

October 15, 2021

U.S. Department of Veterans Affairs  
Education Services  
810 Vermont Avenue NW  
Washington, DC 20420

Re: Advisory Committee on Education Meeting

Dear Members of the Advisory Committee,

The Veterans Education Project is a nonprofit, Veteran Service Organization that aims to highlight innovation within higher education, and to support veteran and military students. As veterans serving veterans, the Veterans Education Project is committed to nonpartisan research, engagement, and policy implementation in our efforts to support institutions that meet the needs of student veterans, and guarantee the benefits and support systems necessary for veteran and military students to succeed. We offer the following priorities for the Department of Veterans Affairs (VA) to consider as you review policies governing student veterans and higher education.

#### **The 85/15 Rule**

38 CFR § 21.4201 dictates that VA “shall not approve an enrollment in any course for an eligible veteran, not already enrolled, for any period during which more than 85 percent of the students enrolled in the course are having all or part of their tuition, fees or other charges paid for them by the educational institution or by VA under title 38, U.S.C., or under title 10, U.S.C.” Under previous implementation, Supported Students were identified as recipients of VA, DoD, or institutional aid in the form of monetary support.

VA’s new guidance expands on this definition of Supported Student to include,

“Students on payment plans where the full amount of tuition and fees charged to the student (to include non-certifiable tuition and fees charges such as application fees, transfer fees, meal plans, etc.) is not paid in full by the reporting date. So, when students are on a payment plan which goes beyond the reporting date, then that student must be counted as a Supported Student.”

This definition is not found in 38 CFR § 21.4201. As these new definitions of Supported Student are more detailed and historically not within School Certifying Official’s (CSO) purview, institutions are challenged to identify processes to calculate the data needed to meet these new mandates. The most concerning issue, beyond institutional logistics, is that schools are required to identify and report any student as Supported who has not paid their tuition and fees in full—even if they are “cash-paying” and are not supported by the institution. This means that in every sector of higher education—Public, Nonprofit, and For Profit—nonveteran students can and will put veterans’ benefits at risk under this new 85/15 policy guidance.

Institutions in every sector of higher education will experience program suspensions due to unintended potential violations under this new definition of Supported Student. Suspended programs will prevent student veterans from using their GI Bill benefits at their school of choice for the program they seek. This change in policy will mean that student veterans will either have to procure private loans, give up on their program of study, or drop out of school altogether.

**Recommendation:** The Veterans Education Project strongly opposes the Department of Veterans Affairs' addition to the SCO handbook of the following language that defines a Supported Student as:

Any student who has not paid the full amount of tuition, fees and other mandatory charges to the educational institution prior to the beginning of the 30th day of the term, as reflected in the published academic calendar.

This language is not found in 38 CFR § 21.4201, and VEP finds that it is not in the spirit of the regulation to ensure that veteran students enroll in quality programs. Therefore, we urge that this language be removed from the SCO handbook, and updated guidance with this language omitted be given to GI Bill eligible institutions on the calculation of the 85/15 ratio.

### **Monthly Housing Allowance Parity**

The Monthly Allowance for Housing (MHA) for veteran students whose programs switched to distance learning due to COVID-19 will revert to half of the national Basic Housing Allowance average, even though it is likely that distance learning will be extended and expanded into 2021 and beyond.

The Post-9/11 GI Bill was passed in 2008 to provide education benefits to those who have served on active duty for at least 90 days since Sept. 10, 2001. These benefits include payment of tuition and fees, a stipend for textbooks and supplies, and a monthly housing allowance for up to 36 months. Normally, student veterans pursuing a degree entirely online only receive about half as much MHA as student veterans who take traditional in-person courses.

Since 2008, increasing amounts of institutions have made available distance learning modalities for larger amounts of programs, credentials and certificates, and the percentage of military and veteran students enrolled in distance learning programs is double that of nonmilitary students<sup>1</sup>. These students have relied on effectively half of their eligible housing benefit to enroll in these distance learning programs. The coronavirus pandemic of 2020, however, sparked a predicament when institutions at all levels were forced to alter their educational programs to acclimate to the need for isolation and social distancing. Mass gatherings, including in-person college lectures have been cancelled and many converted to distance learning.

