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Voluntary Education Institutional Compliance Program
FY2020 Summary

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Executive Summary

Fiscal Year 2020 (FY20) marked the fourth and final year of the initial Voluntary Education (VolEd) Institutional Compliance Program (ICP) project. The ICP team continued to identify and implement process improvements that shortened overall timelines, enhanced communications, and improved overall institutional compliance across the enterprise.

While process timelines were getting shorter and more efficient, the COVID-19 pandemic and its impact on operations created a “bubble” in the overall process, where the ICP team had to wait for participating institutions to adjust their operating models, and then provide the VolEd Office with the requested information. Despite these delays, the ICP process continues to evolve and enhance protections for Military Service Members who are pursuing higher education opportunities.

FY20 had many impactful innovations that enhanced the program on the whole. The ICP team supported the VolEd Office in developing and publishing two seminal documents that will serve to provide institutions with critical information to help them improve their overall level of compliance before and during an annual assessment. The Visual Imagery Guidance demonstrates what imagery is acceptable on an institution’s public-facing website, and what is not. The Lessons Learned Report helps clarify expectations when institutions participate in an annual ICP assessment. On top of this, the ICP Team initiated the practice of conducting informational webinars during key points in the annual process, to give institutions even more detailed guidance on completing and providing the required compliance-related information.

Finally, the ICP team was able to develop, implement, and deploy a transformational communications management solution that will enable the VolEd Office to maintain situational awareness of the historical and ongoing communications with its vast stakeholder population.

Purpose

The purpose of this document is to provide a record of the accomplishments of the Institutional Compliance Program (ICP) team in its execution of the final option year of its initial contract with the Voluntary Education (VolEd) Office. This document will also include supplemental lessons learned that can be applied to future cycles.

Background

Under the direction of the Under Secretary of Defense for Personnel and Readiness (USD P&R) and the Assistant Secretary of Defense for Readiness (OASD(R)), the Department of Defense Voluntary Education (DoD VolEd) program within the Office of the Deputy Assistant Secretary of Defense for Force Education and Training (ODASD(FE&T)) oversees the Tuition Assistance (TA) program that provides education benefits to active duty and reserve Service members. In Fiscal Year 2019 (FY19), the TA program funded over 652,000 courses for over 228,000 military students, at a cost of nearly \$455M.

Per DoD policy, in order to participate in the TA program and receive TA funding, educational institutions must sign a VolEd Partnership Memorandum of Understanding (MOU) with the DoD. To be eligible to enter into such MOU, an educational institution must be accredited by an accrediting organization recognized by the Department of Education (ED), approved for Veteran Affairs (VA) funding, and certified to participate in federal student aid programs through the ED under Title IV of Public Law 89-329, also known and referred to in this instruction as the Higher Education Act of 1965.

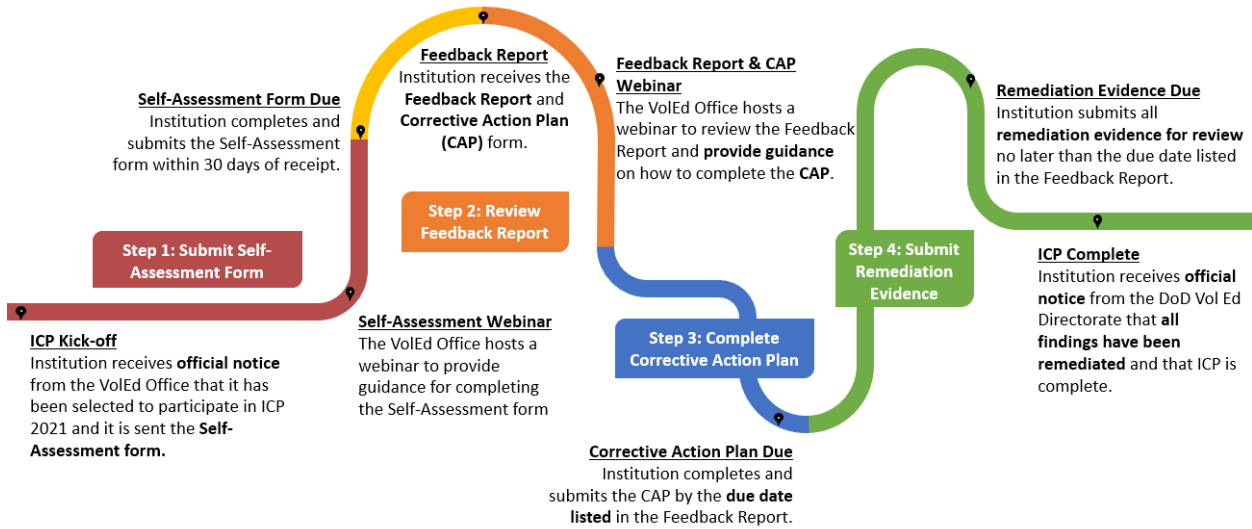
By signing the MOU, institutions agree to a set of behaviors, processes, and policies – all focused on improving program delivery to Service members. For example, the MOU requires educational institutions to avoid aggressive recruiting practices, provide clear and consistent information on pricing and loans available to military students, and to follow DoD rules related to base access. The DoD VolEd MOU Partnership ICP is a full-scale, risk-based compliance program that assesses institutional compliance with these standards, in order to reduce risks associated with non-compliance.

