

Specific Topics of The Post-9 / 11 GI Bill

Overview

- Eligibility Criteria
- Benefit Levels (“Eligibility Matrix”)
- Entitlement
- Elections
- Period of Eligibility
- Yellow Ribbon Program
- Modifications to the Post 9/11 GI Bill
(Tuition and Fees, Kickers, Monthly Housing Allowance, LAC, National Exams, Break Payments, OJT, Flight Programs, and Books and Supplies)
- Transfer of Entitlement (ToE)

Eligibility Criteria

Eligibility Criteria:

- Served on active duty on or after 09-11-01
- Served a minimum of 90 aggregate days (excluding entry level and skill training)

Exception: Service Connected Disability: established if served at least 30 continuous days on active duty and discharged for a Service Connected Disability. Veteran will qualify at the 100% benefit level.

- Benefit level is based on the length of service
(see Eligibility Matrix)

Eligibility: Types of Service

Eligibility Criteria:

- **As of August 1, 2009 to Present:**

Active duty served as a member of the Armed Forces or as a result of a call up order to active duty from a reserve component under **section 688, 672(d), 12301(a), 12301(d), 12301(g), 12302, or 12304 of Title 10** is qualifying active duty service

- **As of October 1, 2011 to Present:** VA began paying benefits to members of the Army National Guard and Air National guard for qualifying service under **Title 32** including:

- Full Time service in the National Guard for the purpose of organizing, administering, recruiting, instructing, or training
- Activations in support of a national emergency under section 502(f) of Title 32
- Benefits will be retroactive back to August 1, 2009 (or the claimant's election date)

Eligibility: Types of Service

- **Title 32**

- **Title 32 Service may qualify if:**

- Classified Title 32 and **AGR** (Active Guard and Reserve)
- Classified Title 32 and **Full Time National Guard (FTNG) ADOS/ADSW** that was:
 - Under a National Emergency; and
 - Declared by the President; and
 - Federally Funded; and
 - 502(f); and
 - Operation Noble Eagle; and
 - mobilized from 09/11/01 – 05/31/02

Eligibility: Exclusions

- Active Duty **Exclusions** Include:
 - Service Academy Contract Period (5 year obligation)
 - ROTC contract period under 10 U.S.C. 2107(b) (4 year obligation)
 - Service used for purpose of loan repayment (3 year obligation)
 - Service terminated due to an erroneous or defective enlistment

Eligibility: How to Maintain

- **In order to Maintain Eligibility:**
 - Must continue on active duty; or
 - Be honorably discharged from the Armed Forces; or
 - Be honorably discharged and placed on a retired list, temporary disability list, or transferred to the Fleet Reserve or Fleet Marine Corps Reserved
 - Be honorably discharged for future service in a reserve component
 - Be discharged or released with Under Honorable Conditions (UHC) **prior to January 4, 2011** for:
 - Injury Prior to Service (EPTS)
 - Hardship (HDSP)
 - Condition Interfered with Duty (CIWD)



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Post-9 / 11 GI Bill Eligibility Matrix

Aggregate Service Requirements in Days (after 9/10/01 an individual must serve an aggregate of)	Payment Tiers Percentage
1095	100
30 Continuous Days with a Disability Discharge	100
910-1094	90
730-909	80
545-729	70
365-544	60
180-364	50
90-179	40

Entitlement

- **Period of Eligibility:**
 - Generally 36 months of entitlement
 - Limited to 48 months of entitlement under 2 or more education programs (with the exceptions of Transfer of Entitlement transferees)
 - May not receive concurrent benefits under: Nation Call to Service, Chapters: 30, 31, 32, 33, 35, or Chapter 1606(a), 1606, 1607, or section 903 of title 10, or the hostage relief act of 1980; or the omnibus diplomatic security and antiterrorism act of 1986

Elections

- **Elections:**

- Students eligible for Chapters: 30, 1606, or 1607 on or after August 1, 2009 and on their election date, must *relinquish* a benefit to receive Chapter 33
- *Relinquishment*: once the student “gives up” the selected benefit of his/her choice, the student cannot use that benefit again
- Chapter 33 Elections are irrevocable; however:
 - Elections can be withdrawn or changed if the RPO receives the request **BEFORE** issuing a Certificate of Eligibility (CoE) or payment to the claimant
 - Election withdrawal requests may be received by phone calls, internet inquiries, etc.; or
 - Changes, however, must be received in writing

