

**Certification
of Students
Under
Veterans' Laws**



"The AACRAO Manual"

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Appendix A Comparison Of Education Benefits

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Glossary of Terms and Abbreviations

Accrediting Agency

A nationally recognized agency or association which the Secretary of Education determines to be a reliable authority as to the quality of training offered by an educational institution. The Secretary publishes a list of these agencies and associations which the state approving agencies utilize for establishing that a program of instruction may be approved under the provisions of 38 U.S.C. 3675 as an accredited program.

Active Duty

Full-time duty in the Armed Forces. This also includes full-time duty performed by commissioned officers of the Public Health Service and National Oceanic and Atmospheric Administration (not including active duty for training).

Active Duty for Training (ACDUTRA)

Active duty for training in the Reserves or National Guard. This includes reservists on full-time duty for training purposes in the Armed Forces; members of the National Guard or Air National Guard of any state, performing full-time training duty under title 32, U.S. Code, sections 316, 502, 503, 504, or 505.

Advance Payment

The monetary allowance which may be payable to a student for the first fractional (or full) month and the following full month of enrollment. These payments are mailed to schools prior to the beginning of classes for release to students who have completed registration.

Advertising

VA will not approve an enrollment in any course offered by an institution which uses advertising, sales, or enrollment practices which are erroneous, deceptive, or misleading by actual statement, omission, or intimation. Any institution approved for the enrollment of veterans and other eligible persons must maintain a complete record of all advertising, sales, or enrollment materials used during the preceding 12-month periods.

Already Qualified

A student is considered "already qualified" if he or she has previously completed a program at the same level and in the same field of study for which application is now being made. This will not preclude the pursuit of a program leading to a degree at the same level with a different major or in an entirely different field. It also does not preclude the pursuit of subjects which may be necessary to qualify for admission into a program leading to a higher degree or to qualify for a vocational or professional objective. A person will be considered already qualified if he or she was previously employed in a job for which the course now being requested is designed to qualify the individual who completes it. For example, if the applicant is

employed in sales, he or she is already qualified for enrollment in a general sales course. VA benefits are not payable for pursuit of any program for which the student is already qualified. This includes courses required for relicensing or a continuation of licensing in a professional field.

Armed Forces

This includes the United States Army, Navy, Marine Corps, Air Force, and Coast Guard, including the reserve components thereof.

Assignment of Benefits

Any arrangement by a school which denies the student the opportunity to control the proceeds of a check is prohibited. Section 5301(a) of title 38, U.S. Code, provides that payments of benefits due under the laws administered by VA shall not be assigned except as specifically authorized by law. There are no laws that authorize assignment of VA educational checks.

Audited Course

The term means any credit course which a student attends as a listener only with a prior understanding between school officials and the student that such attendance will not result in credit being granted toward graduation. VA education benefits are not payable for pursuit of such courses, and these types of courses should not be certified to VA.

Award Letter

The official written notice from the Department of Veterans Affairs to a student of his or her monthly rate of payment, the inclusive dates of payment, and remaining entitlement at the end of the award period.

Basic Educational Assistance

As used under the Montgomery GI Bill - Active Duty, "basic educational assistance" means a monetary benefit payable to all individuals who meet basic requirements for eligibility under Chapter 30, title 38, U.S. Code, for pursuit of a program of education.

BDN

Benefits Delivery Network. The BDN system is composed of various components. It is VA's main processing system for all award and related actions. This system generates the payment information that is sent to Treasury for producing the benefits checks. The BDN system also contains the master record files for veterans and beneficiaries.

BIRLS

Beneficiary Identification and Records Locator Subsystem. This is a computerized record system directly accessed by regional offices by means of computer terminals. It contains basic identifying information on a VA claimant including the current location of the claimant's folder and service information.

Break in Service

The term "break in service" means a period of more than 90 days between the date when an individual is released from active duty or otherwise receives a complete separation from active duty service and the date he or she reenters on active duty.

Calendar Month

A complete month (e.g., the complete month of June). This should not be confused with a 30-day period. The most common application of "calendar month" is to the interval between school terms, regarding entitlement to payment for an interval (38 U.S.C. 21.4138(f))

Certificate of Eligibility (C/E)

A Form 22-1993a which is issued to an applicant showing approval to pursue a stated program of education at a particular institution, the remaining entitlement of the student, and the ending date of the student's eligibility.

Certifying Official

The person at an institution who has been delegated authority to sign enrollment certifications, other certification documents and reports relating to VA benefits.

Certification of Delivery of Advance Payment and Enrollment

Often referred to as the "COD," the Form 22-1999v is mailed to the school in a separate envelope from the advance payment check. When the advance payment check is given to the student by the school, the COD, which contains preprinted enrollment information, must be completed by the certifying official and immediately returned.

Change of Program

A change of program consists of a change in the educational, professional, or vocational objective for which the veteran or eligible person entered training and a like change in the type of courses required to attain a new objective. This includes any change in an eligible person's program or objective which will result in a material loss of credit or which will materially lengthen the training time necessary to complete an objective. A material loss of credit is generally considered to be the loss of more than 12 credit hours for programs measured in quarter or semester hours, or the loss of more than 10 per cent of the training completed for other types of courses.

Change of School

There is no limit or restriction on change of schools for continued pursuit of the same course or program provided the veteran or eligible person is making satisfactory progress and there is no material loss of credit.

Character of Discharge

All VA benefits (with the exceptions of some insurance programs and certain medical benefits) payable to veterans or their dependents require that the particular period of service upon which entitlement is based be terminated under conditions other than dishonorable. However, a veteran must obtain an "Honorable" discharge to receive educational benefits under the Montgomery GI Bill, not "under honorable conditions" or "general," which will disqualify the individual for those benefits. Service personnel who complete six months or less of active military

service are issued "uncharacterized" discharges. If an "uncharacterized" discharge is used for reasons of service-connected disability or hardship, they are considered to be "Honorable" for Montgomery GI Bill purposes.

Circular

A publication issued by VA for distribution to regional offices and sometimes to schools as an expeditious way of providing directives on new procedures. A circular may also be used to disseminate information regarding issues which will be pertinent for only a limited period of time.

Claimant

An individual in the process of claiming VA benefits who is potentially eligible for benefits but who has not completed all the necessary steps which will permit VA to determine individual eligibility and entitlement.

Concurrent Enrollment

When a student cannot successfully schedule his or her complete program at one school, or cannot complete his or her program within the period in which he or she plans to complete an objective, a student may pursue courses at a second institution. A student is enrolled in more than one school at the same time (the dates of course pursuit at each school may overlap) and the primary institution certifies that supplemental school pursuit will be accepted at full credit toward the student's course objective.

Confirmed Enrollment

An enrollment certification which is dated and signed by the school's certifying official on or after the first day of a certified enrollment period.

Continuous Active Duty

The term "continuous active duty" means active duty served without interruption. A complete separation from active duty service will interrupt the continuity of active duty service. Time lost while on active duty will not interrupt the continuity of service.

Cost of Course

The term "cost of course" means the total cost for tuition and fees for a course which an educational institution charges to nonveterans whose circumstances are similar to veterans enrolled in the same course. "Cost of course" does not include the cost of supplies or books which the student is required to purchase at his or her own expense.

Course

As used in this manual, "course" means a specific class or subject of instruction (e.g., English 110).

Cycle, Cooperative Program

Most cooperative programs have terms devoted exclusively to institutional study at both the beginning and the end of the program. Between these terms are a series of cycles in which the student alternates between classroom instruction and on-the-job training. A cycle may begin with either the institutional phase or with the work phase, but the cycle continues until both phases are completed. Alternating periods may be a part-day in school and a part-day on the job or may be such periods which alternate on a daily, weekly, monthly, or term basis. The alternate in-school periods of the course must be at least as long as the alternate periods in the business or industrial establishment.

DD Form 214

The Certificate of Release or Discharge from Active Duty which is prepared at the time an individual completes a period of active duty in one of the Armed Forces. Former members of the Public Health Service (PHS) and of the National Oceanic and Atmospheric Administration (NOAA) do not receive a DD Form 214, but they do receive comparable documents that provide necessary information concerning their active duty service. Veterans should be advised to submit copy number 4 of their DD Form 214 with a claim for VA benefits. A certified copy may also be submitted.

Delayed Enlistment Program (DEP)

A Delayed Enlistment or Delayed Entry Program allows individuals to contract to go on active duty in the Armed Forces at a later date. The periods of time of the delayed entry

onto active duty vary according to the specific program involved. For example, under DEP, the delay of entry onto active duty varies up to 270 days. In other programs, such as ROTC, the delay may be several years.

Delimiting Date

The expiration date for education benefits. It is the first day after a claimant's period of eligibility expires. Benefits are not payable on or after the delimiting date. Generally, the delimiting date is ten years and one day from the veteran's last release from active duty date (RAD). The expiration date for those under Chapters 35 and 1606 is computed differently. See appropriate sections for further explanation.

Dependents' Educational Assistance (DEA)

See Survivors' and Dependents' Educational Assistance.

DOD Record

The Department of Veterans Affairs accesses the Department of Defense's manpower data base through a computer interface between the Defense Manpower Data Center (DMDC) in Monterey, California and the BDN system. This record contains information from the serviceperson's/veteran's military records which VA may use to determine eligibility for Chapters 30 and 1606.

Drop Period

A reasonably brief period of time at the beginning of a term officially designated by a school for dropping courses. The school's last day to drop a course will be the end of the drop period, providing it does not exceed 30 days from the first day of the term.

Dual Eligibility

Entitlement to education benefits under two or more programs administered by VA. If an individual qualifies for educational assistance under two or more such programs, the total assistance available may not exceed an aggregate total of 48 months, or the equivalent in part-time benefits. A person having dual eligibility may not receive such benefits concurrently.

Education Liaison Representative (ELR)

The person at the VA regional office responsible for the education liaison and program approval functions. The ELR is responsible for promptly informing state approving agencies, schools, and training establishments of changes in policies and procedures.

Education Services Officer (ESO)

This includes civilian education services officers, military career counselors, and other employees of the military education offices who are assigned responsibility for advising servicepersons of the educational opportunities available to active duty personnel.

Educational Assistance

This term is generally used interchangeably with the term "education benefits." However, under the Montgomery GI Bill - Active Duty, the term "educational assistance" means basic educational assistance, supplemental educational assistance, and all additional amounts payable, commonly called "kickers."

Eligible Person

A child, spouse, or surviving spouse of a veteran who served on active duty and who died of a service-connected disability, or who has a total disability permanent in nature resulting from a service-connected disability, or who died from any cause while a total and permanent service-connected disability was in existence. Also includes a child or a spouse of a person who is on active duty as a member of the Armed Forces and who now is, and, for a period of more than 90 days, has been, listed by the Secretary concerned as missing in action, captured in line of duty by a hostile force, or forcibly detained or interned in line of duty by a foreign government or power.

Enrollment Period

This term means an interval of time during which a veteran or eligible person is enrolled in an educational institution and is pursuing his or her program of education. This term applies to each unit course or subject in the veteran's or eligible person's program of education; i.e., quarter, semester, or full school year.

Entitlement

The number of months the student will be eligible for VA education benefits. This is usually expressed in the numbers of months and days the student will be eligible for full-time benefits, or the equivalent in part-time training, but also may be expressed in a dollar amount. Entitlement will vary depending on the education program the individual qualifies under. In no event will entitlement exceed 48 months under any combination of laws.

Equivalent Credit Hours

When a term is not a standard semester or quarter, VA will determine the equivalent for full-time undergraduate training. Using a formula, the resulting quotient is called equivalent credit hours. VA treats equivalent credit hours as credit hours for measurement purposes.

Facility Code

The numerical code assigned by VA to an institution specifically identifying it or one of its subdivisions.

File Number

A seven-, eight- or nine-digit number assigned by VA to identify a claimant's records. Most veterans have their Social Security numbers assigned as their VA file number. Dependents or survivors of veterans eligible for chapter 35 benefits are assigned a letter suffix (e.g., "A," "B," "W) *to the file number of the veteran.*

G.E.D.

An official General Educational Development certificate issued by a state-level department of education. The credentials issued by state-level departments of education are official documents that are acceptable as the equivalent of high school graduation diplomas. In addition, Department of Defense certificates of G.E.D. equivalency are acceptable evidence of completion of high school educational requirements.

Holiday Vacation

The term "holiday vacation" means a customary, reasonable vacation period connected with a federal or state legal holiday which is identified as a holiday vacation in the educational institution's approved literature. Generally, VA interprets a reasonable period as not more than one calendar week at Christmas and one calendar week at New Year's and shorter periods of time in connection with other legal holidays.

Independent Study

A course or subject offered without any regularly scheduled, conventional classroom or laboratory sessions. For VA purposes, such courses or subjects must lead to a standard college degree and consist of a prescribed program of study with provision for interaction either by mail, telephone, or personally between the student and the regularly employed faculty of the university or college. A specific approval of these courses by the state approving agency is

required, in order for VA benefits to be authorized.

Institution of Higher Learning (IHL)

A college, university, technical or business school, offering instruction at the postsecondary level which leads to an associate or higher degree. The institution must be empowered by the appropriate state education authority (under state law) or accredited by a recognized accrediting agency to grant such degrees. This designation also includes hospitals offering medical-dental internships or residencies without regard to whether the hospital grants a postsecondary degree.

Interval Payment

Educational assistance benefits may be paid during the intervals between terms at a school or between terms when transferring from one school to another while remaining in the same program. Exceptions apply, as well as certain other restrictions in certain situations. Persons on active duty or training at less than half-time are not entitled to interval payments.

Kickers

The Department of Defense may contribute amounts as deemed appropriate to an education fund on behalf of participants to encourage enlistment or retention in the Armed Forces. These amounts are added to any other education benefits to which the person may be entitled. Generally, kickers are applicable only to Chapters 30, 32 and Section 903.

Matriculated Student

A college or university student who has satisfied all prerequisites for formal admission and recognition by the institution as a degree-seeking student. This does not mean that an undergraduate student must have formally been accepted into a specific major curricular field of study before he or she may be classified as "matriculated."

M.G.I.B.

Refers to either the Montgomery GI Bill - Active Duty (Chapter 30 of title 38, U.S. Code) or the Montgomery G.I. Bill - Selected Reserve (Chapter 1606 of title 10, U.S. Code).

Mitigating Circumstances

Unanticipated and unavoidable events beyond a student's control which are responsible for the student's inability to complete a course or courses or which result in the student's receipt of a nonpunitive grade for a course that the student did complete. Generally, a student will be required to submit corroborative evidence to substantiate his or her reasons for being unable to complete the course(s) with a creditable grade(s).

NOBE

This is a DD Form 2384, Selected Reserve Educational Assistance Program Notice of Basic Eligibility, which the Selected Reserve member obtains from his or her National Guard or Reserve component unit stating his or her eligibility for the Montgomery GI Bill - Selected Reserve. If available, this form

should accompany the reservist's application for benefits.

Non-College Degree (NCD)

The designation "NCD" is used to refer to a course or program of education or any other institutional vocational/educational training which does not lead to a standard college degree.

Nonpunitive Grade

The term means any grade assigned for pursuit of a course, whether upon completion of the course or at the time of withdrawal from the course, which has the effect of excluding the course from any consideration in determining progress toward fulfillment of requirements for graduation, i.e., "W" or "NC" grades. No credit toward the school's requirements for graduation is granted for such a grade, nor does the grade affect any other criteria for graduation by the policies of the school, such as a grade point average. Therefore, it has the same effect as an audited course. A student will be charged with an overpayment of the benefits received for those courses in which a nonpunitive grade is received unless he or she presents evidence of acceptable mitigating circumstances to explain the grade assigned.

Nonstandard Term

A term which is of a shorter or longer length (i.e., weeks and days) than a standard quarter or semester. The number of instructor-student contact hours is increased proportionately

each week to compensate for a shorter term length. VA will compute equivalent undergraduate credits to measure courses pursued during nonstandard terms.

Normal Commuting Distance

Two locations that are within 55 miles of each other are within normal commuting distance. Furthermore, a branch, extension or additional facility of a school located more than 55 miles from the school's main campus or parent facility may be considered within normal commuting distance only if school records show that, prior to the establishment of the additional teaching site, at least 20 students or 5 per cent of the enrollment, whichever is less, on the main campus or parent facility were regularly commuting from the area where the additional teaching site is located; or other comparable evidence clearly shows that students commute regularly between the two locations.

Objective

The final educational, professional, or vocational goal of a veteran, serviceperson, or eligible person (e.g., degree, diploma, certificate, occupation). An educational objective is one that leads to the awarding of a diploma, degree, or postdoctoral certificate which reflects educational attainment. Graduate certificate programs generally do not lead to an educational objective. A professional or vocational objective is one that leads to an occupation. It may include educational courses essential to prepare for the chosen occupation.

Ordinary School Year

This is generally a period of 2 semesters or 3 quarters which is not less than 30 nor more than 39 weeks in total length.

Preregistered Enrollment

An Enrollment Certification (Form 22-1999) that is submitted for a student that is already enrolled in school and has preregistered for the next term with less than a calendar month break between terms.

Primary Institution

The institution which will confer or grant the current degree sought, or certify that the student has completed the program qualifying him or her for the current objective sought, will be the principal or primary institution. Generally, the student will be enrolled at the principal or primary institution for the majority of the program. See Section 6.11 regarding supplemental enrollments where a student's approved program of education involves training at more than one school.

Program of Education

A combination of subjects, unit courses, or training activities pursued at a school or training establishment which is generally accepted as necessary to meet requirements for a predetermined educational, professional, or vocational objective (e.g., diploma, degree, certificate, occupation). An "approved program" is a course of study or program of training which the appropriate state approving agency has determined meets the legal

requirements for payment of VA educational assistance benefits to veterans and other eligible persons.

Punitive Grade

The term means a grade assigned for pursuit of a course which is used in determining the student's overall progress toward completion of the school's requirements for graduation, e.g., a failing grade. Unlike the nonpunitive grade, the punitive grade does affect the criteria to be met by the student for graduation, i.e., it is a factor in computing the student's grade average or grade point average, for example. For this reason it is not the same as an audited course, since it does have an effect upon the student's ability to meet the school's criteria for graduation.

Pursuit

The term "pursuit" means to work, while enrolled, toward the objective of a program of education. This work must be in accordance with approved institutional policy and regulations, and applicable criteria of title 38, United States Code; must be necessary to reach the program's objective; and must be accomplished through resident courses (including teacher training courses and similar courses which VA considers to be resident training), independent study courses, a graduate program of research in absentia, or medical/dental internships and residencies, nursing courses and other medical/dental specialty courses. VA considers a person who qualifies for payment during an interval between terms or school closing, or who qualifies for payment during a holiday vacation to be in pursuit of a program of education during the interval, school closing, or holiday vacation.

Quarter

A division of the academic year at institutions which operate on a quarter system calendar. Credits are earned and measured in quarter hours. A "standard quarter" is a period of instruction usually 10 to 13 weeks long.

Refresher Training

Refresher training is a course at the elementary or secondary level to review or update material previously covered in a course that has been satisfactorily completed. Under some education programs, the term also means training in a program of education in which the veteran is already qualified, provided that the program pursued is training to permit the veteran to update knowledge and skills and to be instructed in the technological advances which have occurred in the veteran's field of employment during the veteran's period of service. It may be used to update skills learned either during or prior to service but not for skills first acquired after discharge from service. Veterans pursuing "refresher training" are not limited to "refresher courses" at the elementary or secondary level.

Remedial/Deficiency Courses

These terms refer to noncredit training at the secondary level that is required for entrance to or preparatory to the successful pursuit of a postsecondary educational program. If secondary level training is needed for the student to reach a certain mastery level necessary for pursuit of a postsecondary program of education, the courses must be

listed separately on the Enrollment Certification. Upon entrance each student's academic background should be evaluated and, as warranted, a required noncredit program established. These secondary level courses may include, for example, basic English skills, fundamental math, reading, or other special academic assistance necessary for the student to qualify for admission. These courses may also include noncredit secondary level training to overcome a handicap such as in speech and may be offered at a high school, college, or other educational institution.

Reporting Fee

VA pays annually to each educational institution furnishing training under the various VA education programs a reporting fee for required reports or certifications. This fee is intended to help defray the costs of processing various reports and certifications required to be submitted to VA and is in lieu of any other compensation or reimbursement. The annual fee is computed based on the number of VA beneficiaries enrolled at the institution in October of each year. The reporting fee is paid as soon as possible after the end of the calendar year.

REPS

Restored Entitlement Program for Survivors. Certain survivors of deceased veterans who died of service-connected causes incurred or aggravated prior to August 13, 1981, are eligible for benefits. The benefits are similar to the benefits for students and surviving spouses with children between ages 16 and 18 which were eliminated from the Social Security Act. The benefits are payable in

addition to any other benefits to which the family may also be entitled. The amount of benefits is based on information from the Social Security Administration.

Research in Absentia

A certifying official of a school may certify a program of research pursued by a veteran or eligible person in absentia, when the research activity is necessary for the preparation of the student's master's thesis, doctoral dissertation, or a similar treatise which is a prerequisite to the degree being pursued. The research activity must be defined and organized so as to enable the certifying official to evaluate the time required for its successful pursuit, and the time certified for the research activity is independent of the time devoted to any employment situation in which the veteran or eligible person might be engaged.

Selected Reserve

The term means, with respect to the Armed Forces, the Army Reserve, the Naval Reserve, the Marine Corps Reserve, the Air Force Reserve, the Coast Guard Reserve, the Army National Guard of the United States, and the Air National Guard of the United States. The Public Health Service and the National Oceanic and Atmospheric Administration do not have Selected Reserve units.

Semester

A division of the academic year at institutions which operate on a semester system calendar. Credits are earned and measured in semester

hours. A "standard semester" is a period of instruction usually 15 to 19 weeks long.

Serviceperson

An individual who is currently serving on active duty. Same as "servicemember."

Standard College Degree

The term means an associate or higher degree awarded by an institution of higher learning that is accredited as a collegiate institution by a recognized regional or national accrediting agency or an institution of higher learning that is a "candidate" for accreditation, or an institution which is accredited by an agency recognized to accredit specialized degree-level programs.

State Approving Agency (SAA)

An agency appointed by the Chief Executive of a state to approve institutional programs of education and training for payment of benefits under the various laws administered by VA.

Summer Session

A division of the summer term specifically designated in a school catalog as a distinct period of instruction. These sessions vary in length, and are often only 3-8 weeks long.

Summer Term

The total instruction offered by a school between the end of the Spring term and the beginning of the Fall term. A summer term may consist of several summer sessions.

Survivors' and Dependents' Educational Assistance

The benefits payable to eligible dependents or survivors of veterans. It is often abbreviated simply as DEA (Chapter 35).

VEAP

Refers to the Veterans' Educational Assistance Program, Chapter 32 of title 38, U.S. Code. This is the contributory education benefits program for post-Vietnam era veterans. See Section 1.03 for full information.

Veterans Assistance Inquiry (VAI)

An inquiry regarding questioned amounts of VA monetary benefits, or the nonreceipt of such benefits after the anticipated claims processing time has elapsed.

SECTION 1

VA EDUCATIONAL ASSISTANCE PROGRAMS

This section addresses some of the basic eligibility criteria for those educational assistance programs certifying officials are most likely to encounter. In Section 2, Vocational Rehabilitation for veterans with service-connected disabilities (Chapter 31) is discussed separately. Certifying officials should acquaint themselves with the basic facts about eligibility and the benefits available under the various VA programs for veterans, servicepersons, reservists, and other eligible persons. Since eligibility criteria are different for the educational assistance programs and the benefits for the programs vary, students with specific inquiries should be advised to write, visit, or call VA to obtain answers to their questions.

SUBPART I - EDUCATION PROGRAMS

VA administers nine educational assistance programs, and the basic eligibility criteria may vary from one to another. The dates of a veteran's or serviceperson's active duty service largely determine the educational assistance program under which he or she may qualify. Generally, only VA can determine an applicant's eligibility for educational assistance. In some instances, VA will rely on the military to make the eligibility determination. It is most important to identify under what program a student may qualify, as the types of benefits payable will vary as well as the types of courses or programs of education that may be certified to VA.

The basic categories of VA educational assistance programs of interest to schools and training establishments are:

- I. Montgomery G.I. Bill - Active Duty (Chapter 30)

- II. Montgomery G.I. Bill - Selected Reserve (Chapter 1606)

- III. Veterans' Educational Assistance Program (VEAP - Chapter 32)

- IV. Educational Assistance Test Program (Section 901)

- V. Educational Assistance Pilot Program (Section 903)

- VI. Survivors' and Dependents' Educational Assistance Program (Chapter 35)

- VII. Restored Entitlement Program for Survivors (REPS)

- VIII. Vocational Rehabilitation (Chapter 31)

- IX. Omnibus Diplomatic Security and Antiterrorism Act

1.01 Montgomery G.I. Bill - Active Duty (MGIB), Chapter 30

The Montgomery G.I. Bill establishes education benefits for four categories of individuals based on their active duty service.

The benefits available to each may vary depending on their particular situation and length of active duty service. Certifying officials who have questions pertaining to eligibility criteria should contact the ELR at the local VA regional office, or the ELR assigned to your state at the RPO.

Eligibility Requirements (Category I)

Individuals entering military service on or after July 1, 1985, have their basic military pay reduced by \$100 a month for the first 12 months of their service, in order to be eligible for this educational assistance program.

