

# Guidance for Adjudicating Bogus or Inflated Education Credentials

## Introduction

In 1986, OPM alerted Federal agencies to the FBI's investigation of questionable educational institutions that sell bogus college degrees and other professional credentials. OPM provided guidance for identifying questionable schools and to determine if qualification fraud occurred and, if so, the appropriate action to take. Bogus educational institutions are institutions that are not accredited by an appropriate authority subject to oversight by the Secretary, U.S. Department of Education and generally involve payment of a fee in exchange for a degree without any significant academic requirements. These institutions still exist and individuals continue to claim degrees from bogus educational institutions on Federal employment forms.

OPM shares responsibilities with agencies for dealing with this problem. Agency human resource and security personnel have an important role in detecting and dealing with bogus degree claims. Bogus educational credentials cannot be considered for student loan repayment, academic degree training program, tuition reimbursement or employee training, or to meet position qualification requirements. Therefore, we urge you to review this material carefully and to take appropriate action so we can minimize this problem.

## Qualification Requirements

Bogus educational institutions are not accredited by an appropriate authority subject to oversight by the U.S. Secretary of Education and generally involve payment of a fee in exchange for a degree, without any significant academic requirements.

Generally, education must be from accredited institutions when used to qualify for positions with positive education requirements. Specific information regarding the acceptability of higher education is contained in OPM's *Operating Manual for Qualifications Standards for General Schedule Positions*. The manual (generally referred to as the *Operating Manual*) is available on-line at [www.opm.gov/qualifications](http://www.opm.gov/qualifications).

## Identifying Bogus Degrees

When reviewing education claims, we expect to see a progression to higher degrees – Bachelors, Masters and Doctorates. We also expect to see a certain period of time for each degree – three to four years for an undergraduate degree, one to two years for a Masters and so on. Inconsistencies in the norm may indicate education fraud.

The following list shows some of the inconsistencies you may encounter when reviewing applications or investigation forms.

- Application shows advanced degrees, but no undergraduate degree
- One or more degrees received in a short period of time
- Multiple degrees received in the same year at the same school
- Unfamiliar school name
- Same or similar name to legitimate school, but located in a different state

- Application shows full-time employment during period of college attendance, particularly if employment and college were in different locations
- No residence shown on the investigation forms in area where college is located
- School located in foreign country but subject does not show foreign travel
- Education claims on application are different from claims on the investigation forms

[Attachment 1](#) provides a list of “Red Flags” to watch for when reviewing application or investigation forms.

When verifying the legitimacy of a college or university or an accrediting institution, it is important to rely on reputable sources. Accrediting institutions can be as bogus as the schools they claim to accredit, so you may need to verify both the school and accreditation. OPM’s [Qualifications Standards Operating Manual](#) lists a number of publications under References and Sources, including the *Directory of Postsecondary Institutions*, a publication of the U.S. Department of Education, National Center for Education Statistics, that agencies can use to verify degrees.

The following resources are also available to help you determine the legitimacy of education and accrediting institutions:

The U.S. Department of Education provides information on its web site at [www.ed.gov/about/offices/list/ope](http://www.ed.gov/about/offices/list/ope) on postsecondary educational institutions and programs accredited by accrediting agencies and state agencies recognized by the U.S. Secretary of Education. The Department of Education recommends you use the databases as one source of qualitative information and that additional sources be consulted. The web site also provides information on nationally recognized accrediting institutions and links to their web sites.

*FBI-Identified Bogus Educational Institutions.* Although it continues to investigate bogus educational institutions, the FBI has not updated the list since it was provided to agencies in 1986.

([Attachment 2](#))

Agencies can also contact OPM’s Suitability Branch (SB) at 724-794-5612. The FBI, U.S. Postal Service, and other authorities continue to investigate bogus institutions and refer information to OPM-SB on a case-by-case basis.

### **Investigating Educational Claims**

Agencies are responsible for ensuring that qualification requirements are met and may need to validate educational claims.

