

# **A Review of Higher Education Opportunities for the Newest Generation of Veterans**

Mar 17, 2015

STATEMENT OF

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BEFORE THE

VETERANS' AFFAIRS SUBCOMMITTEE  
ON ECONOMIC OPPORTUNITY  
UNITED STATES HOUSE OF REPRESENTATIVES

WITH RESPECT TO

**A Review of Higher Education Opportunities for the Newest Generation of Veterans**

WASHINGTON, D.C.

Chairman Wenstrup, Ranking Member Takano and members of the Subcommittee, on behalf of the men and women of the Veterans of Foreign Wars of the United States (VFW) and our Auxiliaries, I want to thank you for the opportunity to present the VFW's perspective on veterans' education programs.

Over the past few years the VFW has worked with this subcommittee to improve the higher education landscape for college-bound veterans through initiatives like the transition assistance program (TAP) mandate; establishing quality consumer resources for student

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veterans; and passing a reasonable in-state tuition protection for recently-transitioned service members and eligible dependent beneficiaries.

Though these initiatives have the ability to improve college-readiness, improve access to a quality, low-cost education, and safeguard student veterans against fraud, waste, and abuse, the VFW remains concerned that far too few eligible veterans take advantage of their earned education benefits, and that veterans who believe they were treated unfairly in higher education still lack viable mechanisms for swift intervention and issue adjudication.

For the balance of our testimony we will focus on ways that these recent initiatives have improved access and accountability for student veterans within higher education, but we will also focus on ways to further improve the system.

## **Consumer Resources**

Three years ago the VFW approached this subcommittee with concerns that veterans were either unaware of how to use their earned education benefits, forgoing higher education, or worse, using their benefits for programs of questionable quality that would not help them achieve their career goals. In early 2013, Congress finally passed the *Improving Transparency in Education for Veterans Act*, offering improved consumer resources and consumer protections for student veterans by directing VA to identify an off-the-shelf comparison tool through which veterans could easily compare institutions of higher learning; as well as commissioning a centralized veterans' feedback system through which veterans could report incidents of potential fraud, waste, and abuse.

In January 2014, VA deployed their new GI Bill Comparison Tool and GI Bill Consumer Feedback System, and the VFW has worked with VA ever since on consistent improvements to both systems. In its infancy, the Comparison Tool consolidated resources from 17 different web pages across three federal agencies into a single online system where veterans could easily find institutional characteristics to help drive informed decision-making. In the ensuing year, the Comparison Tool has undergone several significant redesigns, adding new features like a GI Bill cost calculator, and most recently, the inclusion of student veteran feedback and veteran-specific performance data.

The Comparison Tool is a reliable source of information for college-bound veterans, but the VFW continues to worry that not enough veterans use the system prior to selecting where they want to use their benefits. Since its deployment, the GI Bill Feedback System has collected 2,254 complaints from student veterans on the institutions they attend. The VFW believes that this is positive, considering that more than 900,000 veterans are currently enrolled in some kind of GI Bill program.

In January, VA published its first report on the GI Bill Feedback System, where VA disclosed that only 312 had been adjudicated to date. This figure is what concerns the VFW. We recognize that not all complaints will be actionable, and that nearly half of all complaints registered to the GI Bill Feedback System are related to basic benefit eligibility, and not to problems with a specific school. However, the rate at which VA and its partners are able to triage and respond to complaints is a major concern.

First, the VFW is worried that slow response times will only result in more harm to veterans who are waiting for their concern to be addressed. Complaints logged through the GI Bill Feedback System are supposed to trigger risk-based program reviews for schools where credible complaints start to mount. To date, VA has only conducted 42 program reviews based on the GI Bill Feedback System. With more than 1,100 complaints awaiting triage, the VFW worries that VA and its partners do not have the capability to respond in a timely manner.

Sadly, time is not a luxury that student veterans have, since benefits only last for 36 months of enrollment. VA must have the ability to validate and respond to complaints in a timely manner, otherwise bad practices that may have been reported by veterans will only continue unabated. Moreover, the way in which VA adjudicates complaints has a direct impact on the GI Bill Comparison Tool, since the Comparison Tool now relies on VA's validation and adjudication of complaints in order to publish credible feedback on an institution.

Fortunately, both the Comparison Tool and Feedback System remain marked improvements. The VFW believes these resources have the potential to ensure that veterans remain informed and empowered consumers, capable of choosing quality education programs that will help them to achieve their career goals.

## **Issues Related to Processing**

In 2013, the VFW stood up 1 Student Veteran as a resource for veterans who have questions or an unresolved complaint with their educational benefits. The vast majority of the inquiries we receive are directed toward eligibility and paying for college. However, the most concerning inquiries we receive deal with VA benefit overpayment and debt collection.

Answering questions regarding eligibility are generally straight forward. When student veterans call with concerns regarding financing their education, we ensure they have discussed any available options at their school and direct them to specific scholarship and financial aid options. But when a veteran calls about an overpayment and subsequent debt collection, resolving the issue is not as easy.

Overpayments happen most often when a student-veteran's enrollment status changes. If a

student opts to change from full time to part time, and his or her university fails to notify VA of the change in status, the student-veteran will continue to receive the full living stipend and the university will continue to be paid the full-time rate for tuition. When this happens, VA sends a notification of overpayment and provides a couple options for repayment. If the veteran is unable to make a timely repayment, their debt is sent to collections and VA will garnish payments until the debt is repaid.

