

STATEMENT FOR
THE RECORD BY
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LEGISLATIVE DIRECTOR
NATIONAL ASSOCIATION OF STATE APPROVING AGENCIES
BEFORE THE
SUBCOMMITTEE ON ECONOMIC OPPORTUNITY
COMMITTEE ON VETERANS AFFAIRS
UNITED STATES HOUSE OF REPRESENTATIVES
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Introduction

Chairman Boozman, Ranking Member Herseth and members of the Subcommittee on Economic Opportunity, I am pleased to appear before you today on behalf of the National Association of State Approving Agencies to provide comments on “ways to make VA’s education benefits more flexible and ease the administration of the benefit for both colleges and universities, and students”. We also appreciate the opportunity to present our views on the Total Force Montgomery GI Bill proposal that was introduced by the Secretary’s Advisory Committee on Education and is supported by the Partnership for Veterans Education, a coalition of over fifty military, veteran services and educational organizations.

Remarks

As a founding member of the Partnership, the Association is proud to support the Total Force Montgomery GI Bill proposal. It is an idea whose time is overdue. The security and, I dare say, the future of our nation is hinged upon the efforts and successes of the one percent of our population who put their lives on the line for the freedoms that we all so thoroughly enjoy. They deserve no less from the rest of us than to be provided the best possible programs and services to insure that they can continue to strive to be the leaders and builders of tomorrow. As has been or will be stated by others here today, the Total Force MGIB is a relatively simple, but far reaching proposal. It simplifies administration and therefore should bring efficiency and costs savings to the federal government and it creates equality for those who serve on active duty from the Selected Reserve forces – equal opportunities and benefits for equal service rendered. These do not exist today. We have a cumbersome and time consuming process based on the need for extensive interaction between the Departments of Defense and Veterans Affairs and we have developed what I will label as one of the worst forms of coercion that our nation could have created. To retain GI Bill educational assistance, a Selective Reservist must remain active in the Reserves, despite the fact that they may have been deployed to a war zone more than once. We believe that they are an integral part of the Total Force military and should be treated as such in all respects.

There are several recommendations that we would like to offer on ways to make the VA's educational assistance programs more flexible, some of which have been previously expressed in the Association's formal Legislative Agenda. First, however, we would like to commend the Congress on its achievements. Much has been done in recent years to provide service members, veterans and other eligible persons with greater opportunities to use the education and training benefits which they have earned. Provisions concerning licensing and certification tests, accelerated payments, college entrance and advance placement exams, and an expanded definition for what constitutes an educational institution have all been enacted and have proven to be very helpful to veterans. Yet, the very nature of today's learning environments and ever evolving global economy demand that we continue our improvement efforts to insure that the programs remain viable. We are truly in a world where lifelong learning is vital to our nation remaining a world leader. It is imperative that we work to make sure that our veterans have the best possible opportunities to enhance their knowledge and learn new skills so that they can maximize their contributions to their families, their communities and the nation. In our view, the GI Bills should be the premier educational assistance programs in the country, bar none.

With the above statement as a backdrop, the Association would like to offer the following recommendations for change in the provisions of law for the administration of the various GI Bills.

1. Recommendation – Revise Section 3452 (c) of Title 38, U.S. Code to provide for the use of VA educational assistance benefits for enrollment in any unit course or subject, or combination of courses or subjects (Title 38 terminology) necessary to obtain, maintain, or advance in a profession or vocation.

The law already provides for limited use of benefits for course(s) "to fulfill requirements for the attainment of a license or certificate....in a high technology occupation". This recommendation expands the provision to all professions and vocations/occupations; recognizes that a single unit course or subject may be all that a veteran needs to obtain, maintain, or advance in a profession or vocation; and, provides for the use of benefits while enrolled in a subject or a combination of subjects without requiring a connection to a license or certificate.

2. Recommendation – Create a Task Force of representatives from Congressional Committee staff, VA and NASAA to establish a new set of approval criteria, possibly as Subsection E under Section 3676 of Title 38, U.S. Code, for the purpose of approving the kind of course pursuit described in Recommendation 1.

Most of the private entities described in Section 3452 (c) are approved as non-accredited under the provisions of Section 3676 of Title 38, U.S. Code. This Section requires a "soup to nuts" evaluation of a program of education offered by the institution and, historically, has proven to be invaluable to insuring the quality and integrity of the programs offered by these types of institutions. However, are all of the criteria necessary

to insure the quality and integrity of learning experiences that are short in duration, whether offered by a Continuing Education Division of a postsecondary educational institution or a private entity as currently provided for in Section 3452(c)? Are entrance requirements; a certificate of completion; and, policies on credit for prior learning, academic progress, conduct, attendance and pro rata refund really necessary for the approval of a 40 hour Hazmat course or a 160 hour Oil Burner course? Members of Association are discussing this issue and believe that we are now at the point of where deliberations by a wider circle of stakeholders would be beneficial.

3. Recommendation – Revise Section 3014A to allow accelerated payment of basic educational assistance for education leading to employment in industries other than “high technology” and place limitations on the length of such programs for use of the provision.

