

# AVECO 2017

## Family Member Programs

You are here

We are here  
to help you  
find your way



# Topics We Will Discuss

- Applications
- Eligibility
- Transferability
- Periods of service
- Recent Changes to Army's Interpretation of 10 USC § 12301(d) for Eligibility to Post 9/11 GI Bill and Transfer of Education Benefits (TEB)
- Recent Changes for Spouses Regarding Fry Scholarship
- Expansion of Resident Rate Requirements

# Overview

- What is the CH35 Dependent Education Assistance Program
- What are the eligibility Requirements for CH35 – Spouse/ Child Dependent
- How should an eligible person apply for the CH35 benefit
- What type of training does the CH35 benefit cover, how will it be paid
- CH33 Fry Scholarship for Dependents/Eligibility
- What training programs are covered by CH33 Fry
- Payments for CH33 Fry Recipients
- Post 9/11 GI Bill – Transfer of Entitlement/ TOE

# Overview

- Eligibility Requirements for TOE
- CH33 TOE and CH33 FRY- What's the Difference/Similarities
- What does "Election" mean and how can it effect the dependents CH33 TOE benefits
- How are the CH33 TOE benefits percentages determined for CH33 TOE
- What Training Programs are covered by CH33 TOE benefits.

# Chapter 35 (DEA)

Dependents' Educational Assistance provides education and training opportunities to eligible dependents of certain veterans. The program offers up to 45 months of education benefits.

## Eligibility-

- Dependent or Spouse of Veteran who:
  - Died or is considered 100% service connected disabled
  - Died due to service connected disability
- Generally paid between the ages of 18-26 to children
- Spouse 10 years from date of eligibility

**VA Pays the student, the student is responsible for tuition and fees.**

# Chapter 35 (DEA)

<b>Training Time</b>	<b>Monthly rate</b>
Full time	\$1024.00
$\frac{3}{4}$ time	\$767.00
$\frac{1}{2}$ time	\$510.00
less than $\frac{1}{2}$ time and more than $\frac{1}{4}$ time	\$510.00 **
$\frac{1}{4}$ time or less	\$256.00 **

## Rates Effective 10/1/2016

\*\*Tuition and Fees ONLY. Payment cannot exceed the listed amount.

**VA Pays the student, the student is responsible for tuition and fees.**

**“SCO Note: You can certify for Retro enrollments for Ch35 once the eligibility is established.”**

# Fry Scholarship/Chapter 33

## **Fry Scholarship**

### WHAT IS THE MARINE GUNNERY SERGEANT JOHN DAVID FRY SCHOLARSHIP?

The Marine Gunnery Sergeant John David Fry Scholarship provides Post-9/11 GI Bill® benefits to the children and surviving spouses of service members who died in the line of duty while on active duty after September 10, 2001. Eligible beneficiaries attending school may receive up to 36 months of benefits at the 100% level.

- Full tuition & fees paid directly to the school for all public school in-state students. For those attending private or foreign schools, tuition & fees are capped at a statutory maximum amount per academic year.
- A monthly housing allowance.
- A books & supplies stipend.

*NOTE: Fry Scholarship beneficiaries are not eligible for Yellow Ribbon Program benefits.*

# Fry Scholarship/Chapter 33

- **Eligibility**

- Children and surviving spouses of an active duty member of the Armed Forces who died in the line of duty on or after September 11, 2001 are eligible for this benefit. Children are eligible as of their 18th birthday (unless they have already graduated high school). A child may be married or over 23 and still be eligible, although their eligibility ends on their 33rd birthday. A spouse will lose eligibility to this benefit upon remarriage. Spouses have 15 years from the date of death of the Service member to use the benefit. ***Because certain provisions of the law, that extended these benefits to spouses did not go in effect until January 1, 2015, some surviving spouses' benefits would have expired in 2016. A new provision of the law signed on December 16, 2016, extends the benefit eligibility to January 1, 2021 for the spouses of Servicemembers who died in the line of duty between September 11, 2001 and December 31, 2005. This allows surviving spouses' additional time to use the Fry Scholarship benefits.***

# Fry Scholarship/Chapter 33

## **Eligibility Con't:**

- If you are eligible for both Fry Scholarship and DEA (Dependents Educational Assistance), you will be required to make an irrevocable election between the two programs when you apply. Dependents are not eligible to receive both DEA and the Fry Scholarship based on the same event (like a Service member dying in the line of duty) unless he or she is a child whose parent died prior to August 1, 2011. A child of a parent who died prior to August 1, 2011 may still be eligible for both benefits but he/she may only use one program at a time and combined benefits are capped at a total of 81 months of full-time training. In this situation the two benefit programs cannot be used concurrently.