Each year, the ICP team considered the entire population of MOU signatories, leveraged over 24,000 pieces of data to narrow the population from over 2,700 to 250, and then conducted an in-depth assessment on those 250 institutions. The team then provided critical feedback to those institutions to enable them to implement Corrective Action Plans (CAPs) to improve their individual level of compliance with the tenets of their MOUs.

Given that FY20 was the 4th iteration of the ICP, the team was able to apply multiple lessons learned to continue to improve communications with the educational institutions, manage expectations, and shorten process timelines.

An ICP cycle is a collaboration between the selected set of educational institutions and the ICP team, and consists of the following steps:

Institutional Compliance Program Roadmap



During each phase where the Institutions are responsible for providing compliance-related information, they are given a sufficient amount of time to develop this data and submit it. To date, it has been VolEd direction to develop and transmit feedback reports en masse, so that all institutions can be held to the same deadlines. Therefore, step 2 in the diagram above cannot be completed until all institutions have provided their self-assessments. When one or more institutions is delayed in meeting this requirement, the entire process slows. This will be discussed further in the Lessons Learned section.

Accomplishments

When the FY20 option year began for the ICP team, there were still 3 concurrent ICP cycles in progress, namely ICP17, ICP18, and ICP19.

ICP17: At the beginning of the year, ICP17 had two educational institutions that still owed VolEd critical info. During the year, the ICP Team was able to close out the FY17 cycle.

ICP18: At the beginning of the year, ICP18 had 5 institutions that had not yet provided their CAPs for review, and 112 institutions that were in the process of developing and submitting their remediation evidence. At the end of FY20, the ICP was able to complete the ICP18, part of which included developing notifications of termination for 3 institutions that were not actively participating in the ICP process, as required by their MOU.

ICP19: Given the timing, FY20 began in the middle of ICP19, and the ICP team was still waiting for 7 institutions to provide their self-assessments, so that the subsequent steps could be executed. Soon after the ICP Team initially sent out the feedback reports, they discovered an error in the coding of the macro that generated the reports, resulting in a small, but significant, number of reports that had erroneous information. To remediate this issue, the ICP team first notified all of the institutions of the error and informed them that they would be receiving updated reports, and the submission deadlines would be adjusted accordingly. Once the new,

corrected reports were developed, the ICP team conducted multiple informational webinars with the ICP19 participants. In this webinar, the ICP team provided supplemental information to the institutions on best practices developing CAPs and remediation evidence. The effects of these webinars will be further discussed in the Lessons Learned section. By the end of the year, 34 institutions were delinquent in providing their remediation evidence.

ICP20: The ICP20 cycle began in January with the ICP running the Risk Factor model to identify the 50 institutions that had the highest risk scores, indicating a higher potential for non-compliant behaviors. When the Risk Factor model results were presented to the VolEd Office, they provided additional direction to consider additional factors, which were the number of instances each institution did not report a grade for a military student and the fraction of students that withdrew from a class without a waiver during FY19.

ICP20 was also the first time that the annual assessment cycle considered including institutions that had been through assessments in prior years. The VolEd Office directed that institutions that participated in the ICP17 cycle were again eligible for consideration if they were in the top 50 of the risk model, or if they had too many instances of not reporting grades or withdrawals without waivers. This resulting in a total of 26 institutions from the ICP17 cycle being included in ICP20.

Lessons Learned Report: The ICP Team developed an overarching Lessons Learned Report that aggregated all of the lessons learned during the first 3 annual cycles of the ICP. This report highlighted best practices for institutions in how they can participate in the ICP, as well as ways for them to improve their overall level of compliance prior to being assessed. This report was posted on the DoDMOU.com website and made available to all MOU signatories.