Even with the recent increases in the monthly benefit amount, some veterans find it cost prohibitive to enroll in an institutional program that will provide the knowledge and skills necessary for them to reach their occupational or professional objective. Removing the current restriction that requires enrollment in a program that leads to employment in a high technology industry would allow greater opportunities for more veterans to use their GI Bill benefits. Additionally, revise the law to limit the length of a program that qualifies for accelerated payment to two years. The discussions that led up to the enactment of the original legislation centered on short term high technology courses. The language that was enacted does not impose any limitations on length, therefore all high technology programs, including many four year degree programs, qualify.

4. Recommendation – Revise the period of operation (two year) rule to exempt certain non-degree programs. The programs would be ones that are offered by (1) an accredited, degree granting, proprietary for profit or not for profit educational institution or (2) a degree offering branch of such institutions when the institution has at least one degree program already approved for GI Bill purposes.

The intent of Congress when it revised the period of operation rule in 1996 can be found in several documents issued during 1995 and 1996. The following excerpt taken from the Explanatory Statement on S. 1711, As Amended, summarizes that intent. “Section 201 of H.R. 3673 would: (a) remove the two year rule restriction on all degree granting institutions, including branch campuses (but not on non-degree granting institutions)...” Changing the rule in accordance with the Recommendation would affect branch locations since in most, if not all, cases the parent campus will have been in operation for two years before attaining accreditation. The change also would be consistent with the determinations that already have been made about the quality and integrity of the degree programs offered by the institution and the capacity of the institution to fulfill its commitment to students.

5. Recommendation – Revise the pro-rata refund policy requirement [Section 3676 (c)(13)] by exempting government or government supported institutions. A second sentence could be added to part (13) stating that “This provision is not applicable to local, state or federal government institutions or government supported institutions.”

This change would allow greater flexibility in approving creditable programs of education, especially those offered by governmental or quasi-governmental entities. There are times when the curriculum, instructional methodologies and instructional resources as well as the policies for student enrollment are solidly intact for providing the knowledge and skills necessary for a veteran to enter a profession or occupation. The only provision in law that prohibits the approval of the program is the requirement that the institution have a pro-rata refund policy. In the case of many public entities, they are required to be “affordable” but yet “self-sustaining” and, therefore, operate a very close margin between revenues and expenditures. Within this context, a prolonged refund policy is not practical.

6. Recommendation – Continue the rate of educational assistance benefits currently in place for veterans enrolled in Apprenticeship and other On-the-Job Training programs.

The law was changed, effective October 1, 2005, to increase the rate of benefits received by veterans and other eligible persons who are enrolled in apprenticeship and OJT programs. The rate is now 85% of the full time institutional rate for the first six months, 65% for the second six months of training and then 45% for the third and any succeeding period of time. This increase is for a limited period of time – it expires on September 30 of 2007. It is a too early to know for sure, but early indications are that the increases have had a positive effect on the ability of veterans to use this way of gaining knowledge and skills for the occupations or professions of their choice. In combination with extensive outreach activities, there has been a 39.9% increase in the number of approved and active training establishments from 1997 to 2003, and a 53.8% increase in the number of program approval actions at job training establishments from 1997 to 2005. We anticipate continual growth in the use of job training programs.

7. Recommendation – Revise certain Sections of Title 38, U.S. Code that pertain to Correspondence courses; specifically Section 3672(e) by reducing the six month requirement to complete the program or course to three months, Section 3686(a)(1) by increasing the educational assistance allowance payable from 55 percent to 60 percent of reimbursable costs, and Section 3686(b) by reducing the ten day enrollment affirmation period to five days.

The law governing the administration of correspondence courses was written in a time before there was wide spread use of computers and the internet. Technology is such today that it provides instantaneous interaction between the student and instructor. The need to insure that ample time for ‘mail to arrive’ is no longer a factor. A five day affirmation period and a three month learning experience are both supported by

communication standards of the day and in line with the changing learning environments of the 21st Century. Condensed, short term programs of education are offered by various institutions and can fulfill the needs of many veterans as they pursue their occupational or professional goals.

8. Recommendation – Revise Section 3680A(a)(4) by adding a new subpart, “or (C) remedial or deficiency courses required by an accredited institution of higher learning for entrance into one of their approved postsecondary programs of education”.

The law currently provides for the payment of VA educational assistance benefits for enrollment in remedial and deficiency courses required for successful entrance and completion of a degree, diploma or certificate program of education if required by the postsecondary educational institution in which the veteran is seeking to enroll. These types of courses are currently offered by postsecondary institutions as a traditional classroom experience or through technology as online education. This change would provide veterans with opportunities to use their benefits when enrolled in either delivery mode; online course enrollments are currently prohibited.

9. Recommendations Regarding VA Benefit Processing – Encourage VA to (a) promote annual certification of students versus term by term or semester by semester, (b) expedite the development of systems for accepting the electronic signatures of veterans by Regional Processing Offices on VA application forms and (c) provide sufficient discretionary funding for the improvement of technological systems associated with the payment of VA educational assistance benefits, especially for apprenticeship and OJT programs.

Closing

In closing, Mr. Chairman, I would like to thank you again for the opportunity to comment on the Total Force Montgomery GI Bill proposal, ways to make VA’s education benefits more flexible, and ways to ease the administration of the benefit for colleges, universities and students. We very much appreciate your efforts to make improvements to the educational assistance programs for those who defend the freedoms that we all so thoroughly enjoy. From a grateful nation, they deserve no less. I would be happy to respond to any questions that you might have.