The Post-9/11 Veterans Educational Assistance Act of 2008

Preparation and Implementation

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Objectives

- Understand the Post-9/11 GI Bill (chapter 33) benefit
- Discuss VA's strategy for implementing Ch33 and how this impacts you
  - Claims Processing
  - Draft Regulations
  - Yellow Ribbon Program
  - Overpayments and Debt Collection
  - Approaches may change based on lessons learned
- Identify areas that cause concern, need to be addressed, or need clarity

Post-9/11 GI Bill Eligibility Criteria

Individuals who served on active duty after 09/10/01 will be eligible for the Post-9/11 GI Bill if the individual:

- Served for an aggregate period of at least 90 days.
- Served at least 30 continuous days and received a disability discharge.

Post-9/11 GI Bill Eligibility Criteria

Service Requirements (after 9/10/01 serve an aggregate of)	% of Maximum Benefit Payable
36 months	100
30 continuous days (Must be discharged with a disability)	100
30 months, but less than 36 months	90
24 months, but less than 30 months	80
18 months, but less than 24 months	70
12 months, but less than 18 months	60
06 months, but less than 12 months	50
90 days, but less than 06 months	40

Post-9/11 GI Bill Eligibility Period

In general, individuals will remain eligible for benefits for 15 years from:

- Date of last discharge; or
- Release from active duty of at least 90 continuous days.

Post-9/11 GI Bill Entitlement

- Individuals will generally receive 36 months of benefits.
- Individuals are limited to 48 months of combined benefits under educational assistance programs administered by VA.

<u>NOTE:</u> Individuals transferring to the Post-9/11 GI Bill from the Montgomery GI Bill (chapter 30) will be limited to the amount of remaining chapter 30 entitlement.

Post-9/11 GI Bill Benefit Payments

- Tuition and Fees Charged
- Monthly Housing Allowance
- Stipend for Books and Supplies

Fees Defined

- FEES —

  Any mandatory charges (other than tuition) that are universally applied by the IHL to each and every student enrolled in an undergraduate program for that quarter, semester, or term.

Tuition and Fees Charged

- Individuals are eligible for the applicable percentage (based on aggregate active duty service) of the lesser of—
  - Tuition and fees charged; or
  - Highest amount of tuition and fees charged for full-time, undergraduate training at a public IHL in the State the student is attending. (Determined by the State Approving Agency)

Monthly Housing Allowance

- 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.
  - Prorated based on the percentage of the maximum benefit payable.
  - Active duty and anyone training at ½ time or less, and those pursuing exclusively distance learning are not eligible for the monthly housing allowance.

Books and Supplies Stipend

- Up to $1,000 per year
  - Prorated based on the percentage of the maximum benefit payable.
- Paid proportionally for each quarter, semester or term attended.
- Active duty members are not eligible.

Approved Programs

- All programs approved under chapter 30 *and* offered at an IHL.
- Individuals who were previously eligible for chapter 30, 1606, or 1607 may continue to receive benefits for approved programs not offered by IHLs (i.e. flight, correspondence, APP/OJT, preparatory courses, and national tests).

Distance Learning

Distance Learning means the pursuit of a program of education via distance education as defined by the Department of Education in 20 U.S.C. 1003(6).

Post-9/11 GI Bill Elections

An individual who has met the requirements to establish eligibility under the Post-9/11 GI Bill (chapter 33) and, as of August 1, 2009 is:

- Eligible for either chapter 30, 1606, or 1607, (must make an *irrevocable* election to use benefits under chapter 33); or
- A member of the Armed Forces and making the basic $1200 contribution toward chapter 30; or
- A member of the Armed Forces who previously declined to elect chapter 30.

Refund of Contributions

- A proportional amount of the basic $1200 contribution will be included in the last monthly housing allowance payment when chapter 33 entitlement exhausts.
- Individuals who do not exhaust entitlement under chapter 33 will not receive a refund of contributions paid under chapter 30.
- Refund of $600 additional contribution is not authorized.

Transfer of Entitlement

(Department of Defense Benefit)

- On or after August 1, 2009, DoD may allow an individual to elect to transfer entitlement to one or more dependents if he/she —
  - Has served at least 6 years in the Armed Forces; and
  - Agrees to serve at least another 4 years in the Armed Forces.
- Spouses may use transferred benefits after 6 years of service; dependent children after 10 years.

Transfer of Entitlement

(Department of Defense Benefit)

- DoD determines eligibility for transferability and may, by regulation, impose additional eligibility requirements and limit the number of months transferable.

Post-9/11 GI Bill Effective Date

August 1, 2009

Post-9/11 GI Bill (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.

Yellow Ribbon Program

- IHLs may voluntarily enter into an agreement with VA to pay tuition and fees charged that are not covered under chapter 33.
- VA will match each additional dollar funded by the school.
- The combined amounts may not exceed the full cost of the school's tuition and fees charged.
- Only individuals entitled to the 100 percent benefit rate (based on service requirements) may receive this funding.