Individuals eligible for the Old G.I. Bill (Chapter 34) as of December 31, 1989, who meet certain eligibility criteria may also be eligible, but do not have their pay reduced. Most persons who, after December 31, 1976, received commissions as officers from service academies (e.g., West Point, the Naval Academy, etc.), or ROTC scholarship programs, are not eligible for this program.

Persons separated from active duty because of a service-connected disability or hardship may be eligible for Chapter 30 benefits without meeting the length of service requirements. A Chapter 30 participant separated from active duty due to a physical or mental condition not characterized as a disability may be eligible for Chapter 30 benefits. The condition must not have

resulted from the individual's willful misconduct and must have interfered with the individual's performance of duty. In these cases, eligible persons would be entitled to one month of education benefits for each full month of military service.

Unlike most other VA educational assistance programs, in order to be eligible for Chapter 30, the veteran must have been released from active duty with the character of discharge specifically listed as "Honorable." "Under Honorable Conditions," a "General" discharge, etc. are not qualifying, and individuals receiving such discharges may not receive a refund of monies withheld from their military pay for the Chapter 30 program. Servicepersons who complete six months or less of active military service may be issued "Uncharacterized" discharges. Those "Uncharacterized" discharges issued because of a service-connected disability or hardship are considered to be "Honorable" for Chapter 30 purposes.

Servicepersons

Persons on active duty must serve at least 2 years of continuous active duty before becoming eligible to receive benefits under Chapter 30.

The serviceperson must consult with the Education Services Officer (ESO) on his or her military facility before submitting an application for VA benefits. The ESO will discuss the various educational assistance opportunities available to the serviceperson. The law prohibits concurrent payment of tuition assistance by the military service and

VA education benefits for pursuit of the same course. A serviceperson may, however, pursue several courses, with tuition assistance from the military paying for some and VA benefits paying for the others.

Eligibility requirements for those with basic Chapter 34 eligibility and who serve on active duty on or after July 1, 1985 (Category II)

Persons who are eligible to receive Chapter 34 benefits on December 31, 1989, and who have remaining Chapter 34 entitlement on that date, may be eligible for Chapter 30 beginning January 1, 1990. In order to be eligible, specific criteria must be met. These include:

1. The individual must have had active duty service sometime during the period beginning on October 19, 1984, to June 30, 1985, and continued on active duty without a break.
2. The individual must have served continuously on active duty from July 1, 1985 for three years. In lieu of this three-year requirement, the individual may qualify if he or she served two years of continuous active duty after June 30, 1985, which was followed by four years in the Selected Reserve.
3. If the individual completed the required active duty service, he or she must be discharged with an "Honorable" discharge.

Category III

Congress provided that certain individuals who were voluntarily or involuntarily separated from the service as a result of a reduction in personnel, who would not otherwise be eligible, would have the opportunity to elect chapter 30.

Eligibility Requirements (Category IIIA)

Effective February 3, 1991, an individual who originally declined to participate, or who was not eligible to participate, may elect chapter 30 before separation if that person is involuntarily separated from service. DOD is responsible for obtaining this election before separation.

1. The individual must have been on active duty on September 30, 1990, and involuntarily separated after February 2, 1991, or have been on active duty on/after November 30, 1993, and involuntarily separated. For Coast Guard, the involuntary separation must be after September 30, 1994.
2. The individual must receive an honorable discharge due to involuntary separation.
3. Before applying for benefits, the individual must complete the requirements for a secondary school diploma, its equivalency or 12 semester hours leading to a standard college degree.

4. If the individual originally elected not to participate in chapter 30, he or she must withdraw the earlier election.

5. If eligible for chapter 32, the individual must elect to receive benefits under chapter 30 rather than chapter 32. An individual who contributed to chapter 32 is eligible for a refund of unused contributions. Unused chapter 32 kickers will be added to the chapter 30 basic rate.

6. DOD will reduce the pay of an individual electing to participate in chapter 30 by \$1200.

Eligibility Requirements (Category IIIB)

Effective October 23, 1992, individuals who are voluntarily separated on or after December 5, 1991 under sections 1174a and 1175 of Title 10 U.S.C. may elect to receive chapter 30. The programs currently offered under these sections are SSB (Special Separation Benefit) and VSI (Voluntary Separation Incentive).

1. The individual must be voluntarily separated under SSB or VSI after October 22, 1992. For Coast Guard, the voluntary separation must be after September 30, 1994. (See Category IIIC for those discharged between December 5, 1991 and October 22, 1992).

2. The individual must receive an "Honorable" discharge.

3. The individual must elect chapter 30 before separation.

4. DOD must collect the \$1200.

5. Before applying for benefits, the individual must complete the requirements for a secondary school diploma, its equivalency or 12 credit hours leading to a standard college degree.

Eligibility Requirements (Category IIIC)

1. The individual must have been voluntarily separated under SSB or VSI between December 5, 1991 and October 22, 1992.

2. The individual must have received an "Honorable" discharge.

3. VA must collect \$1200.

4. Before applying for benefits, the individual must complete the requirements for a secondary school diploma, its equivalency or 12 semester hours leading to a standard college degree.

Eligibility Requirements (Category IVA)

Certain Chapter 32 and Section 903 participants may elect Chapter 30.

1. The individual must have been on active duty on October 9, 1996.
2. The individual must have been a participant under Chapter 32 or Section 903 on October 9, 1996. A participant must have money remaining in his or her account on that date.
3. Before applying for benefits, the individual must complete the requirements for a secondary school diploma, its equivalency or 12 semester hours leading to a standard college degree.
4. When discharged, the discharge must be "Honorable".
5. During the one-year period beginning on October 9, 1996, the individual must make an election to receive Chapter 30 benefits.
6. The individual must have his or her basic pay reduced by \$1200.

Eligibility Requirements (Category IVB)

Certain members of the Army National Guard and the Air National Guard may elect Chapter 30.

1. An individual may elect Chapter 30 who first entered the National Guard under title 32 between July 1, 1985, and November 28, 1989.
2. The election window extends from October 9, 1996, through July 8, 1997.
3. The individual must have his or her basic pay reduced by \$100 a month for 12 months or they must make a \$1200 lump sum contribution.

4. In addition to the above requirements, an individual must also meet requirements of Category IA, IB, or IC.

Time Limit

In most cases, eligibility expires 10 years after last discharge or release from active duty.

Entitlement/Monthly Rates

Active duty for 3 years, or 2 years active duty plus 4 years in the Selected Reserve or National Guard entitles an individual to \$528 a month (effective 10-1-98) basic benefits for 36 months, or the equivalent in part-time training. If an individual's initial obligated period of active duty is less than 3 years which is not followed by service in the Selected Reserve, the basic educational assistance benefit is \$429 a month (effective 10-1-98) for 36 months (or the equivalent in part-time training). There is also a targeted, discretionary kicker of up to an additional \$700 available to persons who have skills critical to the military (e.g., the Army College Fund and the Navy Sea College Fund programs).

A supplemental benefit of up to an additional \$300 with a targeted, discretionary kicker of up to \$300 more is also available under certain circumstances. The kickers and discretionary supplemental assistance are added to the basic educational assistance for those persons completing additional periods of active duty and/or for those in special

military occupations or skills. VA does not make determinations regarding kickers and supplemental allowances. Those determinations are made by the individual's branch of military service, which determines the amount of kicker payable and notifies VA of that amount.

The benefits payable to persons with Chapter 34 eligibility who serve on active duty on or after July 1, 1985, will be one-half of the applicable Chapter 34 rate of educational assistance payable on December 31, 1989, including any additional allowance for dependents, plus the applicable Chapter 30 rate.

Note: The combined entitlement available to persons eligible under two or more VA education programs is limited by law to an aggregate total of 48 months. Therefore, depending on the number of months of remaining entitlement a Chapter 34 eligible person may have on December 31, 1989, his or her educational assistance rates may vary.

For example, a veteran with basic Chapter 34 eligibility serves on active duty for three continuous years after July 1, 1985. If this individual has not used any of his or her 45 months of Chapter 34 benefits, he or she would be entitled to 36 months of Chapter 30 educational assistance. Assuming, for illustrative purposes, that the Chapter 30 applicable rate is \$528 monthly basic educational assistance and \$376 monthly under Chapter 34, this individual would be entitled to a monthly rate of \$716 (\$528 plus one-half of \$376, or \$188) for 36 months or the equivalent in part-time training.

If this veteran used 30 of the 45 months of Chapter 34 eligibility, the remaining Chapter 34 entitlement is 15 months. This individual would be eligible for 18 months of Chapter 30 benefits, because of the 48-month limitation under two or more VA programs. (Since 30 months has been used, this is subtracted from 48, leaving 18 available months of entitlement.) This individual would receive \$716 monthly educational assistance for the first 15 months and \$528 monthly for the remaining three months of his or her entitlement.

Education Requirement

Persons with basic Chapter 30 eligibility must have met the requirements for a secondary school diploma or equivalency certificate before completing the initial obligated period of active duty. This requirement is met if the participant completed the equivalent of 12 semester hours in a program of education leading to a standard college degree.

Persons with basic Chapter 34 eligibility who serve on active duty on or after July 1, 1985 must have met the requirements for a secondary school diploma or equivalency certificate by December 31, 1989. Persons in this category, in lieu of having a high school diploma, may also qualify if they have successfully completed the equivalent of 12 semester hours in a program of education leading to a standard college degree.

Note: Effective October 29, 1992, an individual on active duty on August 2, 1990, had until October 28, 1994, to complete the chapter 30 requirement for a secondary school

diploma.

Programs of Education Available

Benefits are generally payable for degree and noncollege-degree programs, apprenticeship and on-the-job training programs, cooperative programs, correspondence training, and flight training. Work study benefits are also available. (See comparison chart in Appendix A for specific types of courses that may or may not be payable.)

1.02 Montgomery G.I. Bill - Selected Reserve (MGIB-SR), Chapter 1606, title 10, U.S. Code

Chapter 1606 of title 10, U.S.C., Educational Assistance for Members of the Selected Reserve, is also referred to as the Montgomery G.I. Bill - Selected Reserve. VA has benefit payment responsibility, although eligibility determinations and funding of this program is the responsibility of the Department of Defense.

Eligibility Requirements

Basic eligibility extends to a person who:

(1) On or after July 1, 1985, (a) enlists, reenlists, or extends an enlistment in the Selected Reserve so that the reservist has an

obligation to serve for a period of not less than 6 years following the date of such action; or (b) is appointed as or is serving as a reserve officer and agrees to serve in the Selected Reserve for a period of not less than 6 years in addition to any other period of obligated Selected Reserve service;

(2) has completed the requirements of a secondary school diploma (or equivalency certificate) before completing the initial active duty for training (IADT) or before completing a reenlistment or extends an enlistment in order to establish eligibility for MGIB-SR benefits;

(3) has completed IADT; and is satisfactorily participating in required training in the Selected Reserve; and

(4) to pursue programs at other than institutions of higher learning, the individual must have enlisted, reenlisted or extended an enlistment for six years on or after October 1, 1990.

Eligibility is precluded if the person is receiving financial assistance under section 2107 of title 10, U.S.C., as a member of the Senior Reserve Officers' Training Corps scholarship program. Reservists with a bachelor's degree before October 1, 1990, can become eligible for benefits if they enter into a new six-year contract on or after October 1, 1990. Reservists who initially enter full-time National Guard duty (i.e. AGR), or full-time active duty after November 28, 1989, cannot establish basic eligibility to MGIB-SR based on that period of active duty. Neither can a reservist who elected to establish entitlement to Chapter 30 by using a period of initial

active duty that began after June 30, 1985, and before November 29, 1989.

Entitlement

An eligible reservist is entitled to a maximum of 36 months of educational assistance based upon full-time training (or the equivalent in part-time training).

Time Limit

The last day of an eligible reservist's entitlement period under MGIB-SR is the earlier of either (a) 10 years from the date eligibility began, or (b) the date of separation from the Selected Reserve; e.g., a reservist with a bachelor's degree who first became eligible for MGIB-SR because he reenlists after October 1, 1990, would be eligible for 10 years from when he reenlists. If a reservist is discharged from the Selected Reserve due to a disability, or due to involuntary separation due to down-sizing or inactivation of his or her unit, he/she is eligible for the full 10 years. Also, the 10 year period can be extended if training was precluded due to a service-connected disability.

VA will extend the ending dates of the period of MGIB-SR eligibility by the amount of time served on active duty plus 4 months for members of the Selected Reserve ordered to active duty during the Persian Gulf War.

Programs of Education Available

Prior to September 30, 1990, benefits were only payable to a reservist for pursuit of programs at institutions of higher learning. Effective October 1, 1990, eligible reservists may pursue any program of education approved for Chapter 30, if the reservist enlists, reenlists or extends an enlistment for 6 years after that date. Effective September 30, 1990, benefits became payable to a reservist for flight training. Tutorial assistance is payable to reservists. Programs may be pursued at approved institutions within and outside the United States. Effective November 30, 1993, benefits are payable for pursuit of graduate level training. There are no education loans available under the MGIB-SR.

Monthly Rates

The rates of educational assistance allowance payable per month under MGIB-SR for pursuit of a program of education are:

Effective:	October 1, 1998
Full Time	\$251.00
¾ Time	188.00
½ Time	125.00
Less than ½ Time	62.75

Less than half-time benefits are payable unless tuition assistance is otherwise available

to the person for such pursuit from the military department concerned. There is no additional allowance for dependents under MGIB-SR.

A reservist who fails to participate satisfactorily in the Selected Reserve is no longer eligible for educational assistance under MGIB-SR. Termination of benefits is effective the date the reservist fails to participate satisfactorily. Benefits will be paid to the end of the term if the reservist leaves the Selected Reserve other than for unsatisfactory participation.

The reserve unit will give each reservist who meets the basic eligibility requirements a DD Form 2384, Selected Reserve Educational Assistance Program (GI Bill) Notice of Basic Eligibility, which is often called a "NOBE". A photocopy of this form is acceptable for submission to VA.

When the enrollment package is received in VA, the NOBE is checked against VA's computer interface with the Department of Defense's Defense Manpower Data Center (DMDC) records. When the DOD records show a status of "Ineligible," the student may still receive MGIB-SR benefits, if the date of eligibility on the NOBE is within 120 days of the current date. This 120-day exception allows the claimant to receive MGIB-SR benefits until the service component can update the reservist's DOD record to show eligibility. If VA does not receive notice from DOD that their records have been updated to show eligibility within 120 days from the date of eligibility, the student's benefits will be terminated as of the beginning date of the course. The student will have to contact his or her reserve or guard unit

directly to have it correct its master personnel record. VA cannot correct DOD records.

Except for the initial 120 day period from the date of eligibility on the NOBE, benefits will not be paid until the DOD record has been updated to show "eligible"; but, if the DOD record shows "eligible," benefits will be paid without a NOBE.

Note: Only one NOBE should ever be issued to a reservist. If he or she changes reserve components, no new NOBE should be issued.

Certification and Verifications

Students apply for benefits using Form 22-1990, Application for Education Benefits.

A Certification of Attendance is sent to reservists receiving benefits for NCD training monthly. Benefits will not be paid until the monthly certification is returned to the appropriate VA regional processing office by the reservist.

Enrollment certifications, verifications of pursuit, attendance, etc. should be sent to the VA regional processing office having jurisdiction over the school the reservist is attending.

1.03 Post-Vietnam Era Veterans' Educational Assistance Program (VEAP) (Chapter 32, title 38, U.S.Code)

This is a voluntary contributory matching program in which each person has the right while on active duty to enroll in and make contributions to the program. Service members may contribute between \$25 and \$100 each month while on active duty up to a maximum of \$2700 with 2-for-1 matching funds from the government. Participants, while on active duty, may make a lump sum contribution to the training fund prior to discharge or release from active duty. The government may also make additional contributions, called "kickers," into the fund on behalf of certain servicepersons in critical military fields, as determined by the Department of Defense, or as deemed necessary to encourage persons to enter or remain in the Armed Forces.

This program permits the serviceperson to voluntarily participate in a plan for future education or training in which the participant's savings are administered and augmented by the government. Participants receive monthly payments for the number of months they contributed, or for 36 months, whichever is less. The amount of the payments is determined by dividing the number of months benefits will be paid into the participant's training fund total. If a participant contributed for more than 36 months, the benefits will be paid in 36 monthly payments (or the equivalent for part-time training). If a lump sum contribution is made prior to leaving active military service, it is broken down and credited to the participant's account as monthly contributions.

The total dollar amount of entitlement to benefits equals the sum of the following: (1) the participant's total contributions, (2) the government's matching funds (equal to twice the participant's contributions), and (3) any additional contributions ("kickers") by the Department of Defense. The monthly rate of benefits will vary among individuals depending upon the amount and number of contributions. The sum of all contributions (participant's, government matching, and "kickers") is divided by the number of months the participant contributed (or by 36, whichever is less) to determine the monthly rate at which the participant will be paid for full-time schooling. For example, if a participant contributed \$50 monthly for 36 months, the total entitlement would be computed as follows: \$1800 in participant contributions, \$3600 in Government matching funds with no DOD kicker for a total of \$5400. The full-time monthly rate is computed by dividing \$5400 by 36 for a rate of \$150. The participant would receive 36 payments of \$150 for full-time schooling (or the equivalent in part-time schooling) for a total of \$5400 in educational assistance. (In this example, the 3/4 time rate would be \$112.50, half-time would be \$75 and 1/4 time would be \$37.50.) No extension to either months or dollars of entitlement is allowable.

A participant may leave the program at the end of any 12-consecutive month period of participation, and those who do so may have their contributions refunded. A participant may also disenroll from the program at any time after leaving military service with a full refund of any unused contributions. However, a person may not reenroll in the program or change the number or amount of contributions after release from active duty.

The service departments are responsible for

processing applications to start, stop, or change a serviceperson's contributions to VEAP while on active duty. They transfer moneys and identifying data on participants in the program to VA by computer. VA establishes a contributions account, i.e., a banking record, for each participant. NOTE: Chapter 32 (VEAP) contributions should not be confused with Section 903 contributions, discussed later in this chapter.

Eligibility Requirements

Veterans

- (1) Entered on active duty on or after January 1, 1977, and before July 1, 1985.
- (2) Contributed money to VEAP while on active duty. Must have enrolled in and contributed to VEAP before April 1, 1987.
- (3) Served for a continuous period of 181 days or more. (If less than 181 days of service, eligibility may be established, if the participant was discharged from active duty because of a service-connected disability.)
- (4) Generally, the participant must have completed either 24 continuous months of active duty or the full period for which he or she was called or ordered to active duty, whichever is less. This requirement does not apply if the participant were discharged or released from active duty under an early-out discharge, hardship discharge, or for disability incurred in or aggravated in service.

- (5) The participant was discharged or released from service under conditions other than dishonorable.

Servicepersons

- (1) Entered on active duty on or after January 1, 1977, and before July 1, 1985.
- (2) Must have contributed to VEAP and have at least 3 months of contributions available. (For an elementary or high school program, there must be at least 1 month's contribution available.) If the serviceperson has less than 12 months of contributions available, he or she must have an active allotment going to the education fund. Must also have enrolled in and contributed to VEAP before April 1, 1987.
- (3) Must have served for a continuous period of 181 days or more.
- (4) Must have completed the first obligated period of active duty or 6 years, whichever is less. (For elementary or high school programs, must be in the last 6 months of the first enlistment or later.)

The serviceperson must consult with the Education Services Officer (ESO) on his or her military facility before submitting an application for VA benefits. The ESO will discuss the various educational assistance opportunities available to the serviceperson.

The law prohibits concurrent payment of tuition assistance by the military service and VA education benefits for pursuit of the same course. A serviceperson may, however, pursue several courses, with tuition assistance from the military paying for some and VA benefits paying for the others.

Time Limit

Each veteran has 10 years within which to use his or her benefits under Chapter 32. The delimiting date is determined by adding 10 years to the day following the date of release or discharge from the veteran's last period of active duty. Extensions to the delimiting date under Chapter 32 are possible under certain circumstances for physical or mental disabilities.

Programs of Education Available

VEAP benefits are payable for approved programs of education at institutions approved for veterans' training. This includes elementary and high school programs, vocational and technical school training, and undergraduate and graduate training at approved colleges and universities, and cooperative courses.

Eligible participants may also be paid benefits for flight training (reimbursed 60%), correspondence courses (reimbursed 100%), apprenticeships, and other on-the-job training. Benefits are not payable for farm cooperative courses. Benefits are payable for foreign IHL training. VEAP participants are eligible for work-study and tutorial assistance but not for

education loans. Remedial and deficiency training may be pursued and certified under VEAP as well as refresher training beginning on or after August 15, 1989, for courses which will permit the individual to update knowledge and skills or be instructed in the technological advances which have occurred in the individual's field of employment, during and since his or her active duty, and the eligible person will be charged entitlement for pursuit of these courses as with any other program of education. Current or former *enlisted* persons who have not completed an elementary or high school education may receive VEAP benefits to cover the cost of tuition and fees for elementary or high school courses without charge to their total entitlement. However, the participant may elect to receive the monthly rate of benefits based upon the sum of all contributions with appropriate charge to entitlement. Vocational or educational counseling and testing is available upon request.

Certifications and Verifications

Student applies using the Form 22-1990, Application for Education Benefits. For NCD training, students must submit a monthly certification of attendance. For IHL training, verification of pursuit at end of enrollment is required. Form 5281, Application for Refund of Educational Contributions, should be used by participants in the Chapter 32 program to request a refund of money that they have contributed. This form does not apply to the Section 903 program, because participants in that program do not make contributions. All certifications, verifications, and applications should be sent to the VA regional processing office having jurisdiction over the school the student is attending.

of this program.

1.05 Educational Assistance Test Program (Section 901)

Public Law 96-342, the "Department of Defense Authorization Act of 1981," included two educational assistance incentive programs to encourage enlistments and reenlistments in the Armed Forces. One of these, established under Section 901 of that Act, was the Educational Assistance Test Program, which is funded by DOD. VA has the responsibility of administering this program through an Interagency Agreement with the DOD, and the program has been codified as Chapter 107 of title 10, U.S. Code.

Section 901 is a noncontributory program in which an eligible participant, or in some cases his or her dependent(s), may receive an educational assistance and subsistence allowance while training at an accredited institution.

An eligible participant who subsequently reenlists at the end of his or her qualifying enlistment upon which entitlement is based has two alternatives to receiving education benefits: (1) Make an election to receive lump sum payment in lieu of educational benefits (Such an election is handled by the appropriate military service department and is irrevocable.); (2) Make an election to transfer all or part of his or her entitlement to a spouse or dependent child(ren).

Note: The VA regional office in Waco, Texas is responsible for the complete administration

Eligibility Requirements

Basic eligibility to Section 901 benefits is limited to persons who: (1) Enlisted or reenlisted for service on active duty in the Army, Navy, Air Force, or Marine Corps after September 30, 1980 and before October 1, 1981 (or contracted under a delayed enlistment agreement after September 30, 1980 and before October 1, 1981, and entered on active duty before October 1, 1982); (2) Are secondary school graduates or hold a GED (General Educational Development) certificate; (3) Meet other requirements as the Secretary of Defense may consider appropriate for the purpose of this program and the needs of the Armed Forces (e.g., enlisted in a particular MOS (Military Occupational Specialty), or achieved certain scores on the AFQT (Armed Forces Qualifications Test)); (4) If a veteran, must have been discharged or released from the qualifying period of service under other than dishonorable conditions; and (5) Complete at least 2 years of the enlistment unless discharged for hardship, early-out, or service-connected disability.

Entitlement

Benefits payable under this program consist of two separate payment categories: the educational *assistance* allowance and the monthly *subsistence* allowance. An eligible participant earns 1 standard academic year (9 months) of educational assistance allowance for each year of qualifying enlistment, up to a

maximum of 4 standard academic years (36 months).

Educational Assistance Allowance

An eligible participant is entitled to receive this assistance allowance to help pay the costs of "educational expenses" incurred for instruction at an "accredited institution." The term "educational expenses" refers to expenses for tuition, fees, books, lab fees, and shop fees for consumable materials used as part of classroom or laboratory instruction which are normally incurred by students at the institution involved. The amount of educational assistance may not exceed \$3,258 (effective Oct. 1, 1998) per standard academic year, which is adjusted annually by regulation. The actual amount payable is prorated based on the number of days in the enrollment period and the training time. The assistance payment is issued once each term, quarter, or semester at the end of the first month in which the training begins.

Monthly Educational Subsistence Allowance

An eligible participant (except for a serviceperson or his/her dependent) is also entitled to receive a monthly subsistence allowance during any period in which the assistance allowance is awarded. The subsistence allowance is issued on the first day of the month following the month for which payment is due. If a person is pursuing a course of instruction on a full-time basis, his or her subsistence allowance is \$812 (effective Oct. 1, 1998) per month, adjusted

annually by regulation. If attending on other than a full-time basis, the subsistence allowance is \$406 (effective Oct. 1, 1998) per month, adjusted annually.

