

The Post-9/11 GI Bill

(PUBLIC LAWS 110-252 & 111-377

Chapter 33 of Title 38 U.S.C.)



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Post-9/11 GI Bill Legislative History

- Approved under Title V of the Supplemental Appropriations Act of 2008, Public Law 110-252 and became law on June 30, 2008.
- Originally proposed by Virginia Senator Jim Webb who introduced the original form of the bill in January 2007.
- The concept was to provide a college education to veterans pursuing an undergraduate degree as an in state student at a public college or university at no cost to the student.
- Other names under which this program is known are Post 9/11 GI Bill, 21st Century GI Bill of Rights or the Webb GI Bill.
- Amended on January 5, 2011 by PL 111-377



Post-9/11 GI Bill Eligibility

An individual who served on Title 10 active duty after 09/10/01 or (effective 1/5/11 but not payable until 10/1/11) one who served in the National Guard under Title 32 for the purpose of organizing, administering, recruiting, instructing, or training the National Guard; or under section 502(f) for the purpose of responding to a national emergency may be eligible for the Post-9/11 GI Bill if the individual—

- Served for an aggregate period of at least 90 days.

Exception: An individual discharged due to a service-connected disability after serving at least 30 continuous days on active duty after 9/10/01, may also be eligible.



Eligibility Criteria

- Be honorably discharged and placed on the retired list, temporary disability retired list, transferred to Fleet Reserve, or to Fleet Marine Corps Reserve; **or**
- Be discharged or released for:
 - Injury Existing Prior to Service (EPTS),
 - Hardship (HDSP), *or*
 - Condition Interfered with Service (CIWD).



Period of Eligibility

Generally, individuals will remain eligible for benefits for 15 years from:

- Date of last discharge from active duty service of at least 90 continuous days.
 - Each new 90 days of service results in new “delimiting date”
 - Individuals may receive up to 36 months of benefits



Approved Programs

- All programs approved and offered at an institution of higher learning (IHL). IHLs are degree granting institutions. **Effective October 1, 2011, students may be paid for pursuit at NCD (non college degree) schools, flight schools, correspondence schools, and apprenticeship and other on-the-job training.**
- Prior to October 1, 2011, individuals who were previously eligible for chapter 30, 1606, or 1607 may continue to receive benefits for approved programs not offered by IHLs (flight*, correspondence, apprenticeship/on-the-job training, preparatory courses, and national tests)
 - Individuals will be paid **AS IF** they are still receiving benefits under chapter 30, 1606, or 1607
 - No books and supplies stipend or housing allowance.



Benefit Payments

- Tuition and Fees *Paid to the School*
- Monthly Housing Allowance *Paid to the Student*
- Books and Supplies Stipend *Paid to the Student*
- Kickers/College Fund *Paid to the Student*
(effective 8/1/11 kickers are paid on a monthly basis rather than in a lump sum at the beginning of the enrollment period)
- Yellow Ribbon Program *Paid to the School*
- Miscellaneous Payments



Chapter 33 Effective Date

August 1, 2009

Chapter 33 benefits can be paid for training pursued on or after August 1, 2009. No payments may be made for training pursued before that date.



Eligibility Criteria

Service Requirements (after 9/10/01 an individual must serve an aggregate of)	Payment Tiers Percentage
At least 36 months	100
At least 30 continuous days on active duty (Must be discharged due to service-connected disability)	100
At least 30 months, but less than 36 months	90
At least 24 months, but less than 30 months	80
*At least 18 months, but less than 24 months	70
*At least 12 months, but less than 18 months	60
*At least 06 months, but less than 12 months	50
*At least 90 days, but less than 06 months	40

*Excludes time in Basic Military Training and/or Skill Training



Tuition and Fees

- For students at public tax supported schools, as of August 1, 2011 payments are limited to:

The net charges for tuition and fees for an in-state student at a public school/college. Essentially this means we pay full net tuition and fees for all in-state public school students including associates degrees, bachelors degrees, masters, doctorate, Medical Doctor, Juris Doctor, etc.

