The 85 Percent Rule

Supported vs. Non-Supported Students

Purpose
The 85 Percent Rule (85/15) prohibits paying Department of Veterans Affairs (VA) benefits to students enrolling in a program when more than 85% of the students enrolled in that program are having any portion of their tuition, fees, or other charges paid for them by the Educational and Training Institution (ETI) or by VA under Title 38 or Title 10.

If the ratio of Supported Students to Non-Supported Students exceeds 85% only students maintaining continuous enrollment may receive benefits for that program. VA beneficiaries, except for those receiving Veteran Readiness and Employment Service benefits (Chapter 31) and Survivors and Dependents Educational Assistance (Chapter 35) benefits, will not be awarded benefits for that program if they enroll on or after the effective date of suspension for as long as that program remains suspended.

Supported Students

- Any student receiving any amount of VA Education benefits under Title 38 or Title 10
- Any student where the full amount of tuition, fees, and other mandatory charges has not been paid to the ETI prior to the reporting date (i.e., no later than 30 days from the start of a term or 30 days after the end of quarter), unless the student is using an institutionally funded payment plan to pay the full amount of tuition, fees, and other mandatory charges and all of the following apply:
  - The availability and requirements of the payment plan policy is published both on the ETI's website and in the ETI's approved catalog
  - The payment plan is available to any enrolled student interested in participating in such plans
  - The payment plan explicitly requires the student to pay the outstanding balance by the end of the 85/15 reporting period (academic term or calendar quarter) or by the end of the enrollment period, whichever is later
  - The payment plan policy prevents the student from training beyond the reporting period unless the outstanding balance is paid in full
- Any student who is granted any waiver or forgiveness of tuition, fees, or other charges
- Any student who receives an institutionally funded scholarship or grant, if the institutional policy for determining the recipient of such aid is not equal with respect to Veterans and nonveterans alike, excluding graduate students (i.e., restricted aid)
Non-Supported Students

- Any student who pays the full amount of tuition, fees, and other mandatory charges to the ETI prior to the end of the current reporting period (i.e., no later than 30 days from the start of a term or end of quarter)

- Any student using an institutionally funded payment plan to pay the full amount of tuition, fees, and other mandatory charges when all the following apply:
  - The availability and requirements of the payment plan policy is published both on the ETI’s website and in the ETI’s approved catalog
  - The payment plan is available to any enrolled student interested in participating in such plans
  - The payment plan explicitly requires the student to pay the outstanding balance by the end of the 85/15 reporting period (academic term or calendar quarter) or by the end of the enrollment period, whichever is later
  - The payment plan policy prevents the student from training beyond the reporting period unless the outstanding balance is paid in full

- Any student receiving Title IV Department of Education aid
- Any student receiving Tuition Assistance through the Department of Defense
- Graduate students in receipt of institutional aid
- Any student receiving non-institutional aid (scholarships, grants, or other types of aid offered by a third-party entity not affiliated with the ETI)
- Any student receiving an institutionally funded loan, scholarship, or grant, if the policy for determining the recipient of such aid is equal with respect to Veterans and nonveterans alike (i.e., unrestricted aid)

NOTE: If the student is receiving multiple types of aid and any of it is Supported, the student must be counted as a Supported Student.

Relevant Statutory, Regulatory, and Procedural References

- [38 United States Code (USC) 3680A](#)
- [38 Code of Federal Regulations (CFR) 21.4201](#)
- [Policy Advisory: Clarification Concerning Tuition and Fees Payment Plans for Standard Terms and 85/15 Calculations](#)