absence constitutes a day.)

Make up work will not be authorized for the purpose of removing an absence or tardy.

INTERRUPTION POLICY

A veteran or other eligible person will be reported (VA Form 22-1999b) for violation of the attendance policy when he/she accumulates absences in excess of the following:

- 5 days in a calendar month (trainee in attendance 5 or more days per week)
- 4 days in a calendar month (trainee in attendance 4 days per week)
- 3 days in a calendar month (trainee in attendance 3 days per week)

School holidays or breaks such as summer vacation and Christmas holidays, etc., are not considered as days of absence for interruption.

PRACTICAL TRAINING POLICY

All practical training at non-accredited approved facilities must take place on the facilities campus. Any practical training offered off campus must be voluntary and can be completed on campus.

RE-CERTIFICATION POLICY

Veterans or other eligible persons who have been interrupted for VA pay purposes because of excessive absences will not be reinstated prior to ONE MONTH from date of interruption. A veteran or other eligible person who has been interrupted for VA pay purposes for excessive absences caused by an emergency or emergencies such as personal illness or death in the immediate family, jury service, etc., may re-enter training upon presentation of acceptable evidence to the institution. Such evidence will be made a part of the student's file.

LEAVES OF ABSENCE

Leaves of absence, including military leaves, shall be reasonable in duration, not to exceed that period stated in the approved catalog, and shall be for specific and acceptable purposes.

The school attendance records will clearly show leave of absence granted.

A written request for leave of absence properly dated and signed by both the student and the school director must be placed in the individual student file prior to the effective date of such leave of absence.

The school certifying official is responsible for reporting Leave of Absence to the Department of Veterans Affairs Regional Processing Office using the Notice of Change in Student Status (VA Form 22-1999b).

If the student fails to return from leave, he or she will be automatically terminated, and a refund will be totally consummated within forty (40) day.

**“Name of Institution”
“Name of Catalog”
Program List**

This is an example of how the program list should be done as the VA Database lists your programs (WEAMS)

<u>Degrees & Certificates Approved</u>			<u>Page No.</u>
AA	Art Studio	Teach-out - Eff. last date to complete:	Pg. 70
AA	Communications		Pg. 69
AA	Liberal Arts		Pg. 104
AA	Physical Education and Recreation	Delete, no longer offered	
AA	Pre-Professional Education-Secondary		Pg. 121
AA	Psychology		Pg. 122
AA	School Health Promotion	Delete, no longer offered	
AAS	Automotive Technician Business		Pg. 66
AAS	Criminal Justice		Pg. 79
AAS	Design & Digital Media		Pg. 84
AAS	Welding Technology		Pg. 130
AS	Community Health Education		Pg. 70
AS	Diabetes Prevention Specialist	New eff. date:	Pg. 87
AS	Health Information Technology		Pg. 94

<u>Certificate</u>	<u>Name</u>	<u>Hours</u>	<u>Page No.</u>
Certificate	Collision Repair Technology	35	Pg. 67
Certificate	Corrections Academy		Delete, no longer offered
Certificate	Dental Assisting	45	Pg. 82
Certificate	Design Media (formerly electronic)	25	Pg. 83
Certificate	Health Info Tech-Transcription	45	Pg. 96
Certificate	Health Care Technician	30	New eff date: Pg. 97
Certificate	Human Services	45	Pg. 98

School Name:

Approved Programs: 18
Disapproved Programs: 3

Total of Programs: 21

NON-ACCREDITED CERTIFICATIONS

The school understands and agrees to the following conditions:

- To immediately report applicable changes to the NMSAA: New and removed non-college degree and contracted programs, accreditation, 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 3676 (c)(7))
- To maintain a written record of the previous education and training of the eligible person and clearly indicates that appropriate credit has been given by the institution for previous education and training, with the training period shortened proportionately and the eligible person so notified. (see 38 USC 3676(c)(4))
- 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 bonafide 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 ensure that not more than 85% of the students enrolled in a course of study are having all or part of their tuition, fees, or other charges paid to or for them by the educational institution or by the Department of Veterans Affairs, unless the school has obtained a waiver from the DVA (see 38 USC 3680A).
- 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 advertising and/or enrollment practices of any type, which are erroneous, deceptive, or misleading either by actual statement, omission, or intimidation (see USC 3696).
- To make students' files available for review by representatives of the U.S. Department of Veterans Affairs and State Approving Agencies.
- To provide two certified copies of the school's catalog to NMSAA when changes are made.
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- The school will make available to the authorized government representative records and accounts pertaining to veterans or eligible persons who received educational assistance. Other students' records necessary for the Department of Veteran Affairs and its authorized representative to ascertain institutional compliance. The school must retain records and account for at least three years following the termination of student's enrollment period (38 CFR 4209).

REVISED CATALOG/ADDENDUM AND ADDITIONAL DOCUMENTATION CERTIFICATION STATEMENT

I certify that:

- This institution does not provide any commission, bonus, or other incentive payment based directly or indirectly on success in securing enrollments or financial aid to any persons or entities engaged in any student recruiting or admission activities or in making decisions regarding the award of student financial assistance.
- This institution does not use erroneous, deceptive and misleading practices.
- The information contained in this application form is true and correct in content and policy and I am aware that the institution or facility must comply with applicable statues and regulations and that failure to comply may lead to suspension or withdrawal of programs by the NMSAA and/or DVA.

(Signature of Administrative Official)

(Date)

(Printed Name, Title of Administrative Official and school name)

Submit all required materials to:

New Mexico Department of Veterans Services
State Approving Agency

(for regular U.S. mail or Fed Ex, U.P.S. delivery)
5201 Eagle Rock Ave. NE, Suite 1A
Albuquerque, NM 87113