Net charges **exclude** any waiver or reduction in tuition and fees and any scholarship, or other Federal, state, institutional, or employer-based aid or assistance (other than Title IV funds) that is provided directly to the institution and specifically designated for the sole purpose of defraying tuition and fees.



Tuition and Fees

- For students at private schools, as of August 1, 2011 payments are limited to:
- The net charges for tuition and fees up to \$17,500 per academic year (August 1 through July 31). Net charges exclude any waiver or reduction in tuition and fees and any scholarship, or other Federal, state, institutional, or employer-based aid or assistance (other than Title IV funds) that is provided directly to the institution and specifically designated for the sole purpose of defraying tuition and fees.
- In practice, this means we will pay the full net cost of tuition and fees (as described above) until a total of \$17,500 has been paid. For those persons not eligible at the 100% level, we will still pay tuition and fees, but the yearly cap will be reduced by the benefit level of the veteran as will the amount paid each term. For example, for a veteran eligible at the 90% level we will pay tuition and fees up to \$15,750 per academic year and will pay 90% of the net cost each term.



Tuition and Fees

- Effective March 5, 2011 individuals **on active duty** will be subject to the same level of benefit restrictions as veterans and tuition and fees will be paid to schools in the same manor.
- Effective October 1, 2011 **active duty members** will be eligible to receive the book stipend.
- **Active duty members** will still **not** be eligible to receive the housing allowance. (they still receive their housing allowance from the military).



Tuition and Fees

- An individual eligible for the 100% tier will have all tuition and fees* paid if he or she is—
 - Enrolled at a public institution and
 - Charged in-state tuition and fees.
 - An individual at one of the 40%-90% tiers, enrolled as above, will receive 40%-90% of the charged tuition and fees*
- *Assumes the individual has months of entitlement available for the enrollment period.*
- The same principle applies to enrollees at private schools, e.g., a student eligible at the 50% tier is limited to no more than \$8,750 per academic year (50% of \$17,500).



Tuition and Fees

- The amount of tuition & fees certified to VA by the school must be reduced by the amount of any other payments made to the school for the sole purpose of paying for tuition and fees (except for Title IV funds). Examples include, but are not limited to:
 - ROTC Scholarship payments (designated for tuition and fees)
 - Tuition Assistance from the Reserves & National Guard
 - MYCAA
 - Purple Heart Waiver
 - An employer scholarship paid to the school specifically for tuition and fees.



Tuition and Fees

- Payments of tuition and fees to schools are made by EFT (preferred) or paper check.
- EFT payments made in batch payments under the ACH agreement.
- A detailed ledger (including names, SSN's, and amount for each student) are transmitted to the bank at the time of the EFT. Banks must provide this ledger to the school upon the school's request.
- Schools may initiate or change EFT information with our Education Outreach Office. We will provide the necessary form.
- Payments by paper check are not batched, but instead are made for each individual payment and include identifying information on the check.



Monthly Housing Allowance

Effective August 1, 2011

- Equivalent to the Basic Allowance for Housing (BAH) for an E-5 with dependents.
- Amount determined by ZIP code of the IHL where the student is enrolled (Student does not have to live in same ZIP code) and by rate of pursuit rounded to the nearest tenth, e.g., a person pursuing 9 semester hours in the fall is pursuing at the rate of 75%. That rounds up and the individual is paid 80% of the otherwise payable rate. One to 4 % is rounded down and 5 to 9% is rounded up.
- Also prorated based on the percentage of the individual's payment tier (i.e.: 40% to 100%).
- Active duty members and anyone training at 50% rate of pursuit or less are still **not** eligible for the monthly housing allowance.
- Persons pursuing exclusively through online training and who are pursuing at a rate higher than 50% are eligible to receive 50% of the nationwide average for the BAH (\$673.50).
- Housing allowance paid directly to the student on a monthly basis at the end of the month.



