

NUMBER: 782

SUBJECT: VETERANS EDUCATION BENEFITS – TRANSITION ACT OF 2018

APPROVAL DATE OF LAST REVISION:

REGULATORY CITATIONS: THE VETERANS BENEFITS AND TRANSITION ACT OF 2018 (PUBLIC LAW 115-407)  
US DEPARTMENT OF VETERANS AFFAIRS, EDUCATION SERVICE

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### **782.1– INTRODUCTION OF LAW**

The Veterans Benefits and Transition Act of 2018 was signed into law on December 31, 2018. This law has five sections pertinent to the administration of Veteran's educational benefits with two of the provisions directly affecting schools.

The first provision as implemented below-- in general, allows VA beneficiaries to attend school until VA provides payment without imposed penalty.

The second provision is pending direction of the US Department of Veterans Affairs and will be posted at a later date.

### **782.2– DISALLOWANCE OF IMPOSED LATE FEES**

A popular provision included in the law stops schools from charging student's late fees and taking other punitive actions when school bills go unpaid due to the processing delays at the VA. Although Bridgerland Technical College has not participated in such practices, beginning August 1, 2019, the following policy regarding the disallowance of imposed late fees, as required, has been implemented:

**782.2.1** GI Bill and VR&E (Chapter 33 and Chapter 31) beneficiaries may attend courses within their program of enrollment for up to 90 days or until VA provides payment to the institution.

Students must provide documentation that ensures that the student is entitled to GI Bill benefits. Documentation should be provided to the School Certifying Official (SCO) prior to or immediately after enrolling at the college. Students may attend or participate in program courses beginning on the date on which a certificate of eligibility for entitlement to educational assistance under Chapter 33 or Chapter 31 is provided (or the student's enrolled start date if the start date is later than then the date the student provides the certificate), and ending on the earlier of: the date on which the Secretary provides payment to the institution; or the date that is 90 days after the date on which the college certifies the student's tuition and fees.

**782.2.2** The college will not impose a late fee, deny access to classrooms, libraries, or other facilities, or apply other penalty against a veteran or other eligible person due to late payment of tuition and/or fees from the VA. This restriction on penalties does not apply in cases where the student owes additional payment to the school beyond the amount of the tuition and fee payment expected from the VA to the school.

The VA is expected to make payments to schools no later than 60 days after receiving the tuition and fee certification from the school.

Beneficiaries shall pay to the school the amount that is the difference between the amount of the financial obligation to the school and the amount of the VA disbursement.

### **782.3– DEFINITIONS**

- (a) **GI Bill** – Signed into law in 2008, and effective August 1, 2009, this bill created a new benefits program for service members who served in active duty for more than 90 days since September 10, 2001. Benefits are tiered based on the number of days served on active duty, creating a package that gives current and previously activated National Guard and Reserve members the same benefits as active duty members.
- (b) **Post 9/11 GI Bill (Chapter 33)** – Depending on a student's situation, Chapter 33 benefits can include payment of tuition and fees, a monthly housing allowance, and a stipend for books and supplies. This benefit may be available to veterans and other eligible persons.

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- (c) **VR&E Program (Chapter 31)** – This program assists eligible Veterans with service-connected disabilities and an employment handicap to prepare for, find, and maintain a job.
- (d) **Beneficiary** – For the purpose of this section, a beneficiary or covered individual is one who is entitled to educational assistance under Chapter 33 or Chapter 31.
- (e) **Certificate of Eligibility** – This is a summary of education benefits to which an individual is entitled. The certificate of eligibility is provided by the Veterans Administration to eligible service members, Veterans, and certain dependents and survivors. This document ensures that the student is entitled to GI bill benefits under an identified Chapter. Chapter 33 or 31 eligible students should provide this document to the school's SCO.
- (f) **School Certifying Official (SCO)** – The SCO for the college is a liaison for students and the US Department of Veterans Affairs. The SCO may also serve as advocate for the student between various campus offices.
- (g) **Transition Act of 2018** – Title 38 of the United States Code of Federal Regulation (CFR) is the principal set of rules and regulations issued by federal agencies regarding pensions, bonuses, and veterans' relief. The Transition Act amends title 38 by providing new and minor provisions including changes to Veterans education benefits. Signed into law at the end of the 115<sup>th</sup> Congress, a number of these provisions serve to improve the lives of veterans and their families.