Visual Imagery Guidance: During the first three annual cycles, the ICP Team recognized that many institutions were improperly using DoD visual imagery in their public-facing websites. Based on the assessments, and conversations with representatives from multiple institutions, it became clear that there was a very large gray area between fully acceptable imagery and imagery that was clearly non-compliant. Thus, the ICP Team collaborated with the VolEd Office to develop a Visual Imagery Guidance. This document discussed the policies and regulations underpinning the use of visual imagery in advertising. It also provided multiple examples of improper and acceptable images and gave direction on the proper course of action that the institutions should take if they were unsure where their imagery fell on that spectrum. This guidance was also posted on the DoDMOU.com website and made available to all MOU signatories.

Council of College and Military Educators (CCME): For the 4th consecutive year, the ICP Team supported the VolEd Office at the annual CCME conference. The joint briefing provided the attendees with an overview of historical findings, along with best practices for completing the assessments, and improving their overall level of compliance independent of being involved in an annual assessment.

Because this was the 4th iteration of the annual process, the ICP Team was able to improve the timeliness of the process and was able to transmit the announcement letters and self-assessments

to the participating institutions prior to the CCME conference. This enabled representatives from institutions in the ICP20 population who were in attendance to interact directly with members of the ICP Team, and get their specific questions answered in person.

Because of persistent and consistent communications, via the CCME presentations, the informational webinars, and the posted lessons learned report, as well as the inclusion of ~10% of the population participating in the annual assessment cycle, the results of the assessments were slightly improved over the previous 3 cycles. At the end of the year, discounting the 17 self-assessments not yet received, they average number of non-compliant findings had decreased over 20%.

While the number of non-compliant findings per institution decreased, the findings themselves remained consistent with those from the previous 3 cycles. This will be discussed further in the lessons learned section.

COVID-19 Impacts: While the timeliness of the process improved due to lessons learned, the COVID-19 pandemic, and the subsequent abrupt changes in operations in the VolEd Office as well as at the institutions, caused the timelines to be delayed a great deal. When the announcement letters were transmitted to the institutions in early February, they were given a deadline of April 3, 2020. As operations were interrupted, the deadline slipped to 29 May, and a large number of institutions (190) were able to meet this new deadline. However, because this left over 40 institutions with no self-assessment, the feedback report timeline was also delayed.

The VolEd Office also curtailed on-site operations, and the ICP Team's support to the VolEd Office also had to be adjusted to support remote operations. The team obtained web-based access to the government's network, and our support to the VolEd Office changed a great deal but was not interrupted.

Policy Update: The 3+ years of executing the ICP highlighted the need to update and clarify the overarching policy (the DoDI 1322.25) that drives the TA program. Throughout the 2020 year, the ICP Team continued to support the VolEd Office in their efforts to create a new policy (vice an updated version) that will clarify all of the stakeholders – the DoD VolEd Office, the Service VolEd Offices, and the educational institutions – and their roles and responsibilities. Since the DoDI is subordinate to the DoD Directive (DoDD), that had to be updated first. During FY20, the ICP Team supported the VolEd Office's efforts in updating the DoDD and submitting it for approval.

Service-Level Assessments: As a part of the overall compliance program, the DoD VolEd Office also needs to have indicators on how well the Services are executing their respective TA programs, and if they are complying with DoD-level policies. The ICP Team collaborated with the VolEd Office to develop a framework for instituting and executing such a program. COVID-19 impacts and other command-level priority changes precluded the VolEd Office from being able to launch this new initiative, but the ICP Team delivered the framework and is standing by to execute when needed.

Customer Relationship Management (CRM) Tool: The ICP, along with other VolEd initiatives, highlighted the need to improve communications management within the VolEd Office. To assist in this matter, the ICP Team worked with the VolEd Office to develop and implement a CRM tool. This new solution will enable the VolEd Office to have rapid, accurate access to all historical communications between them and each of their institutional stakeholders. Previous efforts relied on the use of a community inbox with loosely defined parameters and business rules, which often led to misplaced documentation and the loss of the complete picture.

The ICP Team gathered the functional requirements from the end users and created an initial tool utilizing the Salesforce software system. The VolEd Office required that their CRM tool continue to utilize their existing Compliance Inbox, which the institutions were familiar with, and had a .mil extension. This meant that the new solution needed to be connected to the existing system, which presented unique cyber security concerns.

Within the Office of the Secretary of Defense (OSD), there had never been an implementation of a Salesforce system, and so the enterprise needed to learn many lessons along the way. The ICP Team worked closely with the VolEd Office, OSD's Joint Service Provider (JSP), and other government organizations to determine the documentation required to achieve the initial Authority To Operate (ATO), which is necessary for any information technology system to be implemented on a government system.

During FY20, the VolEd Office received an ATO for their CRM Tool, becoming the first OSD organization to do so with a Salesforce implementation. Following this momentous event, the ICP Team worked within the live, production system to establish the thousands of accounts, queries, and data relationships that will allow all VolEd Office users to have easy access to key information. In FY20, the ICP Team also provided initial training to the VolEd, so they can use the tool.

