

117TH CONGRESS
2D SESSION

H. R. 7074

To direct the Secretary of Veterans Affairs to develop and implement a uniform application for use by any educational institution or training establishment seeking the approval of a course of education under the laws administered by the Secretary, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 15, 2022

Mr. MOORE of Alabama (for himself, Mr. CAWTHORN, and Mr. MANN) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To direct the Secretary of Veterans Affairs to develop and implement a uniform application for use by any educational institution or training establishment seeking the approval of a course of education under the laws administered by the Secretary, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Quality Education for
5 Veterans Act of 2022”.

1 **SEC. 2. UNIFORM APPLICATION FOR DEPARTMENT OF VET-**
2 **ERANS AFFAIRS APPROVAL OF COURSES OF**
3 **EDUCATION.**

4 (a) IN GENERAL.—Subchapter I of chapter 36 of title
5 38, United States Code, is amended by inserting after sec-
6 tion 3672 the following new section:

7 **“§ 3672A. Uniform application**

8 “(a) IN GENERAL.—(1) The Secretary, in partner-
9 ship with State approving agencies, educational institu-
10 tions, and training establishments, shall require the use
11 of a uniform application by any educational institution or
12 training establishment seeking the approval of a new
13 course of education under this chapter.

14 “(2) The Secretary shall maintain one uniform appli-
15 cation for institutions of higher learning and one such ap-
16 plication for other educational institutions and training es-
17 tablishments.

18 “(3) In the case of any State that uses approval cri-
19 teria not covered by a uniform application under this sec-
20 tion, the State approving agency for that State shall re-
21 quire the use of the uniform application and may require
22 the submittal of additional information.

23 “(b) REQUIREMENTS.—The uniform application re-
24 quired under subsection (a) shall meet the following re-
25 quirements:

1 “(1) A requirement that the appropriate execu-
2 tive of the educational institution or training estab-
3 lishment seeking the approval of a course of edu-
4 cation attests on behalf of the educational institution
5 or training establishment that the educational insti-
6 tution or training establishment—

7 “(A) is in compliance with all applicable
8 laws and regulations relating to the approval of
9 courses of education under this chapter; and

10 “(B) during the five-year period preceding
11 the date of the application—

12 “(i) has not been subject to, or been
13 party to a contract with any individual or
14 entity that has been subject to, any ad-
15 verse administrative or judicial action
16 that—

17 “(I) related to the instruction or
18 training, including with respect to the
19 quality of education, provided by the
20 institution or establishment; and

21 “(II) resulted in a fine or penalty
22 in an amount equal to or more than
23 five percent of the amount of funding
24 provided to the institution or estab-
25 lishment under title IV of the Higher

1 Education Act of 1965 for the fiscal
2 year preceding the year in which the
3 application is submitted; or

4 “(ii) has not employed an individual,
5 or been party to a contract with any indi-
6 vidual or entity, that has been convicted of
7 a Federal fraud charge related to the in-
8 struction or training provided by the insti-
9 tution or establishment.

10 “(2) In the case of any educational institution
11 or training establishment that is not participating in
12 title IV of the Higher Education Act of 1965, a re-
13 quirement for the inclusion of—

14 “(A) a copy of—

15 “(i) the articles of incorporation filed
16 on behalf of the institution or establish-
17 ment or proof of licensing to operate as an
18 educational institution or training estab-
19 lishment in the State where the institution
20 or establishment is located; and

21 “(ii) the financial position of the insti-
22 tution or establishment, as prepared by an
23 appropriate third-party entity; or

24 “(B) other adequate evidence, as deter-
25 mined by the Secretary, that the institution or

1 establishment is authorized to provide post-sec-
2 ondary education or training in the State where
3 the institution or establishment is located.

4 “(3) In the case of any course of education that
5 is offered by an educational institution or training
6 establishment that has never offered a course of edu-
7 cation that was approved under this chapter, a re-
8 quirement for the inclusion of information about the
9 course of education covered by the application, in-
10 cluding—

11 “(A) the number of students who have en-
12 tered and graduated from the course during the
13 preceding two-year period; and

14 “(B) if available, the cohort default rate
15 for funds provided to the institution or estab-
16 lishment under title IV of the Higher Education
17 Act of 1965.

18 “(4) In the case of any educational institution
19 or training establishment that is not an institution
20 of higher learning, a requirement for the inclusion
21 of—

22 “(A) a list of individuals who will serve as
23 fully qualified instructors for the course of edu-
24 cation, as of the date of the application, and an
25 attestation that such individuals—

1 “(i) have a degree or other training,
2 as appropriate, in the field of the course;

3 “(ii) effectively teach the skills offered
4 under the course; and

5 “(iii) have demonstrated relevant in-
6 dustry experience in the field of the course;
7 and

8 “(B) a list of individuals who will serve as
9 career services employees for students enrolled
10 in the course and an attestation that such indi-
11 viduals are skilled at identifying professions in
12 the relevant industry that are in need of new
13 employees to hire, tailoring the course of edu-
14 cation to meet market needs, and identifying
15 the employers likely to hire graduates.

16 “(c) REQUIREMENTS FOR STATE APPROVING AGEN-
17 CIES.—During the approval process with respect to a uni-
18 form application submitted by an educational institution
19 or training establishment, a State approving agency, or
20 the Secretary when acting in the role of a State approving
21 agency, shall contact the Secretary of Education to deter-
22 mine whether the course of education subject to such ap-
23 proval process has withdrawn, or been denied or sus-
24 pended, from receiving for benefits under title IV of the
25 Higher Education Act of 1965.

1 “(d) APPROPRIATE EXECUTIVE.—In this section, the
2 appropriate executive of an educational institution or
3 training establishment is a senior executive official, senior
4 administrator, owner, or operator designated by the insti-
5 tution or establishment.”.

6 (b) CLERICAL AMENDMENT.—The table of sections
7 at the beginning of such chapter is amended by inserting
8 after the item relating to section 3672 the following new
9 item:

“3672A. Uniform application.”.

10 (c) APPLICABILITY.—The application required by
11 section 3672A of title 38, United States Code, as added
12 by subsection (a) shall—

13 (1) be developed by not later than October 1,
14 2023; and

15 (2) be required for the approval of any new
16 course of education proposed on or after that day.

17 **SEC. 3. NOTICE REQUIREMENTS FOR DEPARTMENT OF**
18 **VETERANS AFFAIRS EDUCATION SURVEYS.**

19 (a) RISK-BASED SURVEY.—Section 3673A of title
20 38, United States Code, is amended by adding at the end
21 the following new subsection:

22 “(d) NOTICE.—To the maximum amount feasible, the
23 Secretary, or a State approving agency, as applicable,
24 shall provide not more than one business day of notice

1 to an educational institution before conducting a targeted
2 risk-based survey of the institution under this section.”.

3 (b) COMPLIANCE SURVEYS.—Section 3693 of title
4 38, United States Code, is amended—

5 (1) by redesignating subsection (c) as sub-
6 section (d); and

7 (2) by inserting after subsection (b) the fol-
8 lowing new subsection (c):

9 “(c) To the maximum extent feasible, the Secretary,
10 or a State approving agency, as applicable, shall provide
11 not more than ten business days of notice to an edu-
12 cational institution or training establishment before con-
13 ducting a compliance survey of the institution or establish-
14 ment under this section.”.

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