

# Veterans Education Benefits Regulations

## DOD Tuition Assistance Program

The Department of Defense (DOD) authorizes tuition assistance for classes for which a member also is receiving education benefits **under the following:**

- The Montgomery GI Bill® - Active Duty- Chapter 30, or
- The Post 9/11-GI Bill - Chapter 33. Federal Tuition Assistance will pay towards tuition and Chapter 33 will pay towards the rest of tuition and fees.

## Forever GI Bill - Harry W. Colmery Veterans Educational Assistance Act

Most changes enhance or expand education benefits for veterans, service members, families, and survivors. For additional information, visit [benefits.va.gov/gibill/forevergibill.asp](https://benefits.va.gov/gibill/forevergibill.asp).

The 15-year time limitation to use Post-9/11 GI Bill benefits is eliminated for:

- veterans who left active duty on or after January 1, 2013;
- children who became eligible for the Fry Scholarship on or after January 1, 2013; and
- all Fry scholarship eligible spouses.

## Veteran Benefits and Transaction Act of 2018

Veteran students who are GI Bill and VR&E (Chapter 33 and Chapter 31) beneficiaries may attend a course of education or training for up to 90 days from the date the beneficiary provides a certificate of eligibility or other valid documents to the VA Certifying Official. These students can attend the course until the Department of Veterans Affairs (VA) provides payment to the college. Chapter 33 and Chapter 31 beneficiaries will not be imposed a penalty nor be required to borrow additional funds to cover tuition and fees due to late payments from the Department of Veterans Affairs.

## Requirements for In-State Tuition

The Isakson and Roe Veterans Health Care and Benefits Improvement Act of 2020 removes the requirement for covered individuals to enroll in a course at a public institution of higher learning within three years of being discharged to receive in-state tuition. Eligible veterans using VA education benefits are granted in-state tuition when the student lives in state.

## Chapter 30: Montgomery GI Bill, Active Duty

Persons who first entered active duty after June 30, 1985, are generally eligible. Some Vietnam Era veterans and certain veterans separated under special programs are also eligible. The veteran needs to have received an honorable discharge and continuously served for three years, or two years, if first enlisted for that, or two years of an obligation to serve four years in the Selected Reserve and must have entered the Selected Reserve within a year of leaving active duty. The MGIB program provides up to 36 months of education benefits. Generally, benefits are payable for ten years following release from active duty.

## Chapter 31: Veteran Readiness and Employment

Veteran Readiness and Employment is a program whose primary function is to help veterans with service-connected disabilities become suitably employed, maintain employment, and achieve independence in daily living.

The program offers services to help each eligible disabled veteran reach their rehabilitation goal. These services include vocational and personal counseling, education and training, financial aid, job assistance, and if needed, medical and dental treatment. Services generally last up to 48 months and can be extended in certain instances.

To be eligible, the veteran should first be awarded a monthly VA disability compensation payment (in most cases) and must have received or will receive a discharge that is other than dishonorable. Eligibility is also based on meeting the following conditions:

- did not receive a dishonorable discharge
- a VA service-connected disability (SCD) rating of 10 percent or more
- If discharged from active duty before January 1, 2013, your basic period of eligibility ends 12 years from the later date of:
  - the date you received separation from active duty or
  - the date you received your first VA SCD rating
- If discharged from active duty after January 1, 2013, there is no time limit on your eligibility.

