



POST★9/11
GI BILL

It's Your Future

VBA Quarterly Education Service Webinar

March 26, 2015

Agenda

- Section 702 (Choice Act) – The Resident Rate Requirements
 - Overview
 - “Covered Individuals”
 - Section 702 Website
 - Integration into Comparison Tool
 - Compliance Process
- Work Study – Buffalo Pilot Program
- Questions & Answers

Section 702 (Choice Act) – Resident Rate Requirements



Section 702 – In-State Tuition Provision Overview

- Section 702 of the Choice Act requires that VA disapprove programs of education for payments of benefits under the Post-9/11 GI Bill and Montgomery GI Bill Active Duty at a public IHL if the school charges qualifying individuals tuition and fees in excess of the rate for resident students
- To remain approved for Post-9/11 and MGIB benefits, schools must charge in-state tuition and fee amounts to “covered individuals” under those two programs
- Applies to terms beginning after July 1, 2015



Section 702 – “Covered Individuals”

- A “covered individual” is defined in the Choice Act as:
 - A **Veteran** who lives in the state in which the IHL is located (regardless of formal state of residence) and enrolls in the school **within three years of discharge** from a period of active duty service of 90 days or more
 - A **spouse or child** using transferred benefits who lives in the state in which the IHL is located (regardless of his/her formal state of residence) and enrolls in the school **within three years of the transferor’s discharge** from a period of active duty service of 90 days or more
 - A **spouse or child** using benefits under the **Fry Scholarship** who lives in the state in which the IHL is located (regardless of his/her formal state of residence) and enrolls in the school **within three years of the Servicemember’s death** in the line of duty following a period of active duty service of 90 days or more



Section 702 – “Covered Individuals” (cont.)

- Students maintain covered individual status as long as they are using Post-9/11 GI Bill or MGIB-AD benefits and remain continually enrolled at the same public IHL
 - Continuity of enrollment is not broken by regularly scheduled breaks between courses, semesters or terms
 - Individuals do not have to enroll in summer sessions or terms to maintain continuous enrollment
 - If a student exhausts entitlement or chooses not to receive GI Bill benefits under the Post-9/11 GI Bill or Montgomery GI Bill – Active Duty, the provisions of section 702 no longer apply, even if the student remains continuously enrolled.
- Section 702 only applies after the Servicemember has been discharged
 - Does not apply to students using transferred Post-9/11 GI Bill benefits from someone still on active duty
 - It does not apply to those currently on active duty



Section 702 – “Covered Individuals” (cont.)

- A school can impose other requirements in order for a student to be charged in-state tuition and fees as long as they do not require physical presence for any period of time
 - For example, the law does allow the state/school to require a student to show intent to become a resident
- The Yellow Ribbon Program will still be able for eligible students who do not meet the definition of *covered individual*
 - Students beyond three years of discharge and those that attend private schools may find it useful
 - Yellow Ribbon Program will not apply to covered individuals at public schools because they will only be charged in-state tuition



Section 702 – “Covered Individuals” (cont.)

- **How do we define “residency” or “living in the state?”** “Living in the state” simply means that the student must live in the state where the public institution of higher learning is located to be considered a *covered individual* for purposes of section 702.
 - This is something short of being a “resident” but is similar and consistent with other legal concepts such as “domicile” and “place of abode” that denote a meaningful physical presence that does not rise to the level of residency.



Section 702 – “Covered Individuals” (cont.)

- The law requires VA to disapprove programs of education for everyone training under the Post-9/11 GI Bill and the Montgomery GI Bill - Active Duty (MGIB-AD) programs, not just covered individuals, if resident tuition and fees are not charged to all covered individuals.
- States must ensure all public institutions of higher learning offering VA-approved programs charge in-state tuition and fees to covered individuals, including same sex spouses and children (biological, adopted, pre-adoptive, and stepchildren of same sex spouses) for periods of enrollment beginning after July 1, 2015.



Section 702 – Website

- Section 702 Information is featured on the GI Bill Website (benefits.va.gov/gibill/702.asp)
- Website will be updated to show states complying with the Resident Rate Requirements.

The screenshot shows the VA website's navigation menu with 'Education & Training' selected. The main content area is titled 'Section 702 of the Veterans Choice Act' and 'GI Bill Resident Rate Requirements'. It includes a paragraph explaining the 2014 Choice Act, a list of requirements for schools, and a 'VERIFY SCHOOL ATTENDANCE' section with a 'Submit a Question' button.