Transfer of Entitlement

An eligible participant who is entitled to Section 901 benefits and who immediately reenlisted after the end of the enlistment upon which entitlement is based may transfer all or part of the entitlement to a spouse or dependent child. (An illegitimate child is not eligible for Section 901 benefits nor is a surviving spouse who remarries.) A person to whom entitlement is transferred is entitled to educational assistance and subsistence allowance in the same manner and at the same rate as the participant. If entitlement is transferred to more than one person, the total entitlement to educational and subsistence allowance of all is equal to the total entitlement of the person on whom entitlement is based. The transfer cannot occur until the participant has completed the qualifying enlistment and has reenlisted. The election may occur anytime after the participant reenlists, while still on active duty or after discharge or other release from service. The participant may revoke the transfer at any time. An eligible participant's unused entitlement will automatically transfer if the participant dies before making an election to transfer entitlement. If the participant has made an election not to transfer entitlement, any unused entitlement is forfeited and will not be automatically transferred.

Time Limit

The recipient's entitlement expires 10 years from the eligible veteran's date of retirement, final discharge, or other separation from active duty, whichever is earlier. If entitlement is transferred to the surviving spouse or dependent child of an eligible participant who died while on active duty, entitlement expires 10 years from the date of death. (NOTE: A Section 901 participant, which includes those to whom entitlement may have been transferred, cannot receive Section 901 benefits concurrently with any other VA education benefits, e.g., Chapters 30, 31, 32, or 35.)

Programs of Education Available

An eligible participant is entitled to receive Section 901 benefits while pursuing instruction at an "accredited institution." The term "accredited institution" means a civilian college or university or a trade, technical, or vocational school in the United States, including the Commonwealth of Puerto Rico, Guam, the U.S. Virgin Islands, and overseas branches of U.S. schools which: (1) Provides education on a postsecondary level, and (2) is accredited by a nationally recognized accrediting agency or association or by an accrediting agency or association recognized by the Secretary of Education.

Certifications and Verifications

Form 22-8889, Application for Educational Assistance Test Program Benefits (Section 901, Public Law 96-342), is used for this program. All applications, enrollment certifications, and other documents pertaining

to Section 901 claims should be submitted to the VA regional office in Waco, Texas. (See Appendix B for mailing address.)

Unlike other VA education programs, there are no certifications and verifications of attendance under Section 901.

1.06 Educational Assistance Pilot Program (Section 903 - Noncontributory VEAP)

Noncontributory VEAP (Section 903, Public Law 96-342) is a modification of the Chapter 32 program. This program differs from basic VEAP in that the Department of Defense pays the participant's monthly contributions to the Chapter 32 program and certain participants are permitted to transfer their entitlement to a spouse or child.

Eligibility Requirements

Veterans

Basic eligibility for education benefits under Section 903 for a veteran is based upon the following conditions: (1) The veteran enlisted or reenlisted for service on active duty in the Army, Navy, Air Force, or Marine Corps after November 30, 1980, and before October 1, 1981 (or contracted under a delayed enlistment agreement after November 30, 1980, and before October 1, 1981, and entered on active duty before October 1, 1982); (2) The veteran must not be eligible for Chapter 34 educational assistance (based

upon a prior period of active duty or a delayed enlistment agreement); (3) The veteran must have served for a continuous period of 181 days or more unless discharged because of a service-connected disability; (4) If the veteran was an original enlistee, he or she must have completed either 24 continuous months of active duty or the full period for which called or ordered to active duty, whichever is less, unless discharged for disability, hardship, or early-out; (5) The veteran must have been released or discharged from active duty under conditions other than dishonorable; and (6) The veteran must have elected to participate in VEAP and must have been chosen for the pilot program with his or her contributions made by the service department.

Servicepersons

Basic eligibility for educational benefits under Section 903 for a serviceperson is based upon the serviceperson's meeting the conditions specified in (1), (2), and (3) above, and the following: (1) The serviceperson has completed his or her first obligated period of active duty or 6 years of active duty, whichever is less; (2) The service department has made contributions to the Chapter 32 (Section 903) fund for the serviceperson and at least 3 months of contributions are available for benefits; and (3) The serviceperson meets any additional eligibility requirements as established by the Department of Defense.

Entitlement

Chapter 32 entitlement is based on contributions made by the participant. Section 903 entitlement is based on contributions made by the service department on behalf of the participant. See section on Chapter 32 for further information.

Transfer of Entitlement

A participant in Section 903 may transfer his or her entitlement to a spouse or child if he/she: (1) Reenlisted in the Army after June 30, 1981, and before October 1, 1981; (2) Possesses a critical military specialty as designated by the Secretary of Defense; and (3) Is selected for this portion of the program by the Secretary of Defense or designee. Entitlement may be transferred only as follows: (a) To a spouse or child of the participant; (b) To one person at a time; and (c) If the participant is not already receiving educational assistance under Section 903 for the same period.

Eligibility for this transfer of entitlement option is determined by the Department of Defense and is displayed on the claimant's bank record.

Note: The administration of the Section 903 program, except as noted above, is the same as for Chapter 32. Please refer to that section for further information. The four VA regional processing offices administer the Section 903 program. Students apply using Form 22-1990, Application for Education Benefits.

1.07 Survivors' and Dependents' Educational Assistance Program (Chapter 35, title 38, U.S. Code)

The Chapter 35 program provides education benefits to qualifying spouses, surviving spouses and children of certain veterans who died while on active duty or who are totally disabled due to their military service.

Eligibility Requirements

Basic eligibility for Chapter 35 education benefits may be established for the following categories of students:

(1) Sons, daughters, spouses, and surviving spouses of veterans who died or are permanently and totally disabled as the result of a service-connected disability, or who died from any cause while such disability was in existence; and

(2) the child or spouse of a person who is on active duty as a member of the Armed Forces and who now is, and for a period of 90 days has been, listed by the service department concerned as a POW, MIA, or otherwise forcibly detained by a foreign government or power.

Periods of Eligibility

Child

Generally, to pursue training under the Chapter 35 program, a child must be between 18 and 26 years of age. In certain circumstances, it is possible to begin training before age 18 and to continue after age 26. Marriage is not a bar to Chapter 35 benefits.

A person eligible for training may not receive benefits while on active duty in the Armed Forces. Further, to receive benefits after military service, he or she must have received a discharge under other than dishonorable conditions. The period of eligibility for a child may be extended by the number of months and days equal to time spent on active duty, but not beyond the child's 31st birthday. In most cases, if the son or daughter is beyond the age of 18, an election to receive Chapter 35 benefits will terminate the child's entitlement to further payments of Dependency and Indemnity Compensation (DIC), the survivors' benefits program for surviving spouses and unmarried children under 18 of service personnel or veterans whose death was due to service-connected causes or who died while permanently and totally disabled due to service-connected causes.

Spouse

If VA made a final eligibility determination before October 28, 1986, the beginning date is (a) the effective date of the permanent and total rating, or (b) the notification date of the rating, whichever is more advantageous to the spouse.

If VA made a final eligibility determination after October 27, 1986, the beginning date is (a) the effective date of the permanent and total rating, or (b) the notification date of the rating, or (c) any date between the dates specified in (a) and (b) above as chosen by the eligible spouse. Once a spouse has chosen such a date, it may not be changed.

Surviving Spouse

If the veteran's death occurred on or after December 1, 1968, and VA makes a final eligibility determination before October 28, 1986, VA will determine the beginning date of the 10-year period as follows: (a) the date of death of the veteran who dies while a total, service-connected disability evaluated as permanent in nature was in existence, or (b) the date on which VA determines that the veteran died of a service-connected disability.

If the veteran's death occurred on or after December 1, 1968, and VA makes a final eligibility determination on or after October 28, 1986, VA will determine the beginning date of the 10-year period as follows: (a) if the surviving spouse's eligibility is based on the veteran's death while a total, service-connected disability evaluated as permanent in nature was in existence, the beginning date of the 10-year period is the date of death. (b) if the surviving spouse's eligibility is based on the veteran's death from a service-connected disability, the surviving spouse will choose the beginning date of the 10-year period. That date will be no earlier than the date of death and no later than the date of the VA determination that the veteran's death

was due to a service-connected disability.

Education benefits must be used within 10 years from the applicable beginning date of eligibility.

Counseling

Each eligible person is entitled to receive professional counseling to assist in deciding upon a suitable educational or vocational goal. Counseling is provided free of charge, but the cost of any travel to reach the place of counseling must be met by the applicant.

Counseling is required for each handicapped child and for certain other eligible children for whom special services may be needed. VA pays for travel in those cases in which counseling is required.

Entitlement

Eligible persons may receive up to 45 months of education or training or the equivalent in part-time training. The program must lead toward an educational or vocational goal.

Eligible persons may enroll in high school and postsecondary programs approved by the state approving agency. Programs normally include those in colleges, universities, technical institutes, vocational schools, business schools, and facilities providing

apprenticeship or other on-the-job training.

½ Time 242.00

In addition, approved secondary level programs may be authorized for eligible persons who need additional secondary school refresher or deficiency courses necessary to enable the individual to pursue an approved program of education. Refresher, remedial, and deficiency courses are provided eligible persons without a charge to entitlement for the first five months of full-time pursuit of a program (or the equivalent in part-time educational assistance).

Less than half-time benefits are payable. The student will receive the lesser of:

* the monthly rate based on the tuition and fees for the course(s); or

* \$242 per month for less than ½ time or \$121 per month for ¼ time.

Training in a foreign school may be authorized for pursuit of approved programs of education that lead to a standard college degree or its equivalent.

In addition, Chapter 35 eligibles who need special help to overcome a subject deficiency in a postsecondary school program may be provided tutorial assistance with reimbursement up to a current maximum of \$100 per month and not to exceed \$1,200 per student.

An eligible child who is handicapped by a physical or mental disability which prevents pursuit of an educational program may receive Special Restorative Training. This may involve speech and voice correction, lip-reading, braille reading and writing, or anything of this nature that is needed.

Certifications and Verifications

If the child is under legal age, the living parent or guardian must apply. If of age, the child may act on their own behalf.

Monthly Rates

The rates of educational assistance allowance payable per month, effective October 1, 1998, under the Chapter 35 program for pursuit of a program of education are:

Full Time \$485.00

¾ Time 365.00

Form 22-5490, Application For Survivors' and Dependents' Educational Assistance, should be filed with the appropriate VA regional processing office. That office will request an eligibility extract from the VA regional office which has jurisdiction of the veteran's claims folder. If the enrollment is a change of program or change in place of training, Form 22-5495 should be used.

1.08 Restored Entitlement Program for Survivors (REPS) (Section 156, Public Law 97-377)

Benefits payable under Section 156, Public Law 97-377, are called REPS benefits for Reinstated Entitlement Program for Survivors (also referred to as Quayle benefits). This program restores certain Social Security benefits that were reduced or terminated by the Omnibus Budget Reconciliation Act of 1981, Public Law 97-35. The REPS benefit is payable to certain surviving spouses and school children who are survivors of members or former members of the Armed Forces who died while on active duty before August 13, 1981, or died from disabilities incurred in or aggravated by active duty before August 13, 1981. REPS benefits are not payable based on service in the commissioned corps of the Public Health Service or the National Oceanic and Atmospheric Administration.

Dependency Requirements

Benefits to a surviving spouse are payable for the youngest child in his or her care if this child is 16 but under 18 years old and attending school. A surviving spouse who remarries can establish eligibility, if his or her marriage is subsequently terminated. Benefits for a school child are basically payable to an unmarried child who is 18 years or older but under 22 and who is in full-time attendance in an approved education program at an approved postsecondary school. However, a child who marries after eligibility has been established may again establish eligibility, if the marriage is voided or annulled. VA uses

the dependency criteria procedures of the Social Security Administration (SSA) when determining whether a person qualifies as a dependent under the REPS program. As a general rule, VA will accept decisions made by SSA regarding establishment of dependency. Also, the grandchild of the deceased person may be recognized as a child of a deceased person under the REPS program.

A person claiming REPS benefits must complete Form 21-8924. A surviving spouse claimant must complete parts I and III of Form 21-8924, and a school child must complete all three parts. The instructions on this application direct the claimant to send it to the nearest VA regional office. Jurisdiction over REPS claims is split between the various regional offices and a special processing unit at the St. Louis regional office. The regional offices will determine basic eligibility and the special processing unit will determine REPS entitlement. The term "basic eligibility" means that the service-connected death requirements are met. If basic eligibility is established, the St. Louis regional office will make all determinations affecting payment of REPS benefits.

REPS benefits are payable when an entitled child is enrolled in a postsecondary program as a full-time student and the school meets the approval requirements of SSA. A school is approved if it meets one of the following criteria: (1) It is approved by a state or national accrediting agency; (2) It is operated by or supported by the United States, or a state or local government; or (3) Its credits are accepted on transfer by three institutions qualifying above. Certification by an official of a college or university that attendance is full-time is sufficient to establish full-time attendance. For below college level

programs, the student must be full-time by the school's standards. Normally, 20 hours of attendance per week will establish full-time attendance.

Certifications

A certification of attendance by a school official is required at the beginning and end of each school year. Certifications will normally be sent to the student but must be returned by the school. A pre-addressed return envelope will be provided.

No Active Chapter 35 Benefit Payment

A Form 21-8926, Certificate of School Attendance Under Section 156, P.L. 97-377, will be sent to the student no later than 30 days after commencement of scheduled attendance. It must be completed by the school certifying official and returned to VA within 30 days or further REPS payments will be discontinued.

Active Chapter 35 Benefit Payment

Full-time attendance will be confirmed by VA using the Chapter 35 master record certification data. If the Chapter 35 data of record substantiates full-time attendance, no further certification is necessary.

End of School Year Certification

A certification of attendance, Form 21-8938,

Student Beneficiary Report, will be sent to the student at the end of March. If this form is not returned by the end of May, REPS benefits will be suspended.

Annual Wage and Earnings Test

REPS cases are subject to an annual wage/earnings test which sets a limit on the annual amount of earnings or wages. The REPS benefit is reduced \$1 for every \$2 of wages over the annual limit. If REPS benefits are reduced because of excessive earnings, a Form 21-8941, Annual Report of Earnings, will be sent to the student on or about March 1 of the year following the year in which payments were reduced, and must be returned by April 15. However, if earnings data have been reported to SSA, the SSA earnings data will be used in lieu of having the beneficiary file Form 21-8941. The REPS benefit is not payable for any month in which the beneficiary earns more than the monthly limit or engages in substantial services in self-employment.

Monthly REPS Benefit Payment

The REPS monthly benefit is 75 percent of the REPS PIA (Primary Insurance Amount) or the claimant's proportionate share of the REPS Family Maximum. The REPS PIA and the REPS Family Maximum are separately computed for a surviving spouse parent claimant and for a student claimant, because the surviving spouse's PIA and Family Maximum are subject to legislative DIC (Dependency and Indemnity Compensation) increases, while the student's PIA and Family

Maximum are subject to legislative increases in Chapter 35 benefits.

1.09 Omnibus Diplomatic Security and Antiterrorism Act of 1986

Omnibus Diplomatic Security and Antiterrorism Act of 1986

This program is designed to provide educational assistance for persons held as captives and their dependents. The benefits provided under this program are generally consistent with the educational assistance program under Chapter 35, title 38, U.S. Code. If any inquiries are received regarding this program, please contact the nearest VA regional office.

SUBPART II - SUPPLEMENTAL EDUCATION BENEFITS

1.10 Tutorial Assistance - Chapters 30, 32, 35 and 1606

Tutorial assistance may be paid to eligible persons training under Chapters 30, 32, 35 and 1606 to aid them in defraying the expenses incurred by their need for tutoring.

This allowance is a supplement to the claimant's monthly educational assistance check and is paid without any entitlement

charge for those under Chapter 35. However, for those persons under Chapters 30, 32 and 1606, an individual's period of entitlement will be charged only with respect to the amount of tutorial assistance paid in excess of \$600. There is no entitlement charge for the first \$600 of tutorial assistance. For payments above \$600, the entitlement charge is computed by dividing the amount paid by the individual's full-time rate for schooling. This means that for Chapter 32 (VEAP) individuals, tutorial assistance paid in excess of \$600 will be taken from the individual's contribution fund in the same proportion as these contributions are used to pay other educational assistance to the individual.

The supplementary tutorial assistance is paid at the rate of the monthly cost of tutorial assistance not to exceed \$100 per calendar month. The maximum assistance to which a claimant will be eligible is \$1,200.

Application

Form 22-1990t, Application and Enrollment Certification for Individualized Tutorial Assistance, is a multipurpose form. It combines an application for tutorial assistance from the claimant and a certification of the need for tutorial assistance from the institution. All claims for tutorial assistance are to be made on Form 22-1990t. The completed application should be forwarded to the appropriate regional processing office. An individual claim may be submitted at the end of each month or the claim may be delayed and cover more than 1 month. However, tutorial assistance may be authorized only for tutoring received within the 1-year period prior to the date the claim

was received in VA. In no case may the allowance of any one month exceed \$100.

Eligibility

The student must be enrolled in a postsecondary educational program on a half-time or more basis and must have a deficiency in a subject required as part of, or prerequisite or indispensable to the satisfactory pursuit of the approved program.

Note: Tutorial assistance may not be used to improve satisfactory grades in order to raise the student's academic standing; however, a passing grade which is not sufficiently high to establish credit for degree purposes may be considered a deficiency.

Tutorial assistance may be authorized only for tutoring given during the student's enrollment period. Although this includes weekends and breaks *during* a term or other standard division of the school year, it does **not** include breaks *between* such periods. The student must be pursuing the unit course and receiving tutoring for that course during the term for which payment is requested.

Certification By School Official

The institution must certify the following: (1) Tutoring is essential to correct a deficiency as certified by the instructor; (2) The person furnishing the tutoring is qualified under standards established by the institution to offer tutoring in the area of deficiency; (3) the charges do not exceed the customary charges for such assistance; and (4) The tutoring is

given on an individual basis.

Note: Infrequently, simultaneous tutoring of two or three students may be warranted; e.g., the subject matter demands participation of and an interchange between several students in order for tutoring to be successful. If tutoring is furnished simultaneously to more than one student, it must be completely justified by the institution and in no event allowed to become a matter of course.

Prohibition

No close relative (spouse, parent, brother, sister) may tutor a student.

Generally, there should be few claims for tutorial assistance for those in graduate degree programs. When a student is admitted to a graduate program, he or she has demonstrated the ability to maintain satisfactory academic standing. Graduate students applying for tutorial assistance should be prepared to submit proof of the *need for tutoring*.

1.11 Work-Study Benefits - Chapters 30, 31, 32, 35, 1606, and Section 903 Veterans

The VA work-study program permits eligible students to perform services for VA in return for a monetary allowance equal to the prevailing Federal or State minimum wage, whichever is higher. VA work-study

payments are non-taxable. Eligible students may contract for a maximum of 1300 hours of service in any 12 month period. The maximum number of hours a student may work will be based on 25 times the number of weeks in the student's enrollment period; e.g., 250 hours for a 10 week term; 300 hours for a 12 week term. Work-study services may be performed at VA regional offices, educational institutions, VA medical facilities, VA national cemeteries, certain other organizations approved for outreach activities. For Chapter 1606 trainees *only*, services may be performed at DOD, National Guard and Coast Guard facilities, and their work-study services must be related to the administration of the Chapter 1606 program.

If a work-study student is assigned to a university, he or she may be paid by the university the difference between the amount payable by VA and the amount which the university pays to other non-VA work study students performing similar services.

Work-study services at educational institutions may include, but are not limited to, the following: (1) Processing enrollment documents (*Note:* Work-study students may *not* sign an Enrollment Certification.); (2) Assisting institutional officials in maintaining veterans' records; (3) Providing supportive assistance to the campus office of Veterans' Affairs; (4) Providing outreach services.

Veteran students who are assigned by the institution to perform outreach activities must be working under the supervision of a VA employee. Such supervision may be accomplished by a combination of personal and telephone contacts. If the institution wishes to establish a VA outreach activity, the

Veterans Services Officer at the regional office should be contacted prior to development of plans for an outreach program.

Eligibility

Students pursuing three-quarter or full-time programs of education or training under Chapters 30, 31, 32, 35, 1606, and Section 903 veterans are eligible to receive a work-study allowance. Whenever feasible, VA will give priority in selection for this allowance to veterans with service-connected disabilities rated at 30 percent or more. VA will consider the following additional selection criteria: (1) Need of the student to supplement his or her educational assistance allowance; (2) Availability to the student of transportation to the place where his or her services are to be performed; (3) Motivation of the student; and (4) Compatibility of the work assignment to the student's physical condition.

Application

Form 20-8691, Veterans Application For Work-Study Allowance, should be completed by the student and submitted to the nearest VA regional office. Once selected for the work-study program, Form 4-8690, Work-Study Time Record (Veteran-Student Services), will be used as the record of hours worked by the student and verified by his or her supervisor.

Rate of Payment

In return for the student's agreement to perform services for VA totaling, for example, 250 hours during an enrollment period, VA will pay an allowance in an amount equal to the prevailing Federal or State minimum wage, whichever is higher, times 250. VA will pay proportionately less to students who agree to perform a lesser number of hours of services. Advance payment will be limited to the amount that would be paid for the first 50 hours of each work-study contract, or 40% of the amount of the total contract, whichever is the lesser. Thereafter, payments are made in arrears for each increment of 50 hours of service performed.

In the event the student ceases to be at least a three-quarter time student before completing an agreement, the student, with the approval of the VA regional office, may be permitted to complete the portions of an agreement in the same or immediately following term in which the student ceases to be a three-quarter-time student. If the student terminates all training before completing an agreement, VA may permit him or her to complete the portion of the agreement represented by the money VA has advanced to the student for which he or she has performed no services, but will not permit him or her to complete that portion of an agreement for which no advance payment has been made. The student must complete the portion of an agreement in the same or immediately following term in which he or she terminates training.

If the veteran has received an advance for hours of unperformed service, and VA has evidence that he or she does not intend to

perform that service, the advance will be a debt due the government, and will be subject to recovery the same as any other debt due the United States. The amount of indebtedness or each hour of unperformed service will equal the hourly wage that formed the basis of the contract.

1.12 VA Education Loans - Chapter 35 Spouses

Education loans may be authorized by VA to spouses and surviving spouses with Chapter 35 eligibility who have passed their periods of eligibility for educational assistance benefit payments but who still have unused months of that entitlement. The loan program is based upon financial need.

Eligibility

Basic eligibility for an education loan may exist if these individuals:

- (1) Were in training on a full-time basis at the time their periods of eligibility for educational assistance expired; and,
- (2) Are still within 2 years from the date on which their eligibility expired; and,
- (3) Are currently pursuing on a full-time basis the same educational or vocational

objective which they were pursuing when their periods of eligibility for educational assistance expired; and,

- (4) Have financial resources insufficient to meet the cost of school attendance.

Application

Individuals wishing to apply for an education loan should complete Form 22-8725. A loan application may be submitted as early as 30 days prior to the commencement of the enrollment period, but, in any case, an application must be received by VA before the end of the enrollment period for which the loan is requested. The application for an education loan requests a statement of financial resources, educational costs, enrollment data, etc. A separate loan application is required for each semester and for each summer term.

The instruction page attached to Form 22-8725 contains complete information regarding completion of items in the application by the applicant and by the certifying official. The applicant must indicate the enrollment period for which the loan is requested. Education costs for that period only, along with financial resources based on that period, will be used to determine the loan amount to be authorized. Loans may be approved only for students who are satisfactorily pursuing their educational programs and who need additional financial assistance to remain in school.

Certification

In addition to certifying information that is routinely furnished on Form 22-1999, Enrollment Certification, for other students, the certifying official must furnish the cost of room and board at the institution, if available, and to validate the applicant's reported receipt or nonreceipt of other types of financial assistance. If the institution participates in the VA education loan program by agreeing to receive the applicant's loan payment and to deliver the check to him or her, the certifying official will also be responsible for completing a certification of delivery of the loan check (Form 4-5220a), which will be enclosed in the same envelope as the check. If a loan payment is received for a student and that student has not reported to the certifying official within 30 days to claim the check, the unopened envelope must be returned to the U.S. Treasury.

Before a loan payment is released, the student must execute form 22-8726, Promissory Note (Veterans or Eligible Persons Education Loan Program), which provides for repayment of principal and interest. Repayment of both principal and interest is deferred during any period the student is enrolled in training and attending on at least a half-time basis.

1.13 Special Assistance for the Educationally Disadvantaged

Veterans under Chapters 32, and eligible persons under Chapter 35, may receive reimbursement for the cost of tuition and fees to pursue courses leading to a secondary school diploma. Chapter 32 students' entitlement to educational assistance benefits

will not be reduced when payments are based on tuition and fee costs. Veterans who pursue these courses at a half-time rate or more may elect to receive regular monthly payments based on their training time, provided that they elect to have their entitlement reduced accordingly. Chapter 35 students will have no charge to entitlement for the first 5 months of high school training.

These benefits are to encourage and assist veterans and eligible persons who have academic deficiencies to attain a high school education and to pursue programs of higher education.

This special assistance for the educationally disadvantaged should not be confused, however, with refresher, remedial, and deficiency courses payable under certain VA education programs to enable individuals to pursue an approved program of education, as discussed in Section 8.02 of this publication.

SECTION 2

TRAINING AND REHABILITATION FOR VETERANS WITH SERVICE- CONNECTED DISABILITIES

Vocational Rehabilitation

Chapter 31, Title 38, U.S.C.

A veteran, or servicemember pending separation from military service for medical causes, may be eligible for Chapter 31 benefits if he or she incurred or aggravated a service-connected disability on or after September 16, 1940, which entitles him or her to VA disability compensation and who is in need of vocational rehabilitation because the disability causes an employment handicap which has not been overcome by education or training.