Detailed information and the online application are available at [benefits.va.gov/vocrehab/](https://benefits.va.gov/vocrehab/) or contact the Veteran Readiness and Employment program, 3506 West Tyvola Road, Marshall Park Clinic, Charlotte, NC 28208. Telephone: 800.827.1000

## Chapter 33: Post 9/11 GI Bill

The Post-9/11 GI Bill is an education benefit program for individuals who served at least 90 days of aggregate service after September 10, 2001. To be eligible for 100 percent of the benefit, an individual should have served an aggregate of 36 months of active duty service or been discharged for a service-connected disability after 30 days of continuous service. Post-9/11 GI Bill benefits are payable for training pursued on or after August 1, 2009. No payments can be made under this program for training pursued before that date. Once individuals elect to receive benefits under the Post-9/11 GI Bill, they are no longer eligible to receive benefits under the program from which they elected the Post-9/11 GI Bill. Individuals should carefully consider their educational goals before applying and electing benefits under the Post-9/11 GI Bill. Service members whose last date of active duty is on or after January 1, 2013, do not have a delimiting date for their benefit. Service members who separated before January 1, 2013, have 15 years from their last active duty date to use their benefit.

**Important Note** - The \$600 Buy Up is not payable under the Post-9/11 GI Bill.

## Chapter 33: Transfer of Post 9/11 GI Bill - Benefits to Dependents (TEB/TOE)

For the first time in history, service members enrolled in the Post-9/11 GI Bill Program can transfer unused education benefits to their spouses or children starting August 1, 2009. Department of Defense guidance, issued June 23, 2009, establishes the criteria for eligibility and transfer of those education benefits.

For details regarding eligibility for this transfer, go to [gibill.va.gov](https://gibill.va.gov). All applications will be submitted through the Transferability of Educational Benefits (TEB) website located at [milconnect.dndc.osd.mil](https://milconnect.dndc.osd.mil). An individual

approved to transfer an entitlement to educational assistance under this section may transfer the individual's entitlement to:

- The individual's spouse
- One or more of the individual's children
- Any combination of spouse and child
- An eligible servicemember may transfer up to the total months of unused Post-9/11 GI Bill benefits or the entire 36 months if the member hasn't used any months. A family member should be enrolled in the Defense Eligibility Enrollment Reporting Systems (DEERS) and be eligible for benefits at the time of transfer to receive transferred educational benefits.

### **Chapter 33: Fry Scholarship**

The Marine Gunnery Sergeant John David Fry Scholarship (Fry Scholarship) currently pays a benefit equal to the Post-9/11 GI Bill for children and spouses of soldiers who have died in the line of duty since September 10, 2001. Beneficiaries attending school may receive up to their full tuition and fees for a public school, plus a monthly living stipend and book allowance under this program with 36 months of entitlement.

- A surviving spouse can receive benefits for terms beginning or after January 1, 2015. A spouse will lose eligibility for this benefit upon remarriage.
- Children are eligible for this benefit from ages 18 – 33. A child's marital status does not affect eligibility.
- Fry Scholarship recipients who become eligible on or after January 1, 2013, no longer have a delimiting date.

### **Chapter 35: Dependents and Survivors Educational Assistance**

The Dependents Educational Assistance Program is an education benefit for eligible spouses and children of certain veterans. To be eligible, the student should be the spouse or child of a member of the Armed Forces who died while on active duty or due to a disability that the VA has determined is service-connected or is 100 percent permanently and totally disabled for a service-related reason.

- Dependents, who enroll after August 1, 2018, receive 36 months of benefits. Recipients are usually between the ages of 18-26.
- For a spouse, benefits end ten years from the date that the DVA declares eligibility or 20 years from the veteran's date of death.

### **Chapter 1606: Educational Assistance for Members of the Selected Reserve**

Chapter 1606 is for individuals in the Selected Reserve or National Guard. Members should have a six-year obligation to serve in the Selected Reserve signed after June 30, 1985. An officer will need to have agreed to serve six years in addition to the original obligation. Eligible members need to complete initial active duty for training (IADT), obtain a high school diploma or equivalency before applying for benefits, and remain in good standing while serving in an active Selected Reserve unit. The Department of Defense (DOD) is responsible for determining eligibility and issuing DD Form 2384-1 Notice of Basic Eligibility (NOBE). Tuition Assistance, awarded by the respective branch of service, may be available to the National Guard or Active Duty Personnel members. Eligibility requirements are available at the member's unit command.