The screenshot shows the eBenefits website with a 'CONNECT WITH BENEFITS' section featuring social media icons. Below it is a banner for 'Access Your VA & DoD Benefits 24/7' with the URL www.ebenefits.va.gov.

Public IHLs must offer tuition and fees to all covered individuals with Post-9/11 GI Bill and Montgomery GI Bill - Active Duty (MGIB - AD) benefits in order for programs to remain approved for GI Bill benefits for terms beginning after July 1, 2015. VA will not issue payments for any students eligible for the Post-9/11 GI Bill or the MGIB-AD until the school becomes fully compliant.

These new requirements ensure our nation's recently discharged Veterans, and their eligible family members, will not bear the cost of out-of-state charges while using their well-deserved education benefits. VA is working diligently with state representatives to ensure compliance with the law before July 1, 2015.

The following table lists each state and territory and the current status of their compliance:

Complies with Law	Intends to Comply
<ul style="list-style-type: none"> • Texas • Georgia 	<ul style="list-style-type: none"> • Alabama • Alaska • Arkansas • Arizona • California • Colorado • Connecticut • Delaware • District of Columbia • Florida • Guam • Hawaii • Idaho • Illinois • Indiana • Iowa • Kansas • Kentucky • Louisiana • Maine • Maryland • Massachusetts • Michigan • Minnesota • Mississippi • Missouri • Montana

The screenshot shows the 'RESOURCES' section with a 'Benefits A-Z' dropdown menu and links for 'Federal Benefits for Veterans, Dependents, and Survivors', 'Trouble Making Payments', and 'New/Update Military ID Card'.

Section 702 – Website (cont.)

- To help with students' educational planning and ensure transparency, we will keep a listing of each state, territory, or school's status on this page
- We will also link to any documentation concerning waivers and status (approval or disapproval)
- We will keep the page updated so the public can follow any progress and know what is going on in a particular state/territory

Section 702 – Integration into Comparison Tool

- The GI Bill Comparison Tool will be updated to include information regarding compliance with Section 702
- Users will be able to select a school or program and learn if it complies with the Resident Rate Requirements of Section 702
- Completion date has not yet been determined; updates will be announced as necessary
- The [Section 702 Website](http://www.benefits.va.gov/gibill/702.asp) (www.benefits.va.gov/gibill/702.asp) is the only resource VA provides that shows compliance status

Section 702 – Compliance Process

- States must ensure all public IHLs offering VA-approved programs charge in-state tuition and fees to covered individuals for periods of enrollment beginning after July 1, 2015
- Currently eight states comply (GA, KY, TX, WY, NE, ND, NY, MS); all states and territories have indicated they intend to comply
- If a state does not comply, VA is required to disapprove programs of education for **everyone** training under the Post-9/11 GI Bill and the MGIB-AD programs (not just covered individuals)
- SECVA has the authority to waive the requirements of the law as deemed appropriate



Section 702 – Compliance Process (cont.)

- State Approving Agencies are working closely with the designated authority to facilitate the waiver process
- VA is providing assistance and guidance to help facilitate the compliance process
 - Weekly webinars with state representatives to discuss Section 702
 - Information being developed for dissemination if and when a waiver process starts
 - Letters will be distributed to students, IHLs, SCOs, Governors, and stakeholders about the compliance status and more
 - Similar updates will be posted to the GI Bill website



Section 702 – Compliance Process (cont.)

- States in compliance may go ahead and certify their enrollments as usual
- If the in-state tuition and fee policies comply with the requirements after July 1, 2015, VA will begin making payments for terms that begin on or after the date that the compliant policies take effect
 - There will be no payment for days prior to compliance date

Section 702 – Compliance Process (cont.)

- Until your school's policy either becomes compliant or is granted a waiver, we ask that SCOs comply with the earlier guidance for submitting terms that begin after July 1, 2015, as shown below.
 - **Post-9/11 GI Bill**: Insert a zero dollar figure "\$0" for tuition and fee charges in VA-ONCE when submitting enrollments prior to the beginning of the term. You may submit the actual charges on an amended enrollment certification **only after VA has verified** that your school's tuition and fee policies are compliant with section 702 **or** if a waiver is granted.
 - **Montgomery GI Bill- Active Duty (MGIB-AD)**: Tuition and fees are only submitted if a Veteran is enrolled at less than one-half time. You should **not** submit enrollment certifications for MGIB – AD Veterans attending at less than one-half time **until VA has verified** that your school's tuition and fee policies are compliant with section 702 or if a waiver is granted. MGIB – AD students attending at half-time or greater, as well as students on active duty, should be certified normally.