Changing to an online-only class structure would have left veteran students who were originally enrolled in in-person classes unable to qualify under VA regulation to receive their full housing benefits. Online-only student veterans, however, have not been afforded equivalent MHA entitlements as those of their peers.

**Recommendation:** The conditions set by COVID-19 have highlighted this inequity among student veterans in online programs, and it has made evident that online-only student veterans need and ought to be entitled to the full Monthly Housing Allowance afforded to all other student veterans throughout and following the COVID-19 crisis. To this end, the Veterans Education Project recommends that online-only veteran students receive an MHA entitlement equivalent to the zip-code of their residence.

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<sup>1</sup> Author's calculation based on the National Center for Education Statistics, National Postsecondary Student Aid Study 2015-16, [https://nces.ed.gov/datalab/index.aspx?ps\\_x=ggcbbm14](https://nces.ed.gov/datalab/index.aspx?ps_x=ggcbbm14)

## Calculating the Return on Investment of the Post 9/11 GI Bill

### Modernize the GI Bill Comparison Tool

Calculating the Return on Investment (ROI) of the Post 9/11 GI Bill will provide greater oversight of GI Bill eligible institutions, while providing transparency to Veterans deciding where to invest their GI Bill education benefits. We recommend that the Department of Veterans Affairs form a partnership with the Department of Education in order to share its data with the Institute of Education Sciences (IES). We suggest VA share the following data:

1. The name of the institution receiving benefits
2. The program attended
3. How much benefit used
4. Age and rank, if a Veteran
5. Whether it is a Veteran or their family using Post-9/11 GI Bill Dollars

Individual student-level data systems exist in many federal agencies, but federal data remains siloed, inhibiting the study of student outcomes. Even when agencies recognize the value of linking their data, there is no current infrastructure to facilitate such data sharing. This problem manifests itself in the inability of the VA to accurately report basic outcomes and return on investment of the billions of dollars spent on the Post-9/11 GI Bill.

While VA has made significant progress in the administration and oversight of Veteran education benefits, as the Department of Education moves towards programmatic level data, updating the GI Bill Comparison Tool is essential to ensure that Veteran students are given Veteran-specific outcomes to be at parity with the information given to nonveteran students. Without this necessary improvement to create a GI Bill Calculator, Veterans and their family members who take advantage of GI Bill benefits might enroll in programs that have low Veteran student success rates and low ROI for a specific degree pathway, despite having high institutional outcomes in general. In turn, many Veterans will continue to invest precious time and scarce taxpayer dollars on pursuing a degree or credential that will not produce desired results.

Better data could be used immediately to improve the GI Bill Comparison Tool and calculate the ROI of the Post-9/11 GI Bill, without VA having to obtain all the necessary data-sharing agreements themselves.<sup>2</sup> At present, the Department of Education's College Scorecard displays a range of student outcomes, like the average salary of an institution's graduates, since it is linked with IRS data, or debt data derived from the office of Federal Student Aid. The Scorecard will soon be presenting student outcome data at the even more meaningful programmatic level.

**Recommendation:** If the Department of Veterans Affairs agrees to share its data with The Department of Education, all necessary data will be linked in order to disaggregate Veteran students down to the programmatic level, calculate the ROI of the Post-9/11 GI Bill, and create an improved GI Bill Comparison Tool for all veteran students. This will provide the transparency Student Veterans deserve

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<sup>2</sup> This data sharing is already established in 20 U.S. Code § 1015, which directs the Commissioner of Education Statistics to: develop a uniform methodology of reporting postsecondary spending, design systems capable of receiving and analyzing data from other federal agencies, disseminate data to stakeholders, and work with the Secretary of the Department of Veterans Affairs to collect, study, and disseminate information on financial aid and education benefits.

when deciding where and how to invest their GI Bill benefits, further enhancing the ROI of the Post-9/11 GI Bill, and provide additional oversight over GI Bill eligible institutions of higher education.

The Veterans Education Project would be happy to assist the Committee by sharing additional research and information, as well as making our subject matter experts available to the Committee in the development of recommendations.

Sincerely,



Stephen Patterson  
Executive Director  
Veterans Education Project