

# **The Post-9/11 GI Bill**

**(Chapter 33 of Title 38 U.S.C.)**



**U. S. Department of Veterans Affairs  
Atlanta Regional Processing Office  
Florida Outreach Office  
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# Post-9/11 GI Bill Eligibility

An individual who served on active duty after 09/10/01 may be eligible for the Post-9/11 GI Bill if the individual—

- Served for an aggregate period of at least 90 days.

***Exception:*** *An individual discharged due to a service-connected disability after serving at least 30 continuous days on active duty after 9/10/01, may also be eligible.*



# Eligibility Criteria

In order to retain eligibility after meeting the service requirements, an individual must—

- Continue on active duty; **or**
- Be honorably discharged from Armed Forces; **or**
- Be honorably discharged for further service in a reserve component; **or**



# Eligibility Criteria

- Be honorably discharged and placed on the retired list, temporary disability retired list, transferred to Fleet Reserve, or to Fleet Marine Corps Reserve; **or**
- Be discharged or released for:
  - Injury Existing Prior to Service (EPTS),
  - Hardship (HDSP), *or*
  - Condition Interfered with Service (CIWD).



# Period of Eligibility

Generally, individuals will remain eligible for benefits for 15 years from:

- Date of last discharge from active duty service of at least 90 continuous days.
  - Each new 90 days of service results in new “delimiting date”
- Active duty = no delimiting date



# Entitlement

Generally, entitlement provisions under the Post-9/11 GI Bill are similar to those under other education benefit programs:

- Individuals may receive up to 36 months of benefits;
- Entitlement extended to end of term (except for dependents using TOE);
- 48 month maximum if eligible under two programs.



# Entitlement

## **EXCEPTION:**

Individuals transferring to the Post-9/11 GI Bill from the Montgomery GI Bill (chapter 30) will be limited to the amount of their remaining chapter 30 entitlement.

This provision applies when an individual:

- Elects to receive Post-9/11 GI Bill benefits in lieu of MGIB-AD benefits.

**NOTE:** If CH 30 entitlement is exhausted, individual may be eligible for additional 12 months under CH 33  
(48 month rule)



# Approved Programs

- All programs approved under chapter 30 and offered at an institution of higher learning (IHL). IHLs are degree granting institutions.
  - Individuals who were previously eligible for chapter 30, 1606, or 1607 may continue to receive benefits for approved programs not offered by IHLs (flight\*, correspondence, apprenticeship/on-the-job training, preparatory courses, and national tests)
    - Individuals will be paid **AS IF** they are still receiving benefits under chapter 30, 1606, or 1607
    - No books and supplies stipend or housing allowance.
- \* Flight may be approved under chapter 33 if part of a degree program at an IHL.



# Benefit Payments

- Tuition and Fees
- Monthly Housing Allowance
- Books and Supplies Stipend
- Kickers / College Fund / "Buy-Up"
- Yellow Ribbon Program
- Miscellaneous Payments



# Chapter 33 Effective Date

***August 1, 2009***

Chapter 33 benefits can be paid for training pursued on or after August 1, 2009. No payments may be made for training pursued before that date.



# Eligibility Criteria

<b>Service Requirements (after 9/10/01 an individual must serve an aggregate of)</b>	<b>Payment Tiers Percentage</b>
At least 36 months	100
At least 30 continuous days on active duty (Must be discharged due to service-connected disability)	100
At least 30 months, but less than 36 months	90
At least 24 months, but less than 30 months	80
*At least 18 months, but less than 24 months	70
*At least 12 months, but less than 18 months	60
*At least 06 months, but less than 12 months	50
*At least 90 days, but less than 06 months	40

\*Excludes time in Basic Military Training and/or Skill Training



# Tuition and Fees

- **Established charges** means the actual charge for tuition and fees that similarly circumstanced nonveterans enrolled in the program of education are required to pay.
- **Fees** means any mandatory charges (other than tuition, room, and board) that are applied by the institution of higher learning for pursuit of an approved program of education. Fees include, but are not limited to:
  - **health premiums,**
  - **freshman fees,**
  - **graduation fees, *and***
  - **lab fees.**



# Tuition and Fees

- Individuals **on active duty** are eligible for the lesser of:
  - Tuition and fees charged; *or*
  - The amount of charges that exceed the amount paid by the military's federal tuition assistance (TA).
- Individuals not on active duty are eligible for the applicable percentage (based on aggregate active duty service) of the lesser of:
  - Tuition and fees charged; *or*
  - Highest amount of tuition per credit hour and fees per term charged for full-time, undergraduate training at a public institution of higher learning in the state where the student is enrolled.

**Note:** Tuition and Fees payments are paid directly to the school.



# Tuition and Fees

- An individual eligible for the 100% tier will have all tuition and fees\* paid if he or she is—
  - Enrolled at a public institution;
  - In an undergraduate program; *and*
  - Charged in-State tuition and fees.
  