Yellow Ribbon Program Timeline

- 12/01/08 – Send Yellow Ribbon Program informational letter to Institutions of Higher Learning (IHLs).
- January 2009 – Send Yellow Ribbon Program inquiry letter to IHLs.
- 04/01/09 – Publicize Yellow Ribbon participating institutions.
- 08/01/09 – Begin processing Yellow Ribbon payments.

Yellow Ribbon Program Outreach

- Information for Education Professionals:
  - General school information regarding the Yellow Ribbon Program.
  - Training guide including certification requirements.
  - Yellow Ribbon Agreement PDF file.

Yellow Ribbon Program
Application and Certification Process

- Participating institutions will offer Yellow Ribbon to eligible students.

- VA Once modifications will allow school to certify students for Yellow Ribbon.

- VA will verify student's eligibility for Yellow Ribbon and process payments.

- VA will provide notification to student, including decision regarding Yellow Ribbon.

Overpayment of Benefits

VA will determine the amount of an overpayment for an individual in receipt of chapter 33 benefits as follows—

- An individual who does not complete all courses in the certified period of enrollment, and who does not substantiate mitigating circumstances for not completing such enrollment, will be charged an overpayment equal to the amount of **ALL** educational assistance paid for that period of enrollment.

Overpayment of Benefits (Contd)

This means, the veteran is responsible for any overpayment incurred as a result of not completing courses.

In the event a veteran does not complete a course, schools should follow their established student refund policy.

Bottom Line: Tuition and Fee payments are paid to the school on behalf of the veteran, overpayments for Tuition and Fees will be charged to the veteran.

Overpayment of Benefits (Contd)

In the event a veteran does not complete a course, the veteran may (or may not) receive a refund from the school.

Bottom Line: If an overpayment is determined, the veteran will make repayment arrangements with VA's Debt Management Center (DMC) regardless of whether or not a refund was received from the school.

Overpayment of Benefits (Contd)

If an overpayment is determined, VA will notify the veteran.

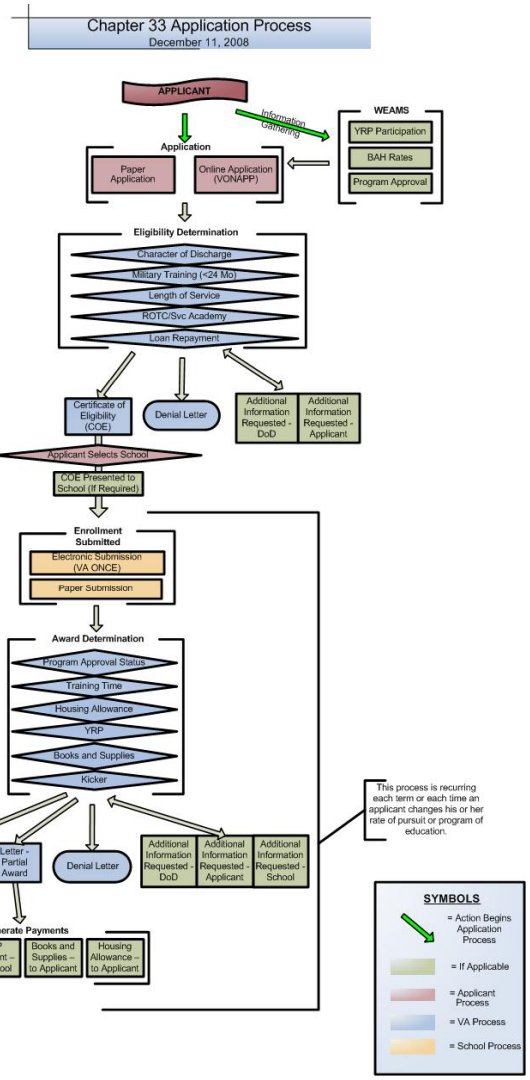
- Overpayment notifications will inform the veteran of the overpayment amount and whom to contact to establish a repayment schedule.
- Overpayments are collected by the VA Debt Management Center.

Overpayment of Benefits (Contd)

In most cases, overpayments will not be collected during the due process period, which is 30 days from the day of notification.

Bottom Line: Veterans with existing overpayments on their record may attend schools; however, their benefit payments (including Tuition and Fees) may be withheld until the overpayment is repaid.

The Application and Payment Process



Claims Processing Strategies

- The application and payment process will be supported two ways:
  - Short term (8-1-09 to 12-1-10)
    - Minimal modification to existing IT Infrastructure
    - Hire significant additional term staff
  - 12-1-10 Onward
    - Automated processing using “rules-based” technology

References

- GI Bill Website (www.gibill.va.gov)
  - Sign up for FAQ updates!
- GI Bill Hotline: 1-888-GIBILL-1
- Yellow Ribbon mailbox (yellow.ribbon@va.gov)

Some questions

- What is “rate of pursuit” and why is it being used?
- Why is the term “waiver” being used in reference to school contributions under the YR program?

Questions?