Vocational rehabilitation services may generally be provided for up to 48 months within a period of 12 years from the date he or she is notified of entitlement to VA disability compensation. In certain circumstances, VA may approve an extension of the amount of benefits or the time to use those benefits. Applications are made on VA Form 28-1900, Disabled Veterans' Application for Vocational Rehabilitation, available from any VA Regional Office.

2.01 Terms Unique to Vocational Rehabilitation - Chapter 31

Case Manager

A VA staff member or other person who is responsible for assuring that the veteran participant receives the necessary services and assistance to proceed in the individually written rehabilitation plan.

Consumable Supplies

Supplies necessary for the veteran's training which are usually exhausted during the course of training.

Independent Instructor

An individual who provides a course of training to a veteran on an individualized basis.

Individual Written Rehabilitation Plan (IWRP)

A plan, agreed upon by VA and the veteran participant, which outlines the rehabilitation needs of the veteran and the services and service-providers which will be used to meet the identified needs.

Induction Into A Program

The date a counseling psychologist, a

vocational rehabilitation specialist and a veteran sign an individualized written rehabilitation plan detailing the veteran's Chapter 31 program.

Leave

A period of absence from training which has been authorized by VA.

Nonconsumable Supplies

Durable items, such as tools and equipment, which are useful both during and after training.

Rehabilitated

The designation given to the veteran's status when he or she has successfully completed a vocational rehabilitation program.

Special Equipment

Items which the veteran requires to pursue a course of training, but which would not ordinarily be required by trainees who do not have a handicap.

Subsistence Allowance

The monetary payment made to the veteran each month while pursuing a course of vocational rehabilitation training and for 2 months following completion of this training.

Supplies (Allowable)

Books, supplies, tools and equipment which a trainee needs to satisfactorily complete the rehabilitation program.

Unauthorized Absence

Absence from training without VA approval.

Vocational Rehabilitation Specialist (VRS)

Staff members of the Vocational Rehabilitation and Counseling Division of the VA regional office who have the responsibility for assisting the trainee and supervising the training program.

2.02 Purpose

Vocational Rehabilitation (Chapter 31) is intended to assist service-disabled veterans to

become employable, obtain employment, and maintain employment in a position which is compatible with the veteran's abilities, interests, and aptitudes. In some cases, when it is determined that the veteran's disabilities are so severe as to preclude employment, services may be provided which will allow the veteran to live with maximum independence in his or her community.

Under this program, VA provides a comprehensive evaluation which is designed to determine the veteran's eligibility and need for services, and provide a basis for rehabilitation planning. If the veteran is found eligible and is interested in pursuing a program, a Individual Written Rehabilitation Plan is drawn up which identifies the rehabilitation objectives, service providers, and timetable for execution of the plan.

VA does pay for all costs involved in the rehabilitation plan. If training or education are identified as needs to achieve the goal of the rehabilitation plan, all costs of tuition, books, fees, and supplies are borne by VA, as are any other rehabilitation services identified in the IWRP. If the veteran is enrolled in a training program on an at least one-half time basis, VA also pays a subsistence allowance based on the training time and number of dependents. The subsistence payments are somewhat lower than the traditional GI Bill, but the benefit to the veteran by paying for all other cost associated with the training or education usually makes chapter 31 the more favorable benefit. The full-time subsistence rate for a single veteran is currently \$407.31 per month.

Each veteran is assigned to a case manager to work closely with the veteran to assure that

the provisions of the IWRP are being followed, the plan is amended, if needed, and the veteran progresses toward the identified rehabilitation goal. The case manager is usually a VA staff member, a Vocational Rehabilitation Specialist, but may also be a contracted service-provider.

Other services which might be seen on a rehabilitation plan include:

- (1) Tutoring, reading service, typing services, or other special assistance.
- (2) Medical and dental treatment (provided by the VA Medical Center), prosthetic aids, and special equipment to overcome the handicapping aspects of disability.
- (3) Job development, placement, and post placement services.
- (4) Interest-free advances to monetary benefits, in emergency situations.

2.03 Certifying the Veteran

VA, in concert with the veteran, makes all determinations of eligibility and creates the IWRP which, if training or education is prescribed, includes the vocational goal, course major, programs, and individual courses. Since each veteran in this program is assigned to a case manager, the case manager

will make him or herself known to the training facility and is a good resource on program policies and procedures.

Prior to the commencement of a training program or education term, VA will provide the school with a copy of VA Form 28-1905, Authorization and Certification of Entrance or Reentrance into Rehabilitation and Certification of Status which authorizes the school to enroll the veteran in the identified program of study and bill VA for authorized charges. These charges may include those items which the veteran is permitted to purchase from a bookstore or supply vendor officially connected with the school. If advance payment to the veteran has been authorized, the certifying official will find that indication in Section B of the form. If the advance payment has been approved, the certifying official should complete Section C of the form based upon the early registration data available. The completed Form 28-1905 should then be returned to the Vocational Rehabilitation and Counseling Division in the VA regional office. Otherwise, on or after the beginning date of the enrollment period, the certifying official should complete Section C of the form as verification of the veteran's entrance into training. The school copy of Form 28-1905 should be removed and kept as part of the school records. The remaining copies should be returned to VA.

Reports of changes in the enrollment status of a Chapter 31 program participant are required in the same circumstances as applicable to students training under any other VA educational assistance program. In addition, the case manager may request immediate information concerning any change in the enrollment status of a Chapter 31 veteran.

Since no special form has been issued by VA for reporting changes in enrollment for a Chapter 31 trainee, the certifying official may use VA Form 22-1999b with the annotation, "Chapter 31 Trainee" added in the top margin of the form. However, it is preferable that enrollment changes for these students be reported to the VA case manager in a letter. Any correspondence should reference both the veteran's name and case number.

2.04 Supplies and Equipment

VA provides a Chapter 31 student with the supplies needed for training, specifically, the same supplies which are needed by other students pursuing the same course.

Institutions are requested to furnish the supplies whenever practicable, inasmuch as this facilitates service to the veteran. A handling fee of up to 10 percent is payable to the institution under certain conditions. Supplies should be issued periodically, as necessary, to enable the student to maintain satisfactory progress, rather than all being issued at the beginning of the program or term.

The cost of items susceptible to personal use, such as musical instruments, cameras, and tennis rackets, and the cost of items used for individual projects, research, etc., may be reimbursed only if the VRS has given prior written authorization for their purchase. On the other hand, protective articles, such as laboratory aprons, rubber gloves, facility required uniforms, and goggles, which are necessary to protect the student from harm,

may be furnished when these items are required to be worn by all students taking the course.

A supplier vouchers the VA regional office for supplies issued to the Chapter 31 student. The voucher (which should include a copy of the purchase order) is audited before payment is released to the supplier. If the VRS determines that unauthorized items have been furnished to a student, the cost of the unauthorized items will be deducted from the invoice before payment is made. The amount deducted then becomes an obligation of the veteran to the supplier.

2.05 Application and Certification

Veterans use VA Form 28-1900 to apply for vocational rehabilitation benefits under Chapter 31. Information and instructions for the veteran are included on the reverse of the application form. Following receipt of this application in the regional office, VA will make a determination of basic eligibility. If the veteran is eligible, VA will schedule an appointment with a counseling psychologist for an initial evaluation to establish the veteran's entitlement to vocational rehabilitation.

The *veteran* must:

1. Complete each item on the application form, unless a particular item contains an instruction to the contrary, or indicate N/A if not applicable. Leave item 4 blank, if the

veteran does not know his or her VA claim number.

2. Date the application form in item 18 and sign in item 19. VA will return unsigned forms to the veteran for signature before processing the claim.

3. Submit evidence of his or her active duty service, unless this evidence has been previously submitted. VA will return the service documents to the claimant upon request.

4. Provide documents, if required, to establish dependency for payment of additional subsistence allowance.

The veteran should submit the completed application directly through the regional office with jurisdiction over the veteran's residence. If the veteran files Form 28-1900 with a school, the certifying official should forward the application to the regional office with any evidence of service or dependency which the veteran may have filed with his or her application.

SECTION 3

STUDENTS' APPLICATION PROCEDURES

3.01 Application Forms

Application forms are available at all VA offices, most active duty stations, and American Embassies in other countries. Certifying officials should keep a supply on hand at all times. All forms are obtainable from VA regional offices. Application forms may also be downloaded from VA's web site (www.va.gov).

Depending on the status of the student, i.e., the particular VA program for which he or she may qualify, and whether the claim for educational assistance allowance benefits is an original claim or a supplemental one, the proper application form must be completed by the student.

Certifying officials should inform veterans, reservists, servicepersons, and other applicants that an application for VA benefits does not constitute an application for admission to the educational institution. A formal application for admission to the institution should be completed before an application for VA benefits is submitted. Students who have not been accepted for enrollment by the institution should be referred to the Admissions Office.

Applications for VA benefits are designed to obtain the data necessary to determine eligibility for educational assistance benefits

for particular educational, professional, or vocational objectives. Since the students' application forms do not include enrollment certification data, claimants should be encouraged to take their completed applications and supporting documents to the school certifying official so that the documents can be submitted to VA as a package enrollment with Form 22-1999, Enrollment Certification.

Retroactive applications and payments

Students have one year from the beginning date of their training in which to file an application and to receive benefits from the beginning date. VA will only pay educational assistance allowance retroactively for school enrollment periods up to one year prior to the date the claim and certification of enrollment are received in the VA regional processing office.

Forms

The forms described below should be used to apply for the education and training benefits indicated. A listing of commonly used VA application forms for education benefits and sample copies are contained in Appendix B.

Form 22-1990 - Application For Education Benefits

(Chapters 30 and 32, title 38, U.S.C., Section

903, Public Law 96-342, Chapter 1606, title 10, U.S.C.)

This is an original application to be used by servicepersons, veterans, and reservists to apply for the following VA education benefits; VEAP (Chapter 32), Non-Contributory VEAP (Section 903), Montgomery G.I. Bill - Active Duty Educational Assistance Program (Chapter 30), and Montgomery G.I. Bill - Selected Reserve Educational Assistance Program (Chapter 1606). If an applicant is on active duty, Part II must also be completed by the serviceperson's Education Services Officer and his or her Commanding Officer.

**Form 28-1900 - Disabled Veterans
Application For Vocational Rehabilitation**

(Chapter 31, title 38, U.S.C.)

This application is used by veteran to apply for Vocational Rehabilitation benefits. If the veteran is found eligible, VA will schedule an appointment with a counseling psychologist for an initial evaluation to establish the veteran's entitlement to Vocational Rehabilitation.

**Form 22-5490 - Application For Survivors'
And Dependents'educational Assistance**

(Chapter 35)

This application is to be used by eligible

spouses, surviving spouses, and children of veterans who died while on active duty or as a result of a service-connected condition and dependents of veterans who are permanently and totally disabled due to a service-connected condition, to apply for education benefits.

**Form 22-8889 - Application For
Educational Assistance Test Program
Benefits**

(Section 901)

This application will be used by veterans, servicepersons, and eligible dependents to apply for benefits under the Section 901 program.

**Form 22-1995 - Request For Change Of
Program Or Place Of Training**

This application will be used by veterans, servicepersons, and reservists to apply for a change of program or place of training, or to apply for reentry into training following a report of unsatisfactory progress or conduct. This form may also be used by veterans who have reentered service to apply for education benefits as servicepersons or by those who received benefits while on active duty and are now applying for educational assistance as a veteran after release from active duty. This form should also be used by those persons who have interrupted their training for 12 or more months and are now returning to the same school in the same program.

Form 22-5495 - Request For Change Of Program Or Place Of training: Survivors' And Dependents' educational Assistance

This application will be used by eligible spouses, surviving spouses, and children to apply for a change of program or place of training, or to apply for reentry into training following a report of unsatisfactory progress or conduct.

Form 5281 - Application For Refund Of Educational Contributions

This form is used by participants in the Chapter 32 (VEAP) program to request a refund of money that they have contributed. This form does not apply to the Section 903 program, because participants in that program do not make contributions.

Form 21-8924 - Application For Benefits Under The Provisions Of Section 156, Public Law 97-377

This form is used by certain spouses and school children to apply for benefits under the Restored Entitlement Program for Survivors (REPS). This program restores certain Social Security benefits that were reduced or terminated by Public Law 97-35. Claimants under this program should submit their applications to the nearest VA regional office.

3.02 Supporting Evidence

Veterans

A veteran's eligibility for educational assistance benefits cannot be determined until VA receives satisfactory evidence of his or her active duty service. Veterans of the Armed Forces receive DD Form 214, Certificate of Release or Discharge from Active Duty, when they are separated from service. Individuals who serve in the Public Health Service and in the National Oceanic and Atmospheric Administration receive comparable documents.

Veterans who use Form 22-1990 to submit their claims should attach a copy of DD Form 214 as supporting documentation. In addition to receiving the original copy of the DD Form 214, the individual is usually also given copy 4. Veterans should be advised to submit copy number 4 of DD Form 214 or a certified copy of that page with their claim for VA benefits, if available. The original of this form omits certain information regarding the individual's period of service that is essential to VA's determination of eligibility for benefits. A veteran who has recorded his or her original service document with a state or local government office may submit a copy of that document which is certified by the public custodian of records instead of the original document. School certifying officials may not certify copies of a DD Form 214.

Original copies of service documents will be returned by VA to the veteran in all cases. If a carbon copy or a certified copy of the DD Form 214 is submitted, it will also be returned to the veteran, if he or she so requests. If one

of the types of evidence described is not available, VA must verify active duty service by alternate methods.

If a veteran previously claimed VA benefits, his or her file probably already contains service verification. Service may also be verified by VA through the VADS record (Veterans Assistance Discharge System). This is a computerized record system into which service information is entered for most veterans shortly after they are separated from active duty. VADS records do not exist for all veterans, however, which means sometimes service must be verified with the appropriate military service or department.

Similarly, for M.G.I.B. claimants, VA is able to access basic eligibility data through a computer interface with the Department of Defense's Defense Manpower Data Center (DMDC). This record is now the primary document VA uses for determining eligibility for Chapters 30 and 1606.

Certifying officials should encourage veterans who do not have copies of the documents issued to them at the time of separation from service to submit any other type of information available to them that describes their periods of active duty. This includes, for example, a photocopy of the DD Form 214. Often a photocopy of a service document can be used in conjunction with information obtained from a VADS or DMDC record to provide necessary service verification. A photocopy of the DD Form 214 can also expedite an inquiry to the service department.

Note: Do not delay submitting a claim to get separation documents.

Reservists

DD Form 2384, Selected Reserve Educational Assistance Program (GI Bill) Notice of Basic Eligibility (NOBE), is provided to eligible reservists by his or her National Guard or Reserve component. This is a supplementary document the reservist should submit in support of his or her claim to establish the date of eligibility or to reestablish eligibility. If VA has an eligible DOD record, the NOBE is not required, in order to establish eligibility. However, the reservist should submit one, if available, but it is not mandatory. A photocopy of the NOBE is also acceptable.

Dependent Documentation

Under certain VA programs (Chapters 30 and 31, as well as certain recipients eligible for VA compensation, pension, or Dependents' Indemnity Compensation, or death pension), persons may have the monthly amount of their VA benefit payment increased based on the number of his or her established dependents. Under the educational assistance programs (Chapters 30 and 31), additional allowance for dependents is not available when the veteran is training at a less than half-time rate, is not available to servicepersons, for those training under any other VA administered education program, or to persons while they are incarcerated for conviction of a felony offense. Documentary proof to establish the relationship of the individuals claimed as dependents is required.

To claim dependents, Form 21-686c, Declaration of Status of Dependents, should be submitted. In addition, if an individual is out of school for more than six months, he or she must submit another Form 21-686c, in order to continue to receive additional allowance for dependents.

Only the following individuals may qualify as dependents for VA purposes:

- (1) The veteran's spouse;
- (2) The veteran's child. The term "child" includes a natural child, adopted child or stepchild. The child must be unmarried, and
 - (a) under 18 years of age, or
 - (b) between the ages of 18 and 23 and attending school, or
 - (c) over the age of 18 and must have been determined to be permanently incapable of self-support due to a physical or mental handicap before reaching the age of 18.
- (3) The veteran's mother or father, if dependent upon the veteran for support.

Documentary Evidence

It is no longer necessary to submit a certified

copy of the public or church record of marriage or birth. We may now accept a written statement of a claimant as proof of the existence of a marriage, dissolution of a marriage, birth of a child, and death of any family member. There are certain instances where we may require proof of dependency.

Form 21-674, Request For Approval Of School Attendance

This form must be completed by the veteran to provide evidence of a child's school attendance after the child's 18th birthday. Qualifying school attendance requires that the child be attending a minimum of three regular class sessions per week.

Additional amounts of educational assistance may be payable for unmarried children between the ages of 18 and 23 who attend school. If Form 21-674 is submitted before the child's expected beginning date of education or training, the veteran will be requested to complete **Form 21-674b**, School Attendance Report, after the child's school attendance actually begins. (See also Section 5.06)

On original applications, marital status and dependency information should be entered in Block 19 of the Form 22-1990. Any change in the number of a veteran's dependents should be reported promptly to VA by the veteran. **Form 21-686c** may be used to report the change. If the change is a claim for an allowance for an additional dependent(s), the required documentary evidence should be attached to the Form 21-686c.

When a veteran loses entitlement to an allowance for a dependent (e.g., through divorce, death, marriage of a child, departure from the veteran's household of a stepchild), the amount being paid on account of that dependent must be discontinued no later than the end of the month in which the loss occurs. Therefore, in order for such veterans to avoid an overpayment of their educational assistance, prompt reporting of dependency changes to VA is essential.

3.03 Where to Send Applications

The processing of all education benefits is regionalized at four regional processing offices (RPOs), except as noted below. All correspondence, applications, and enrollment documents should be sent to the RPO having jurisdiction over the school the student is attending.

The RPOs have post office box numbers which should be used for all mail pertaining to education benefits. A list of all regional office mailing addresses and RPO post office box numbers can be found in Appendix B.

Section 901, Educational Assistance Test Program.

Completed applications and Enrollment Certifications should be sent to the following VA regional office for processing:

VA Regional Office

One Veterans Plaza
701 Clay
Waco, TX 76799

For Section 901 students, the school must sign and date the Enrollment Certification after the beginning of the term, quarter, or semester and mail it to the address above. The school may certify only one term, quarter, or semester on each Enrollment Certification. A student under Section 901 may not receive an advance payment of benefits.

All changes in a student's enrollment under Section 901 and any changes of address should be promptly reported to the VA regional office in Waco at the address shown above.

3.04 Certificate of Eligibility

When VA receives a completed application form without an Enrollment Certification, a Certificate of Eligibility (C/E), Form 22-1993a, may be issued to the student, if eligibility exists and the selected program is approved. Two copies of the C/E, with instructions, are mailed to the veteran, serviceperson, reservist, or eligible person.

The C/E is valid only at the institution named and only for the objective indicated. The student should present a copy of the certificate to the certifying official. The student's presentation of a C/E to the certifying official assures the school that the student's eligibility and entitlement to VA benefits have been established.

It should be noted, however, that a student does not have to have a Certificate of Eligibility. The issuance of a C/E merely indicates that VA has already examined the student's records and has established eligibility for the program of education shown thereon with any applicable limitations. The absence of a C/E on behalf of a student generally implies only that the student has not applied to VA for a particular program of education at a school and that a determination of eligibility or entitlement to the program being sought simply has not as yet been made.

(5) The amount of entitlement remaining at the end of the term, quarter, semester, or academic year, if the student continues to attend at the certified rate for the entire period. (For a serviceperson, the entitlement used is shown.)

(6) Information regarding appeal procedures.

Generally, the award letter is computer-generated through VA's BDN system.

3.05 Award Letter

When payment of education benefits is authorized, VA will mail an award letter to the student. Only one copy of this letter will be issued. The letter provides the student with:

- (1) Notification that his or her enrollment has been processed for a specific period. The inclusive dates for which payment will be issued will be shown.
- (2) The monthly rate of payment the student can expect to receive.
- (3) The student's original net entitlement.
- (4) Delimiting date.

3.06 Availability of Educational/ Vocational Counseling (Chapters 30, 31, 32, 35, 1606, and Section 903)

In addition to informing veterans, servicepersons, reservists, and eligible persons of the institution's academic and advisory counseling, it is recommended that the certifying official remind them at the time they submit an application for VA benefits of the free professional counseling services offered by the VA.

SECTION 4

BASIC INFORMATION FOR CERTIFYING OFFICIALS

4.01 Approval of Courses

It is generally the responsibility of VA to determine the eligibility of veterans, servicepersons, and other eligible persons and to authorize the payment of benefits.

The state approving agency (SAA) approves programs and courses of instruction so that education benefits may be paid to eligible students under the programs administered by VA. The SAA must specifically approve each program of education into which the institution wishes to enroll veterans and other eligible persons. In addition, if an institution operates any branch or extension facilities away from the main campus, the SAA must also approve all courses offered at each site. All approval actions by the SAA are subject to acceptance by VA.

Two copies of the school's latest catalog must be provided to the SAA. Each catalog must be certified as being correct in content and policy, and this certification must be signed by the appropriate school official.

The certifying official at the institution must be certain that catalogs, school calendars, and other publications containing descriptions of programs and/or courses of study are

submitted to the SAA as soon as they are published. Requests for approval of new programs and/or courses not contained in the current catalog may be submitted to the SAA by letter as soon as they are established by the institution.

Courses offered at a private school that do not lead to a standard college degree may not be approved if: (1) the school has been operating for less than two years; or (2) the course is offered at a branch of the school, and that branch has been operating for less than two years; or (3) following either a change in ownership or a complete move outside its original general locality, the school has been in operation for less than two years, unless the school retains substantially the same faculty, student body, and courses as before the move or change in ownership.

Note: Notwithstanding these restrictions, a course may be approved if it is offered under contract with the Department of Defense or Department of Transportation, and is given on, or immediately adjacent to, a military base, Coast Guard station, National Guard facility, or Selected Reserve facility).

Various schools have adopted many names for programs and/or courses that VA considers to be practical training, cooperative, and/or independent study. For example, a school may call a course a cooperative course, but it may meet VA's definition of practical training and may not meet VA's definition of coop. Also, programs which a school calls externships, internships, etc., could be coop, practical training, or independent study according to VA's definitions.

How the course is structured determines

which of VA's categories it falls into. As such, for these courses there may be a conflict between a school's definitions and those used by VA. In these instances, it is best to check with either the SAA or your ELR for guidance in getting these courses approved.

4.02 VA Publications and Forms

It is essential that certifying officials have copies of VA directives which pertain to the responsibilities of the officials of the institution as related to VA educational assistance. Our regulations can be found on our web site, www.va.gov. Copies of forms may be procured by writing to your VA Regional Office, ATTN: Publications Department. Your request should be on the institution's stationery and specify what is needed, the name and number of the form or publication required, and the quantity needed.

4.03 Reporting Fees to Institutions

In December of each year, VA creates a list of students who were receiving assistance during the month of October of that year for each school. Based on the number of students in receipt of VA benefits, institutions are compensated at the rate of \$7 for each student. If any advance payment or an education loan check is handled by the institution, the fee is increased to \$11 for those students.

Prior to the delivery of any reporting fee payment by VA, an official at the institution must certify that the school exercises reasonable diligence in meeting all applicable

requirements of 38 U.S.C. Institutions must also certify that any failure to meet applicable requirements of 38 U.S.C. will be reported promptly to VA. This certification statement is included in the "Certifications" section of Form 22-1999, Enrollment Certification.

4.04 Availability of Information

You or the student can obtain additional information concerning VA benefits by calling the regional office. Active duty personnel should first seek resolution of any problem with VA benefits by contacting the Education Services Officer (ESO) in the Education Office on their military installation. Written requests for information about claims should be directed to the RPO. Inquiries may also be made via the internet. See 4.02 for our internet address.

Toll-free telephone numbers to reach Veterans Benefits Counselors from areas outside the regional office local dialing area are listed in local telephone directories under "United States Government, Department of Veterans Affairs." Your own calls will usually be to the Education Liaison Representative (ELR), at the local regional office, or the ELR assigned to your state at the Regional Processing Office.

You should inform each student of his or her responsibility to report promptly to you and to VA any changes in his/her enrollment. You may want to recommend that students set up a folder in which copies of all correspondence and documents pertaining to his/her VA education benefits be retained.

4.05 Compliance Surveys

The law requires that VA employees conduct periodic surveys at educational institutions. The main purpose of these surveys is to ensure that VA payments going to students enrolled in the school are based upon proper and correct enrollment information as furnished by the school to VA, and to assist the school and training officials and students in understanding the requirements of the law in order to prevent deficiencies or violations which could develop because of misinterpretations of the law.

Schools which have sought and obtained approval to provide training under 38 U.S.C. are required by law (38 U.S.C. 3690(c) and 38 C.F.R. 21.4209) to maintain certain records and to make these records available for examination by authorized representatives of the government. All records and accounts of schools pertaining to veterans and eligible persons, as well as the records of other students which are necessary to determine compliance with the law, must be available for examination. The law (38 U.S.C. 3690(c)) provides that records and accounts must be made available for review "notwithstanding any other provision of law." The effect of this provision is to allow VA to examine necessary records which may be restricted under laws regarding privacy of student records such as PL 93-380 (Buckley Amendment) or other provisions of the law. Failure to make records available may result in discontinuance of a school's approval.

