

UNITED STATES DEPARTMENT OF DEFENSE



Department of Defense Voluntary Education Program

DoD MOU & DoD Installation Access

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Agenda

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- ➡ **DoDI 1322.25**
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Background

(Principles of Excellence)

- ▶ **On April 27, 2012, President Obama signed Executive Order (EO) 13607 directing agencies to implement and promote compliance with “Principles of Excellence” for educational institutions that interact with Veterans, Service members and their families.**

- ▶ **Principles of Excellence:**
 - **Establish guidelines for educational institutions receiving Federal funding**
 - **Require institutions to provide information, support, and protections to Federal education beneficiaries**
 - **Strengthen oversight, enforcement and accountability activities within educational benefit programs**
 - **Expand student data collection efforts to better understand educational outcomes**
 - **Require development of a Centralized Complaint System for students**
 - **Establish new uniform rules and strengthen existing procedures for educational institution access to installations (DoD specific).**



Background

(DoDI 1322.25/DoD MOU)

- ➡ **DoD Instruction (DoDI) 1322.25, “Voluntary Education Programs,”:**
 - Establishes Voluntary Education policy.
 - States eligibility criteria for tuition assistance (TA).
 - Requires signed memorandum of understanding (MOU) with DoD to provide educational programs and receive TA.
 - Institutionalizes within DoD the Principles of Excellence in support of EO 13607 (April 27, 2012).

- ➡ **DoDI 1322.25 Publication**
 - Proposed Rule published to Federal Register August 14, 2013 for a 45-day public comment period.
 - Final Rule published to Federal Register May 15, 2014.
 - Change 2 posted to DoD Issuances May 23, 2014.
 - Change 3 posted to DoD Issuances July 7, 2014 (current version).

- ➡ **Over 2,700 educational institutions have signed the DoD Voluntary Education Partnership MOU to date.**



DoDI 1322.25

(Criteria)

➡ Basic eligibility criteria to participate in TA:

- Accredited by accrediting body recognized by ED
- Certified to participate in Title IV
- VA approved
- Comply with state authorization requirements
- Signed DoD Voluntary Education Partnership MOU

Over 100
Compliance
Items

➡ Additional requirements to participate in TA:

- Provide personalized form covering total cost of educational program, pre-enrollment program costs, student debt estimates, and financial aid options in advance of enrollment/registration.
- Accommodate absences due to service requirements.
- Receive approval of accrediting agency for new courses/programs before enrolling students.
- Return an appropriate proportion of TA based upon when a student stops attending.



DoDI 1322.25

(New Provisions)

- **All educational institutions providing education programs through the DoD Tuition Assistance (TA) program:**
 - Will provide meaningful information to students about the financial cost and attendance at an institution so military students can make informed decisions on where to attend school.
 - Will not use unfair, deceptive, and abusive recruiting practices.
 - Will provide academic and student support services to service members and their families.
- **Implementation of the DoD Postsecondary Education Complaint System for service members, spouses, and adult family members to register student complaints.**
- **Implementation of rules to strengthen existing procedures for access to DoD installations by educational institutions.**



Centralized Complaint System

(Background)

- January 30, 2014 launch of DoD Postsecondary Education Complaint System (PECS).
- An interagency effort to:
 - Empower students and their families.
 - Provide information to inform educational choices.
 - Hold educational institutions to the highest standards.
 - Provide for higher level oversight.
 - Allow case referral for potential law enforcement efforts.
- DoD will work with the educational institution and student to reach resolution satisfying both parties, where possible.
- Intended for *student complaints* directly related to “Principles of Excellence.”



Centralized Complaint System

(Providing Feedback)

➡ Feedback entry points:

- Military students (TA or MyCAA recipients)

<http://www.militaryonesource.mil/voluntary-education/complaint>.

- GI Bill recipients (Service member, spouse and/or child)

<http://www.gibill.va.gov/feedback.asp>.