OPM attempts to verify the most recent or highest degree claimed in Background Investigation and NACI products. Whenever a claimed degree is not verified, or a potential bogus degree is identified, OPM notifies the requesting agency's personnel security officer via telephone, the Case Closing Transmittal, or, in NACI cases only, the FIPC-397 ([Attachment 3](#)). If it appears fraud occurred, the case may be referred internally at the Federal Investigations Processing Center (FIPC) to SB for review and possible adjudication.

When reviewing OPM background investigations, watch for *no record, undeliverable, and pending* educational inquiries. These may indicate a bogus educational institution or other type of fraud; at a minimum, education claims have not been verified. To resolve the potential issue, the agency may contact the subject for additional information or documentation, conduct its own investigation, or ask OPM to investigate further by reopening the investigation or requesting a Reimbursable Suitability Investigation (RSI). For information on requesting a reopen or RSI, please refer to OPM's Federal Investigative Services Division web site [www.opm.gov/extra/investigate](http://www.opm.gov/extra/investigate).

### **Fraud, Falsification, and Dishonesty**

Fraud occurs when an individual makes an intentional false statement in an attempt to obtain employment, promotion, training, special assignment, or other employment-related benefit. Claiming a degree the individual knows to be bogus and attempting to obtain one of these benefits is fraud. A fraudulent claim is also dishonest conduct.

To be disqualifying under [5 CFR 731](#), the false statement must be material and intentional. Section 731.101(b) defines a "material" statement as one that is "capable of influencing, or has a natural tendency to affect, an official decision." Individuals may claim degrees to meet the qualification requirements for a position or enhance their credentials. In either situation, the false statement should normally be considered material, whether the position required a degree or not, since the degree would be capable of influencing, or would have a natural tendency to affect, an official decision during the appointment process, for most hiring decisions.

To establish intent in a case where bogus educational credentials are claimed, evidence must show the individual reasonably knew the educational institution was a bogus institution (for example, the individual only had to pay a sum of money for the degree without doing any work, had the degree backdated, or bought a transcript that shows the grades the person desired). On the other hand, the individual may not have realized the school was a bogus institution, but thought it legitimate. For example, the individual may have completed coursework, bought textbooks, and submitted reports and assignments over a period of time before being awarded a degree. In these situations, the person may not be qualified because of the bogus degree, but intent to defraud may not be present.

### **Taking Action in Bogus Degree Cases**

Under 5 CFR 5.2, 5.3, and 731, OPM is authorized to investigate and adjudicate cases where qualification falsification or fraud occurs in appointments subject to investigation by OPM.

Agencies are responsible for deciding appropriate action in cases involving excepted service employees and competitive service employees who made bogus claims after or outside the initial examination or appointment process (for example, during the merit placement process). Agencies will take their actions involving competitive service appointees or employees under authorities such as 5 CFR 315 or 5 CFR 752.

**Actions by Examining Offices/Agency Personnel Offices (Applicants & Certified Eligibles)**

An examining office or agency personnel office should refer an application for a competitive service position to OPM-SB for a suitability determination when:

- The applicant claims a degree from a bogus educational institution (as identified by investigation, the FBI, or other authorities); or,
- The applicant claims to have obtained a degree or qualifying education from an appropriately accredited school, but the claims are false.

Use the OFI Form 86A, *Request for Determination or Advisory*, to send the application, with any supporting documentation, to:

OPM-FIPC-SB  
PO Box 618  
Boyers, PA 16018-0618

For a certified eligible, return the application to the examining office as a suitability objection or passover for referral to OPM-SB.

**Actions by OPM-SB**

OPM-SB will take action (i.e., debarment and/or direct removal) consistent with existing regulations and guidelines. SB takes action in applicant cases referred to that office for adjudication, or in other cases where OPM conducted the required investigation. SB’s action will depend on whether the false education claims were material and intentional, and if a subject to investigation appointment is involved.