Lessons Learned

ICP Findings: As mentioned above, the ICP20 results were improved over the previous 3 cycles, in terms of the average number of non-compliant findings per institution. However, the findings that appear the most often have remained largely the same over time.

At the outset of every cycle, the ICP Team receives a large number of returned messages from email addresses that are no longer active, indicating that the institutions changed their TA MOU Points of Contact (POCs), and did not update their information in the authoritative database, the DoDMOU.com. The implementation of the CRM Tool may help alleviate this, but this issue still requires some diligence on the part of the institutions.

As for the non-compliant findings themselves, the ICP Team has observed improvements in specific areas – especially in the use of impermissible markings, logos, and insignias. This can be attributed to the improved messaging at the CCME conferences, as well as the publication of the Visual Imagery Guidance.

However, there were several other areas that experienced a high level of non-compliant findings cross the assessed population. These areas – policies on refraining from high-pressure tactics,

refund policies, not providing recruitment bonuses to employees, providing access to trained and qualified counselors – all had a similar theme. While most institutions attested that they did not promote or exhibit these non-compliant behaviors, their evidence was anecdotal at best. “We don’t do that here” is a necessary position to take, but does not demonstrate sufficient internal controls to prevent these behaviors from occurring in the future when personnel turnover occurs. Therefore, the ICP Team looks to see internal policies that spell out these best practices, and have the policies officially endorsed by institutional leadership.

Informational Webinars: Though the need to conduct an informational webinar after the feedback reports were released was driven by an internal error, the benefits of taking this extra step were significant and readily apparent. Institutions that were required to provide CAPs and remediation were able to do so significantly faster, and at a much higher quality level, precluding the need for time consuming rework. The ICP Team is recommending continuing this practice and extend it to the segment of the cycle after the self-assessments are distributed and the institutions are completing them.

Risk-Factor Model: Armed with 3 years of Risk Factor model data and overall compliance assessment results, the ICP Team conducted an in-depth analysis to determine which factors, if any, provided good predictive capability. This analysis found that none of the risk factors currently in use – Course Completion Rate, Postsecondary Education Complaint System (PECS) Complaints, Enrollment Changes, Cost, and TA Enrollment – provided a statistically significant indicator for the risk of non-compliant findings.

Furthermore, looking across several years of data, the ICP Team found that two factors (Cost and TA Enrollment) do not change over time, and therefore, institutions that have a high risk score in those areas one year will have a high risk score every year. Given that the business rules on institutions participating in the ICP a subsequent time are still under review, using risk factors that do not change from year to year does not provide a strong means to differentiate across the large population.

The ICP Team also did an in-depth analysis of several metrics for institutions on the whole, not just their TA students, using the ED’s authoritative database, Integrated Postsecondary Education Data System (IPEDS). The ICP Team investigated several different metrics that had a logical possibility of indicating the risk of non-compliant behavior, and compared those metrics to the outcomes of the first three ICP cycles. Again, the ICP Team was unable to find any metric that had a statistically significant ability to predict non-compliant findings.

As the program continues to mature, the ICP Team will continue to investigate other possible predictors.

Timeliness: As stated above, the ICP Team was able to utilize lessons learned and process improvements to shorten the overall timelines for the annual ICP cycles, until the unexpected impacts of the COVID-19 pandemic took hold. Regardless of this somewhat unique mitigating event, there are a number of factors that can prevent the cycle from being completed in a timely manner.

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- Point of Contacts (POCs) – When an institution does not maintain their POC information in the authoritative source, the start of the process can be delayed until a suitable POC at an institution is found and contacted.
- Requirements – Despite persistent, consistent communications from the VolEd Office and the ICP Team through venues such as the CCME and the DoDMOU.com website, there are still some institutions who do not understand what is being asked of them when they participate in an ICP cycle.
- Urgency – After 4 years, it is clear that some institutions realize that the ICP is an important part of the overall TA program, and these institutions give the ICP the proper level of attention. However, it is also clear that many others do not have this perspective, and do not put sufficient effort into assembling and providing timely, quality information. When they delay their responses, the entire cycle is delayed.

Conclusion

Despite the unprecedented upheaval caused by the COVID-19 pandemic, in FY20 the ICP Team was able to identify and implement many transformational changes to the overall TA program. The Lessons Learned Report and Visual Imagery Guidance are available for institutions to proactively improve their overall level of compliance. The ICP Team’s informational webinars provide specific, detailed guidance to institutions on how to best complete the annual assessments. Finally, the implementation of the VolEd CRM tool will enable the VolEd Office to effectively manage their communications with their broad and diverse stakeholder community.