Section 702 – Waivers

- The Secretary has the authority to waive the requirements of the law as deemed appropriate
- We understand the time constraints on implementation and are working to determine a course of action regarding waivers
- Information will be distributed as it becomes available

Work Study – Buffalo Pilot Program

Work Study – Buffalo Pilot Program

- New bi-weekly payment schedule (nation-wide improvement)
- Greater access to VA computer systems, allowing participants to obtain career related experience
- Expanded job opportunities in various Divisions at the Buffalo VA Medical Center (VAMC) and the Buffalo VA Regional Processing Office (RPO)
- Flexible work schedule
- Extended contracts



Question & Answers



Question & Answers

- Question #1: What is the appropriate way to correct a SS# ON VA-ONCE after a cert has been processed?
 - Answer #1: There is a “Change SSN” feature within VA-ONCE that the school should try to use. It works if the student has not gone to another school. If the student exists in VA-ONCE in another place, then they are unable to use the feature. If unable to use this feature, there is help text within VA-ONCE for this question in the left margin, and if they click it the answer appears in a pop-up
- Question #2: Differences Punitive vs. Non-Punitive Grades. Can length to complete degree determine if it's punitive or non-punitive (like incremental completion rate which is a factor used to determine a school's overall academic progress towards graduation)?
 - Answer#2: A punitive grade is a grade that affects the GPA , such as an F grade. A non-punitive grade does not have any impact on the GPA – in many cases a withdrawal. You may be referring to a credit accrued, which is a term utilized by many clock hour schools. If that is the case, an incremental completion rate could be used in place of “punitive” or “non-punitive”. For a more specific answer, please contact your ELR.



Question & Answers

- Question#3: Certifying multiple mini sessions taken during a standard semester or quarter - what is the appropriate way to do this? How do we report the tuition and fees for those?
 - Answer#3: Mini sessions must be certified individually with the credit hours for each term. You can use the “Multiple Terms” option in VAONCE to input more than one term. Tuition and fees should be reported as it applies to each class. For instance, report the appropriate tuition for each 3 hour class taken during multiple sessions. If the school uses Flat Rate Tuition, refer to the SCO handbook for detailed information about reporting tuition and fees.

Question & Answers

- Question#4: Certifying enrollments terms for clock hour schools. We bill for the first 900 hours when they start classes and then do the next enrollment for the remainder after those initial 900 hours (900 hours for us equals an academic year). We've been certifying the second enrollment to start the day after the class is scheduled to reach 900 hours (to avoid the student having a break in payments). Should we wait until the student actually reaches 900 hours before we certify the second term or continue as is?
- Answer#4: You can certify as you've been doing, however, the second 900 hours should not be certified until completion of the first. if the student withdraws during the first certification period, you should report a termination and refund the student according to your refund policy. For more specific information, please contact your ELR.



Question & Answers

- Question#5: Can the pilot include all Veteran related duties/programs?

Answer#5: At this point the pilot program only includes approved VA related tasks at schools, state/local VA office, veteran centers, VA regional offices and VA hospitals. The program has not yet been expanded to cover additional sites.

- Question#6: The Bi-weekly can be done Nation-wide or only in Buffalo?

Answer#6: The Bi-Weekly pay is a nationwide policy.



Question & Answers

- Question#7: What kind of timeframe are we looking at for this to be rolled out to other regions/nationwide? Is there a specific timeframe goal for the pilot?

Answer#7: We are hoping to have the pilot program expanded to other regions within New York State by the Fall of 2015.

- Question#8: Can the Work Study funds be used for internships?

Answer#8: Work Study participants cannot work at a site they are performing an internship at.



Question & Answers

- Question#9: Is VA Work Study operating at the institutional level to include duties that are VA solely or Veteran related only activities?

Answer#9: All work duties must be VA related tasks.

- Question#10: Please clarify whether a VA WS student is to work only on VA activities, or can work on veteran-related activities that include a majority of VA students

Answer#10: VA Work Study participants can only perform VA activities.

Question & Answers

- Question#11: Can a VA WS student work in a Veteran Center at the school if it also serves non-VA recipients who are veterans

Answer#11: VA Work Study participants can serve all Veterans attending that school.