Records of an institution must be retained for a period of at least three years following the termination of the enrollment of an eligible individual, or longer if requested by VA or

GAO (General Accounting Office). Any institution offering courses approved for the enrollment of eligible students must maintain a complete record and copies of all advertising, sales, or enrollment materials utilized by or on behalf of the institution during the preceding 12-month period (see paragraph 4.08).

A school's records, such as applications, transcripts, grade reports, and school enrollment records, will be reviewed during a compliance visit to ensure:

- (1) Credit granted for prior education and training, if any, reported. The school must maintain a written record of the student's previous education and training, grant appropriate credit and shorten the course proportionately. The amount of credit granted should have been reported by the school on the student's Enrollment Certification.
- (2) Specific curriculum in which a student is enrolled was correctly reported;
- (3) Changes in credit hours correctly and promptly reported;
- (4) Last date of attendance correctly and promptly reported;
- (5) Unsatisfactory progress (based upon grades or grade point average required or other approved progress criteria, and approved length of course) correctly and promptly reported.

(6) Certifications of 85 percent enrollment restriction verified;

(7) Certifications of two-year period of operation for branch locations verified.

A school's finance records will be reviewed to determine:

(1) The charges to VA students for tuition and fees are not more than the charges to non-VA students in the same program. Any discount or payment plan which is available to non-VA students but not available to VA students, and which reduces the tuition and fees for non-VA students is, in effect, an overcharge to VA students.

(2) Refunds in accordance with school policy were given students who discontinued courses.

(3) School procedures for care and delivery of advance payment checks meet requirements of the law.

(4) Procedures for delivery of education assistance checks, mailed to a school do not violate power-of-attorney restrictions.

In addition, work-study records will be examined to ensure student services are for a VA activity and the hours worked have been properly reported; tutorial assistance records will be checked to ensure recipients of tutorial assistance have academic deficiencies, tutors

are known by the school to be qualified, and charges for tutoring are reasonable and customary.

If a compliance survey team discovers serious discrepancies in reporting or recordkeeping requirements, payments of VA education benefits to students may be discontinued. (38 U.S.C. 3690(b) and 38 C.F.R. 21.4210 and 21.4215)

4.06 Reporting to the VA Regional Office

If you do not use VACERT, the VA's electronic education certification program, you should mail completed certification documents directly to the VA regional processing office. (See section 6.01)

Notifications of reductions in students' workload or withdrawal from school may also be reported initially to VA by telephone. Telephonic notice of these enrollment changes, particularly when the changes are discovered during the last half of a month, will assist VA in preventing overpayments of benefits. It is recommended that any telephone notice of reduction in training time or withdrawal from the institution be confirmed in writing by submitting a Form 22-1999b to VA.

4.07 Debt Prevention

It is very important that school officials and students who are participating in VA

educational assistance programs understand that VA is aggressive in its efforts to collect justified debts and is serious about ensuring that Federal funds are not misused or expended fraudulently. Determined efforts need to be made at all junctures to prevent the establishment of debts in the first place. Debt prevention initiatives must be made a continuing priority in the administration of educational assistance programs. Between August 1 and August 15 of each year schools will be sent a letter reminding them of the importance of continued debt prevention efforts.

Studies show the causes of education overpayments are varied, with some resulting from processing problems within VA and some resulting from delayed reporting by schools. Approximately 60 percent of overpayments are the result of students' not providing acceptable mitigating circumstances for changes in enrollments.

When students first enroll in a school is an excellent time for certifying officials to advise those receiving VA education benefits of the actions that will result in overpayments of VA benefits. Each student should be made aware of the importance of promptly notifying both the school and VA of any change in enrollment. Students should be encouraged to provide statements regarding mitigating circumstances for reductions and terminations for inclusion with the notification from the school. VA procedures require that notifications of reductions and terminations be processed as quickly as possible. In cases in which award actions cannot prevent the next payments, VA sends telegrams to local postmasters asking for the return of the checks so that payments can be issued in the proper amounts.

In cases in which overpayments are established, VA is interested in recovering the money owed as soon as possible. Collection efforts are not limited to written requests for payment and withholding future benefit payments. Debts may be referred to private collection agencies or the Justice Department. Approval of VA home loan guarantees may be delayed pending satisfactory repayment arrangements. Federal income tax refunds may be withheld and applied to VA debts. While these collection efforts are often viewed negatively by the benefit recipients, they are an integral part of the effort to reduce outstanding debt.

Students may discontinue their training due to their benefits being withheld to pay an overpayment. Some benefit recipients cannot afford to attend school without their VA benefits. Therefore, it is important that certifying officials keep students informed of their responsibilities in reporting changes in their status.

Student awareness of VA policies and how school policies may affect payment of VA benefits is critical to debt prevention. VA provides information to benefit recipients, but the certifying official can help by providing students with additional information pertaining to their benefits. Such communication could take the form of a letter, a handout at registration, articles in the school newspaper, or posters displayed around the campus. It is important that students understand that a reduction in their course load may result in a retroactive reduction in benefits and a debt to VA. Academic advisors should be aware of this information, since they may be involved in course scheduling and decisions to drop

courses.

During compliance surveys, schools' debt prevention efforts will be documented, to include copies of information provided to students and/or annotations of debt prevention measures the school has implemented. Such measures are not mandatory, but reducing the number of overpayments requires a cooperative effort among VA, the schools, and the beneficiaries.

4.08 Advertising, Sales, or Enrollment Practices

No enrollment will be approved at an institution utilizing advertising, sales, or enrollment practices of any type which are erroneous, deceptive, or misleading either by actual statement, omission, or intimation. All approved institutions must maintain for a period of 12 months complete records and copies of all advertising, sales, and enrollment materials used by or on behalf of the institution. These materials must be available for inspection by the SAA during supervisory visits and by VA during compliance surveys. These include, but are not limited to:

- Any direct mail pieces
- Brochures
- Printed literature used by sales people
- Films, videocassettes and audiotapes

disseminated through broadcast media

- Material disseminated through print media
- Tear sheets
- Leaflets
- Handbills
- Fliers
- Any sales or recruitment manuals used to instruct sales personnel, agents, or representatives of the educational institution.

A school using advertising, sales, or enrollment practices of any type which are erroneous, deceptive, or misleading may not submit further enrollments of VA students and no certificates of eligibility will be issued for any courses at the institution. The phrase "advertising, sales, or enrollment practices" includes but is not limited to any method used or action taken by or on behalf of an institution for the purpose of soliciting or encouraging enrollment in its course(s) of study and may include the use of direct mail pieces, brochures, sales training materials, printed literature used by salespersons, films, videotapes and audiotapes.

Advertising must not leave a false, misleading, or exaggerated impression concerning the school, its personnel, courses, etc. Advertising that might be construed as

literally true must be literally true. Deceptive practices may occur when a school indicates that the objective of its course is one thing when, in fact, those graduates of the program who get jobs may get jobs that are less prestigious with lower salary and with less chance for ultimate advancement than the job for which they thought they were training. Catalogs and other brochures published by the school should clearly disclose, in advance of enrollment, usual and traditional limitations and restrictions, if any, on admissions and employment opportunities, such as medical requirements, licensing, internship, apprenticeship, union, age, education, examination and experience requirements.

Misrepresentation of the availability of placement services and employment opportunities may be another area of concern. The school may, for example, guarantee employment placement service after graduation, but in reality simply provides the student with a list of employers to contact. A school's advertising may imply extensive employment connections with nationwide firms when such connections do not exist.

Advertisements, sales, or enrollment practices can be erroneous, deceptive, or misleading by omission as well as by actual statement or intimation. Such omissions might well include the failure to disclose to the veteran any material facts concerning the school or its instruction which may reasonably affect the student's decision to enroll. For example, a salesperson may state that there are "thousands of jobs open" in a particular field. What is not mentioned, however, is that the jobs are located in a part of the country where many people do not want to relocate, or that the school's graduates do not qualify for such jobs.

SECTION 5

PAYMENT PROCEDURES

5.01 Nonduplication of Federal Benefits

The law prohibits concurrent payment of VA education benefits to a person under more than one VA benefit program and against concurrent payment of VA education benefits and certain other Federal education programs. One exception is an eligible person under Chapter 35 may receive concurrent payment of benefits under the Restored Entitlement Program for Survivors (REPS). (See Section 1.08)

Concurrent Payment

An individual who is eligible for education or training under more than one law (i.e., Chapters 30, 31, 32, 35, 1606, and sections 901 and 903) must elect which benefit he or she will receive.

Reservists Training Under Chapter 1606

A reservist may receive VA benefits under Chapter 1606 and tuition assistance from the military in many cases. A reservist may have dual eligibility under Chapter 1606 and

Chapter 30, if the Chapter 30 eligibility is based solely upon active duty service. If dual eligibility exists, the reservist must elect in writing which benefit he or she wishes to receive. The reservist may make a new election at any time, but may not elect more than once in any calendar month.

Senior Reserve Officers' Training Corps Scholarship Program

Educational assistance may not be provided to a reservist receiving financial assistance under 10 U.S.C. 2107 as a member of the Senior Reserve Officers' Training Corps scholarship program.

Chapter 35

Payment of educational assistance allowance and special training allowance are prohibited to otherwise eligible persons for a program of education pursued while on active duty or for a specific course or courses which are paid for entirely or partly by the United States under the Government Employees' Training Act during any period that full salary is being paid him or her as an employee of the United States.

Chapter 30

Active duty servicepersons may not receive VA benefits for pursuit of the same courses for which tuition assistance is received from the military services. However, a serviceperson may receive tuition assistance for some courses and VA benefits for other

courses pursued concurrently. Schools need to be careful in reporting which courses are for VA benefits or tuition assistance.

There is no prohibition to reservists pursuing training at half-time or more from receiving Chapter 1606 benefits even though they may receive tuition assistance for pursuit of the same courses. The Army National Guard, for example, does not pay tuition assistance with federal funds for courses for which reservists receive VA benefits, but in many cases, tuition assistance from the National Guard is derived from state funds.

Some veterans eligible for Chapter 30 join the reserves and receive tuition assistance. Since the reservists are not on active duty, there is no prohibition to receipt of VA benefits and tuition assistance from the reserves or National Guard for pursuit of the same courses.

You should certify all courses pursued by eligible students which are part of the approved program and you should indicate, if known, those courses for which the eligible student is receiving (or has made application to receive) tuition assistance from the military.

5.02 Limitations on Entitlement

A student may be entitled to VA education benefits under certain combinations of the various education programs. As noted above, however, a claimant may not receive VA

benefits under more than one chapter at any given time. Students with eligibility under more than one chapter should consult a VA counselor to determine which program will be most beneficial.

The maximum entitlement allowed under a combination of chapters is 48 months. An applicant who is receiving, or is entitled to receive, any other VA benefit based on his or her own, or on another veteran's service, should identify the benefit in his or her application. A student may not earn entitlement under Chapters 32 and 1606 or Chapters 30 and 1606 based upon the same period of active duty. The student must elect whether the period of active duty is to be credited to Chapter 30, 32 or 1606.

5.03 Advance Payment

Advance Payment of educational assistance allowance is intended to help students meet school-related and other expenses which are concentrated at the beginning of a term. When a veteran, serviceperson, reservist, or other eligible person, enrolled at a half-time rate or more, initially enters training, or reenters training after an interval of 30 days or more, *and* the student is not eligible for an interval payment, he or she may elect in writing to be paid in advance for the first initial month or fraction thereof in which the term will begin plus the amount payable for the following month. Students should be aware that if they receive advance payments, for example, for September and October at the beginning of a fall term commencing in September, they will not receive their November benefit check until December 1.

(Note: Advance Payment may not be made for veterans training under Section 901.)

If the student has an existing overpayment in his or her VA account, part or all of the Advance Payment may be applied to liquidate that debt.

Eligibility Requirements

An Advance Payment will be made only if all of the following criteria are met:

(1) The student signs the Advance Payment Request in Block 16 of the Enrollment Certification. A separate document or sheet of paper requesting Advance Payment, signed and dated by the student and attached to the Enrollment Certification, is also acceptable. If you submit enrollment information electronically using VACERT, make a positive entry in “advance payment request”. You must have a signed and dated request from the student in your records.

(2) The institution has certified to VA that it agrees to receive and to process the Advance Payment.

(3) The Enrollment Certification must be for an enrollment period which begins at least 30 days after the end of the student's prior period of enrollment, and the student is not eligible for payment of benefits for that interval.

(4) The student must be enrolled for at least half-time training.

(5) The Enrollment Certification must be received in VA at least 30 days and not more than 120 days before the beginning of the term.

When these criteria are met, an Advance Payment will be sent to the educational institution for the student. VA will send an award letter directly to the student that advises him or her that an Advance Payment will be sent to the school. The school certifying official should advise students requesting Advance Payment of any special procedures which may have been established by the school for the distribution of Advance Payment checks. Generally, the check should be given to the student when he or she registers (or not more than 30 days before the beginning of school if registration is earlier).

Servicepersons

A serviceperson is eligible and may be certified for Advance Payment if he or she is attending half-time or more. The payment will be equal to the amount charged the student for tuition and fees for the course or courses or the established maximum for full-time, three-quarter time, or half-time training, *whichever is less*.

Certification of Delivery of Advance Payment and Enrollment

When an Advance Payment check is given to

the student, a Certificate of Delivery (COD), Form 22-1999V must be completed by the school and returned to VA. This form is mailed to the school in a separate envelope from the check and contains preprinted enrollment information. In the event that the school has not yet received the COD form, the certifying official may use instead a Form 22-1999B, Notice of Change in Student Status - Institutional Courses Only. The Remarks section of this alternate form should be annotated: "In lieu of certification of delivery - no change in enrollment and A/P check delivered" or "In lieu of certification of delivery - A/P check delivered." No further payments will be issued to those students pursuing non-college degree programs or to those under Chapter 30 until this certification is received in VA. Those students under Chapters 32 and 35 will continue to receive checks, and the VA regional office is required to follow-up in writing or by telephone to confirm enrollment.

If a student originally scheduled his or her enrollment to be at a half-time rate or greater and was certified for Advance Payment but has registered only for courses that will constitute less than half-time when he or she reports to pick up the Advance Payment check, the student should be informed that he or she is not entitled to the Advance Payment, and the check should be returned to the Treasury. A report of the student's change in enrollment should then be submitted to the VA regional processing office on Form 22-1999B, with a comment entered in the Remarks section of the form noting that the Advance Payment check was returned (because the student did not begin attendance for the term, enrolled for less than half-time, etc.).

Any changes in enrollment from what is

shown on the preprinted Form 22-1999V should be clearly annotated. Since this form provides no file copy for the institution or the student, the certifying official may wish to make copies of the form before submitting it to the VA regional processing office. It is recommended that one copy of the form, signed by the student to attest to the receipt of the Advance Payment check, be retained in school files. A copy may also be given to the student, if desired.

Note: If an advance payment request was submitted, and the check is not received by the educational institution within the first ten class days, then more than likely for some reason payment will be made on the regular pay cycle basis instead. Inquiry should be made to the local VA office, however, to ensure there are no other problems needing resolution on the student's case.

Any Advance Payment check that has not been claimed by the student 30 days after the beginning of the term must be returned to the Treasury. Likewise, all Forms 22-1999V should be submitted to VA within 30 days after the beginning of the term or other enrollment period.

Envelopes containing the 22-1999V cards should be clearly marked in bold letters, "Forms 22-1999V," and addressed to the regional processing office in the same manner as the other certifications submitted. The forms which show enrollment changes will be used by VA to make necessary adjustments to the student's benefit payments. No further notification (e.g., Form 22-1999b) is required unless another enrollment change occurs after the COD form is returned to VA.

5.04 Method of Payment to Students

Students not participating in Advance Payment will receive their monthly benefits (including the first payment for each enrollment or reenrollment) on or after the first of the month following the month for which payment is due.

Enrollment Certifications for students not participating in the Advance Payment procedures must be confirmed. An Enrollment Certification is considered "confirmed" if it is signed and dated by the certifying official on or after the beginning date of the enrollment period being certified.

Confirmation of any initial enrollment and of any reenrollment will be required unless there will be less than a full calendar month break between terms or other subsequent enrollment periods. Preregistered or continuing student enrollments may be certified to VA for those students enrolled in the current term and preregistered for the next term, with no calendar month break between terms. These continuing students may be certified for the subsequent term as soon as they are registered or preregistered for the subsequent term. However, this may not be done for servicepersons or for those students enrolled at less than half-time.

Chapter 30

For those students under Chapter 30 and pursuing a program of education leading to a standard college degree, a verification of enrollment form is sent to them at the end of the month for which payment is due. The student must complete, sign, and return this form to the appropriate VA regional processing office before payment is released. The school does not also have to sign the form for these students.

Chapters 32, 35, 1606, Sections 901 and 903

Payments for those pursuing a program of education leading to a standard college degree at half-time or greater training time are released the first of the month following the month for which payment is due. For example, the monthly benefit due for October is released the first of November. No certification or verification of attendance or pursuit is required prior to release of payments. Those pursuing non-college degree programs, whether at a vocational technical school or at an institution of higher learning, are sent a certification of attendance form at the end of the month for which payment is due. This form must be signed by the student and returned to VA before payments are released.

5.05 Lump-Sum Payments

Except for eligible reservists under Chapter 1606, a veteran or other eligible person enrolled for less than half-time will receive a lump sum payment after certification that training has begun. Payment for an individual enrolled for less than half-time will be computed based on charges for tuition and fees which the institution requires similarly circumstanced nonveterans to pay. These charges do not include the cost of books and supplies, which the student is required to purchase at his or her own expense.

Maximum rates of payment are established for training at less than half-time but more than quarter-time, and for quarter-time or less. The student receives reimbursement of the actual charges for tuition and fees or the established maximum, whichever is less.

(Note: Chapter 32 and Section 903 eligibles have separate training time rates established based on their contribution records and are paid at those rates rather than reimbursement of tuition and fees. Chapter 32 trainees pursuing high school courses do receive lump-sum payments.)

If a lump-sum payment cannot be made at the beginning of the term, as when the enrollment period exceeds five months, the student will receive a monthly payment which is arrived at by prorating established charges over each enrollment period, or the maximum monthly rate, whichever is less.

Veterans and servicepersons training under Chapter 30 are issued lump-sum payments for less than one-half time training. Persons training one-half time or more receive

monthly checks based upon the prorated monthly rate of payment and training time pursued.

5.06 Additional Allowance for Dependents (Chapter 30 and 31)

The monthly amount of a veteran's educational assistance payment is based in part on the number of his or her established dependents, when he or she is training at a half-time rate or more. Certain veterans training under Chapter 30 are paid one-half of the Chapter 34 monthly rate applicable to their training time and number of dependents in addition to the Chapter 30 monthly rate.

A veteran may claim additional benefits for a spouse, natural children, adopted children, stepchildren, and dependent parents. If a husband and wife are both eligible veterans, each may claim the other as a dependent in addition to each claiming their children as dependents. Form 21-686c, Declaration of Status of Dependents, is used to claim dependents.

See Section 3.02 regarding supporting evidence.

If a child is permanently handicapped because of accident or injury and as a result is incapable of self-support prior to reaching the age of 18, a veteran may receive benefits for that child beyond the child's 18th birthday. The veteran must submit medical evidence to the VA regional processing office of his or

her child's condition, in order to establish the child as a dependent after age 18. Questions concerning this benefit should be referred to the VA regional processing office.

If a veteran contributes to the support of his or her parent(s) because the parent(s) has insufficient resources to meet living expenses, the veteran may be entitled to an additional dependency allowance. He or she should contact the VA regional processing office for forms and information.

Under certain conditions veterans will be requested to confirm their dependency status. A veteran who has received increased educational assistance benefits for his or her dependents will be required to confirm his or her current dependency status before increased benefits are authorized for a new period of enrollment if there has been more than one year since the veteran's reenrance into training and VA has not received a statement of the veteran's dependency status during a one-year period preceding receipt of the claim for resumption of benefit payments. A veteran's statement certifying his or her current marital status and providing the first names of his or her dependents is sufficient evidence to confirm the continuing dependency of those persons previously established as the veteran's dependents and supported by acceptable documentary proof of relationship. Form 22-1995, Request for Change of Program or Place of Training, requests this information from veterans who are changing programs or places of training at the time they apply for benefit payments. Form 21-686c, Declaration of Status of Dependents, may also be used.

5.07 Overpayment of Educational Assistance

Benefit payments will be authorized to a student based on the information provided by certifying officials in the initial Enrollment Certification for a scheduled period of attendance. Changes in the student's enrollment that occur after the Enrollment Certification is submitted may increase or decrease his or her entitlement to monetary benefits.

If a student makes certain enrollment changes such as failing to commence attendance after receiving an Advance Payment, withdrawing from one or more courses, completing a course and receiving a grade that is not considered when determining progress toward fulfillment of graduation requirements (i.e., a nonpunitive grade), etc., he or she may receive one or more benefit checks in amounts that exceed his or her actual entitlement. When this occurs, the VA will make a retroactive adjustment to the student's award and the student will be charged with a debt to the U.S. Government.

Legitimate debts that are the result of benefit overpayment should be paid in full by the student within 30 days after the VA sends notification of the debt to the student. If the debt is not repaid promptly, the debtor will be charged interest and administrative collection costs on the outstanding indebtedness.

If the cause of an overpayment was an improperly completed Enrollment Certification or a late report of a change in a student's enrollment, the institution may be

charged by VA with liability for the occurrence of the overpayment.

Certifying officials should be aware of debt prevention measures and their responsibilities for informing students about the consequences of not keeping both the school and VA informed of changes in their status. (See Section 4.07 on Debt Prevention)

Whenever an overpayment results in a student's account, VA may take the following actions:

1. Add interest charges and collection fees to the debt
2. Withhold future benefits and apply them to the debt
3. Turn the debt over to a private collection agency
4. File suit in federal court to collect the debt
5. Withhold approval of the veteran's VA home loan guarantee
6. Collect the debt from the student's federal income tax refund

Some student actions that may result in an

overpayment of VA benefits:

1. **Withdrawing from a course.** A student is entitled to benefits through the date of withdrawal. However, the student must establish that he or she withdrew for a reason that was beyond his or her control. Otherwise, benefits will be terminated as of the start of the course.
2. **Receiving a grade which does not count toward the graduation requirements.** The student will have to establish that he or she received the grade due to circumstances beyond his or her control. Otherwise, a retroactive overpayment may result.
3. **Failure to have an Incomplete grade changed to a grade which counts toward graduation requirements.**

5.08 Continuous Enrollment and Interval Payment

VA may pay educational assistance continuously during the intervals between certified terms without a specific request from the student. Continuous payment will be made whenever possible. However, VA will not authorize interval payment in the following instances:

- (1) An interval between terms if the student is attending less than half-time or is on active duty.

(2) An interval between scheduled terms at the same institution which spans a full calendar month or more.

(3) An interval of more than 30 days between consecutive terms when the student transfers to another institution.

(4) An interval, regardless of length, preceding a change of program when the student also changes institutions.

(5) An interval which is specifically designated by an institution as an interval between the end of one academic or school year and the beginning of the next, if the institution operates on other than a term, quarter, or semester basis.

(6) An interval between terms for which the student, prior to authorization of payments or prior to check negotiation, requests that no benefits be paid for the interval. Certifying officials should indicate the student's request on the Enrollment Certification.

(7) An interval during which a student's entitlement will be exhausted and it is to the student's advantage not to receive benefits for the interval.

(8) An interval following the student's withdrawal from all courses in the preceding term.

There are additional restrictions for summer-term intervals. Benefits will not be paid for a summer-term interval which exceeds 30 days unless the summer term is at least 8 weeks long. A summer term may be divided into several summer sessions. To determine the length of the summer term, we will count the number of days from the beginning to the end of each session during the summer term. If the sessions overlap, the days will not be counted twice.

5.09 Measurement of Pursuit - Undergraduate Study

Fourteen credit hours, or the equivalent, is the basis on which full-time attendance is measured. Either 13 or 12 credit hours are permitted as a standard for full-time attendance in cases where the institution certifies to the state approving agency that under the institution's own standards fewer than 14 hours are considered as full-time enrollment for tuition charges or for other administrative purposes. The minimum requirement for full-time attendance in any undergraduate program is 12 hours for a standard quarter of 10 to 13 weeks or a standard semester of 15 to 19 weeks.

When institutions operate on a standard quarter or semester system requiring 12 credit hours for full-time, 6 to 8 hours are half-time, and 9 to 11 hours are three-quarter time. Noncredit courses which are necessary to correct an academic deficiency may be counted toward the minimum number of hours required for payment of full-time educational assistance, provided the institution considers these courses to be offered in quarter or semester hours for other administrative purposes. These courses must

also be approved by the state approving agency.

When a term is not a standard semester or a standard quarter, VA will adjust the credit hours before determining training time. The credit hours are converted to what VA calls "equivalent" credit hours." This conversion is based on the number of weeks in the term multiplied by a factor.

For example, to determine the number of whole weeks in a nonstandard term, VA counts the number of days from the beginning to the end of the term as certified by the school, subtracting any vacation period of seven or more days, and dividing the above result by seven (7). A remainder of four days or more is considered a whole week, and remainders of three days or less are discarded. The number of credits assigned by the school to be earned during this nonstandard term are then multiplied by 18, if credit is granted in semester hours, or by 12, if credit is granted in quarter hours. This product is divided by the number of whole weeks in the term as determined above, and any fractions are dropped, with the resulting figure being the number of equivalent credit hours for VA purposes.