The VFW believes veterans should be responsible for repaying the overpayment, but often times they have limited resources and immediately paying out of pocket can be a struggle. To eliminate this stress, the VFW proposes presenting veterans with three options for repayment when they are notified of the overpayment. They can either elect to have the overpayment immediately garnished from their next stipend payments, arrange to have the overpayment repaid over several months, or have their months of eligibility reduced by the number of months that must be repaid. If the veteran leaves his or her education program before the debt is repaid or they withdraw before they use the entirety of their benefit, they would be obligated to repay VA the difference of the overpayment. This will allow veterans some flexibility in repaying the debt without the fear of falling behind financially.

## **Transition Assistance Program**

In concert with the Transition Assistance Program (TAP) mandate, the Department of Defense was tasked with designing three voluntary track curricula for transitioning service members, to include the Accessing Higher Education track. Since its launch in 2013, the Accessing Higher Education track has also gone through several iterations, ensuring that it can adequately prepare transitioning service members to make informed educational choices. The VFW readily acknowledges that TAP in its current form is a significant improvement over past iterations of TAP, and we applaud DOD and its partners for their work on the Accessing Higher Education track.

However, the VFW remains concerned that many transitioning service members will not have access to a classroom-proctored discussion as part of TAP. As the VFW visits military installations, we continue to hear that small unit commanders remain reluctant to allow junior transitioning service members to participate in TAP. Even though TAP is now a commander's program, the VFW believes that some military commanders still fail to take TAP seriously. In our visits to transition sites, this is not as much of an issue for mid-career service members or retirees. However, it has a direct impact on the transition of first-term enlisted service members, who likely need the training the most.

During the VFW's recent legislative conference, one of our inaugural VFW-SVA Legislative Fellows recalled his experience transitioning in 2012. He was aware of the TAP mandate, and his unit commanders took it seriously. However, his immediate supervisor, a Marine

Corps E-5, discouraged him and his other colleagues from taking time away from unit business to participate in transition activities.

Examples like this are why the VFW supported last year's provision to make participation in the Accessing Higher Education track mandatory for college-bound transitioning service members. However, the VFW acknowledges that this is not necessarily a problem that can be solved solely through policy initiatives, but will likely take a major cultural shift within the military. With that in mind, the VFW continues to advocate for consistently delivering transitional training throughout the military lifecycle, and ensuring veterans still have access to training and resources after leaving the military.

DOD and its partners have already taken steps to accomplish this by making every TAP module available on a public-facing website for veterans to use as a reference guide. However, this is no substitute for proctored discussions in a classroom setting.

### **In-State Tuition Protection**

Over the past few years, the VFW has recognized that veterans' prior military service often inhibited access to the quality, cost-effective education offered by many public colleges and universities. Simply put, the transience of military life often precluded recently-separated service members and their dependents from satisfying strict residency and physical presence requirements for many public schools to offer in-state tuition.

Most recently, the VFW has heard from several veterans in California through our 1 Student Veteran initiative who reported that while they were legal residents of California while serving in the military, duty assignments precluded them from receiving in-state tuition at the public colleges that were directly supported by their tax dollars. Fortunately, this summer, this will no longer be allowed.

Through the *Veterans Access, Choice, and Accountability Act* (VACAA) passed last summer, public colleges and universities that do not offer in-state tuition to veterans and their GI Bill-eligible dependents within three years of separation from the military will no longer be allowed to participate in the GI Bill. Over the past three years, the VFW has worked diligently on a state-by-state level to push for favorable in-state tuition policies for veterans. By the time VACAA was signed into law, more than 20 states had agreed to extend in-state tuition to their veterans.

However, the VACAA protection is not without its implementation roadblocks. The original legislation offered states two years to come into compliance with the mandate. However, by the time the legislative process ran its course, the compliance window was reduced to less than a year. Moreover, the state-by-state efforts of the VFW and our partners had only

primed states to accept veterans as in-state students, meaning that many states had not made considerations for GI Bill-eligible dependents.

If states and public university systems do not come into compliance by July, these two roadblocks have the potential to lock out certain veterans and eligible dependents from certain public programs. Fortunately, the VFW sees positive momentum on behalf of states who wish to come into compliance by the deadline. The VFW only knows of a handful of states whose legislative processes may not allow for compliance by the start of the coming academic year. However, the VFW does support offering limited waivers to such states and educational systems, allowing them to still participate in the GI Bill, with the caveat that they must come into compliance no later than July 2016.

In recent months, the VFW has conducted meetings with the State Approving Agencies, the National Governors Association, and the National Association of State Legislatures in an effort to gauge concerns at the state level. We are encouraged by what we have heard and are confident that states will take the necessary steps to comply.

In an effort to further encourage compliance and dispel myths about the new in-state tuition protection, the VFW has also developed a one-pager for use by our local advocates, who serve as the VFW's voice in state government. As the compliance deadline draws closer, the VFW intends to keep its pulse on developments, and we encourage this subcommittee to do the same, holding VA and its partners accountable for fostering compliance.

Chairman Wenstrup, Ranking Member Takano, this concludes my testimony and I am happy to answer any questions you may have.

#### **Information Required by Rule XI2(g)(4) of the House of Representatives**

Pursuant to Rule XI2(g)(4) of the House of Representatives, VFW has not received any federal grants in Fiscal Year 2014, nor has it received any federal grants in the two previous Fiscal Years.

The VFW has not received payments or contracts from any foreign governments in the current year or preceding two calendar years.