Elections

- Visit www.gibill.va.gov for case scenarios that may help individuals compare VA benefit programs, remember:
 - Each student's situation is unique
 - Cases should be used as “things to consider” but not as facts or rules
 - Always contact or have the claimant contact the VA for eligibility questions or concerns
 - The Effective Date (Relinquishment Date) cannot be changed once the application has been processed

Period of Eligibility “Delimiting Date”

- Generally, individuals will remain eligible for benefits for 15 years from:
 - Date of last discharge; or
 - Release from active duty service of at least 90 continuous days

If eligibility is based on aggregate service of less than 90 continuous days, individuals will have 15 years from the last period of service used to meet the minimum service requirements for eligibility

Yellow Ribbon Program

- Purpose of the Yellow Ribbon Program
 - **Enrollments beginning prior to August 1, 2011:**
 - Allows individuals to incur less out-of-pocket expenses while attending a school whose tuition & fees exceed the highest public in-state undergraduate tuition & fee rate at an IHL school
 - Institutions can contribute up to 50% of the un-met expenses and VA will match the same amount as the institution for the students who qualify for the program

Yellow Ribbon Program

- Purpose of the Yellow Ribbon Program
 - **Enrollments beginning ON or AFTER August 1, 2011:**
 - **Public School:** Yellow Ribbon Program contributions can be applied to the difference between in-state and out-of state tuition and fee charges (since in-state costs are covered under the Post-9/11 GI Bill for Public schools).
 - **Private School:** After the \$17,500 cap is exhausted for the academic year, the Yellow Ribbon Program contributions can be applied to any potential shortfalls in the first semester and/or in the remainder of the academic year.

Yellow Ribbon Program Eligibility

- Schools Involvement in Eligibility:
 - Must contractually agree to participate in Yellow Ribbon Program
 - Must determine what amount of tuition and fees will be contributed for the Yellow Ribbon participants
 - Must report how many veterans will be allowed to participate in the program each academic year
 - Provide contributions to eligible students on a first-come first-serve basis
 - Must make contributions toward the program on behalf of the individual in the form of a grant, scholarship, etc.
 - See page 53 of the School Certifying Handbook for more information

Yellow Ribbon Program

- **Who is eligible:**

- Individuals entitled to the 100% benefit rate (based on service requirements)
- Spouses and children using Transfer of Entitlement (ToE) benefits when entitled to the 100% benefit rate

(Note: ToE children are eligible for Yellow Ribbon if the sponsor is eligible at the 100% benefit level, regardless of the sponsor's active duty status)

- **Who is NOT eligible:**

- Individuals on active duty
- ToE spouses when the transferor, service member, is on active duty

Modifications of the Post-9 / 11 GI Bill (Public Law 111-377)



Modifications of the Post-9/11 GI Bill

Changes as of August 1, 2011

Tuition and Fee Changes:

- No individual state cap rates (as previously used)
- Public School in-state tuition and fees are fully reimbursable
 - The Yellow Ribbon Program can be used to cover the un-met charges (e.g. out-of-state charges at public schools)
- Private school costs are capped at \$17,500 annually (example: from August 1, 2011 through July 31, 2012)
 - The Yellow Ribbon Program still exists for costs above the cap rates

Modifications of the Post-9/11 GI Bill

Changes as of August 1, 2011

Kickers:

- Allows VA to pay kickers on a monthly basis instead of a lump sum at the beginning of the term
- Pays kickers to those attending school at half-time or less

Modifications of the Post-9/11 GI Bill

Changes as of August 1, 2011

Monthly Housing Allowance/ Vocational Rehabilitation:

- Allows those who are eligible for both Chapter 31, Vocational Rehabilitation and Employment, and Post-9/11 GI Bill benefits to choose the Post-9/11 GI Bill's monthly housing allowance instead of the Chapter 31 subsistence allowance.