- Federal financial aid recipients (Service member, spouse and/or child)

Compliancecomplaints@ed.gov.

- Private student loan recipients

<http://www.consumerfinance.gov/complaint>.

➡ **ALL verified cases are submitted to the FTC's Consumer Sentinel System for monitoring and potential law enforcement efforts.**

➡ **Appropriate cases will be referred to the Department of Justice.**



DoD Installation Access

(New Definitions)

- A ***DoD installation*** is any active duty military, Reserve or National Guard owned, leased, or operated base, reservation, post, site, camp, building, or other facility to which DoD personnel are assigned for duty. This includes but is not limited to locations at an active duty military installation, Reserve and National Guard facility (state readiness center, armory, unit, etc.), or recruiting center (leased space inside a shopping mall or office building).
- An educational institution ***agent*** is a lawful agent of the educational institution and is limited to persons who have written authorization to act on behalf of the educational institutions.
- An ***education advisor*** is a professionally qualified, subject matter expert or program manager in the Education Services Series 1740 or possessing equivalent qualifications at the education center. Commonly used position titles include Education Services Specialist (ESS), Education Services Officer (ESO), Voluntary Education Director, Navy College Office Director, and Education and Training Section (ETS) Chief.



DoD Installation Access

(General Provisions)

- **All requests for DoD installation access by an educational institution are the responsibility of the education advisor (government official).**
- **Access to DoD installations is permitted only to: deliver on-installation education programs or services, provide education guidance to students, and/or participate in sanctioned events (i.e., education fairs).**
 - Signed DoD MOU required.
 - Overseas limited to contracted providers.
- **Access provisions apply to the educational institution itself and its agents including third party lead generators, marketing firms, or companies that own or operate the educational institution.**
- **Educational institutions or their agents that gain access for the performance of contracted services are permitted only in accordance with the requirements of the contract and/or agreement.**



DoD Installation Access

(Additional Requirements)

- **Comply with applicable ethics guidelines (obligation to report violations, acceptance of gifts and/or favors, appearances of conflicts, etc.).**
- **Adhere to applicable federal laws, DoDI 1344.07 (Personal Commercial Solicitation on DoD Installations), DoDI 1322.19 (Voluntary Education Programs in Overseas Areas), and the cognizant Military Service's policies and regulations.**
- **Comply with applicable DoD installation policies and procedures designated by the installation commander such as:**

fire & safety	Environment	physical security
personnel background checks	vehicle inspection & registration	other statutes or regulations



Granting Access

(Access Requests)

- Educational institutions may request installation access for permissible activities (to provide programs, services, and education guidance to their students or to participate in sanctioned education fairs). The educational institution must:
 - Submit a written request to the responsible education advisor who will review on behalf of the installation commander.
 - Have a signed Voluntary Education Partnership MOU with DoD.
 - Be in compliance with state requirements and laws.
 - Have a minimum of 20 military-connected students enrolled at that installation for academic counseling or support services provision.
 - Sign an installation-specific MOU to provide on-installation education programs or services; in addition to DoD MOU.



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Granting Access

(General Provisions)

- ▶ **The responsible education advisor will:**
 - Provide a timely response to all properly submitted DoD installation access requests to include reason(s) for denial when applicable.
 - Fully consider each request received for appropriate and adequate access.
 - Ensure access granted is in compliance with DoDI 1322.25 requirements (e.g. consistent treatment of educational institutions, communicate needs to wide variety of potential providers, derive requirements from periodic needs assessment, and follow applicable DoD installation policies and procedures).
 - Confirm educational institutions gaining access to the DoD installation solely to provide academic counseling or support services to students have a minimum of 20 military connected students (eligible TA, Title IV and GI Bill recipients) enrolled at the DoD installation.
 - Maintain copies of all correspondence and records pertaining to DoD installation access requests and decisions for a minimum of two years.