# Fry Scholarship/Chapter 33

## Eligibility Con't:

- **Children** of active duty members of the Armed Forces who died in the line of duty after September 10, 2001, are eligible for this benefit.
- A child may begin an approved program of education before the age of 18 if they have received their High School Diploma.
- Eligibility ends on the child's 33rd birthday.
- A child's marital status has no effect on eligibility.
- **Surviving spouses** of active duty members of the Armed Forces who died in the line of duty after September 10, 2001, are also eligible for this benefit.
- A surviving spouse's eligibility generally ends 15 years after the Service member's death(see changes slide 7)
- A spouse will lose eligibility to this benefit upon remarriage if this occurs during the 15 year period.

# TOE/Chapter 33

- For service members who served on active duty after 9/10/01
- Pays up to full in-state tuition and fees at Public Schools
- Pays up to \$ **21,970.46** for tuition and fees per academic year at Private School  
(School Year Effective 8/1/2017-7/31/2018 **\$22,805.34**)
- Stipend for Books and Supplies
- Housing stipend—E5 w/dep rate
- Tuition, Fees, Yellow Ribbon are all paid on behalf of the student to the school
- **All payments are paid at the percentage level as determined by Veteran's length of active duty service**

# TOE/Chapter 33 (TEB)

## **Transfer Post-9/11 GI Bill to Spouse and Dependents**

The transferability option under the Post-9/11 GI Bill allows Service members to transfer all or some unused benefits to their spouse or dependent children. The Department of Defense (DoD) determines whether or not you can transfer benefits to your family.

# TOE/Chapter 33

## **Type of Assistance**

Eligible Service members may transfer all 36 months or the portion of unused Post-9/11 GI Bill benefits (unless DoD or the Department of Homeland Security has limited the number of transferable months). A Vet may transfer benefits to the following individuals:

A spouse

One or more children

Any combination of spouse and child

# TOE/Chapter 33

Family members must be enrolled in the Defense Eligibility Enrollment Reporting System (DEERS) and be eligible for benefits at the time of transfer to receive transferred benefits.

The option to transfer is open to any member of the armed forces active duty or Selected Reserve, officer or enlisted who is eligible for the Post-9/11 GI Bill, and meets the following criteria:

# TOE/Chapter 33

- Has at least six years of service in the armed forces (active duty and/or Selected Reserve) on the date of approval and agrees to serve four additional years in the armed forces from the date of election.
- Has at least 10 years of service in the armed forces (active duty and/or Selected Reserve) on the date of approval, is precluded by either standard policy (by Service Branch or DoD) or statute from committing to four additional years, and agrees to serve for the maximum amount of time allowed by such policy or statute.

# TOE/Chapter 33

- Is or becomes retirement-eligible and agrees to serve an additional four years of service on or after Aug. 1, 2012. A Service member is considered to be retirement-eligible if he or she has completed 20 years of active federal service or 20 qualifying years as computed (pursuant to section 12732 of title 10 U.S.C.).
- Transfer requests are submitted and approved while the member is in the armed forces.

# TOE/Chapter 33

## Transfer Process

- While in the armed forces, transferors use the Transfer of Education Benefits (TEB) website to designate, modify, and revoke a Transfer of Entitlement (TOE) request. After leaving the armed forces, transferors may provide a future effective date for use of TOE, modify the number of months transferred, or revoke entitlement transferred by submitting a written request to VA.

Upon approval, family members may apply to use transferred benefits with VA by printing, completing, and mailing the [VA Form 22-1990e](#) to their [nearest VA regional office](#) of applying [online](#). VA Form 22-1990e should only be completed and submitted to VA by the family member after DoD has approved the request for TEB. *Do not use VA Form 22-1990e to apply for TEB.*

# TOE/Chapter 33

## **Marriage and Divorce**

- A child's subsequent marriage will not affect his or her eligibility to receive the educational benefit; however, after an individual has designated a child as a transferee under this section, the individual retains the right to revoke or modify the transfer at any time.
- A subsequent divorce will not affect the transferees eligibility to receive educational benefits; however, after an individual has designated a spouse as a transferee under this section, the eligible individual retains the right to revoke or modify the transfer at any time.

