



DEPARTMENT OF VETERANS AFFAIRS
Veterans Benefits Administration
Education Service
Washington, D.C. 20420

Dr. Mary B. Hawkins
President, Bellevue University
1000 Galvin Road South
Bellevue, NE 68005

March 9, 2019

Dear Dr. Hawkins:

I have concluded there is sufficient evidence to support a finding that Bellevue University (Bellevue) has utilized advertising, sales, or enrollment practices which are erroneous, deceptive, or misleading either by actual statement, omission, or intimation in violation of 38 U.S.C. § 3696. Additionally, I have concluded that there is sufficient evidence to support a finding that Bellevue's RN to BSN program did not meet the approval requirements of 38 U.S.C. § 3672(b)(2)(A)(i) as this program was not "[a]n accredited standard college degree program." Accordingly, this letter serves as notification that I intend to disapprove the enrollment of all individuals not already enrolled in Bellevue programs at all five campuses. Pursuant to 38 C.F.R. § 21.4210(e)(1), I am providing Bellevue 60 days to take corrective action. I am taking this action in accordance with 38 U.S.C. §§ 3690(b) and 3696(a) and 38 C.F.R. §§ 21.4210(d)(4)(iii) and 21.4211(a)(6).

I have reached my conclusion based on the following reasoning:

Pursuant to 38 U.S.C. § 3696(a), VA shall not approve the enrollment of an eligible person in "any course offered by an institution which utilizes advertising, sales, or enrollment practices which are erroneous, deceptive, or misleading either by actual statement, omission, or intimation." See *also* 38 C.F.R. § 21.4252(h)(1). However, information contained in a complaint filed by the Nebraska State Attorney General in the District Court, Sarpy County, against Bellevue, case number D59CI190000344, demonstrates that Bellevue has failed to meet the section 3696(a) requirements. The complaint alleges that from approximately May 2012 to March 2016, Bellevue made false, deceptive, and misleading statements to prospective and then-current students regarding the accreditation status of its RN to BSN program and the value of a Bachelor of Science in Nursing degree from an unaccredited nursing program. The complaint specifically alleges that the RN to BSN program was not accredited prior to October 2017. However, from approximately May 2012 to March 2016, Bellevue made deceptive and misleading representations on its website and in written and oral statements. For example, in May 2012, a Frequently Asked Questions section of Bellevue's website for the RN to BSN program stated that it was in the process of being accredited by the Commission on Collegiate Nursing Education (CCNE) and anticipated receiving accreditation prior to graduation of the first cohort, but Bellevue had not yet

even applied for accreditation through CCNE. A program guide disseminated around 2016 featured the words “FLEXIBLE. AFFORDABLE. ACCREDITED. NONPROFIT.” on five of eight pages. Bellevue’s website for the RN to BSN program at various times between 2013 and 2016 listed “Accredited” as one of the benefits of the BSN degree. Bellevue also told certain students that the program was accredited. Additionally, emails from Bellevue to students either affirmatively stated that the lack of accreditation did not detract from the value of a degree from the program or did not contain information regarding the limitations of a degree that was not accredited.

Additionally, prior to 2017, the RN to BSN program was deemed approved under 38 U.S.C. § 3672. However, pursuant to 38 U.S.C. § 3672(b)(2)(A)(i), a program could be deemed approved for purposes of 38 U.S.C. chapter 36 only if it was an accredited standard college degree program offered at a public or not-for-profit proprietary educational institution that was accredited by an agency or association recognized for that purpose by the Secretary of Education. And as noted above, the RN to BSN program was not accredited prior to October 2017. Thus, the program failed to meet the approval requirements necessary to be deemed approved under 38 U.S.C. § 3672.

Please note that if Bellevue fails to remedy its deficiency through corrective action within 60 days, I will disapprove the enrollment of all individuals not already enrolled in Bellevue programs. I will then refer the matter to the Committee on Educational Allowances (Committee) in accordance with 38 C.F.R. §§ 21.4210(g), 21.4211 and 21.4212, to assist me in making a determination as to whether educational assistance should be discontinued for all individuals enrolled in your institution, and, if appropriate, whether approval of all further enrollments or reenrollments in your institution should be denied to veterans, servicemembers, reservists, or other eligible persons pursuing those courses under educational assistance programs administered by VA. Bellevue will be provided with the opportunity for a hearing before the Committee in accordance with 38 C.F.R. §§ 21.4212-14. The Committee will make a recommendation to me, and I will render a decision pursuant to 38 C.F.R. § 21.4215 regarding discontinuance. Bellevue will then be afforded an opportunity to request a review of such decision by the Director, Education Service, Veterans Benefits Administration, pursuant to 38 C.F.R. § 21.4216.

Please submit any additional information relevant to this matter referenced above to DIR.VBASTL@va.gov, or EDU.VBASTL@va.gov, DIR.VBAMUS@va.gov or EDU.VBAMUS@va.gov.

I look forward to working with you to ensure that our nation’s Servicemembers and Veterans receive their earned education benefits.

Sincerely,

Mitzi A. Marsh
Director, St Louis Regional Office

Jason McClellan
Director, Muskogee Regional Office