- An individual at one of the 40%-90% tiers, enrolled as above, will receive 40%-90% of the charged tuition and fees\*

*\*Assumes the individual has months of entitlement available for the enrollment period*



# Monthly Housing Allowance

- Equivalent to the Basic Allowance for Housing (BAH) for an E-5 with dependents.
- Amount determined by ZIP code of the IHL where the student is enrolled (Student does not have to live in same ZIP code)
  - <http://perdiem.hqda.pentagon.mil/perdiem/bah.html>
- Prorated based on the percentage of the individual's payment tier (i.e.: 40% to 100%).
- **Active duty members, anyone training at ½ time or less, and those pursuing training solely by distance learning are not eligible for the monthly housing allowance.**

**Note:** Housing allowance payments are paid directly to the eligible person on a monthly basis.



# Books and Supplies Stipend

- Up to \$1,000 per academic year
  - \$41.67 per credit hour
  - Up to 24 credit hours in a single academic year
  - Lump sum payment (each quarter, semester or term attended) paid directly to the individual
- Prorated based on the percentage of the maximum benefit payable
- **Active duty members are not eligible**



# Kickers / College Fund / "Buy-up"

- MGIB (ch30) or MGIB-SR (ch1606) kickers
  - Paid in lump sum to student each enrollment period based on rate of pursuit
  - Paid to spouses/children if they are using transferred benefits
- New chapter 33 kicker
  - Not available yet
  - Will be paid with the monthly housing allowance
- **\$600 buy-up does not transfer to chapter 33**



# Yellow Ribbon Program

- Only individuals entitled to the 100 percent benefit rate (based on service requirements) may receive this funding
  - Spouses and children using transferred benefits from a service member are also eligible for the Yellow Ribbon Program
- IHLs may voluntarily enter into an agreement with VA to fund tuition and fees costs that exceed the highest in-state undergraduate tuition and fees for the State where the IHL is located



# Miscellaneous Payments

- Licensing and Certification Tests
  - Eligible individuals may be reimbursed for **one** licensing or certification test
  - Test must be approved for VA benefits
  - Test must be taken on or after August 1, 2009
  - Reimbursement may not exceed \$2,000

**NOTE:** Payment issued directly to the student in a lump sum



# Miscellaneous Payments

- Rural Relocation Benefit
  - One-time payment of \$500 for individuals who reside in a county with six or less persons per square mile, if individual
    - Physically relocates at least 500 miles, *or*
    - Travels by air to attend school if no other transportation exist

**NOTE:** Payments issued directly to the student in a lump sum



# Miscellaneous Payments

- Interval Payments:
  - Payment of the monthly housing allowance may be authorized during intervals.
  - Follows current interval payment rules.
  - Entitlement charged for interval payments.
  - *(No interval pay for active duty)*
  
- Extending payment to end of term:
  - If individual exhausts entitlement during the quarter or semester, we can pay to end of the term, unless the individual exhausted 48 months of benefits.
  - Spouses and children using transferred entitlement are limited to 36 months of entitlement; entitlement may not be extended to end of term.



# Transfer of Entitlement

Department of Defense Benefit  
Administered by VA



# Transfer of Entitlement

- Only the following entities may authorize transfer of benefits—
  - Secretary of Defense (when the Coast Guard is operating as a service of the Navy)
  - Secretaries of Army, Navy, or Air Force
  - Secretary of Homeland Security (for Coast Guard)
  
- PHS/NOAA members are not eligible to transfer benefits as only the Secretaries above may offer transfer of benefits



# Transfer of Entitlement

- To be approved to transfer member must—
  - Be in Armed Forces on 8/1/09, *and*
  - Have completed 6 years in the Armed Forces, *and*
  - Agree to serve 4 more years
  
- DoD/DHS may prescribe rules to address situations when individuals cannot (by military rules or retirement) serve 4 more years after 8/1/09.
  - VA can't make these decisions
  - If DoD does offer transfer of benefits to this group of individuals, VA will post this information on the GI Bill website



# Transfer of Entitlement

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



# Transfer of Entitlement

## Spouses—

- May use after transferor completes 6 years in Armed Forces
- Paid at transferor's rate - Cannot be paid housing allowance or books and supplies stipend if the transferor is on active duty when the spouse is receiving benefits
- Can, unless the transferor revokes transfer, continue to use benefits if divorced after the transfer
- Can use benefits up to transferor's 15-year eligibility period expires unless transferor specifies an earlier ending date
- ***Under law, benefits are not marital property and are not subject to division in a divorce or other civil proceedings***



# Transfer of Entitlement

## Children—

- Must be transferred to an unmarried child who has not reached the age of 18 or, if in school, before child is 23 years of age
- May use after transferor completes 10 years in Armed Forces
- To commence training, child must have—
  - attained age 18; *or*
  - completed requirements of secondary school diploma (or equivalency certificate)
- Receives veteran rate, including housing allowance & book stipend, even if transferor is on active duty
- May use until age 26 – even if transferor's 15-year eligibility period ended
- May continue to use benefits after marriage (unless transferor revokes)



# Transfer of Entitlement

- **IMPORTANT !!**
  - Transferor and individual using transferred entitlement are jointly liable for any overpayment of chapter 33 benefits



# Overpayment of Benefits



# Overpayment of Benefits

- VA will determine the amount of an overpayment for an individual in receipt of chapter 33 benefits
- An individual who does not complete one or more courses in the certified period of enrollment, and who does not substantiate mitigating circumstances for not completing such course(s), will be charged an overpayment equal to the amount of ALL educational assistance paid for such course(s) for that period of enrollment (except for the books and supplies stipend).



# Overpayment of Benefits

- The student is responsible for any overpayment incurred as a result of not completing courses.
- In the event a student does not complete a course, schools should follow their established student refund policy.

**Important:** Tuition and Fees payments are paid to the school on behalf of the student; overpayments for Tuition and Fees will be charged to the student.



# Overpayment of Benefits

- School must make a refund (return payment) to VA—
  - When students never attend classes for a certified period of enrollment.
- Returned payments must include the student identification information as well as the intended quarter, semester, or term for which the payment was made.



# References

- GI Bill Website
  - [www.gibill.va.gov](http://www.gibill.va.gov)
    - Sign up for FAQ updates!
    - Sign up for RSS feeds to be notified of any change on web page (orange block on page that says RSS)
  
- GI Bill Call Center (VA staffed)
  - 1-888-GIBILL-1
  
- Yellow Ribbon Mailbox
  - [yellow.ribbon@va.gov](mailto:yellow.ribbon@va.gov)



**Questions?**