Example: A student is taking a 4 semester-hour course which lasts 8 weeks. The equivalent credit hours are: $4 \times 18/8 = 9$. The training time will be three-quarter time.

5.10 Measurement of Pursuit - Graduate Study

For graduate students attending accredited institutions, the rate of educational assistance will be based on the certifying official's statement of training time according to established policies of the institution. The institution must be able to verify that the graduate student is in continuous pursuit of his or her objective during the period for which he or she is being certified.

If the veteran, serviceperson, or eligible person is taking both graduate and undergraduate courses, the training time will be based on the total number of credit hours or the training time certified by the institution, whichever is greater.

5.11 Incarcerated Students

The law imposes restrictions on educational assistance payments to claimants incarcerated in a federal, state, or local penal institution as the result of their convictions for felony offenses.

While incarcerated, these students may not receive more than the cost of their tuition, fees, books, equipment, and supplies, if they are training at a half-time rate or more. As is the case with all other claimants, only the cost of tuition and fees (with no additional payment for books, equipment and supplies) is payable for less than half-time training. In addition, the amount of educational assistance payable must be reduced to the extent that any

portion of the student's tuition and fees are paid by any other federal, state, or local assistance program.

If an institution provides training opportunities for incarcerated students, either at the correctional facility or on a campus location, the certifying official should contact the VA regional processing office for instructions regarding the preparation of Enrollment Certifications for these students.

SECTION 6

THE CERTIFICATION PROCESS

COMPLETION OF THE ENROLLMENT CERTIFICATION

6.01 General

The certifying official will generally be certifying the student's entry into training by completing an Enrollment Certification, Form 22-1999. Certifying officials should note all of the certifications listed on the reverse side of the form. Entitlement to benefits administered by VA cannot be established nor award action taken until the Enrollment Certification is properly completed by the school's or training facility's certifying official and received by VA. In limited instances involving VAI (Veterans Assistance Inquiries) or special hardship cases, a verbal certification by the certifying official may be accepted. Written confirmation, however, should follow. If an Advance Payment is delivered to the student, a Form 22-1999v, Certificate of Delivery of Advance Payment and Enrollment, must also be submitted within 30 days after the student begins training. It is recommended that the certifying official make a copy of any Form 22-1999v completed as evidence of having submitted that certification.

Supplies of Form 22-1999 are distributed to all school certifying officials by VA. Before

the beginning of the fall and spring enrollment periods, institutions of higher learning are sent computer-generated enrollment forms, Form 22-1999-1, for each VA student under Chapter 35 who was enrolled for the previous period, has not completed his or her program, has not exhausted his or her entitlement, and is still within his or her period of eligibility for education benefits. It may be that no form will be produced for a student who withdraws before the end of the previously certified period of enrollment, and no form will be produced for the spring enrollment period if that period was certified together with the fall enrollment.

Forms 22-1999-1 are produced as a carbon set the same as Forms 22-1999. They should be used when the student under Chapter 35 reenrolls for the term, quarter, or semester specified on the form. Any change in the student's address may be shown on the form. To the extent possible, these certifications should be accumulated and submitted at the same time. This will help to save administrative costs for the schools and will facilitate the preparation of awards at the VA regional processing office. If for some reason the Form 22-1999-1 is not received for a Chapter 35 student, or cannot be used, Form 22-1999 should be used instead to certify reenrollment. Instructions for completion of the forms are included with the distribution of the forms.

Note: You may submit enrollment information electronically by using VACERT. VACERT allows you to create forms and submit them electronically to the VA regional processing office. VACERT is free and no technical experience is required. If you are not currently using VACERT and are interested in obtaining additional information,

including the hardware and software requirements, contact your ELR.

6.02 File Numbers

With few exceptions (such as for those eligible for Vocational Rehabilitation - Chapter 31 and Chapter 35 dependents), a student's Social Security number is assigned as the VA file number. When an eligible student is enrolling for the first time at an educational institution, every effort should be made to obtain the proper VA file number. The number may be copied from a VA document, if the student has one in his or her possession. ***Do not assume the VA file number is the Social Security number.*** The file number is listed on the individual's benefit check, the 22-1999v form, award letters, and may also be found by checking the computer-generated pay listing supplied to IHL's. ***If the student's file number is not known, do not place the Social Security number in the block on the form reserved for the file number.***

VA receives many documents with incorrect file numbers each year. This causes delays in processing claims. It is better to provide as much identifying information as possible, such as date of birth, active duty dates, branch of service, service serial number, and Social Security number than to show an incorrect file number when reports or forms are sent to VA.

VA assigns a prefix of "C" or "CSS" to a veteran's, serviceperson's, or reservist's VA file number. After a veteran is deceased, the prefix is changed to "XC" or "XSS." A dependent of a veteran (under Chapter 35) is

assigned the veteran's file number with a suffix added. The spouse or surviving spouse of the veteran will have a suffix of "W" added to the veteran's file number (e.g., CSS 123-45-6789-W). A child of the veteran, however, will have an alpha suffix added beginning with "A" for the veteran's first child to apply for Chapter 35, "B" for the second, etc. (e.g., CSS 123-45-6789-A). If the file number is not known for a dependent, identifying information for the *veteran* should be included with the documents submitted to VA (e.g., the veteran's name, Social Security number, dates of service, branch of service, etc.). This additional information will assist VA in processing the dependent's claim.

6.03 Addresses

It is vital that the student's proper address be shown on an Enrollment Certification. The address shown on this certification will be considered as the student's most current address, and checks will be mailed to this address. If the student is using a school's address to receive checks, the school's name and address should be shown in "Current Address of Student" on the Form 22-1999.

The law *prohibits assignment* of educational assistance checks. VA will not mail checks to a school's address unless the school has certified that it has no Power of Attorney to negotiate VA checks or otherwise has no direct or indirect access to the proceeds of such checks except by direct payment from the eligible person.

When a student wishes to have his or her

checks mailed to a school, the student's home address should be entered in "Remarks" on the Form 22-1999. This is necessary in the event VA needs to contact the student directly.

If other than an Enrollment Certification is submitted to VA and there is a change in the student's home address, a separate Form 572 should be attached for the change of address.

6.04 Name of Program

The complete name of the program for which a student is currently enrolled must be shown on all Enrollment Certifications. Benefits will not be authorized without this information. Not all programs of education are payable under the various programs administered by VA. Therefore, it is essential that the certifying official be aware of the VA program under which the student may qualify.

If the student is pursuing either a graduate or undergraduate program, the name of the degree or certificate program must be shown. If the student has selected a major field of study, that field must also be shown, e.g., bachelor's degree in engineering. (Generally, a student will select a major field of study by the time half of the program is completed.) If either the school or the student indicates that the major field has not been selected, the name of the general degree program will normally be sufficient for the first two school years. However, in subsequent school years, the major field should be shown.

Schools may encounter difficulty in certifying

"special students" before they are reclassified as "regular students." The certifying official should enter the specific degree program for which a nonmatriculated student is in the process of completing formal admission requirements. For newly enrolled undergraduate students, entry of "Associate's Degree" or "Bachelor's Degree" is acceptable. The Enrollment Certification, however, should not exceed two full-time terms, quarters, or semesters.

The certifying official should check one block under the "Type of Training" item on any Enrollment Certification submitted.

If the student changes his or her program, the certifying official must notify VA promptly of the change. This may be done by submitting an Enrollment Certification that specifies the student's new program and shows the credit which has been allowed by the school toward the student's new objective for prior training, not only for credit for training at the present school but also elsewhere. Based on the certifying official's report of credit allowed for prior training and on other information contained in the student's VA records, VA will make a determination regarding whether a material loss of credit or extension of training time has occurred requiring that the student be charged by VA with a change of program.

Note: A student must file Form 22-1995 or Form 22-5495 (Chapter 35) to apply for a change of program.

6.05 Credit Allowed for Previous Training or Experience

An Enrollment Certification submitted for a veteran, reservist, serviceperson, or eligible person initially enrolling in a school or training facility, or initiating pursuit of a program of education or training different from that previously pursued, must reflect the amount of credit allowed for previous education, training, or experience, including military training and experience. "Credit for prior training" is that which applies to the program of education currently being pursued and which shortens the program accordingly.

The amount of credit allowed, if any, should be shown in terms of the basic components of the current course or curriculum. For example, if the course is approved for operation on a semester-hour basis, credit for prior training should be shown in terms of semester hours; if operation is on other than a credit-hour basis, credit allowed should be certified in clock hours, lessons, or other appropriate divisions reflecting the amount by which course length is reduced.

If an official evaluation of transcripts has not been completed at the time the first enrollment certification is submitted for an undergraduate student, the notation "Pending" should be shown in "Credit Allowed for Previous Education or Training" on the Enrollment Certification. In such cases, the enrollment period certified in Enrollment Effective Dates, should not exceed two full-time semesters or three full-time quarters. The Enrollment Certification for any subsequent term(s) must include a report of credit allowed for previous training and experience. VA benefits will not be awarded for any further enrollment after the

completion of two full-time semesters or three full-time quarters (or the equivalent in part-time attendance) unless the student has matriculated and/or information concerning credit for previous training is received.

Enrollment certifications for students enrolled in "open-ended" and "transfer" programs must indicate that fact and provide the specific title of the SAA-approved program. Certifying officials at schools offering these programs should inform veterans and other eligible persons of the certification which must be obtained from the institution which will award the students' degrees before VA benefits can be authorized for the student's enrollment. If possible, the required certification from the degree-granting institution should be obtained before submission of an Enrollment Certification so that it can be attached to Form 22-1999 when it is submitted to VA. This procedure will greatly expedite a determination regarding the student's eligibility for monetary benefits. If an Enrollment Certification for a student enrolled in an approved "open-ended" or "transfer" program is received without the required certification from the degree-granting institution, monetary benefits to the student will be delayed until VA has written to the student advising him or her of the additional evidence which must be received before eligibility to benefits can be determined.

Whenever "Pending" is indicated for the evaluation of credit allowed for previous education and training, VA must review the claims folder of degree-seeking students who transfer from one school to another to ascertain whether the student has changed his or her program. (See section 8.03 on Change of Program.) An evaluation of previous education and training is also reviewed

whenever a student changes programs. Some situations will require VA to make an initial, rebuttable determination that a change of program has occurred because of a probable material loss of credit in conjunction with the student's transfer. (For purpose of this initial determination, it must be presumed that none of the credits earned by a student who did not matriculate at the previous school he or she attended will be accepted by the new school.) In such cases, a student will be notified that he or she has been charged with a change of program. If this will represent a second or subsequent change of program, no monetary benefits will be authorized until VA has obtained additional information from the student to establish his or her continued eligibility.

6.06 Enrollment Periods to Be Certified

A school operating on a standard-semester or quarter-hour basis may certify semesters or quarters including a summer term, not to exceed 12 months on any one Enrollment Certification form, with some exceptions such as for servicepersons and for those training at less than half-time. If a school offers training on a nonstandard term basis, or if there are nonstandard formats or terms within standard terms, the beginning and ending dates of each term must be shown separately from the standard semester or quarter. For programs which may be operated on a year-round basis, as opposed to a term, quarter, or semester basis, the school may certify the student for the entire length of the program.

Some other exceptions to the above are

Enrollment Certifications for other than an Advance Payment which should not include any future term that is preceded by a full calendar month break. A Fall term preceded by less than a full calendar month break may not be included on any Enrollment Certification unless the student is registered or preregistered for fall and the student's summer term has actually begun. For a *serviceperson* or a veteran training less than half-time, each semester, quarter, or term must be individually shown on the Enrollment Certification. The school must include the beginning and ending dates, credit hours, and total charges for each separate term. Separate certification of each term is necessary for VA to properly compute the training time for each term. Since servicepersons and veterans training less than half-time are not entitled to interval payment, only confirmed enrollments for these students may be accepted. An exception is made for requests for Advance Payment from servicepersons which may be submitted before the beginning of the term.

If a student is pursuing an IHL course, other than by independent study, the school should report the date classes begin or, (if not more than 14 days prior to the beginning of classes), the beginning date of the registration period or the date the student was required to report in advance of registration as well as the ending date of the period.

If pursuit is by independent study, the school should certify the dates of the maximum period for course completion. When the student completes the course, the school should advise VA of the new ending period.

With all non-IHL programs, the school should enter the exact date on which the student first attends and the exact date on which he or she will last attend; i.e., the first day of actual

classroom attendance and the last day of actual classroom attendance are to be reported. The certification should also show the dates of any interval which is officially designated as a break between school years, since payment for such intervals is generally precluded.

If the student is pursuing a cooperative program, it is no longer necessary to indicate the various cycles of training as "classroom" or "on-the-job." Effective October 9, 1996, cooperative training is paid at 100% of the institutional rate for full-time training. This new rate applies during both the classroom or on-the-job phases of training.

If remedial course hours are certified, the school must list each such course(s) by course name and catalog number in the remarks section of the certification document. If supplemental courses are designated as deficiency, a statement to that effect in the remarks section will suffice.

A distinct entry should be made for each separate period/cycle certified. If a student is certified for two semesters during which time he or she will earn nine credits per term, the school should enter "9" and not the total credits for both terms. Future changes to credit-hour loads, if known, must also be shown.

If a noncollege degree program is approved for measurement on a credit-hour basis, the school may be required by VA to show both the number of credit hours *and* the equivalent total number of clock hours. If required by VA, the clock hours must be reported by type of instruction, i.e., academic, laboratory, or

workshop. For example, at some schools approved for measuring noncollege degree programs on a credit-hour basis, even though 12 credits might normally be regarded as full-time, in no event will such courses qualify for full-time VA monetary benefits when less than 22 hours per week of attendance are required.

Note: If a student wishes to receive benefits for only half of the credits he or she is taking in a particular term, the school should report only the reduced number.

For programs not leading to a standard college degree which VA does not measure on a credit hour basis, the specific days of required attendance each week and the clock hours of enrollment must be shown on the Form 22-1999.

For study under most programs administered by VA, the tuition and fees must be entered separately for each term for all servicepersons, and all other persons attending school on less than a half-time basis. (For Chapter 32, tuition and fees are not necessary.) In reporting tuition and fees, the cost of books, supplies, and other incidentals are not to be included.

6.07 Fall Enrollment

Fall enrollments may now be signed and submitted to the regional processing office

prior to the beginning of the enrollment period being certified, if the student is pre-registered.

6.08 Training Time for Graduate or Advanced Professional Courses

An entry is required in "Training Time" of the Enrollment Certification only for veterans or eligible persons pursuing a graduate degree or postdoctoral certificate program. For such students attending accredited institutions, the rate of educational assistance will be based on the certifying official's statement of training time according to established policies of the institution. The institution must be able to verify that the graduate or professional student is in continuous pursuit of his or her objective during the period for which he or she has been certified. If the veteran, serviceperson, or eligible person is taking both graduate and undergraduate courses, the institution will give the credit-hour equivalent of the graduate courses so the VA can combine the credits to determine the rate of pursuit. Effective July 1, 1993, the training time for an individual in a graduate program and concurrently enrolled in an undergraduate course will be based upon the total number of credit hours or the training time certified by the IHL, whichever is greater. This provision does not apply to individuals in graduate programs who are only enrolled in undergraduate courses.

Institutions, such as nonaccredited law schools, must report both the clock hours and credit hours pursued.

6.09 Additional Information for NCD and Farm Cooperative

If a veteran or eligible person is pursuing a NCD program approved only for clock hour measurement or a farm cooperative program, the school must complete "Additional Information for High School and Farm Co-op Courses" on the Enrollment Certification. For all NCD programs on a clock-hour basis, the exact days of scheduled class attendance must be indicated. If the veteran or eligible person is pursuing a high school course and the school measures training in Carnegie units, i.e., not less than 120 60-minute hours or their equivalent of study in any high school subject in 1 academic year, the number of units must be entered.

If the student is pursuing a farm cooperative program, a check should be placed in the appropriate block to indicate that the student is pursuing this program concurrently with agricultural employment. The school must also certify that the student is engaged in substantially full-time agricultural employment averaging 40 hours per week. (See section 8.05.)

6.10 Advance Payment Request

If an Advance Payment is requested, the student must have signed and dated the "Advance Payment Request." The certifying official may also accept a separate request signed and dated by the student and attached to the Enrollment Certification. (See section 5.03 for more information regarding Advance

Payment procedures.)

supplemental school at full credit. The supplemental school should identify the supplemental courses on the enrollment certification.

6.11 Supplemental Enrollment

Supplemental enrollment exists whenever a student's approved program of education involves training at more than one school. In such cases, the institution which will confer or grant the current degree sought will be the principal or primary institution. The other institution will be the supplemental institution. Generally, the student will be enrolled at the principal or primary institution for the majority of the program.

(3) Contracted Out In Whole Or In Part:

Instruction for a portion of the current course authorized is contracted to another school or entity for performance. The actual training need not be performed at the supplemental school site to fall within this category. It is sufficient that the supplemental school personnel actually do the instructing, even if performed at the primary school. **Note:** The contract school must also be approved by the appropriate state approving agency.

Types of supplemental enrollments are:

(1) Concurrent Enrollment:

A student is enrolled in more than one school at the same time (the dates of course pursuit at each school may overlap) and the primary institution certifies that supplemental school pursuit will be accepted at full credit toward the student's course objective.

If supplemental enrollment is involved, the primary school must furnish the following additional information in "Remarks": (1) The name and address of the supplemental school or entity; (2) training site location (if different from the supplemental school address); and (3) a listing of all supplemental courses identified by course title and course number. (FL 22-315 may be used in lieu of adding this information to the Remarks section.)

(2) Student Not Currently Enrolled at Primary School:

A student occasionally takes courses at the supplemental school during a term when he or she takes no courses at the primary school. In such cases, the primary school must certify that it will accept pursuit of the courses at the

Certification responsibility depends on the form of supplemental enrollment.

When *contracted* training is involved, the primary school is the certifying school. As such, it is responsible for certifying not only the required information in "Enrollment Data" for the instruction it provides, but also

certification for the supplemental instruction furnished at the school which is under contract.

Whenever a supplemental enrollment is to be certified, "Name and Address of Contract School or Branch Location" on the Enrollment Certification is to be completed. This block should show the name and address of the supplemental or contract school. This block is also used whenever a course is taken at a branch location of a school's main campus. It is not used, however, to identify courses taken at an "additional facility" of a school which is in the same general locality and is being utilized because of space limitations on the main campus. These types of additional facilities are not considered to be subsidiary branches or extensions for VA purposes.

For *noncontracted* training, the primary school and the supplemental school must submit separate Enrollment Certifications. The primary school must also certify that it will give full credit for the specific subjects taken at the supplemental school and that the subjects taken apply to the student's degree. This certification may be included in the remarks section of the primary school's certification document or may be submitted as a separate document with the supplemental school's certification form. The primary school should certify the enrollment data applicable to supplemental school instruction in cases of study in a foreign country when the U.S. school assumes certification responsibility, e.g., "Junior Year Abroad" program.

If the supplemental school is preparing the enrollment document and is aware of its

supplemental status, it should note its status in "Remarks." It would be helpful if the supplemental enrollment were forwarded to the primary school to be included as an "enrollment package" submitted to VA along with the primary school's enrollment certification. However, if this is not feasible, the certifying official at the supplemental school should forward the supplemental enrollment certification directly to VA.

Note: The regulation concerning concurrent enrollment states that a student must show that his or her complete program of education is not *available* at the primary school. This regulation was not intended to restrict an eligible student's selection of courses to be pursued at a secondary institution. Some of the reasons a course may be considered as not being *available* at the primary institution are the time of day the courses are offered, whether courses are offered on a weekend or evening schedule, differences in the cost of tuition, and the availability of child care services.

6.12 Certification of Enrollment Data by Certifying Official

The date the school or training establishment completes and signs the Enrollment Certification must be shown. This date, when compared to the effective date of the enrollment period, helps VA determine how the Enrollment Certification will be processed.

Advance Payment Request

If an Advance Payment is being requested by the student, the Certifying Official may sign the Enrollment Certification at least 30 days, but not more than 120 days prior to the beginning date of the term.

Confirmed Enrollments (IHL Only)

An enrollment certification is considered "confirmed" if it is signed and dated by the certifying official on or after the beginning of the enrollment period. If an Enrollment Certification is not signed and dated on or after the beginning date certified, confirmation will have to be requested by VA from the school if: (1) There is a full calendar month break between terms of standard length; (2) There is a break greater than 30 days between terms of nonstandard length; (3) The Enrollment Certification is for the student's initial term; or (4) There is less than a calendar month break between terms *and* the student is not preregistered. If an Enrollment Certification is submitted that is not "confirmed," VA will have to contact the school to verify the information. This not only makes extra work on VA and on the school, but also may cause a delay in payment to the student. For Chapter 30 cases, if an enrollment certification is signed and dated within 120 days of the beginning date of the term, confirmation of enrollment is *not* required.

Preregistered Enrollments

A confirmed enrollment will not be required if: (1) There is less than a calendar month

between terms and the student is preregistered for the certified term (In this instance, the preregistered (unconfirmed) Enrollment Certification may be submitted up to 60 days before the certified term begins.); or (2) There is less than a calendar month break between summer and fall terms, the student's summer term has already begun, and the student is preregistered for the fall term.

Signature and Title of Certifying Official

The designated official must sign the form and enter his or her title. Facsimile signatures may be accepted only when the school furnishes the VA with a completed Form 22-8794, Designation of Certifying Official(s), certifying that such signatures are genuine, that they are supplied on reports with the full knowledge and consent of such official, and that VA is authorized to accept all reports as authentic which bear the signature(s) so certified. The signature(s) so authorized must be illustrated in the certification.

Name and Address of School or Training Establishment

The complete name and mailing address of the school should be entered, to include specifically the name of the state and the school's Zip Code. In addition, it would be helpful if the school were to indicate in the school's address block the VA Facility Code assigned to it. Schools with multiple branches must specify the branch location.

Certifications

When the certifying official signs and dates Form 22-1999, items (1) through (13) under "Certifications" are also being certified as having been met. Generally, the certifying official certifies that the school meets all applicable requirements of the law, and that any failure by the school to meet any of these will be promptly reported to VA.

In addition, the certifying official indicates by his or her signature that the courses being certified to VA for the student are approved by the state approving agency and are acceptable toward meeting the graduation requirements in the program of study being pursued. The certifying official's signature also confirms that the course certified is not a repetition of any course previously satisfactorily completed by the student except as permitted by VA regulations. (See section 7.05 regarding repeat courses.)

The certifying official also is indicating that the school does not hold a power of attorney agreement authorizing the school to negotiate VA educational assistance checks.

The signed Enrollment Certification also shows the school's agreement to report promptly to VA any enrollment changes which will affect the educational assistance allowance, including any change due to unsatisfactory progress and/or conduct.

By signing the Enrollment Certification for Advance Payment cases, the school is agreeing that it will accept the initial check for this enrollment period when mailed to the school for delivery to the student upon registration but no earlier than 30 days before the commencement of training. The school

also acknowledges that it must normally complete a certificate of delivery upon delivery of the advance payment.

Whenever noncredit deficiency, remedial, or refresher courses are certified, the signature of the certifying official verifies that the course(s) is needed by the student in order to pursue a program of education at the school. If this cannot be certified, the certifying official should enter in "Remarks" that "this school cannot certify need."

For programs of vocational education, the signed Enrollment Certification verifies that the instruction provided will prepare a graduate for entry level employment in the designated occupational category.

For enrollments under Chapters 30, 32, and 1606, the certifying official is also certifying that all of the 85:15 ratio requirements have been satisfied.

For privately owned profit schools, the student certified may not be an owner or officer of the school nor may he or she be an official authorized to sign certificates of enrollment or monthly certificates of attendance.

6.13 85:15 Percent Ratio

The law (38 U.S.C. 3680A(d)) provides that no new enrollment or reenrollment in any program may be approved for an otherwise eligible veteran, not already enrolled, during

any period when more than 85 percent of the persons enrolled in the program are having all or part of their tuition, fees or other charges paid to or for them by the educational institution or the VA. Grants from other Federal agencies (e.g., Pell Grants, SEOG) are not counted when computing the 85:15 percent ratio.

The percentage of VA and institutionally supported students must be computed for each program leading to a separately approved educational or vocational objective. Farm cooperative programs are excluded from this computation. The results of the computation must be submitted to VA no later than 30 days after the beginning of each regular term (excluding summer sessions) or 30 days after the end of each calendar quarter for programs not operated on a term basis.

When a computation establishes that the 85:15 percent ratio has not been satisfied, no benefits will be paid to a veteran or serviceperson whose enrollment begins on or after the date of the computation. Once a veteran or serviceperson is properly enrolled in a program, benefits will not be terminated solely because the 85:15 percent requirement is not met, provided that he or she remains continuously enrolled. Continuity of enrollment is not broken by failure to attend summer sessions.

If a school can certify that 35 percent or less of its total student population receives VA benefits, the 85:15 percent computation may be waived by VA.

6.14 Conflicting Interests

The law prohibits employees of the VA and the state approving agency from owning any interest in a school operated for profit. In addition, the law prohibits these employees from receiving any wages, salary, dividends, gifts or services from private profit schools. These provisions may be waived if VA determines that no detriment will result to the government or to veterans, servicepersons, reservists, and eligible persons enrolled.