Granting Access

(Consideration)

- ➔ **DoD installation access is not guaranteed and requires careful consideration including, but not limited to:**
 - **Status of DoD MOU.** A DoD MOU in good standing and compliance with state requirements and laws. Educational institutions having an MOU not in good standing with DoD (i.e., Probationary or Title IV Non-Compliant) are limited to DoD installation access that supports current students for “teach-out” activities.
 - **Purpose of Visit.** Types of permissible activities include the delivery of education/training programs or services through an installation-specific MOU (only type of visit that supports regular/recurring format); the provision of academic counseling or support services; and recruitment, marketing, and advertising visits (i.e., education fairs, job training, career/transition events, or sponsorship).
 - **Capability to Host.** Factors include, but are not limited to, consistent treatment of educational institutions, value to the Service member and mission tempo of the servicing DoD Installation and/or education office.



Granting Access

(Personal Commercial Solicitation)

- ▶ **Any contact by an educational institution with a Service member for the purpose of asking or encouraging the member to sign up for one of the educational institution's programs (assuming the program has some cost) is considered personal commercial solicitation.**
- ▶ **The responsible education advisor will ensure educational institutions comply with DoD Instruction 1344.07, "Personal Commercial Solicitation on DoD Installations" and all requirements established by the installation commander for solicitation.**



Granting Access

(Commercial Sponsorship/Advertising)

- ▶ **Commercial Sponsorship/Advertising agreements may be permissible when vetted through the responsible education advisor.**
 - **Agreements should not conflict with the DoD Voluntary Education Partnership MOU and governing regulations.**
 - **Educational institutions entering into such agreements are not automatically granted DoD installation access. The educational institution must submit a request to the responsible education advisor should the educational institution desire access to the DoD installation in relation to the agreement (e.g., sponsorship).**
 - **Specific areas of concern include, but are not limited to, activities that may be considered personal commercial solicitation, misrepresentation, or recruitment by their nature (i.e., setting up a table and handing out sales literature, donations in exchange for physical presence, advertising ineligible programs, handing out items having more than a de minimis value, and obtaining contact information of event participants).**



Granting Access

(Meaningful Information)

- ➡ **Materials available through the education center that provide basic information about the educational institution or its programs or services in compliance with this MOU, will *not* be considered personal commercial solicitation. This includes, but is not limited to, brochures, flyers, and catalogs provided by the educational institution.**
- ➡ **The responsible education advisor will ensure adequate and appropriate materials are available at no cost to the Service member and at no additional charge to the educational institution meeting the requirements as stated in DoDI 1322.25 and in compliance with the DoD Voluntary Education Partnership MOU.**



Monitoring Access

(General Provisions)

- ➡ The responsible education advisor will:
 - Monitor educational institutions granted access to DoD installations ensuring compliance with the provisions of DoD Instruction 1322.25 during the visit.
 - Ensure educational institutions gaining access to the DoD installation solely to provide academic counseling or support services to students:
 - Only advise or counsel students at the education center or a location approved by the responsible education advisor.
 - Maintain a record of students counseled and provide a copy to the education office upon departure from the visit.
 - Refer any walk-up potential recruits to the education center for initial education counseling.
 - Promptly report non-compliance activities to osd.pentagon.ousd-pr.mbx.vol-edu-compliance@mail.mil and applicable Service official(s).



Monitoring Access

(Restrictions)

- ➡ **The responsible education advisor will monitor educational institutions and its agents granted access to DoD installations to ensure they do not:**
 - **Use unfair, deceptive, abusive or fraudulent devices, schemes, or artifices, including misleading advertising or sales literature.**
 - **Engage in unfair, deceptive, or abusive marketing tactics, such as during unit briefings or assemblies; engaging in open recruiting efforts; or distributing marketing materials on the DoD installation at unapproved locations or events.**
 - **Market to or recruit newly assigned military personnel to the DoD installation, unless the Service member has received information about voluntary education programs and services available at that DoD installation, to include TA, from their education services staff or as part of their orientation to the new DoD installation.**
 - **Provide programs/services not in accordance with the requirements of the contract and/or agreement.**



Monitoring Access

(DoD and Military Seals)

- ▶ The following DoD and Military Seals may be used only by the Military Departments for official purposes and are protected by law from unauthorized use.



