

VA



U.S. Department
of Veterans Affairs

Education Service Office Hours Isakson and Roe Updates



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Isakson and Roe Legislation Updates

PRESENTER

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Isakson and Roe Legislation Updates

The passage of Public Law 116-315 on January 5, 2021, expands EDU's ability to deliver timely and accurate education benefits to beneficiaries.

What does this mean for VA?



This legislation's mission is to expand Education Service's ability to provide ready access to, and timely and accurate delivery of, education benefits to Veterans, Service members, and their families. EDU will work to implement provisions in a timely and efficient manner.

What does this mean for Schools?



This legislation contains over 30 provisions impacting the administration of GI Bill® benefits, including new requirements for enrollment verification, expanded restoration of entitlement opportunities, sunseting of the Montgomery GI Bill®, and substantial changes to VA oversight of GI Bill® approved schools.

What does this mean for GI Bill® Students?



Access to accurate and timely education benefits will empower GI Bill® students to achieve their vocational and career goals and expand EDU's ability to support GI Bill® beneficiaries. More updates to come on the VA website, direct email campaigns, social media and other communication channels.



Key Impact of Date of Enactment (DOE) Provisions



Sec. 1001

Improvements to STEM Scholarship Program

- Expands eligibility for Rogers STEM Scholarships to:
 - Beneficiaries enrolled in dual secondary degree programs
 - Healthcare professionals completing clinical training for licensing
- Benefits are not subject to the months of entitlement limitations under section [3695 of title 38, U.S.C.](#)



Sec. 1007

Restoration of entitlement under chapter 31 for school closure or disapproval

- Added restoration of entitlement for Veteran Readiness & Employment (VR&E) participants under chapter 31 in the event of a school closure
- Provides uniformity for restoration of benefits for recipients of either VR&E or Post-9/11 GI Bill®



Sec. 1008

Clarifies eligibility for participation in Yellow Ribbon Program

- Technical correction to replace the term “established charges” with “tuition and fees”
- Provides potential for foreign schools to be considered under the program



Sec. 1011

Post-9/11 GI Bill® Transfer of Entitlement (TOE) Expanded

- Applies to unmarried foster children and wards placed in the legal custody of the Service member for at least 12 months as a result of a court order
- Aligns VA's definition of dependents with that of Department of Defense for GI Bill® transferability rules



Sec. 1019

Overpayments to eligible persons or Veterans

- Schools and training facilities are financially responsible to the VA, instead of the student, for benefits paid directly to educational institutions
 - Pursuant to
 - The Post-9/11 GI Bill® for tuition and fees
 - The Post-9/11 GI Bill® under the Yellow Ribbon Program
 - Advance payments of initial education assistance
- Overpayments will be assigned without consideration whether the result was because of willful neglect or negligent failure of the school.
- School are at liberty to collect resultant unpaid tuition and fees from the student based on the school's outstanding balance collection policies and practices



Sec. 1022

VA treatment of for-profit educational institutions that convert to nonprofit educational institutions

- Institutions are required to receive annual risk-based surveys for a period of three years after converting to a non-profit institution



Sec. 1023

Authority for State Approving Agencies (SAAs) to conduct outreach activities

- Allows an SAA to conduct outreach activities
- Codifies activities in which SAAs are already engaged



Sec. 1102

Continuation of education benefits during COVID-19

- Allows for the continuation of VA educational assistance benefits during the COVID–19 emergency if a student was negatively impacted
- May include training which was truncated, delayed, relocated, canceled, partially canceled, converted to online training, otherwise modified or made unavailable
- Negative Impact must be certified by the school
- Authority to continue monthly housing payments is limited to 4 weeks and will not count against entitlement



Sec. 1103

Effects of closure of educational institution and modification of courses due to COVID-19

- If a school closes, cancels training, or has training disapproved due to COVID-19,
 - Certain entitlement used at affected school will not be charged against overall entitlement
 - Enrollment in the disapproved program may continue
 - A student who was full-time on March 1, 2020, will be treated as full-time for a subsequent period of enrollment, regardless of rate of pursuit

- GI Bill® entitlement and payment allowances will not be charged for up to a total of four weeks for the time a student's payments are continued after their school closes or suspends operations due to COVID-19



Sec. 1104

Payment of education benefits in cases of withdrawal due to COVID-19

- Requires VA to view a student's withdrawal from a school as a result of COVID-19 as acceptable mitigating circumstances
- This is VA's current practice



Sec. 1105

Delimiting date extension due to COVID-19

- Simplifies extension of time limits to use certain educational and VR&E benefits.
- If using GI Bill® benefits (Montgomery GI Bill®, Post-9/11, or VR&E), the delimiting date will be extended for the entire COVID-19 period (March 1, 2020 – December 21, 2021, = 661 days) if their school closed (temporarily or permanently)
- The expiration date for a child using transferred benefits or Service members using MGIB-SR (1606) cannot be automatically extended 661 days but rather will be extended for the period of time they are prevented from training as a result of the closure.



