

January 06, 2011

RPO Letter 22-11-01

225A

Directors (00/22)
VA Regional Processing Offices
Atlanta, Buffalo, Muskogee, St. Louis

SUBJECT: S-3447, Post 9/11 Veterans Educational Assistance Act of 2010.

On January 4, 2011, President Obama signed into law the Senate Bill (S-3447), "Post 9/11 Veterans Educational Assistance Act of 2010". A brief summary of this new law's impact is outlined below:

Effective now but not payable until October 1, 2011:

- Expands the Post-9/11 GI Bill to include Active Service performed by National Guard members under title 32 U.S.C. for the purpose of organizing, administering, recruiting, instructing, or training the National Guard; or under section 502(f) for the purpose of responding to a national emergency

Effective August 1, 2011:

- Simplifies the tuition and fee rates for those attending a public school and creates a national rate for those enrolled in a private or foreign school
 - No individual state caps
 - Private school costs are capped at \$17,500 annually
 - The Yellow Ribbon Program still exists for costs above the cap
- Allows VA to pay kickers on a monthly basis instead of a lump sum at the beginning of the term and also pay kickers to those who are attending school at half-time or less
- Allows those who are eligible for both Chapter 31 Vocational Rehabilitation and Employment benefits 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
- Allows reimbursement for more than one "license and certification" test (previously only one test was allowed)
- Allows reimbursement of fees paid to take national exams used for admission to an institution of higher learning (e.g., SAT, ACT, GMAT, LSAT)
- Break or interval pay is no longer payable under any VA education benefit program unless under an Executive Order of the President or due to an emergency situation such as a natural disaster or strike.

Effective October 1, 2011:

- Allows students to use the Post-9/11 GI Bill for non-college degree programs such as: on-the-job training, flight (for other than a private pilot license) at flight schools, apprenticeship training, and correspondence courses
- Flight programs: Pays the lesser of actual net costs for in-state Tuition and Fees assessed by the school or \$10,000, which ever is less *“per academic year.”*
- Housing allowance is now payable to students (other than those on active duty) enrolled solely in distance learning, the housing allowance is ½ the national average BAH for an E-5 with dependents (the full time rate would be \$673.50 for 2011)
- Prorates housing allowance by rate of pursuit (rounded to the nearest tenth)
 - A ¾ time student would receive 80% of the BAH rate
- Allow students on active duty to receive a books and supplies stipend.

Changes of interest to schools:

- Reporting fees paid to schools increases from \$7 to \$12 per student per year.
- Programs offered at accredited public and private-not-for-profit schools are deemed already approved for VA Education Benefits
- Allows the VA to use SAAs for compliance and oversight duties
- Requires that reporting fees only be used for the purpose of certification

If you have any questions, please direct them to the Policy Development Team (225A) via e-mail to VAVBAWAS/CO/225A.

/s/
KEITH M. WILSON
Director,
Education Service