- ▶ Military Services and other DoD Components have many trademarks that are both graphic and word marks. Each Military Service has a trademark licensing program office that manages its many trademarks. These protected marks (emblems, coats of arms, initials, symbols and other military identifiers) may not be used without prior written permission.



Monitoring Access

(Trademark Protections)

- **There is no substitute for the DoD Seal, and there is NO optional graphic that represents the DoD.**
- **Use of Military Service marks must not be used in ways that may imply endorsement.**
- **The creation of non-Federal logos which incorporate any of the Military Service marks is prohibited as these Military Service marks are protected.**
- **Military Service marks commonly found on the Internet are not legally authorized for use.**
- **Approved images should not be recreated or altered in any way that distorts the integrity of the Military Service mark.**



Monitoring Access

(Military Service Marks)

- **The use of Military Service marks in commerce, including reproduction on merchandise, is expressly prohibited unless the producer receives a license agreement from the applicable Military Service Trademark Licensing Program Office. Use will be governed by the terms of the agreement.**
- **Educational institutions must consult the appropriate Military Service Trademark Licensing Program Office for a written determination regarding any request to use Military Service insignia at <http://www.defense.gov/Media/Trademarks>.**
- **For general information on other limitations for public use, visit <http://www.dimoc.mil/resources/limitations.html>.**



Monitoring Access

(Regular Review)

- **Current agreements (installation MOUs, solicitation agreements, contracts, etc.) and existing access policies and procedures (military service, DoD installation, etc.) may require regular review and corrective action to promote compliance with the DoD installation access provisions of DoDI 1322.25.**
- **Responsible education advisors should take steps to:**
 - **Regularly review local MOUs, contracts, agreements, policies and procedures (military service, DoD installation, etc.) for compliance with DoDI 1322.25, taking action (as needed) to cancel and/or amend agreements not in compliance.**
 - **Reform/implement standard processes and procedures for requesting and monitoring access, taking action (as needed) to halt current processes and procedures not in compliance.**



Reporting Non-Compliance

(What To Report)

- **Military education professionals (including education center personnel) should report to osd.pentagon.ousd-p-r.mbx.vol-edu-compliance@mail.mil, and applicable Service officials, any educational institution or its agent that:**
 - Do not comply with the provisions of DoD Instruction 1322.25 or the DoD MOU during the visit.
 - Uses unfair, deceptive, abusive or fraudulent devices, schemes, or artifices.
 - Engages in unfair, deceptive, or abusive marketing tactics.
 - Markets to or recruits newly assigned military personnel to the DoD installation.
 - Provides programs/services not in accordance with the requirements of the contract and/or agreement.
- **Government officials are subject to applicable ethics regulations (obligation to report violations, acceptance of gifts/favors, appearances of conflicts, etc.).**



Reporting Non-Compliance

(Identifying Non-Compliance)

- **Identifying potential non-compliance activities may include, but is not limited to, the following considerations:**
 - **Were any potential violations observed or reported (i.e., abusive marketing tactics, handing out misleading advertising or marketing materials not in accordance with DoD Instruction 1322.25 requirements, or distributing marketing materials at unapproved events or locations)?**
 - **Did any representative or agent of the educational institution conduct inappropriate recruitment activities (i.e., collect of individual name, phone number, email address, engage in same-day recruitment and registration, recruitment of newly assigned military personnel, or engage in open recruiting efforts)?**
 - **Did the representative or agent of the educational institution hand out promotional items (e.g., ink pens, cups, golf balls, towels, or t-shirts)? If yes, were any items having a monetary value of more than a “de minimis” amount handed out (i.e., laptops, tablets, or mobile devices)?**