The law prohibits the approval of the enrollment of any veteran, serviceperson, reservist, or eligible person in any proprietary school of which the veteran, serviceperson, reservist, or eligible person is an official authorized to sign certificates of enrollment or monthly certificates of attendance or is an owner or officer.

SECTION 7

CHANGES IN ENROLLMENT STATUS

7.01 Timely Reporting of Changes in Enrollment

After a student's enrollment has been properly certified to the VA regional processing office of jurisdiction, the certifying official has the responsibility for timely submission of additional reports when the student modifies his or her enrollment by changing the credit (or clock) hours of enrollment, changes to another program objective, terminates training prior to the end of the certified period, etc. These changes made by the student, or actions by the school to terminate the student's enrollment (e.g., academic suspension or dismissal), should be reported promptly by the certifying official to VA.

VA considers a notice of change in student status timely filed if it is received by the RPO no later than 30 days after the change occurs.

Certifying officials should keep in mind that they may use telephone, fax or VACERT to report notices of reductions and terminations to VA. The time saved, particularly during the last half of the month, improves the likelihood that award actions can be taken in time to prevent or minimize overpayments. Implementing procedures to telephone or fax notices of reductions and terminations permits VA to take award actions sooner than if the notifications are mailed. **Note:** Certifying

officials do **not** have to report training time changes when the student is in a standard semester and is a full-time student both before and after the change.

7.02 Terminations and Reductions of Training Time

The certifying official is responsible for reporting changes in the hours of enrollment and the interruption of enrollment by any student certified to VA.

If a student certified as half-time or more for consecutive terms fails to enroll for a succeeding term within the period previously certified, the termination date for benefits will be the last day of class attendance in the previous term.

If a student has been certified for half-time or greater training and reduces his or her training to less than half-time, the certifying official must show on Form 22-1999b the amount paid for tuition and fees for the student's remaining course(s) during the term in which the adjustment occurs. The beginning and ending dates of the term must be reported. In such cases, a new award will be authorized by VA and a new award letter will be issued to show the amount of the monthly payment, the period of enrollment, the corrected amount of remaining entitlement and the amount of overpayment, if any. The student's benefits will be interrupted at the end of the term in which the adjustment to less than half-time occurs.

Note: For students pursuing non-college degree programs, the certifying official should also report the last date through which credit was accrued.

completed;

7.03 Date of Last Attendance

VA will accept as satisfactory the last date of pursuit reported by an accredited institution which has filed a statement of the institution's policy on determination of academic progress toward graduation, and a statement that the institution has informed students they are required to report to the institution immediately upon withdrawal or dropping from courses. These steps enable institutions to establish the official withdrawal or drop date required to be reported to VA and provide a good faith basis for establishing a definite date of last attendance. This will not relieve an institution of its responsibility to report the changes promptly, if a student fails to withdraw officially and continues to receive benefits following termination of pursuit.

The certifying official may determine the last date of pursuit in a number of ways. For institutions that do not take attendance or for programs of education leading to a standard college degree, the certifying official may use any of the following methods of determining the last date of pursuit:

- (1) The last activity date reflected in the instructor's record;
- (2) The last date papers were submitted;
- (3) The last date an examination was

(4) The date shown on the student's "drop form"; or

(5) The student's reasonable statement of last date of attendance.

VA personnel will be checking whatever institution records are available to determine last date of pursuit at the time a VA compliance survey is conducted.

7.04 School Liability

The reporting of changes in enrollment is a twofold responsibility involving the student and the school. At the time the certifying official certifies a student's enrollment to VA, the student should be informed how to report any changes in his or her enrollment. Although the student is responsible for reporting changes in his or her enrollment to the certifying official and to VA, the school's certifying official is responsible for making timely reports of changes in enrollment even if the student fails to inform the certifying official of a change.

The certifying official is responsible for submitting information regarding (1) changes in hours of credit or enrollment, (2) unsatisfactory progress or conduct, and/or (3) interruption and termination of attendance of each veteran, serviceperson, reservist, or eligible person. These events must be

reported (and received by VA) no later than 30 days after the occurrence.

If the school specifies a *limited* drop period at the beginning of a term, the 30-day reporting period may be figured from the last day of the drop period. If a school uses different dates for dropping courses, the later date is used to begin the 30-day reporting period. However, if a school provides a drop period longer than 30 days, the allowable reporting period may not exceed a maximum of 60 days after the beginning of the term for changes that occur during the first 30 days of the term.

Schools may not be held liable for an overpayment of VA benefits to a student except in the case of willful or negligent failure to report changes, or false certification of enrollment or date of withdrawal. VA acknowledges that occasional clerical errors do not constitute a false certification. In any event, the amount of overpayments which might be collected from a school after finding of school liability is reimbursed to the school if the overpayments are later collected from other sources.

Such reimbursement will be made annually when recalculation of a school's liability reveals that the combined collections from the institution and from students exceed the total amount of the school's liability.

School liability will not be assessed in instances of overpayments due to issuance of an Advance Payment at the beginning of an enrollment period when a valid Enrollment Certification was submitted and the student had been properly enrolled.

7.05 Repeat Courses

The payment of VA education benefits allowance may not be made for any course that is not computed in the graduation requirements of the school, unless there are mitigating circumstances. Whenever a punitive grade is either removed from a student's transcript or is no longer computed in his or her grade point average, that grade is considered a nonpunitive grade. At some schools, failing or other punitive grades are either removed from the student's transcript completely or the initial punitive grade is no longer considered in the student's grade point average, if the course is repeated successfully at a later date. In such cases, the punitive grade is no longer considered in computing the student's graduation requirements and has been converted to a nonpunitive grade.

In those instances where it is the established published policy of a school to replace a prior punitive grade with a creditable passing grade following successful repetition of a course, if otherwise in order, that fact alone shall constitute acceptable mitigating circumstances, and no overpayment shall be created based upon the assignment of the nonpunitive grade. This applies only to courses required for graduation which a student failed and to required courses which a student may have passed but did not achieve a minimum acceptable grade (e.g., in some programs students must earn a grade of "C" or better in all courses in their major.)

Payment of education benefits may be

authorized, if repetition of the course is specifically required by the school for attainment of the student's approved program objective, and if overall satisfactory progress standards are met. There is no limit on the number of times an eligible person may repeat a course for which a failing grade (or a grade which does not meet the minimum requirements for graduation) was received as long as the grade assigned to the repeated course at the end of the term is punitive. However, the school must report the student's unsatisfactory progress at such time as he or she no longer meets the school's standards of progress. There is no distinction between the criteria of repeating courses for noncollege degree (NCD) and degree (IHL) courses.

Electives are considered to be courses which are required for graduation as long as they do not exceed the minimum number of credit hours required for graduation. Electives for which a failing grade (or a grade unacceptable for graduation) has been assigned may be repeated until a passing or acceptable grade is received, as long as each grade is punitive when it is originally assigned. For example, a student may fail an elective course during his or her freshman year and elect to repeat that course at a later date. If at the time the student repeats the elective course the student has not met the required elective requirement for his or her degree program, VA benefits may be paid for the repeat of the course.

If the student does not need additional electives to meet his or her degree requirements, but elects to repeat an elective, no benefits may be authorized unless the repetition takes place during his or her final term and is merely taken to round out the program to full-time.

Schools are not specifically required to report grade replacements for repeated courses to VA. However, in accordance with 38 C.F.R. 21.4209(f), a record of eligible students' pursuit of all courses must be maintained by the institution for at least 3 years, even if the grade assigned for an unsuccessful pursuit of a course has been deleted from the official transcript. Schools with this type of replacement policy should maintain such additional records.

In those instances where a student repeats a course required for graduation and a failing or unacceptable grade is assigned which does not affect the student's grade point average, then this repeat should be reported to VA as nonpunitive in the same manner as any other course for which a nonpunitive grade is assigned. Overpayments are created in such situations, unless acceptable mitigating circumstances are submitted.

Repeating courses for which an unacceptable grade has been assigned should not be confused with taking additional courses to remove a deficiency in the grade point average which is preventing the student from graduating. When additional subjects beyond those generally required for a degree are needed in order to overcome a grade point deficiency, the additional subjects may be approved, but a statement is required from the school certifying official that: (a) the courses are being taken for the purpose of removing the grade point deficiency, and (b) no course previously taken for which credit has been granted is being repeated, unless repetition of that particular course is required for continuation in the approved program, and (c) the student's progress is satisfactory under the school's standards.

7.06 Nonpunitive Grades/Mitigating Circumstances

A "nonpunitive grade" is defined for VA purposes as any grade assigned for a course which has the effect of excluding the course from any consideration in determining progress toward fulfillment of requirements for graduation. Characteristically, nonpunitive grades have no point value and, accordingly, they neither yield credit toward graduation nor affect the student's cumulative grade point average.

The law prohibits payment of VA benefits for a course from which the student withdraws, or for a course that the student completes, but receives a grade for the course which will not be used in computing requirements for graduation. Payments may be allowed, however, if the student submits evidence of acceptable mitigating circumstances to explain why the course could not be completed and/or a creditable grade assigned.

This means that if a student drops a course, unless he or she can show VA that there are mitigating circumstances, he or she must return all the money paid to him or her for pursuit of that course from the start of the term, not merely from the date he or she dropped the course.

For withdrawals on or after June 1, 1989, mitigating circumstances will be considered to exist without explanation by the student in the first instance of withdrawal from a course or courses totalling not more than 6 semester hours or the equivalent. This does not mean, however, that the school does not have to

report the withdrawal. It means that in the first instance of withdrawal, mitigating circumstances automatically are presumed to exist, up to a total of 6 semester hours.

The certifying official must report the assignment of nonpunitive grades to VA within 30 days from the date the grades are assigned. However, the allowable reporting period may not exceed 60 days from the end of the enrollment period, if grades are not assigned by the end of 30 days after the end of the period.

Mitigating circumstances are unanticipated and unavoidable events or situations beyond a student's control that prevent him or her from completing a course with a creditable grade. Generally, the student will be required to submit corroborative evidence to substantiate his or her claim of mitigating circumstances. For example, if the student claims that a personal illness or injury seriously interfered with his or her enrollment, a physician's statement would be appropriate evidence; if the student was required to withdraw from a course because of an unanticipated and unavoidable change in his or her hours of employment, then the employer's verification of the required change of work schedule should be submitted.

Examples of mitigating circumstances are:

- (a) An illness or injury afflicting the student during the enrollment period;
- (b) An illness or death in the student's immediate family;

(c) An unavoidable change in the student's conditions of employment;

(d) An unavoidable geographical transfer resulting from the student's employment;

(e) Immediate family or financial obligations beyond the control of the claimant which require him or her to suspend pursuit of the program of education to obtain employment;

(f) Discontinuance of the course by the school;

(g) Unanticipated active military service, including active duty for training; and

(h) Unanticipated difficulties with the child care arrangements the student has made for the period during which he or she is attending classes.

These examples are not all inclusive and are included merely as guidelines.

Examples of unacceptable mitigating circumstances include withdrawal to avoid a failing grade, dislike of instructor and too many courses attempted.

The certifying official should submit reports of withdrawal or receipt of nonpunitive

grades to VA on Form 22-1999b, Notice of Change In Student Status. We will accept the certifying official's certification on Form 22-1999b that the student has mitigating circumstances without further development.

If no such certification is indicated, we will ask the student to furnish a statement of mitigating circumstances.

7.07 Incomplete Grades

Some schools allow the assignment of an "I" (incomplete) grade on a provisional basis only. These schools require a student to remove the "I" grade within a specified time (e.g., by the end of the term following the term for which the "I" grade was assigned). If the student does not replace the "I" grade within the prescribed time period, a punitive failing grade will be assigned and recorded in the student's academic record. Schools which have and enforce such a policy, and prescribe a maximum time period for grade replacement of less than one year, are not required to report the assignment of an "I" grade as a nonpunitive grade.

Many schools have a grading policy that permits an "I" grade to be replaced with a nonpunitive grade, or which allows a nonpunitive "I" grade to remain in a student's record indefinitely. At these schools, "I" grades must be reported as nonpunitive grades at the time the grades are assigned. This reporting requirement is not intended to force schools into adopting a particular academic policy with respect to "I" grades. It is necessary, however, to ensure compliance with statutory restrictions on benefit payments.

If the "I" grade is replaced in the student's academic record with a creditable passing grade or with a punitive failing grade, this grading action should be reported by the school. Such reports should clearly indicate that the change in enrollment status being reported is the replacement of an "I" grade previously reported. There may be occasions when reports of grade replacements are not received until after a VA determination that benefits may not be paid for the course in question due to the absence of acceptable mitigating circumstances. In these situations, the official report of grade replacement constitutes evidence of the removal of the payment prohibition of 38 U.S.C. 3680(a)(3), and benefit payments will be authorized for the course in question. Reports of grading actions such as these should be made on Form 22-1999b by the certifying official.

If, at the end of one year from the date the "I" grade was assigned, VA has not received a report that the "I" grade has been replaced, an inquiry will be sent to the school requesting the status of that grade. If the student's records still reflect a nonpunitive grade for the course, VA will inform the student (if the nonpunitive grade may produce a reduction in training time for the term) that the student's benefit payments for the course must be retroactively terminated, unless the student submits evidence of acceptable mitigating circumstances.

7.08 Unsatisfactory Attendance, Progress, or Conduct

The law requires that education benefits to veterans and other eligible persons be

discontinued when the student ceases to maintain satisfactory attendance, progress, or conduct toward completion of his or her training objective. Benefits can be resumed if the student reenrolls in the same educational institution and in the same program. In other cases, benefits cannot be resumed unless VA finds that the cause of the unsatisfactory attendance, progress, or conduct has been removed and the program of education or training to be pursued by the student is suitable to his or her aptitudes, interests, and abilities.

Both accredited and nonaccredited schools are required by law to have and to enforce standards of progress and conduct in order for their programs to be approved for VA benefits. Only nonaccredited schools are required by law to have attendance standards. These standards should be stated plainly in the school's catalog or bulletin. A school's policy and regulations for standards of progress, conduct and attendance must define:

- (a) the school's grading system;
- (b) the minimum satisfactory grade level;
- (c) conditions for interruption of training due to unsatisfactory grades or progress;
- (d) a description of any probationary period;
- (e) conditions for a student's reentrance/readmission following dismissal/suspension for unsatisfactory progress;

- (f) conditions for dismissal due to unsatisfactory conduct; and
- (g) the school's attendance policy.

All schools are required to maintain an academic record for each student which includes, for a veteran or eligible person, the credit allowed toward the student's current program due to previous training and experience. The record must also show the results of each enrollment period, to include the unit courses or subjects undertaken and the final result (e.g., grade, passed, failed, withdrawn, test results). The record must be cumulative and document the progress being made toward completion of the program. For those schools that use a narrative grading system and/or unspecified academic terms, as opposed to the traditional grading system and specified terms, the academic record must contain sufficient information to permit the recipient of a transcript to make an informed evaluation of the student's educational experience. For those schools not operating on a term basis, the record must show the student's proficiency at the various stages in the training program.

School officials are responsible for enforcing their established standards of progress. This will require that the school specify intervals between enrollment and graduation (i.e., completion) when each student's progress will be evaluated. Each such evaluation must compare the student's progress with clearly defined progress standards such as:

- (a) for programs offered on a term basis, a

minimum grade average or credit level which should bear a reasonable relationship to final attainment of graduation requirements. It is frequently appropriate that separate evaluations be made for overall grade point average and the grade point average attained in courses from the student's major field of study.

- (b) For programs not offered on a term basis, a minimum proficiency level expected of a student if he or she is to successfully complete the program within the number of hours of training that has been approved by the SAA. Measurement of a student's proficiency should be based on instruction appraisals, graded course work, periodic testing, or other techniques that will permit an evaluation of student's progress toward satisfactory completion of the program.

When a student has failed to maintain prescribed standards of progress, VA must be informed promptly so that benefit payments can be discontinued in accordance with the law. The termination date assigned by the school will be the last day of the term or other evaluation period in which the student's progress became unsatisfactory. Schools should use Form 22-1999b to report the student's termination. Schools that provide a period of academic probation may not continue to certify a veteran or eligible person (who remains in a probationary status) for an indefinite period of time. It is reasonable to expect that a school will report a termination due to unsatisfactory progress if a student remains on academic probation beyond 2 terms, quarters, or semesters without an improvement in his or her academic standing.

Recertification of VA Claimant

A school's standards of progress must include specific conditions a veteran or eligible person is required to satisfy to permit recertification for VA benefits after being terminated (for benefit purposes) because of unsatisfactory attendance, progress, or conduct. When a school recertifies a student's enrollment to VA after a termination due to unsatisfactory attendance, progress, or conduct, it is presumed the school has established that there is a reasonable likelihood that the student will be able to maintain satisfactory attendance, progress, and conduct in the future.

The school's certifying official should submit a statement with the first recertification of enrollment that describes the conditions for the student's continued certification to VA. These conditions should prescribe the minimum performance standards to be achieved by the student during the next enrollment/evaluation period.

Students should be advised of any counseling services available to them at the school in order to resolve academic or other problems and to establish a meaningful plan for successful completion of their education or training. Schools and training establishments that are unable to provide counseling services are asked to remind students of the counseling services available through VA.

A specific request for resumption of VA benefits following an interruption due to unsatisfactory attendance, progress, or conduct must be submitted by the student to initiate action by VA to determine whether

further payments of VA educational assistance allowance should be authorized. Requests may be submitted on Form 22-1995 or Form 22-5495.

If the same school will again certify enrollment to VA, and indicate on the Enrollment Certification that the problems relating to the unsatisfactory attendance, progress, or conduct have been discussed with the student, VA will accept the school's recertification of the student's enrollment as prima facie evidence that the cause of the unsatisfactory progress has been removed. The school should monitor the claimant's progress and ensure that, if there is a recurrence of unsatisfactory progress, it will again be promptly reported to VA.

When counseling has not been requested and no or insufficient evidence is on record for VA to determine eligibility for resumption of benefits, a Form 22-8873, Supplemental Information for Change of Program or Reenrollment After Unsatisfactory Progress or Conduct, will be sent to the student. This form requests information relative to the cause for unsatisfactory attendance, progress, or conduct, its removal, and the suitability of the program to be pursued.

7.09 Completing Form 22-1999b, Notice of Change in Student Status

Whenever there is any change in a student's enrollment status from what had previously been reported to VA, it is the school's responsibility to report such change so that VA receives it within 30 days of the date on

which the change occurs. To report a change, use Form 22-1999b or VACERT. The student's benefits will be adjusted by VA in accordance with how this form is completed. Therefore, it is very important that all items as appropriate be completed accurately by the certifying official to reflect the actual enrollment changes a student may make. The data included on this form are generally in accordance with the same procedures used for completion of the Enrollment Certification, Form 22-1999.

Note: Form 22-1999b, Notice of Change in Student Status, is used to notify VA of changes to previously certified periods of enrollment. It is not to be used as an Enrollment Certification for subsequent periods of enrollment.

Terminations

If a student withdraws from all courses at the school thereby terminating his or her enrollment, "Termination" on Form 22-1999b must be completed. In "Last Date of Attendance", the actual last date of attendance at the school must be reported. For college level courses any of the following methods may be used to determine the last date of attendance: (1) attendance records; (2) grading reports; (3) last date on which examination or other papers filed; (4) last date of activity in the instructor's records; or (5) a statement from the student as to the last day of his or her attendance.

For all terminations of enrollment, one of the blocks in "Reason for Termination" must be checked as appropriate. Those blocks are:

Withdrawal or Interruption (noncollege)

This block should be checked if a student terminates or temporarily interrupts a noncollege degree (NCD) program. This block should not be used, however, if the NCD instruction operates on a term, block, or unit basis and the student will be required to repeat the entire term, block, or unit due to the withdrawal. In other words, due to the withdrawal from the NCD course(s), no credit is accrued for work completed. In these instances, another of the blocks in Item 4B should be checked, as appropriate, and an explanation given in Item 8, Remarks, along with the first date for which no credit is accrued toward graduation.

Withdrawal During Drop Period

Regardless of the reason(s) for termination of training, if the withdrawal from all classes is during the officially designated drop period of the school, this block should be checked. However, for VA purposes, the drop period cannot be more than 30 days from the beginning date of classes in a term, quarter, or semester. This block should not be used if the student's withdrawal is after the school's officially designated drop period or more than 30 days after the start of the term, whichever is earlier.

Withdrawal After Drop Period - Nonpunitive Grades Assigned

As used by VA and as defined in the Glossary to this manual, a nonpunitive grade is any grade which has the effect of excluding the course from any consideration in determining progress toward fulfillment of requirements for graduation. A nonpunitive grade is equivalent to an audited course for purposes of advancement toward graduation. Typical examples are "W" (withdrawal) and "NC" (no credit). If a student terminates his or her training after the school's officially designated drop period or more than 30 days after the start of the term, whichever is earlier, and nonpunitive grades are assigned, this block should be checked, and "Mitigating Circumstances", should also be completed.

Withdrawal After Drop Period - Punitive Grades Assigned

As used by VA and as defined in the Glossary to this manual, a punitive grade is one which is assigned a value when computing the requirements for graduation. A common example is an "F" grade which has a quality point value of "zero." If a student terminates his or her training after the school's officially designated drop period or more than 30 days after the start of the term, whichever is earlier, and a punitive grade or grades are assigned, this block should be checked.

End of Term or Course

Check this block only if the student terminates his or her training at the end of the term or course without regard as to whether punitive or nonpunitive grades are assigned.

Unsatisfactory Attendance, Conduct, or Progress

If the student's attendance, conduct, or progress has not been met by the student, this block should be checked. In "Last Date of Attendance", the last date that progress or conduct was satisfactory should be shown. (See section 7.08 for a discussion of unsatisfactory attendance, conduct, or progress.)

Other

If none of the above reasons are appropriate for the student's termination of training, this block should be checked with an explanation given in "Remarks". The certifying official should also indicate if the grade(s) assigned are punitive or nonpunitive.

Last Date Credit Accrued

For noncollege degree programs operating on a term, block, or unit basis, enter the last date the student accrued credit toward graduation.

Adjustment Of Credit or Clock Hours

This section should be completed if the student increases or reduces his or her credit

or clock hour load without actually terminating or withdrawing from all training.

“Date Adjustment is Effective” should show the effective date of the adjustment, and in “Type of Adjustment”, the type of adjustment must be indicated:

Increase

This block should be checked if the student has increased the number of credit hours, clock hours, or high school units being pursued.

Reduction (noncollege)

If there is a reduction in the noncollege degree courses being pursued, this block should be checked. However, this block should not be used if the NCD instruction operates on a term, block, or unit basis and the student will be required to repeat the entire term, block, or unit because of the withdrawal from that course. In other words, no credit is being given for work completed up to the date of the reduction in training. If this is the situation, another of the blocks should be checked, as appropriate, and an explanation given in “Remarks”, along with the first date from which no credit accrued toward graduation.

Reduction on First Day of Term

This block should be checked if the actual date of reduction is the first day of the term. This block will be used, for example, when a student has been certified for the same number of credit hours for both the fall term and subsequent spring term, but at registration for the spring term, actually enrolls for fewer credit hours.

Reduction During Drop Period

If the reduction is during the officially designated drop period of the school but not more than 30 days from the start of the term, this block may be checked.

Reduction After Drop Period - Nonpunitive Grades Assigned

Same as for “Nonpunitive Grades Assigned” above. Whenever this block is checked, “Mitigating Circumstances” must also be completed.

Reduction After Drop Period - Punitive Grades Assigned

Same as for “Punitive Grades Assigned” above.

Student Completed Term but Nonpunitive Grades Assigned For One or More Courses

If a student completes a term but received

nonpunitive grades for one or more courses, this block should be checked. For example, a student may have completed 12 credits but for 6 of those credits he or she received a nonpunitive "W" grade. The last date of the term should be shown in "Date Adjustment is Effective"; 12 would be entered in "Credit Hours Before Adjustment"; and 6 entered in "Credit Hours After Adjustment".

Other

If this block is used, "Remarks" should also be completed explaining the reasons. This box is used for any adjustment type not covered by the other boxes in this section. For example, Incomplete grades "I" are not converted to credit grade(s) within one calendar year, or Incomplete "I" grades converted to credit grade(s) or to punitive, failing grade(s). The certifying official should indicate whether the grade(s) assigned are punitive or nonpunitive.

Credit Hours Before Adjustment & Credit Hours After Adjustment

These items should be completed just as on an Enrollment Certification, Form 22-1999, with any breakdown as necessary, i.e., credit hours, deficiency hours, independent study, etc.

For noncollege or nondegree programs measured on a clock-hour basis, "Clock Hours or High School Units Before Adjustment" or "Clock Hours or High School Units After Adjustment" should be completed

just as on an Enrollment Certification. "Revised Ending Date" is to be completed if there is a change to the previously reported ending date of enrollment.

Charges For Period of Enrollment

This item should be completed for all inservice students and for students whose training load either before or after adjustment is less than half-time. The certifying official should list the customary charges of the adjusted load by school year, term, or other period as appropriate. For example, a student starts a term at full-time but reduces to less than half-time in the third week of the semester. The certifying official should report the dates for the *complete* term in "Period" and report the customary charges for the *adjusted* load only in "Tuition and Fees".

Exception: This item does *not* apply to students receiving benefits under either Chapters 32, 1606, or Section 903.