**Actions by Agencies**

Agencies take actions when OPM does not have authority to do so, or decides not to exercise authority. The following chart shows appropriate actions for agencies to take.

| <b>Bogus Degree Claimed</b>   | <b>Appropriate Corrective Action*</b>  |
|---|--|
| Individual did not intentionally falsify the application, but is not qualified because the qualification determination was based on the bogus degree. | Refer to the procedures already in place for processing individuals who do not meet the qualification requirements for positions for which they apply. Advise the individual that the education should not be claimed in the future. |
| Individual did not intentionally falsify the application, and qualified without the claimed education.  | Advise the individual the education should not be claimed in the future.   |

| <b>Bogus Degree Claimed</b>  | <b>Appropriate Corrective Action*</b>   |
|--|---|
| Individual intentionally falsified the application, but qualified without the claimed education. | Actions range from not hiring an applicant, reprimanding, suspending, reassignment, change to lower grade, or removing the employee. OPM recommends not hiring or removal. Also, advise the individual the education should not be claimed in the future. |
| Intentional falsification is established, and the education was needed to qualify.               | Actions range from not hiring an applicant, reassignment, change to lower grade, or removal of an employee. OPM recommends not hiring or removal. Also, advise the individual the education should not be claimed in the future.                          |

*\*When it is established the individual knowingly claimed a bogus degree, not hiring the applicant or removing the employee would normally be the appropriate action since the individual's actions were both dishonest and an attempt to violate the merit system.*

Agencies should consider the following whenever they detect bogus degree claims and need to decide upon the appropriate response:

- Individuals who know a degree is bogus yet intentionally choose to misrepresent their educational qualification and credentials in the hope of gaining an unfair advantage over others for jobs, promotions, reassignment, or other forms of advancement lack trustworthiness and integrity, and attempt to violate the merit system.
- When the individual holds a security clearance, or a responsible position, such as a Public Trust position, where standards of trustworthiness and integrity are particularly high, agencies should seriously consider whether that person should continue to hold a security clearance or remain in the position even when the bogus degree claimed was not material in the initial employment decision.

**NOTE:** Under 18 USC 1001, a false statement on any part of the application may be punished by fine or imprisonment.

If an agency detects bogus degrees, and wants OPM to adjudicate the case under 5 CFR 731, provide the following information to OPM-SB:

- Name of employee
- Social Security Number
- Title, Series, and Grade (positions applied for or employed in)
- Bogus education claimed
- Bogus institution providing the education
- Appointment of SF 50 if Federally employed
- Copies of application and investigation forms
- Copy of vacancy announcement

Information relating to any educational institutions that appear bogus should be forwarded to OPM-SB in writing, by fax (724) 794-9498, or by calling (724) 794-5612.

## **RED FLAGS OF BOGUS EDUCATIONAL CREDENTIALS**

*The “red flags” may signal a bogus educational institution. Check the school’s web site or catalog, the application or investigation forms, or the results of the OPM investigation for these “red flags.” They may show the individual claiming the degree was aware the institution and degree were bogus.*

### THE NAME AND LOCATION OF THE SCHOOL

- Name is the same as or similar to a well-known college or university, but in different location
- Operating in a state with little or no licensing laws (i.e., Hawaii, Louisiana)
- Existed for only a short time or previously existed under another name
- Operates from a single room in a private home or office in a commercial building
- Mail is received at a postal box or mail-forwarding service
- Postmark and return address from different states
- Operates on-line from foreign locations

### THE ACCREDITATION OF THE SCHOOL

- Not accredited by a legitimate accrediting institution recognized by the U.S. Department of Education
- Non-recognized accrediting agency may be connected to the school
- Instead of saying the school is accredited, uses words like *pursuing accreditation, licensed, authorized, (state) approved, recognized, chartered*

### THE FACULTY AND STAFF OF THE SCHOOL

- Few, if any, full-time staff
- Wide variety of functions performed by one person
- Faculty lacks advanced degrees from recognized college or university
- Part-time staff used to provide instructions or academic services
- Faculty not listed in catalog
- Preoccupation with degree-identification (long list of degrees follow the names of officials)