Reporting Non-Compliance

(Compliance Action)

- DoD will work with educational institutions to resolve any reports of non-compliance submitted to osd.pentagon.ousd-p-r.mbx.vol-edu-compliance@mail.mil.
- Educational institutions having recurring, substantive reports of non-compliance or demonstrating an unwillingness to resolve reports of non-compliance may face a range of penalties from a directed Third Party Education Assessment to revocation of the DoD MOU and removal from participation in the DoD TA Program.
- As appropriate, DoD will refer non-compliance reports to other government agencies/regulators including but not limited to the Federal Trade Commission, Department of Justice, Consumer Financial Protection Bureau, Department of Veterans Affairs, and Department of Education.



Common Practices

(Recommended)

- ➔ Designate an education advisor to grant and monitor access.
- ➔ Grant adequate and appropriate access to educational institutions; commensurate with the postsecondary needs of the population served (i.e., sponsor an education fair at least once annually).
- ➔ Execute consistent access policies and procedures based on documented criteria and/or requirements.
- ➔ Employ a standardized access request form to document the request, notate approval or denial, track monitoring and reporting requirements, and maintain records management.
- ➔ Execute a supportable monitoring plan to facilitate the monitoring of educational institutions while participating in on installation events.
- ➔ Annually review installation-specific MOUs for compliance.
- ➔ Conduct a periodic needs assessment at least tri-annually.
- ➔ Promptly report non-compliance activities to osd.pentagon.ousd-pr.mbx.vol-edu-compliance@mail.mil and applicable Service official(s).



Common Practices

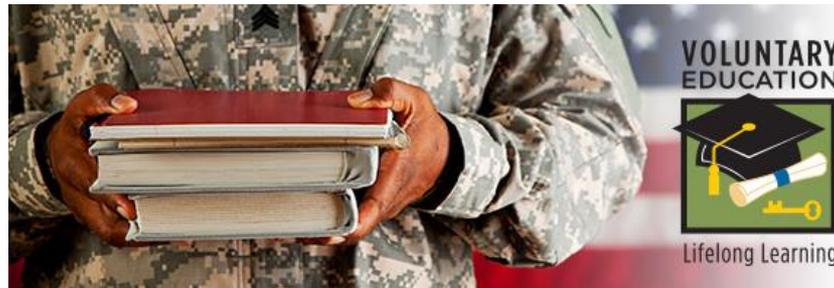
(Not Supported)

- Provide blanket denial of access to all educational institutions.
- Grant access based on first-come, first-served methodologies or favoritism/biases for certain educational institutions.
- Follow separate access procedures for education-related activities sponsored by elements such as recruiting, transition, Yellow Ribbon Reintegration Program, MWR, AAFES, etc.
- Authorize regular or recurring office hours for an educational institution solely to provide counseling.
- Allow former military members to access the DoD installation representing an educational institution based on their government ID card privileges, bypassing established request procedures.
- Permit activities that facilitate select educational institutions recruiting and providing marketing materials outside of a sanctioned education fair such as tables set up at inappropriate locations (i.e., unit briefings/assemblies, commissary, food court).



Resources

- **DoD Voluntary Education**
<http://www.militaryonesource.mil/voluntary-education>
- **DoD Voluntary Education – FY14 Fact Sheet**
http://dantes.doded.mil/_content/fact-sheets/FactSheetFY14.pdf
- **DoD Voluntary Education Partnership MOU**
<http://www.dodmou.com>
- **Executive Order 13607**
<http://www.gpo.gov/fdsys/pkg/FR-2012-05-02/pdf/2012-10715.pdf>
- **DoD Postsecondary Education Complaint System**
<http://www.militaryonesource.mil/voluntary-education/complaint>



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Questions?

DoD Policy & MOU Compliance Inquiries:

osd.pentagon.ousd-p-r.mbx.vol-edu-compliance@mail.mil