



Changes to the Post-9/11 GI Bill Based on P.L. 111-377

On January 4, 2011, President Obama signed the Post-9/11 Veterans Educational Improvements Act of 2010 into law. The legislation amended the Post-9/11 GI Bill, modifying the rules governing the way VA makes eligibility, award and entitlement calculations. The provisions vary in their effective dates, with some effective on the date of enactment (January 4, 2011) and the later provisions effective on October 1, 2011.

Effective Date of Enactment (January 4, 2011)

The following types of entry level and skill training are now excluded from the computation of total aggregate service needed to qualify for Post-9/11 benefits:

- Army One Station Unit Training
- Coast Guard Skill Training
- Active duty service obligation (ADSO) associated with Coast Guard Academy graduation

An Honorable character of service is now required for all service periods ending on or after January 4, 2011, including those with the following separation reasons:

- A Condition Interfering With Duty (CIWD)
- A condition Existing Prior to Service (EPTS)
- A Hardship (HDSP)

CIWD, EPTS, and HDSP discharges prior to January 4, 2011, that are not Dishonorable may still be qualifying.

Effective Immediately but *Not Payable* until October 1, 2011:

Expands the Post-9/11 GI Bill to include National Guard members who are on active service under title 32 U.S.C. orders, “*for the purpose of organizing, administering, recruiting, instructing, or training*”; or under section 502(f) “*for the purpose of responding to a national emergency*.”

Effective 60 Days after the Date of Enactment (March 5, 2011)

Limits active duty members to the net cost for tuition and fees prorated based on the eligibility tiers (40%-100%) previously established for Veterans.

- Same limitations apply to transferee spouses of active duty servicemembers;
- This will apply to terms beginning on or after March 5, 2011;
- Applies to degree programs with a rate of pursuit of more than one-half time.



Effective August 1, 2011

For Veterans and their transferees: Simplifies the tuition and fee rates for those attending a public school and creates a national maximum for those enrolled in a private or foreign school. *NOTE: The Yellow Ribbon Program still exists for out-of-state fees and costs above the cap.*

- Pays all public school in-state tuition and fees;
- Private and foreign school costs are capped at \$17,500 annually and are prorated based on eligibility tiers (40% - 100%).
- Prorates housing allowance by the student's rate of pursuit (rounded to the nearest tenth). *Example: A student training at a rate of pursuit of 75% would receive 80% of the BAH rate;*

For Active Duty Members and their transferees: creates a national rate for those active duty members enrolled in a private or foreign school pursuing a degree.

- Pays all public school in-state tuition and fees;
- Private and foreign school costs are capped at \$17,500 annually and are prorated based on eligibility tiers (40% - 100%);

Housing Allowance rates will change effective August 1 of each year, not January 1;

Allows those who are eligible for both Vocational Rehabilitation and Employment (chapter 31) benefits and Post-9/11 GI Bill benefits to choose a higher subsistence allowance equal to the basic allowance for housing payable to an E-5 with dependents based on the zip code area where the school is located.

Allows VA to pay MGIB (chapter 30) and MGIB-SR (chapter 1606) "kickers" or college fund payments on a monthly basis instead of a lump sum at the beginning of the term. Kickers will be paid regardless of rate of pursuit or eligibility for the Monthly Housing Allowance. The applicable (MGIB or MGIB-SR) full time kicker rate will be multiplied by the rate of pursuit.

Break or interval pay is no longer payable under any VA education benefit program unless under an Executive Order of the President or due to an emergency, such as a natural disaster or strike.

- *Example: If your semester ends December 15th, your housing allowance is paid for the first 15 days of December only and begins again when your next semester begins January 10th;*



- Students using other VA education programs are included in this change and monthly benefits will be pro-rated in the same manner;
- Entitlement that previously would have been used for break pay will be available for use during a future enrollment.

Allows reimbursement for more than one license or certification test (previously only one test was allowed).

Allows reimbursement of fees paid to take national exams used for admission to an institution of higher learning (e.g., SAT, ACT, GMAT, LSAT). *NOTE: Entitlement will be charged for these fees/tests.*

NOAA and PHS personnel are now eligible to transfer their entitlement to eligible dependents

Effective October 1, 2011

Allows a student on active duty to receive a books and supplies stipend.

Allows students to use the Post-9/11 GI Bill for:

- *Non-college degree (NCD) programs:* Pays actual net cost for in-state tuition and fees at public NCD institutions. At private and foreign institutions, pays the actual net costs for in-state tuition and fees or \$17,500, whichever is less. Also pays up to \$83 per month for books and supplies;
- *On-the-job and apprenticeship training:* Pays a monthly benefit amount prorated based on time in program and up to \$83 per month for books and supplies;
- *Flight programs:* Per academic year, pays the actual net costs for in-state tuition and fees assessed by the school or \$10,000, whichever is less;
- *Correspondence training:* Per academic year, pays the actual net costs for in-state tuition and fees assessed by the school or \$8,500, whichever is less.

Housing allowance is now payable to students (other than those on active duty) enrolled solely in distance learning. The housing allowance payable is equal to 1/2 the national average BAH for an E-5 with dependents. *NOTE: The full-time rate for an individual eligible at the 100% eligibility tier is \$673.50 for 2011.*



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