Sec. 1106

On-The-Job Training or Apprenticeship (OJT/APP) requirements during COVID-19

- Prevents negative impact on a Veteran who is:
 - enrolled in an OJT/APP program **AND**
 - unable to fulfill the 120-hour full-time requirement due to unemployment during COVID-19 **OR**
 - unable to attend the program in person due to COVID-19
- Allows a Veteran to roll-over hours worked in excess of 120 hours from the previous month to the subsequent month to achieve the required 120 hours for full-time benefits.
- The rate of pursuit and MHA will be calculated based on the number of hours you are offered to work.
- This applies during the entire COVID-19 period (March 1, 2020 – December 21, 2021)



Sec. 1107

Inclusion of training establishments in certain provisions related to COVID-19 emergency

- Amends relevant statutes to include eligibility for students to attend “training establishments” in addition to “educational institutions” during COVID-19
- This is VA’s current practice



Sec. 1108

Treatment of payment of allowances under Student Veteran Coronavirus Response Act

- Amends the Student Veteran Coronavirus Response Act of 2020
- Ensures a student's entitlement and payment allowances are not charged for the time payments are continued after the closure or program hiatus (4-week payments)



Sec. 4302

Expansion of VET TEC Program

- Expands Veterans Employment Through Technical Education Courses (VET TEC) to include Service members within 180 days of their anticipated separation
- Requires instructors to be experts
- Expanded to include training that is less than full-time
- Increases annual funding from \$15M to \$45M



Key Impact of Provisions Effective June - July 2021



Sec. 1018

Requirements for educational institutions participating in the educational assistance programs of the Department of Veterans Affairs

- 1018 codifies additional requirements (many are similar to the Principles of Excellence (POE) Program) as part of the approval process to qualify for GI Bill® funds. This requirement also applies to VR&E beneficiaries.
- To avoid misrepresentations, educational institutions are to inform students who are eligible to receive Veterans' Education benefits of the availability and potential eligibility of Federal financial aid before packaging or arranging private student loans or alternative financing programs.
- **Effective on June 15, 2021**, and will apply to educational institutions beginning on August 1, 2021



Sec. 1024

Limitations on collocation SAAs

- State agencies co-located with a university or university system cannot serve as an SAA.
- There are three states working to actively meet this requirement: North Carolina, Hawaii, Maine.
- **Effective July 4, 2021**



Key Impact of Provisions Effective on August 1, 2021



Sec. 1002

Expansion of eligibility for Fry Scholarship

Expands eligibility for the Fry Scholarship to a child or spouse of:

- a person who dies on or after September 11, 2001, in the line of duty while serving on duty other than active duty as a member of the Armed Forces,
- a member of the Selected Reserve who dies on or after September 11, 2001, from a service-connected disability while a member of the Selected Reserve.
- Effective: Section 1002 applies to eligible beneficiaries whose term, quarter, or semester begin on or after **August 1, 2021.**



Sec. 1005

Requirements for in-State tuition

- Removes requirement for covered individuals to enroll in school within 3 years after release from active duty in order to receive in-state tuition at Public Institutions of Higher Learning (IHL).
- Directs VA to publicize an educational institution's requirements for beneficiaries to be charged in-state tuition
- Mandates VA to disapprove programs at educational institutions that do not provide explanations of in-state tuition requirements
- This applies to eligible beneficiaries whose term, quarter, or semester begin on or after **August 1, 2021.**



Sec. 1006

Expansion of certain qualifying Work Study activities to include outreach services provided through congressional offices

- Qualifying work study activities will now include outreach services provided through congressional offices.
- The list of qualifying work-study activities is located in [38 U.S.C. § 3485\(a\)\(5\)](#).



Sec. 1010

Verification of enrollment to receive Post-9/11 Educational Assistance benefits

- Creates dual certification for receipt of Post-9/11 GI Bill® benefits
- Schools will certify the beneficiary's enrollment at the beginning of the term and again after the add-drop date
- Beneficiary will be required to verify their enrollment on a monthly basis



Sec. 1012

Expansion of reasons for which a course of education may be disapproved

- Expands reasons education courses may be disapproved for Post-9/11 GI Bill® Benefits
- Schools at risk of losing accreditation will no longer be considered “deemed approved” under title 38 standards



Sec. 1014

Oversight of educational institutions subject to Government action for purposes of educational assistance programs of the Department of Veterans Affairs