- Question#12: Is there a list of approved work sites with points of contact for each state that I can refer our students to for WS?

Answer#12: There is no online listing of work sites accessible to the public. Applicants can apply and VA will try to place them at a work site or they can contact their assigned RPO for approval information.



Question & Answers

- Question#13: Is there still a limit on WS through this program (I think it's 1 WS for every 100 benefit users at a school)

Answer#13: There are no restrictions on the number of Work Study participants at a school.

- Question#14: We are located in Boston, if a student lives in New Hampshire and has no intent to move would we be ok in billing out of state tuition and fees?

- Answer#14: See slides 5, 6, and 7. Please contact your local State Approving Agency (SAA) representative on Section 702 compliance. For a complete listing of SAA, please visit <http://nasaa-vetseducation.com/>



Question & Answers

- Question#15: What does a state have to do to notify VA that they are willing to be in compliance for 702?

Answer#15: Please contact your local State Approving Agency (SAA) representative on Section 702 compliance. For a complete listing of SAA, please visit <http://nasaa-vetseducation.com/>

- Question#16: So if the student does not live in state, has no intent to live in state, is not in a dorm in state, then we can bill VA for out of state?

Answer#16: If you are public IHL and do not comply with the provision, VA will disapprove the program of education you are offering for Chapter 33 and Chapter 30 students.



Question & Answers

- Question#17: How will we know if a dependent is a covered individual? Will it be added to the COE?

Answer: Covered individual as defined in the Choice Act include: 1) Veteran who lives in the state where he or she is attending (regardless of his/her formal state of residence) and enrolls in the school within three years of discharge from active duty service of 90 days or more; 2) Anyone using transferred Post-9/11 GI Bill benefits who lives in the state where he or she is attending school (regardless of his or her formal state of residence) and enrolls in the school within three years of transferor's discharge from qualifying period of active duty service of 90 days or more; 3) A spouse or child using benefits under the Marine Gunnery Sergeant John David Fry Scholarship who lives in the state where he or she is attending school (regardless of his/her formal state residence) and enrolls in the school within three years of the Servicemember's death in the line of duty, following a period active duty service of 90 days or more. COE will not specifically identify covered individual.



Question & Answers

- Question#18: Can a school create a policy that will make them in compliance. If so, how do we submit proof of that compliance? And who do we send it to?

Answer#18: Please contact your local State Approving Agency (SAA) representative on Section 702 compliance. For a complete listing of SAA, please visit <http://nasaa-vetseducation.com/>

- Question#19: Are there any considerations for online schools?

Answer#19: Section 702 requires VA to disapprove programs of education under Chapter 33 and Chapter 30 at public institutions of higher learning. If your school meets this parameter and an online school you are subject to Section 702 provision to compliance.



Question & Answers

- Question#20: If the school is compliant due to board of trustees action, but the state has not yet been certified as compliant, can we apply through SAA or VA to be certified at the school level or must the entire state become compliant prior to the deadline?

Answer#20: Please contact your local State Approving Agency (SAA) representative on Section 702 compliance questions and concern. For a complete listing of SAA, please visit <http://nasaa-vetseducation.com/>

- Question#21: We are looking at possibly becoming a yellow ribbon school, but it appears that 702 would greatly reduce the need for the YR program. Am I right?

Answer#21: Yellow Ribbon Program will still be a valuable option for students who do not meet the definition of covered individuals (for example, students beyond three years of discharge and students attending private schools). However, for covered individuals at public schools, the YR Program will not apply because they will only be charged in-state tuition.



Question & Answers

- Question#22: We don't have in state or out state tuition. We charged one rate. Does this apply? Section 702

Answer#22: Section 702 provision requires public IHL to charge in-state tuition for covered individuals under Chapter 33 and Chapter 30.

- Question#23: We do not offer certificates at all but have been told we are exempt from 702. We are a private/nonprofit awarding BA and MA degrees. How do we ensure funding?

Answer#23: Section 702 requires VA to disapprove programs of education for payment of benefits under Chapter 33 and Chapter 30 at public IHL that charge qualifying individuals GI Bill tuition and fees in excess of the resident rate for terms beginning after July 1, 2015.



Question & Answers

- Question#24: How does Sec 702 apply to CH33-eligible USPHS employees and their dependents? Do they have to be “no longer employed” 3 years or less?

Answer#24: USPHS employees and their dependents are also considered covered individuals under Section 702. Same rules apply.

