



October 13, 2016

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Dr. Paul L. Hill
Chancellor
West Virginia Education Policy Commission and Technical College System
1018 Kanawha Boulevard, East, Suite 700
Charleston, WV 25301

RE: Request for Reconsideration of Past Performance
OPE ID: 00380900

Dear Dr. Hill:

This letter is in response to the August 26, 2016 letter submitted to the U.S. Department of Education (Department's) Philadelphia School Participation Division (SPD) that requested the Department to reconsider the requirement that all public West Virginia Title IV participating schools be placed on HCM1 and be provisionally certified for a period of 5 years for its failure of the "past performance" financial responsibility regulations pursuant to 34 C.F.R. § 668.174(a)(3). The Department recognizes that Bluefield State College (BSU) is the designated school that covers single audits for all public West Virginia Title IV participating schools.

BSU's fiscal year end June 30, 2015 annual compliance audit and financial statements were due to the Department by March 31, 2016. BSC submitted its audit timely to the Federal Clearing House on March 31, 2016 but did not submit it to the Department's eZ-Audit system until July 28, 2016.

In its appeal response, West Virginia Higher Education Policy Commission and the West Virginia Community and Technical College indicated that the late submission to eZ-Audit was due to a result of changes to its new requirement that the audit include reporting of pension data for public county schools and public higher education institutions. The pension data is provided by the West Virginia Consolidated Public Retirement Board and was not available until November 2015, which caused the audit to be late.

The Department has considered the circumstances and corrective actions taken by BSU and has determined that it will not require all public West Virginia Title IV participating schools to be placed on HCM1 or placed on provisional certification for failure to submit its June 30, 2015 audit and financial statements timely. However, the Department is providing notice to all schools that failure to submit its annual compliance and financial statements timely to the Department's eZ-Audit system is a serious violation and untimely submissions in the future will result in such restrictions.

Federal Student Aid

An OFFICE of the U.S. DEPARTMENT of EDUCATION

Philadelphia School Participation Division
The Wanamaker Building, 100 Penn Square East, Suite 511,
Philadelphia, PA 19107
StudentAid.gov

If you have any questions regarding this matter, please contact Terry McKenzie at (202) 377-4212.

Sincerely,

for 

Nancy Paula Gifford
Division Director

cc: Robert Gunter, President, SW Virginia Community and Technical College
Peter BiBarr, President, Glenville State College
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