Monthly Housing Allowance

- Sample housing allowance rates per month (2011) – prorated for partial months of attendance:
 - Tallahassee \$1,132
 - Tampa-St. Petersburg \$1,542
 - Miami-Ft. Lauderdale \$1,803
 - Jacksonville \$1,248
 - Pensacola \$1,050
 - Gainesville \$1,173
 - Orlando \$1,410
 - Marianna \$927
 - Ft. Myers \$1,366
 - Melbourne \$1,200
 - Key West \$2,094



Books and Supplies Stipend

- Up to \$1,000 per academic year
 - \$41.67 per credit hour
 - Up to 24 credit hours in a single academic year
 - Lump sum payment (each quarter, semester or term attended) paid directly to the individual
- Prorated based on the percentage of the maximum benefit payable
- Active duty members will be eligible for this stipend effective October 1, 2011



Yellow Ribbon Program

- Only individuals entitled to the 100 percent benefit rate (based on service requirements) are eligible for this funding. Yellow Ribbon is **not** applicable to anyone on active duty.
- IHLs may voluntarily enter into an agreement with VA to fund tuition and fees costs **that exceed the in-state tuition and fees at a public school or tuition and fees charged over and above \$17,500 at a private school.** Funds used must be unrestricted and at the full discretion of the school for use, e.g., a donation or grant to the school to provide assistance to veterans may **not** be used for Yellow Ribbon.



Yellow Ribbon Program

- To participate in Yellow Ribbon a school must complete a Yellow Ribbon contract each year.
- It will specify the total amount of money the school is willing to waive, how much per student, and specify if any divisions of the school will not participate.
- Examples of the latter include a College of Medicine, School of Economics, College of Law, etc.
- Individual programs within a major division of the school may not be exempted, e.g., BA in English, BS in Electrical Engineering, etc.



Yellow Ribbon Program

- Under this program VA will match a school's waiver of the unreimbursed portion of tuition and fees, up to 50% of the unreimbursed portion.
- Example: At a public school in-state tuition is \$200 per credit. The student (out of state) is charged \$500 per credit and the pursues 12 credits = \$6,000. VA pays the school \$2,400 (12 X \$200/credit). Of the remaining unreimbursed tuition of \$3,600 the school waives \$1,800 and VA pays the school \$1,800 under Yellow Ribbon.
- If the school only waives \$1,000 in this case, then VA would pay only \$1,000 leaving the student to pay the remaining \$1,600.
- On the other hand if the school waived \$2,500, VA would only pay \$1,100 which represents all of the remaining uncovered expenses for tuition and fees.



Miscellaneous Payments

- Licensing and Certification Tests & National Exams Used for Admission to an IHL
 - Effective August 1, 2011, eligible individuals may be reimbursed for **more than one** licensing or certification test & may be reimbursed for national exams such as SAT, ACT, GMAT, LSAT, etc.
 - Test must be approved for VA benefits
 - Test must be taken on or after August 1, 2009 (for national exams on or after August 1, 2011)
 - Reimbursement may not exceed \$2,000

NOTE: Payment issued directly to the student in a lump sum



Miscellaneous Payments

- Effective August 1, 2011, persons eligible for chapter 33 who are pursuing a program under chapter 31 (Vocational Rehabilitation) may choose to be paid the otherwise allowable chapter 33 housing allowance in lieu of the chapter 31 monthly subsistence allowance. This monthly housing allowance will be at the 100% level even if the veteran is eligible for chapter 33 at less than the 100% level.
- Effective August 1, 2011, payment for **any** breaks **between** any terms can no longer be made under **any GI Bill program**. Breaks within terms (like Spring Break) are still payable. An exception may be a break imposed by an Executive Order of the President or due to an emergency situation such as a natural disaster or a strike.