Modifications of the Post-9/11 GI Bill

Changes as of August 1, 2011

License and Certification Tests:

- Allows reimbursement for more than one “license and certification” test for up to \$2,000 each (previously only 1 test was allowed):
 - one certification for training before 8/1/11, no entitlement charged
 - additional certifications, 1 month of entitlement charged for each

Modifications of the Post-9/11 GI Bill

Changes as of August 1, 2011

National Exams:

- Allows reimbursement of fees paid to take national exams used for admission to an institution of higher learning (e.g. SAT, GRE, ACT, GMAT, LSAT)
- Generally, 1 mo. of entitlement will be charged

Modifications of the Post-9/11 GI Bill

Changes as of August 1, 2011

No More Interval “Break” Payment:

- After August 1, 2011, students will no longer receive payment for the break between terms
- Break payments are **no longer payable under any VA education benefit program** unless under an Executive Order of the President due to an emergency situation such as a natural disaster or strike

Modifications of the Post-9/11 GI Bill

Changes as of October 1, 2011

New Programs Approved:

- Allows students to use Chapter 33 for non-college degree programs such as: **On-the-Job Training (OJT)**, **Flight** (for other than a private pilot license) at flight schools, **Apprenticeship training**, and **correspondence courses**
- **Flight Programs:** pays the lesser of the actual net costs for in-state Tuition and Fees assessed by the school OR \$10,000, which ever is less *“per academic year.”*

Modifications of the Post-9/11 GI Bill

Changes as of October 1, 2011

Monthly Housing Allowance:

- Now payable to students (other than those on active duty) enrolled solely in **distance learning**. The allowance is $\frac{1}{2}$ the national average BAH for an E-5 with dependents (the Full Time rate is \$673.44 for 2011)
- Prorates housing allowance by **rate of pursuit** (rounded to the nearest 10th).

Modifications of the Post-9/11 GI Bill

Changes as of October 1, 2011

Books and Supplies Stipend:

- Allows students *on active duty* to receive a book and supplies stipend (they previously could not receive this payment type)

Transfer of Entitlement



Transfer of Entitlement

- **What is it?**
 - A component of the Post-9/11 GI Bill
 - Allows the servicemember to transfer unused Post-9/11 GI Bill benefits to children and spouse
- **Who authorizes transfer of benefits?**
 - Secretary of Defense (when the Coast Guard is operating as a service of the Navy)
 - Secretaries of Army, Navy, or Air Force
 - Secretary of Homeland Security (for Coast Guard)
 - PHS/NOAA members are now eligible effective August 1, 2011

Transfer of Entitlement

- **To be approved to transfer benefits, servicemember must-**
 - Be in Armed Forces on or after 08/01/09;
and
 - Have completed 6 years in the Armed Forces; *and*
 - Agree to serve 4 more years

Transfer of Entitlement

- **An individual approved to transfer benefits may-**
 - Transfer up to 36 months of benefits
 - Transfer to spouse, child, or children in any amount the transferor has available
 - Revoke or modify a transfer request of any **unused** benefits unless the transferor's 15-year eligibility period has ended.
 - Not transfer benefits to a new dependent once the transferor is no longer a member of the Armed Forces

Transfer of Entitlement

- **Spouses-**

- May use after the transferor completes 6 years in the Armed Forces
- Paid at transferor's rate – cannot be paid Monthly Housing Allowance (MHA) or Books and Supplies Stipend if the transferor is on active duty when the spouse is receiving benefits.
- Can, unless the transferor revokes the transfer, continue to use benefits if divorced after the transfer
- Can use benefits up to transferor's 15-year eligibility period expires unless transferor specifies an early ending date
- ***Under law, benefits are not marital property and are not subject to division in a divorce or other civil proceedings***

Transfer of Entitlement

- **Children-**

- May be transferred to an unmarried child who has not reached the age of 18 or, if in school, before child is 23 years of age
- May use after the transferor completes 10 years in Armed Forces
- To commence training, a child must have:
 - Attained age 18; or
 - Completed requirements of secondary school diploma (or equivalency certificate)
- Receives Monthly Housing Allowance provided RoP is greater than 50%
- May use until age 26 (even if transferor's 15-year eligibility period ended)
- May continue to use benefits after marriage

Transfer of Entitlement

Important:

The transferor and individual (spouse/child) using a transferred entitlement are jointly liable for an overpayment of Chapter 33 benefits





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Questions?



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