### ADMISSION POLICY AND COST

- Little or no selectivity in admission policy
- Offers “finder’s fee” for new students
- Offers discounts for students who pay in cash
- Tuition and fees are typically on a per-degree basis rather than a per-semester, per-quarter, or per-course basis

### THE DEGREE AND TRANSCRIPT

- Few, if any, or unspecified, degree requirements
- Degrees based solely on life experience or with little coursework
- Offers backdated degrees or “experience date” degrees
- Pictures of the degree, transcript, and/or accreditation appear in catalog or on web site
- Degrees can be obtained in a short time frame

**FBI-IDENTIFIED BOGUS EDUCATIONAL INSTITUTIONS<sup>1</sup>**

**American Western University (AWU)** Locations: Tulsa, OK and Springfield, OK

**Chicago Medical College of Homeopath**

**ElySION College of Liberal Arts** Locations: Salt Lake City, UT; Covina, CA; Santa Fe, NM; Parker, AZ; Baja California, Mexico; San Ysidro, CA; Williams, AZ; and Bellflower, CA

**Falls Medical School** Location: Falls, NY

**Homeopathic Faculty of Zurich** Location: Zurich, Switzerland

**Johann Keppler School of Medicine** Location: Toronto, Ontario, Canada

**Johann Keppler School of Medicine** Location: Zurich, Switzerland

**Johann Keppler School of Medicine of Central America** Location: Baja California, Mexico

**Johann Keppler School of Medicine, N. American Admissions Office** Location: Burlington, Ontario, Canada

**Mid-Western University** Location: Arcadia, MO

**North American University** Location: Hamilton, Ontario, Canada

**Northwestern College of Allied Science (NCAS)** Locations: Tulsa, OK and Springfield, MO

**Sequoia University** Location: Oklahoma

**South African College of Homeopathy**

**South African Faculty of Naturopathy and Osteopathy**

**Southeastern University and Preparatory School, Inc.** Location: South Carolina

**Southeastern University and Theological Seminary and Preparatory School, Inc.** Location: South Carolina

**Southeastern University of the Virgin Islands of the United States** Location: St. Croix, Virgin Islands

**Southwestern Professionals and Educators, Inc. (SWPEI)**

**Southwestern University (SWU)** Location: Tucson, AZ

**Thomas A. Edison College (TAEC)** Location: West Palm Beach, FL

**United American Medical College** Locations: Metairie, LA and Oakville, Ontario, Canada

**Williams College** Locations: Salt Lake City, UT; Covina, CA; Santa Fe, NM; Parker, AZ; Baja California, Mexico; San Ysidro, CA; Williams, AZ; and Bellflower, CA

---

<sup>1</sup> The FBI issued this list of bogus educational institutions in 1986.

NOTICE

A National Agency Check and Inquiries (NACI) investigation on \_\_\_\_\_, DOB: \_\_\_\_\_, SSN: \_\_\_\_\_, was completed. Attempts to verify subject's claimed education disclosed the subject did not obtain the education degree or certification claimed on the application; or, there is a question as to the legitimacy or accreditation of the school.

Since it is not apparent to us the claimed degree or certification had a bearing on the qualifications or selection for the position the subject currently holds, we will not be conducting additional investigation into this matter or assuming jurisdiction in the case at this time.

If, in fact, you determine the subject met the qualifications requirements, in whole or part, due to a fraudulent degree or certification, or if it otherwise impacted on the selection process, a false statement should be considered material and, therefore, possibly disqualifying for Federal employment. If so, your office should take an appropriate corrective action. If the falsification pertains to an initial appointment to a competitive position, and you want OPM to handle the matter, you may contact us at 724-794-5612 for instructions to re-open the investigation, or you may return the case, with your written request (which should include statements and/or other documentation indicating why the falsification is material), to:

SB  
OPM-FIPC  
PO Box 618  
Boyers, PA 16018-0618

The results of the NACI investigation are enclosed. In the event the case was previously closed, only the inquiry received as a straggler is enclosed.

FIPC-397  
2/00