# TOE/Chapter 33

## Reallocation of Benefits

- If a Service member wants to reallocate transferred benefits they can do so using the TEB Portlet in MilConnect at <https://www.dmdc.osd.mil/milconnect>. If a Veteran wants to reallocate benefits they should contact the VA using our "Ask A Question" website <http://gibill.custhelp.com>.
- If transferred benefits are totally revoked for a dependent a Service member must resubmit a transfer request for the dependent via MilConnect
- *a Veteran cannot re-transfer benefits to a dependent if the dependent's transfer eligibility was previously totally revoked.*

# TOE/Chapter 33

## **Nature of Transfer**

- Family member use of transferred educational benefits is subject to the following rules:

### **Spouses**

- May start to use the benefit immediately
- May use the benefit while the member remains in the Armed Forces or after separation from active duty
- Are not eligible for the monthly housing allowance while the member is serving on active duty
- Can use the benefit for up to 15 years after the service members last separation from active duty
- Programs must be approved
- All classes certified must apply toward the students program

# TOE/Chapter 33

## **Children**

- May start to use the benefit only after the individual making the transfer has completed at least 10 years of service in the armed forces
- May use the benefit while the eligible individual remains in the armed forces or after separation from active duty
- May not use the benefit until he or she has attained a secondary school diploma (or equivalency certificate), or he or she has reached age 18
- Is entitled to the monthly housing allowance stipend even though the eligible individual is on active duty
- Is not subject to the 15-year delimiting date, but may not use the benefit after reaching 26 years of age

# Expansion of Resident Rate Requirements

Congress recently passed the Jeff Miller and Richard Blumenthal Veterans Health Care and Benefits Improvement Act of 2016 - this law expanded the coverage of who is eligible for the resident rate at public institutions of higher learning.

## **1. Expanded an existing category**

- Fry Scholarship beneficiaries who live in the state in which the public institute of higher learning (IHL) is located were already covered but now they are no longer required to enroll within three years of the Servicemember's death, and the Servicemember does not have to have served a minimum of ninety days on active duty.

## **2. Added a totally new category**

- Dependents who live in the state in which the public IHL is located and are using transferred Post-9/11 GI Bill benefits while the transferor (Servicemember) is on active duty are now covered and must also be charged the resident rate

# Expansion of Resident Rate Requirements (Con't)

- All states and territories are working with VA to comply with the law. To help with your educational planning and ensure transparency, we have a listing of each state, territory, and district's status on our website, <http://www.benefits.va.gov/gibill/417.asp>. This page will be updated regularly so that you can follow any progress and know what is going on in your particular state, territory, district, or school.
- To remain approved for VA's GI Bill programs, schools must charge in-state tuition and fee amounts to "covered individuals." A covered individual is defined as:
- A Veteran who lives in the state where the IHL is located (regardless of his/her formal state of residence) and enrolls in the school within three years of discharge from a period of active duty service of 90 days or more.
- An individual using transferred benefits who lives in the state where the IHL is located (regardless of his/her formal state of residence) and enrolls in the school within three years of the transferor's discharge from a period of active duty service of 90 days or more.

# Expansion of Resident Rate Requirements (Con't)

- Anyone described above while he or she remains continuously enrolled (other than during regularly scheduled breaks between courses, semesters, or terms) at the same school. The person so described must have enrolled in the school prior to the expiration of the three year period following discharge or release as described above and must be using educational benefits under either chapter 30 or chapter 33, of title 38, United States Code.
- Anyone using transferred Post-9/11 GI Bill benefits who lives in the state where the IHL is located and the transferor is a member of the uniformed service who is serving on active duty.
- Anyone using benefits under the Marine Gunnery Sergeant John David Fry Scholarship who lives in the state where the IHL is located (regardless of his/her formal state of residence).

