

**§ 21.4259**

(6) Signature of responsible official of State approving agency; and

(7) Such other fair and reasonable provisions as are considered necessary by the appropriate State approving agency.

(Authority: 38 U.S.C. 3678)

(b) For institutions of higher learning, the letter of approval may identify approved courses and subjects by reference to page numbers in the school catalog or bulletin in lieu of a listing by name as required in paragraph (a)(4) of this section.

(c) For apprentice and other on-the-job training, the provisions of paragraph (a) of this section are applicable to approval of courses pursued in training establishments. The copy of the notice of approval furnished to the Department of Veterans Affairs will be accompanied by one copy of the application submitted by the training establishment.

(d) *Compliance with equal opportunity laws.* (1) The State approving agency shall solicit assurance of compliance with:

- (i) Title VI, Civil Rights Act of 1964,
- (ii) Title IX, Education Amendments of 1972, as amended,
- (iii) Section 504, Rehabilitation Act of 1973,
- (iv) The Age Discrimination Act of 1975, and
- (v) All Department of Veterans Affairs regulations adopted to carry out these laws.

(2) The State approving agency shall solicit this assurance from:

- (i) Proprietary vocational, trade, technical, or other institutions and such schools not a part of a public elementary or secondary school.
- (ii) All other educational institutions which the Department of Education has not determined to be in compliance with the equal opportunity laws listed in paragraph (d)(1) of this section.

(3) Whenever a State approving agency forwards to VA a Notice of Approval for a course offered by an institution described in paragraph (d)(2) of this section, it shall also forward the institution's signed statement of compli-

**38 CFR Ch. I (7-1-03 Edition)**

ance with these equal opportunity laws.

(Authority: 42 U.S.C. 2000 *et seq.*, 20 U.S.C. 1681 *et seq.*, 29 U.S.C. 794, 42 U.S.C. 6101 *et seq.*)

[31 FR 6774, May 6, 1966, as amended at 32 FR 3979, Mar. 11, 1967; 32 FR 13405, Sept. 23, 1967; 51 FR 26158, July 21, 1986]

**§ 21.4259 Suspension or disapproval.**

(a) The appropriate State approving agency, after approving any course:

(1) May suspend the approval of the course for new enrollments for a period not to exceed 60 days to allow the institution to correct any deficiencies, if the evidence of record establishes that the course fails to meet any of the requirements for approval.

(2) Will immediately disapprove the course, if any of the requirements for approval are not being met and the deficiency cannot be corrected within a period of 60 days.

(3) Upon suspension or disapproval, the State approving agency will notify the school by certified or registered letter with a return receipt secured (38 U.S.C. 3679). It is incumbent upon the State approving agency to determine the conduct of courses and to take immediate appropriate action in each case in which it is found that the conduct of a course in any manner fails to comply with the requirements for approval.

(b) Each State approving agency will immediately notify the Department of Veterans Affairs of each course which it has suspended or disapproved.

(c) The Department of Veterans Affairs will suspend approval for or disapprove courses under conditions specified in paragraph (a) of this section where it functions for the State approving agency. See § 21.4150(c).

(d) The Department of Veterans Affairs will immediately notify the State approving agency in each case of Department of Veterans Affairs suspension or disapproval of any school under Chapter 31.

(Authority: 38 U.S.C. 3679)

[41 FR 30640, July 26, 1976]

**§ 21.4260 Courses in foreign countries.**

(a) *Approval of postsecondary courses in foreign countries.* (1) In order to be