- VA will provide SAA notice of any punitive action taken against an educational institution
- SAA will conduct a risk-based survey
- SAA will provide notice to VA and other SAAs when punitive action is taken against an educational institution



Sec. 1015

Additional requirement for approval of educational institutions for purposes of the educational assistance programs of the Department of Veterans Affairs

- Requires accredited institutions to be eligible for participation in the [Federal Student Aid](#) program through Title IV of the Higher Education Act in order to be eligible to receive GI Bill® funds. A Title IV school is an institution that processes U.S. federal student aid.
- Secretary of VA may waive this requirement but must report the waiver to Congress



Sec. 1016

Accreditation for law schools

- For a law school to be approved for GI Bill® enrollments, it must be accredited by the American Bar Association (ABA)
- ABA is the only accrediting body for legal education recognized by the Secretary of Education



Sec. 1017

Grounds for disapproval of a course for purposes of the educational assistance programs

- Failure to comply with risk-based surveys can allow a course to be disapproved for GI Bill® enrollments



Sec. 1020

Improvements to limitation on certain advertising, sales, and enrollment practices

- Defines current limitations on advertising, sales and marketing tactics a school can utilize and remain eligible for GI Bill® funds
- Creates a tiered penalty system for institutions that do not comply with the law



Sec. 1021

Charge to entitlement to educational assistance for individuals who do not transfer credits from certain closed or disapproved programs of education

- Expands VA's authority to restore GI Bill® entitlement to eligible beneficiaries who lose credit due to school closure or disapproval
- VA will restore entitlement for entire program if beneficiary is unable to transfer at least 12 credits



Key Impact of Provisions Effective in 2022, 2023 and 2030



Sec. 1009

Clarification MHA assistance for individuals who attend school while on active duty

- Changes the way VA issues housing payments under section 113 of the Colmery Act
- A student must serve on active duty at least 30 days before Post-9/11 GI Bill® MHA payments are terminated.
- Effective: **August 1, 2022**



Sec. 1013

Oversight of educational institutions with approved programs: risk-based surveys

- Key focal points of risk-based surveys include, but are not limited to:
 - Rapid increase in Veteran enrollment
 - Rapid increase in tuition and fees
 - Complaints tracked electronically
 - Notice of action taken against the school
- Development of database to search and track all risk-based surveys
- Effective **October 1, 2022**



Sec. 1003

Period for election to receive benefits under All-Volunteer Educational Assistance Program (MGIB)

- Changes the period for election to receive benefits under chapter 30, Montgomery GI Bill® (MGIB)
- Period changed from initial entry on active duty to a 90-day period following 180 days of initial training
- Effective **January 5, 2023**



Sec. 1004

Phase out of All-Volunteer Educational Assistance Program (MGIB)

- Phases out chapter 30 (MGIB) **beginning in 2030**
- Sunset will stop people from entering MGIB
- Beneficiaries eligible for MGIB prior to September 30, 2030, would retain eligibility
- Effective: **September 30, 2030**

Prevalent Questions & Answers

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Isakson & Roe Questions and Answers

Q: Section 1010: How does the new enrollment verification process work?

A: The new enrollment verification process has new requirements for both schools as well as Post-9/11 GI Bill® beneficiaries. Schools will be required to submit an additional verification of a student's enrollment after the add/drop date. Prior to Isakson & Roe, schools were only required to submit one verification, also known as enrollment certification. The guidance for submitting this initial enrollment certification has not changed. Additionally, GI Bill® students will be required to verify enrollment monthly.

Q: Section 1010: What is VA's definition of an add/drop date?

A: The add/drop date is the last day a student can withdraw from a course without penalty. The new verification must be received no later than 30 days after the school's add/drop date or 60 days from the first day of the enrollment period, whichever occurs first.



Isakson & Roe Questions and Answers, cont.

Q: Section 1005: Does eliminating the three-year enrollment period change requirements for in-state residency?

A: The definition of covered individuals has been expanded and allows for more students to be eligible for in-state tuition. Everything else concerning in-state tuition requirements remain the same.

Q: Section 1013: What is the difference between a risk-based survey and a compliance survey?

A: Risk-based surveys is similar to a compliance survey but only examines certain factors or issues. In contrast, a compliance survey is a scheduled routine visit scheduled and *not* based upon any underlying factors.



Isakson & Roe Questions and Answers, cont.

Q: Section 1104: Regarding COVID-19, how does VA define mitigating circumstances:

COVID-19 emergency related reasons, including:

- Illness, quarantine, or social distancing requirements
- Issues with COVID-19 testing accessibility
- Access or availability of childcare
- Care for a family member or cohabitant
- Change of location or residency due to COVID-19 or associated school closure
- Employment change or financial hardship
- Issues associated with changes in format or medium of instruction

Q: Section 1102-1105: Do students need to provide documentation to verify their COVID-related need to withdraw?