Other Programs and Schools

Effective October 1, 2011

- Allows students to use chapter 33 for pursuit at NCD (non college degree/vocational-technical) schools on same basis as for IHL's.
- Allows students to use chapter 33 for pursuit of a program of flight training at a flight school to obtain a license or rating (but not a private pilots license). All costs for dual & solo flights, ground school, and pre/post are covered up to \$10,000 per academic year.
- Allows payments for pursuit of apprenticeship & other on-the-job training on a sliding scale according to the trainee's stage of training.
- Allows payments for pursuit of correspondence courses with all charges for lessons completed reimbursed up to \$8,500 per academic year.



Transfer of Entitlement

Department of Defense Benefit
Administered by VA



Transfer of Entitlement

- To be approved to transfer member must—
 - Be in Armed Forces (active duty or drilling reservist) on 8/1/09, *and*
 - Have completed 6 years in the Armed Forces, *and*
 - Agree to serve 4 more years
- DoD/DHS may prescribe rules to address situations when individuals cannot (by military rules or retirement) serve 4 more years after 8/1/09.
 - VA can't make these decisions
 - If DoD does offer transfer of benefits to this group of individuals, VA will post this information on the GI Bill website



Transfer of Entitlement

- An individual approved to transfer may—
 - Transfer up to 36 months of benefits (unless DoD/DHS restricts number of months an individual may transfer).
 - Transfer to spouse, child, or children in any amount up to amount transferor has available or amount approved by DoD/DHS.
 - Revoke or modify a transfer request for any unused benefits unless the transferor's 15-year eligibility period is ended.
 - Once the transferor is no longer a member of Armed Forces (s)he may **not** initiate a transfer to another dependent who was not previously designated for transfer; however (s)he may revoke or modify any existing transfer.



Transfer of Entitlement

- TOE recipients who are the **children** of the transferor receive the same chapter 33 benefits as a veteran, i.e., housing allowance, books stipend, and tuition & fee payments to the school subject to the state maximum.
- TOE recipients who are the **spouse** of a **veteran** receive the same payments as the veteran.
- TOE recipients who are the **spouse** of an **active duty member** receive benefits at the same level as the active duty member **including (effective October 1, 2011) the books stipend.**



Reporting Fees

- Every year each school is paid a reporting fee by VA.
- This fee is generally paid in February for the previous calendar year.
- It is based upon the total number of VA students that the school certified to VA at least once during the calendar year. Each veteran (no matter how many times certified during the year) is counted one time.
- Effective October 1, 2011 VA will pay each school \$12 per student (in prior years it was \$7 per student). That payment will be made sometime in February 2012.
- The law also now **requires** that this reporting fee be used only for the purpose of certifying the enrollment of veterans. This also includes the costs associated with conferences hosted by VA and SAA to train school officials in how to certify VA students for GI Bill benefits. **It may not be used for any other purpose not related to the certification of veterans for GI Bill benefits.**



Repayment of Overpayments

- Generally speaking, schools refund tuition and fees directly to VA only if:
 - Student died during the term and would have been due a refund
 - Student never attended or dropped all courses the first day of the term
 - School received payment for a person who is not a student at that school
 - School received a duplicate payment
 - School received an erroneous payment amount.



Repayment of Overpayments

- To refund money to VA, schools:
 - Send a check to the Agent Cashier at the Atlanta RPO including the student's name and file number. A fill-able form letter is available for this purpose.
 - Return **un-cashed checks** to:
 - U.S. Dept. of the Treasury
 - Financial Management Service
 - PO Box 51318
 - Philadelphia, PA 19115-6316



Repayment of Overpayments

- If a veteran drops a class at any time (including the first day of the term) or terminates enrollment after attending one day of any class, schools must:
 - Notify VA of the change
 - Make normal refund of tuition and fees (if any) to the *student*
- VA will create an overpayment in the student's account and recoup it from future payments of the student's housing allowance.



References

- GI Bill Website
 - www.gibill.va.gov
- GI Bill Call Center (VA staffed)
 - 1-888-GIBILL-1
- Yellow Ribbon Mailbox
 - yellow.ribbon@va.gov



Questions?