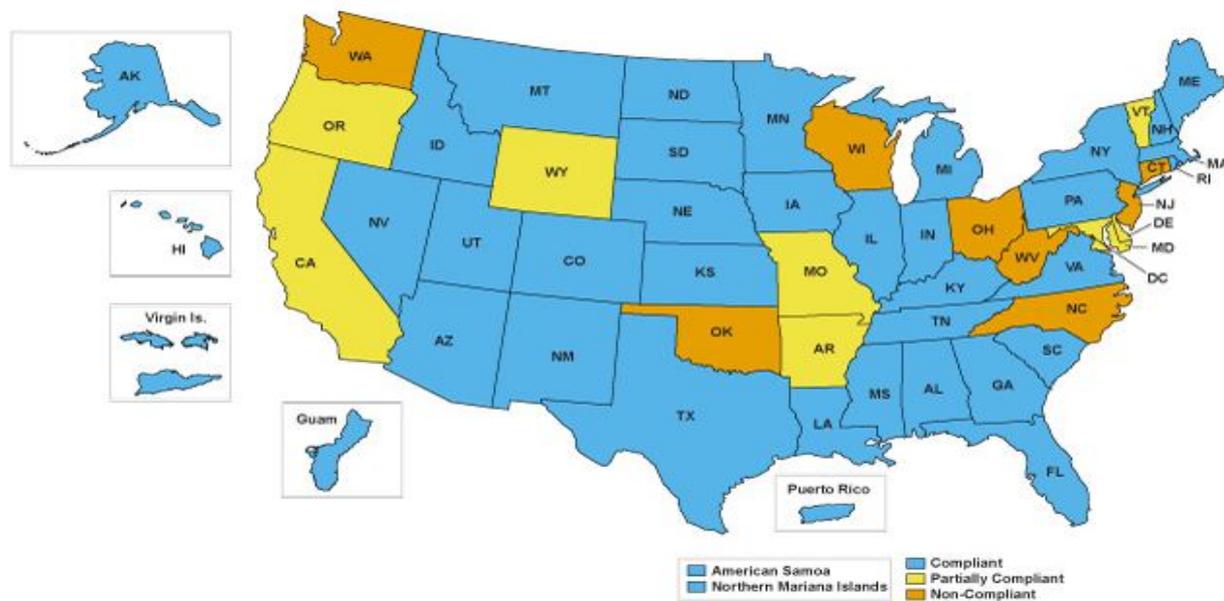
# Expansion of Resident Rate Requirements (Con't)

- The in-state tuition provisions in Section 417 do not apply to those individuals on active duty using benefits under the Post-9/11 GI Bill and Montgomery GI Bill-Active Duty.
- Public IHLs must offer in-state tuition and fees to all covered individuals with Post-9/11 GI Bill and Montgomery GI Bill - Active Duty (MGIB - AD) benefits in order for programs to remain approved for GI Bill benefits for terms beginning after July 1, 2017. After July 1, 2017, VA will not issue payments for any students eligible for the Post-9/11 GI Bill or the MGIB-AD until the school becomes fully compliant. These requirements ensure our nation's recently discharged Veterans, and their eligible family members, will not bear the cost of out-of-state charges while using their well-deserved education benefits.

# Expansion of Resident Rate Requirements (Con't)

## Is my state or school compliant with the GI Bill Resident Rate Requirements?

The map below indicates which states and schools are currently compliant with the requirements in Section 417. Please check back for an up-to-date status of your school/state!



# Questions?

The screenshot displays the U.S. Department of Veterans Affairs website. At the top, the VA logo and name are visible, along with a search bar and social media icons. A navigation menu includes links for Health, Benefits, Burials & Memorials, About VA, Resources, Media Room, Locations, and Contact Us. The main content area is titled "Education and Training" and features a large banner for the "VA GI Bill® Feedback System" and a "VA GI Bill Comparison Tool". A left-hand navigation menu lists various services, with "For Students" highlighted by a red circle. Other visible elements include a "Choose a School" button and a "POST 9/11 GI BILL" logo.

# Sources of Assistance

## **VA Education Customer Service**

**888-442-4551**

## **VA SCO Hotline** (For Certifying Officials only)

**855-225-1159**

## **Debt Management Center**

**800-827-0648**

## **VA Email Inquiry System (aka RNW)**

**[www.benefits.va.gov](http://www.benefits.va.gov)**

**[www.vets.gov](http://www.vets.gov)**