A: Circumstances pertaining to Provisions 1102-1103 would normally be reported by the school. Only Provision 1104 refers to student withdrawal for which the student will need to provide documentation for. 1105 extensions of entitlement should be an automatic process within electronic VA systems.

Q: If a student withdraws from a course without communication, does VA contact the student or SCO?

A: If a student reduces their course load or withdraws without communicating a reason, VA will write the student to request mitigating circumstances after taking action to reduce or terminate their award as required by law. Receipt of acceptable MIT-Cs may restore some of the previously awarded benefits and/or recoup some of the debts created when the initial reduction or termination was processed.

Q: Section 1102-1105: How are we identifying which students are eligible to receive their full MHA?

A: GI Bill® students are afforded full-time housing benefits if their rate of pursuit is reduced during the covered period which is defined as March 1, 2020, through December 31, 2021 for any of the reasons described in 1102-1105.

Digital GI Bill® Overview

PRESENTER



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Digital GI Bill® Overview

Digital GI Bill® (DGI) is a modernized digital platform that will transform VA technology systems, improve GI Bill® students' user experience, and optimize benefits processes for millions of beneficiaries

DGI will:



Improve customer and financial services, allowing for timely and accurate delivery of payments and real-time eligibility and benefit information



Process eligibility claims rapidly and allow beneficiaries to review remaining benefits



Provide the ability for beneficiaries to interact with VA electronically for on-the-spot service and response to questions in near real-time



Digital GI Bill® Stakeholder Impact

The DGI will:



School Certifying Officials

- ✓ Provide an improved, streamlined system that enhances capabilities to assist students without needing to go to VA
- ✓ Allow rapid notification of new legislation or policy changes and the impacts on students



GI Bill® Students

- ✓ Process claims faster and allow for near real-time answers to questions as well as self-service options like the financial services they access elsewhere
- ✓ Allow omni-channel engagement for interaction in the most convenient manner



VA Staff

- ✓ Decrease the amount of time it takes to process claims, reduce many of VA manual processes, and improve error handling
- ✓ Create more time to focus on more value-added activities



Help Moderate Digital GI Bill® Benefits

VA is modernizing GI Bill benefits delivery.
You can help design it.

PROVIDE FEEDBACK



How can you help?

Building a successful platform and ecosystem that meets the needs of GI Bill® students and stakeholders requires input from the very stakeholders it will serve through interviews, focus groups, and usability testing, among others

To express interest in participating in this process, please sign up at
<https://forms.office.com/r/kTScVq8vQp>.

Resources and Reminders

PRESENTER



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FY'21 Annual Training Reminder

Complete Your SCO Annual Training by August 31, 2021

Section 305 of the Colmery Act requires SCOs at "[Covered Educational Institutions](#)" to complete annual training by August 31st.

To complete the annual training click on the link: [SCO Annual Training](#).

Please Note: VA has the authority to remove a SCO's ability to certify enrollments if annual training is not completed.

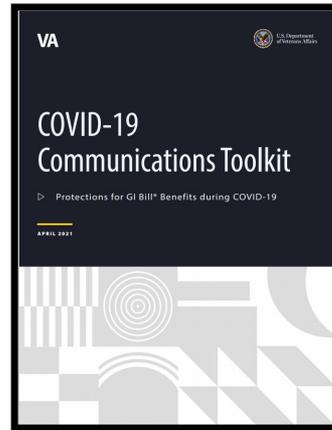


Student and School Administrator Resources

NEW Isakson & Rowe Summaries Page

This new webpage includes a list of helpful materials, and provisions implemented to date, and links to a new summaries page that provides explanations of each provision.

Go to the [Isakson & Roe Landing page!](#)



COVID-19 Communications Toolkit

This toolkit provides SCOs with downloadable materials to communicate important COVID-19 changes to students. Through various distribution channels and social media platforms, SCO's can easily keep students informed about their benefits!

Check it out: [COVID-19 Communications Toolkit](#)

Postcard Series

[Yellow Ribbon Postcard](#)



[Benefit Levels Postcard](#)

[Rogers STEM Postcard](#)



[Exam Reimbursement Postcard](#)



NEW COVID-19 FAQs

- [SCO FAQs](#)
- [Student FAQs](#)



SCO Training Portal



Education Call Center

1-888-GIBILL-1 (1-888-442-4551).
For students outside the U.S., call
001-918-781-5678



School Certifying Official's (SCO) Handbook

Thank You for Attending Today's Event!

We genuinely look forward to reviewing your questions, comments and feedback in the Survey you will all see very soon!

Follow our Social Media Channels to stay up to date on GI Bill® Benefits:



@GIBillEducation



@VAVetBenefits



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