Mitigating Circumstances

This item should be completed only if nonpunitive grades have been assigned. (See section 7.06 of this manual for more detailed information about mitigating circumstances.) Generally, however, these are circumstances which directly hinder the student's pursuit of a course and which are judged to be out of the student's control.

Remarks

This space should be used to provide any needed clarification of any item on this form. It is most important for the certifying official to make clear the student's status for any term subsequent to the one in which the change occurred. For example, a student has been certified for both the fall and spring terms and now the certifying official is reporting a reduction during the fall term. "Remarks" should be completed to show that the student is still enrolled for the spring term, if this is the case. However, if a termination is being reported for the fall term, the certifying official will have to submit a new Form 22-1999 or use VACERT at the beginning of the spring term, in order for benefits to be resumed at that time.

SECTION 8

PROCEDURES FOR CERTAIN TYPES OF COURSES/TRAINING

8.01 Independent Study and Open-Circuit Television Courses

A student may receive educational assistance benefits for pursuing accredited independent study courses. A student may also receive payment for accredited courses offered through open-circuit television. Before October 9, 1996, VA would pay for courses offered through open-circuit television only if the student was concurrently enrolled in and pursuing one or more courses as a resident student.

Requirements for the approval of an independent study course include:

- (1) The course must be specifically approved by the SAA (State approving agency) for pursuit through independent study;
- (2) The course leads to, or is fully creditable toward, a standard degree, at an accredited institution of higher learning; and
- (3) The course consists of a prescribed program of study with provision for interaction between the student and the regularly employed faculty of the institution

of higher learning. The interaction may be personally or through use of communications technology, including mail, telephone, videoconferencing, computer technology (to include electronic mail), and other electronic means.

Independent study courses are measured in the same manner as other credit-hour courses taken in residence.

For example, if a student takes a 3 credit hour independent study course concurrently with 3 other 3 credit hour residence courses, the total number of credit hours the student is pursuing should be 12.

8.02 Refresher, Remedial, and Deficiency Courses

Remedial and deficiency courses are typically intended to assist individuals in overcoming weaknesses in particular areas of study at the secondary school level. Often, institutions will require the completion of certain deficiency courses without granting credit toward graduation for their completion. A certification as to the need for a specific remedial or deficiency course must be submitted to VA by the institution administering the program the student is preparing to enter or to which the student has applied for admission. Basic English language or mathematics courses are authorized only when the need for the training has been established by accepted testing methods.

Chapters 30 and 32

Effective August 15, 1989, students under these two programs may be certified in refresher courses (including courses which will permit the student to update knowledge and skills or be instructed in the technological advances which have occurred in the individual's field of employment during or after active duty), remedial courses, deficiency courses, or other preparatory or special education or training courses necessary to enable the individual to pursue an approved program of education. The student's entitlement will be charged for pursuit of these types of training. While remedial and deficiency courses are at the secondary school level, refresher training to update knowledge and skills may be approved at the postsecondary level.

Chapter 35

Effective August 15, 1989, any eligible person under chapter 35 is entitled to benefits for pursuit of remedial and deficiency courses without an entitlement charge for the first five months of full-time training (or the equivalent in part-time training) in such courses. Refresher training to update skills or knowledge is not available to persons under chapter 35.

Chapter 1606

Effective October 1, 1990, refresher, remedial, and deficiency courses are payable under chapter 1606 and entitlement is charged.

Sections 901 and 903

Benefits for refresher, remedial, and deficiency courses are not payable for training under section 901. Effective August 15, 1989, section 903 students may receive benefits for refresher, remedial, and deficiency courses.

8.03 Change of Program or Place of Training

A student must specifically request a change of program and may use any form of communication. This request may be kept at the school provided the certifying official indicates it is "on file" either on the enrollment certification or VACERT. If sufficient information is not furnished to process the request, VA will request the necessary information. Payment may not be made more than one year earlier than the date of receipt of the request.

A change of program is a change in a student's educational, professional, or vocational objective requiring different courses or a different type of training.

A student whose attendance, conduct, and progress in training are satisfactory may change to a new program one time without prior VA approval. VA may approve additional changes if the proposed programs are suitable to the student's abilities, aptitudes, and interests.

VA must approve any change of program by a chapter 35 child. VA may approve the change if the proposed program is suitable to the child's abilities, aptitudes, and interests.

A revision of a program which does not result in a material loss of credit or an extension of time necessary to attain the objective is not a change of program. However, when a student's courses are measured on a credit-hour basis, a loss of credit greater than 12 credit hours is considered a material loss. When a student's courses are measured on a clock hour basis, a loss of credit greater than 10 percent of hours already completed is considered a material loss.

Example #1: A college student has earned 140 credits toward a bachelor's degree in economics. The student switches to history. Fifteen credit are not transferable to the new major. This is a material loss of credit, since the loss exceeds 12 credits. VA will charge a change of program in this case.

Example #2: A student completes 50 hours of a basic electronics course. He then requests a change to a computer programming course at the same school. The school grants the student 25 hours of credit toward the computer programming course based on his training in the basic electronics course. This is a material loss of credit. The student will lose more than 10 percent of the 50 hours he completed in the basic electronics course by transferring to the computer programming course. VA will charge a change of program in this case.

There are no restrictions on the number of times a student making satisfactory progress may change educational institutions. A change in courses or place of training will not be considered a change of program in the following instances:

(a) Pursuit of the first program is a prerequisite for entrance into the second program (e.g., a bachelor's degree program is a prerequisite to a master's degree program);

(b) Transfer from one school to another when the program at the second school leads to the same educational, professional, or vocational objective and does not involve a material loss of credit or lengthen the program;

(c) Change of objective that does not lead to a material loss of credit or an extension of the time required to complete training; and

(d) Enrollment in a new program of study after successful completion of the immediately preceding program is not a change of program.

If a program of education previously pursued or completed does not meet the entrance requirements for the new program, VA may charge a change of program. For example, a student completes work for a bachelor's degree in education and now requests a master's degree in a different field. If a student is admitted to the master's degree program in the new field without having to take additional undergraduate courses, he or she has not exercised a change of program. However, if the student

must take more than 12 undergraduate credits, a change of program will be charged.

In certain instances, a change of program can result even if there is no change of objective. For example, a student completes 110 credits in a 130-credit bachelor's degree program and then changes to another school. The second school accepts all credits from the first school but requires the student to complete 35 credits in residence. This is a change of program, because the student will be required to extend the time necessary to obtain the original objective; and, the extension is more than 12 credits.

If, upon completion of deficiency or remedial courses (other than courses in basic English language or mathematics), the student subsequently enrolls in a program different from the one for which the courses prepared him or her, VA will charge a change of program. Similarly, VA will charge a change of program if a student is pursuing one program of education and changes to deficiency or remedial courses required for a different program.

The application form for a change of program for veterans, servicepersons, and reservists is VA Form 22-1995, Request for Change of Program or Place of Training. The form for survivors and dependents is VA Form 22-5495. A student applying for a second or subsequent change of program should also submit VA Form 22-8873, Supplemental Information for Change or Program. This form supplements either VA Form 22-1995 or VA Form 22-5495. If the student selects a new curriculum with the assistance of the counseling services of the training establishment, he or she may submit additional evidence with VA Form 22-8873.

Examples of evidence might be a copy of the student's recent aptitude test or a copy of the academic counselor's findings and recommendations.

Educational or vocational counseling services are also available from VA. A professionally trained VA counselor can assist a student in planning a suitable program of education or training. Both VA Form 22-1995 and VA Form 22-5495 have sections that explain the benefits of VA counseling.

In some cases, VA is able to make a determination regarding the probable suitability of a requested program of education or training based on information already contained in the student's VA file if the student submits a statement describing why he or she believes a new program is suitable to his or her aptitudes, interests, and abilities. A student who chooses to submit only his or her own statement should be advised that VA may be required to ask for specific additional information before making a final determination on the request for a change of program.

8.04 Cooperative Courses — Chapters 30, 32, 35, and 1606

A cooperative program is a full-time program of education that may lead to a degree or a non-degree objective. It consists of alternating phases of school instruction and training in a business or industrial establishment. The practical training is supplemental to the school instruction. The periods may alternate as part of a day at school and part of a day on the job, or as one

full day at school and one full day at work. The periods may also alternate on a weekly, monthly, or term basis. Cooperative training must always be specifically approved by the State approving agency.

A student must pursue all phases of cooperative training full time. Payment for all training will be at the full-time institutional rate.

8.05 Farm Cooperative Program — Chapter 35

A farm cooperative program consists of institutional agricultural courses pursued while the student is concurrently engaged in substantially full-time agricultural employment. The employment must be relevant to the institutional agricultural programs. “Substantially full time” means employment on an average of 40 hours per week in agricultural activities. Seasonal differences will be taken into account when determining the average.

The agricultural employment must be on a farm or other agricultural establishment where the basic activity is the raising and harvesting of crops or the feeding, breeding, and managing of livestock (including poultry). Employment in the areas of processing, distributing, or selling of agricultural products will not be considered agricultural employment.

On VA Form 22-1999, Enrollment Certification, or using VACERT, the school must certify that the student is engaged concurrently in substantially full-time agricultural employment averaging 40 hours

per week. The school itself must verify on a continuing basis that an eligible student remains engaged in suitable agricultural employment.

Courses for farm cooperative programs may be scheduled on a term, quarter, or semester basis, or prescheduled for Fall within no less than 44 weeks of the year. Full-time farm cooperative training requires a minimum of 10 clock hours net instruction per week or 440 clock hours in a period of 44 weeks. The scheduled must provide not less than 80 hours net instruction in any 3-month period. This permits prescheduling less than 10 clock hours per week for peak farm activity. Seven clock hours of net instruction is measured as three-quarter time, and 5 clock hours as half-time.

8.06 Training in Foreign Schools

The law places specific restrictions on the enrollment of veterans, servicepersons, reservists, and dependents in foreign schools. This training may not be pursued unless the courses are conducted by an educational institution of higher learning and lead to a degree or the equivalent which is comparable to a degree granted by a fully recognized degree-granting public university located in the same country.

A student interested in receiving VA benefits for training at a foreign school should request VA Pamphlet 22-72-2, Foreign Training for Veterans, Inservice Students and Eligible Dependents, from his or her nearest VA Regional Office, or visit the VA web site at www.va.gov.

A student may pursue a program of education in a foreign country while enrolled in a college or university located in the U.S. The “Junior Year Abroad” program offered by many institutions is a typical example. In these cases:

- (1) the school located in the U.S. is considered the principal institution. The enrollment is under the jurisdiction of the RPO serving the state or area where the school is located. It is the responsibility of the principal institution to submit enrollment certifications and other required reports of change in status;
- (2) the study pursued in a foreign country shall be part of the program as approved by the SAA; and
- (3) the institution must give full credit for the course pursued at the foreign school to fulfill part of the student’s degree objective.

8.07 Student Verification of Attendance — Chapter 30

A chapter 30 student pursuing a course at an institution of higher learning (IHL) must complete VA Form 22-8979, Student Verification of Attendance, each month to receive payment. A veteran or serviceperson training at less than one-half time is not required to complete a monthly student verification of enrollment. The student must complete, sign, and date the form, and return it to the appropriate VA regional processing office. The certifying

official at the school does not enter any information on the form.

8.08 Certification of Attendance — Course Not Leading to a Standard College Degree (Chapters 30, 32, 35, and 1606)

A student pursuing a non-college degree or a farm cooperative course, must send VA a VA Form 22-6553a, Certification of Attendance, each month to receive payment. An individual training at less than one-half time or training while on active duty is not required to send a monthly certification of attendance. The student must complete, sign, and date the form, and return it to the appropriate regional processing office. The certifying official at the school does not enter any information on the form.

8.09 Verification of Pursuit — Institutions of Higher Learning — Chapters 32, 35, and 1606

VA Form 22-6553, Verification of Pursuit of Course, is a computer-generated form that is periodically mailed to the school for completion by the certifying official. This form provides a means for ensuring that a student’s records are reviewed at the end of a certified period of enrollment. The review allows the appropriate school official to compare the enrollment data that has been the basis for payment of VA benefits with the student’s institutional records. Any changes in the student’s enrollment appearing in the institutional records but not generated on VA Form 22-6553 should be

reported by the school. The school official should enter the new information in the appropriate spaces on the form.

NOTE: The verification of pursuit of course for chapter 1606 cases is issued on a computer-generated letter.

VA Form 22-6553 will be issued for all IHL awards with the following exceptions:

- (1) An enrollment certification period that ends in the current or a prior computer processing month;
- (2) An enrollment period of 90 days or less;
- (3) An enrollment period for which VA has issued a lump sum payment; and
- (4) A chapter 30 IHL enrollment (see par. 8.07).

When required, VA issues the form at the following times:

- (1) The beginning of the next to last month of an enrollment certification period of more than 90 days; and
- (2) The beginning of May for an enrollment certification period ending in August or later when the last verification of pursuit was January or earlier.

NOTE: The situation described in

subparagraph (2) above may occur when the certifying official submits an Enrollment Certification in the Fall, covering the full academic year plus a following Summer term that has an ending date in August or September. A VA Form 22-6553 issued in this situation will cover the period through April 30th.

Payment of benefits to a degree-seeking student will continue through the end of the period for which benefits were awarded, even though the VA Form 22-6553 is not properly returned. However, if VA does not receive and process the form by the month following the ending month of the benefit payment period, VA will probably follow-up by contacting the institution.

NOTE: VA Form 22-6553 is not issued in the chapter 30 program. A chapter 30 student verifies his or her monthly attendance on VA Form 22-8979 (see par. 8.07). Also, there are no certifications or verifications for section 901 students.

APPENDIX A

COMPARISON OF EDUCATION BENEFITS

	<u>Chap 30</u>	<u>Chap 32</u>	<u>Chap 35</u>	<u>Chap 106</u>
<u>ELIGIBILITY</u>	2 yrs. active duty + 4 yrs. reserves; 3 yrs. active duty; or 2 yrs. active duty	181 days active duty if enlisted before 9/8/80; 24 mos. active duty there- after	Veteran's death or P&T dis- ability result of service	Completion of initial active duty for training + reserve training
<u>PARTICIPANT PAYMENT</u>	\$100/12 mos.	\$25-\$100 per mo. up to \$2700 Lump sum payment permitted	N/A	N/A
<u>REFUND OF CONTRIBU-</u>	Only as a death	Yes	N/A	N/A

<u>TIONS</u>	benefit for sur- vivors				
<u>TRANSFER OF ELIGIBILITY</u>	No	No	No	No	
<u>MAXIMUM ENTITLEMENT</u>	36 mos.	36 mos.	45 mos.	36 mos.	
<u>NCD TRAINING</u>	Yes	Yes	Yes	Yes	
<u>NCD ABSENCE REPORTING</u>	No	No	No	No	
<u>ADVANCE PAY</u>	Yes	Yes	Yes	Yes	
<u>DEPENDENTS ALLOWANCE</u>	No; 34/30-yes	No	No	No	

	<u>Chap 30</u>	<u>Chap 32</u>	<u>Chap 35</u>	<u>Chap 106</u>
<u>DELIMITING DATE</u>	10 yrs. after discharge	10 yrs. after discharge	Spouse-10 yrs. from date of s/c death of veteran or date VA determined s/c which ever is later; Child-age 26 up to 31 (under certain conditions)	10 yrs from date 1st enlisted or separation from reserves whichever is earlier
<u>DISABILITY EXTENSION TO DELIMITING PERIOD</u>	Yes	Yes	Spouse-yes; Child-no	Yes
<u>TYPE OF DISCHARGE</u>	Honorable	Other than dishonorable	Spouse-n/a Child-where applicable- other than dishonorable	N/A
<u>VA DETERMI-</u>	No	Yes	Spouse-n/a;	N/A

NATION OF
CHARACTER OF
DISCHARGE

Child-yes

ELEMENTARY &
HIGH SCHOOL
TRAINING

No

Yes

Yes

No

INSERVICE
REQUIREMENT

After 2 yrs.
active duty

181 days to
attend high
school; Com-
plete 1st
obligated
period of
service or 6
yrs. for all
other courses

No

N/A

REMEDIAL,
DEFICIENCY &
REFRESHER
TRAINING

Yes, with
entitlement
charge

Yes, with
entitlement
charge

Yes, without
entitlement
charge for
first 5 mos.

Yes, effective
10-1-90 with
entitlement
charge

	<u>Chap 30</u>	<u>Chap 32</u>	<u>Chap 35</u>	<u>Chap 106</u>
<u>FARM COOP TRAINING</u>	No	No	Yes	No
<u>COOP TRAINING</u>	Yes, at 100% rate	Yes, at 100% rate	Yes, \$404 per month	Yes, at 100% rate
<u>VOCATIONAL FLIGHT TRAINING</u>	No, prior to 9-29-90; Yes from 9-30-90 at 60% rate	Yes, effective 4-1-91 at 60% rate	No	Yes, effective 9-30-90 at 60% rate
<u>REFRESHER TRAINING</u>	Yes, with entitlement charge	Yes, with entitlement charge	No	Yes, with entitlement charge
<u>SPECIAL RESTORATIVE TRAINING</u>	No	No	Spouse-no Child-yes	No
<u>SPECIALIZED VOCATIONAL TRAINING</u>	No	No	Yes	No
<u>FOREIGN IHL TRAINING</u>	Yes	Yes	Yes	Yes
<u>MEASUREMENT DIFFERENCE</u>	Yes, until 7-1-93	Yes, until 7-1-93	Yes, until 7-1-93	Yes, until 7-1-93

ACCREDITED/
NONACCREDITED
COURSES

<u>INDEPENDENT STUDY</u>	Yes	Yes	Yes	Yes
<u>BENEFITS FOR INSERVICE STUDENT</u>	Benefit payable upon completion of specified period of service	Benefit payable upon completion of specified period of service	No	Yes- see pg. 1-7
<u>INCARCERATED BENEFICIARY</u>	Benefits reduced	Benefits reduced	Benefits reduced	Benefits reduced
<u>WORK STUDY</u>	Yes	Yes	Yes	Yes

	<u>Chap 30</u>	<u>Chap 32</u>	<u>Chap 35</u>	<u>Chap 106</u>
<u>ENTITLEMENT</u>	N/A	Veteran &	No-for	N/A
<u>CHARGE FOR</u>		enlisted	first 5	
<u>ELEMENTARY &</u>		person-no	months	
<u>HIGH SCHOOL</u>		(tuition & fees); yes-educational assistance		
<u>OJT/APPRENTICESHIP</u>	75%-1st 6 mos.; 55% 2nd 6 mos.; 35% remaining mos.	75%-1st 6 mos.; 55% 2nd 6 mos.; 35% remaining mos.	Full-time rate reduced every 6 mos. for initial 18 mos.	75%-1st 6 mos.; 55% 2nd 6 mos.; 35% remaining mos.
<u>CORRESPONDENCE TRAINING</u>	Reimbursed 55%	Reimbursed 100%	Spouse- reimbursed 55%; Child-n/a	Reimbursed 55%
<u>TUTORIAL ASSISTANCE</u>	Yes, with no entitlement charge for first \$600	Yes, with no entitlement charge for first \$600	Yes	Yes, with no entitlement charge for first \$600
<u>EDUCATION LOANS</u>	No	No	Yes-spouse 1st 2 yrs. after expira-	No

tion of deli-
miting period;
Child-n/a

VERIFICATION
OF PURSUIT
AT END OF
ENROLLMENT

No

Yes

Yes

Yes

MONTHLY
VERIFICATION
OF ENROLLMENT

Yes

No

No

No

CONCURRENT
PAYMENT UNDER
OTHER FEDERAL
PROGRAMS

No

No

Yes, REPS
only

No

VOCATIONAL
COUNSELING

Upon
request

Upon
request

Upon
request

Upon
request

GRADUATE
TRAINING

Yes

Yes

Yes

Yes,
effective
11-30-93

APPENDIX B

VA REGIONAL OFFICE ADDRESSES

VA Regional Office
345 Perry Hill Road
Montgomery, AL 36109-3798

VA Regional Office
2925 DeBarr Road
Anchorage, AK 99508-2989

VA Regional Office
3225 North Central Ave.
Phoenix, AZ 85012

VA Regional Office
Building 65, Ft. Roots
PO Box 1280
North Little Rock, AR 72115

VA Regional Office
Federal Building
11000 Wilshire Blvd
Los Angeles, CA 90024

VA Regional Office
Oakland Federal Building
1301 Clay St.
Suite 1300 North
Oakland, CA 94612-5209

VA Regional Office
2022 Camino Del Rio North
San Diego, CA 92108

VA Regional Office
155 Van Gordon
Denver, CO 80225

VA Regional Office
Abraham Ribicoff Federal Bldg.
450 Main St.
Hartford, CT 06103

VA Regional Office
1601 Kirkwood Highway
Wilmington, DE 19805

VA Regional Office
1120 Vermont Avenue, N.W.
Washington, DC 20421

VA Regional Office
144 First Avenue, S.
PO Box 1437
St. Petersburg, FL 33701

VA Regional Office
730 Peachtree Street, N.E.
Atlanta, GA 30365

VA Regional Office
PJKK Federal Building
300 Ala Moana Blvd.
PO Box 50188
Honolulu, HI 96850

VA Regional Office
805 W. Franklin St.
Boise, ID 83702

VA Regional Office

536 S. Clark St.
PO Box 8136
Chicago, IL 60680

VA Regional Office
575 N. Pennsylvania St.
Indianapolis, IN 46204

VA Regional Office
210 Walnut St.
Des Moines, IA 50309

VA Medical & Regional
Office Center
5500 E. Kellogg
Wichita, KS 67218

VA Regional Office
545 S. Third St.
Louisville, KY 40202

VA Regional Office
701 Loyola Avenue
New Orleans, LA 70113

VA Medical & Regional
Office Center
Togus, ME 04330

VA Regional Office
Federal Building
31 Hopkins Plaza
Baltimore, MD 21201

VA Regional Office
JFK Federal Building
Government Center
Boston, MA 02203

VA Regional Office
Patrick V. McNamara Federal
Building
477 Michigan Avenue
Detroit, MI 48226

VA Regional Office & Insurance
Center
Bishop Henry Whipple Federal Building
Fort Snelling
St. Paul, MN 55111

VA Regional Office
1600 E. Woodrow Wilson Ave.
Jackson, MS 39269

VA Regional Office
400 S. 18th St.
St. Louis, MO 63103

VA Medical & Regional Office
Ft. Harrison, MT 59636

VA Regional Office
5631 S. 48th St.
Lincoln, NE 68516

VA Regional Office
1201 Terminal Way
Reno, NV 89520

VA Regional Office
Norris Cotton Federal Building
275 Chestnut St.
Manchester, NH 03101

VA Regional Office
20 Washington Place
Newark, NJ 07102

VA Regional Office
Dennis Chavez Federal Building
500 Gold Avenue, S.W.
Albuquerque, NM 87102

VA Regional Office
Federal Building
111 West Huron St.
Buffalo, NY 14202

VA Regional Office
245 W. Houston St.
New York, NY 10014

VA Regional Office
Federal Building
251 N. Main St.
Winston-Salem, NC 27155

VA Regional Office

2101 Elm St.

Fargo, ND 58102

VA Regional Office

Anthony J. Celebrezze Fed. Bldg.

1240 East Ninth St.

Cleveland, OH 44199

VA Regional Office

Federal Building

125 S. Main St.

Muskogee, OK 74401

VA Regional Office

Federal Building

1220 Southwest Third Ave.

Portland, OR 97204

VA Regional Office & Insurance

Center

5000 Wissahickon Avenue

PO Box 8079

Philadelphia, PA 19101

VA Regional Office
1000 Liberty Avenue
Pittsburgh, PA 15222

VA Regional Office
1131 Roxas Blvd.
APO AP 96440

VA Regional Office
U.S. Courthouse & Federal
Building
Carlos E. Chardon Avenue
Hato Rey
GPO Box 364867
San Juan, PR 00936

VA Regional Office
380 Westminster St.
Providence, RI 09203

VA Regional Office
1801 Assembly St.
Columbia, SC 29201

VA Medical & Regional Office
2510 W. 22nd St.
PO Box 5046
Sioux Falls, SD 57117

VA Regional Office
110 Ninth Avenue, South
Nashville, TN 37203

VA Regional Office
6900 Almeda Road
Houston, TX 77030

VA Regional Office
One Veterans Plaza
701 Clay
Waco, TX 76799

VA Regional Office
Federal Building
125 South State St.
PO Box 11500
Salt Lake City, UT 84147

VA Medical & Regional Office Center
White River Junction, VT 05009

VA Regional Office
210 Franklin Road, S.W.
Roanoke, VA 24011

VA Regional Office
Federal Building
915 Second Avenue
Seattle, WA 98174

VA Regional Office
640 Fourth Avenue
Huntington, WV 25701

VA Regional Office
5000 W. National Avenue
Building 6
Milwaukee, WI 53295

VA Medical & Regional Office Center
2360 E. Pershing Blvd.
Cheyenne, WY 82001

Regional Processing Offices

VA Regional Office
PO Box 54346
Atlanta, GA 30308-0346

VA Regional Office
PO Box 66830

St. Louis, MO 63166-6830

VA Regional Office

PO Box 4616

Buffalo, NY 14240-4616

VA Regional Office

PO Box 8888

Muskogee, OK 74402-8888