COLLEGE OF MICRONESIA-FSM

BOARD POLICY NO. 4810

US Veterans Educational Benefits-School Compliance Policy

Date Adopted: 27 November 2019

Date Revised: 22 March 2014; 21 March 2019

Date Reviewed: 21 March 2019;

References: 38 U.S.C. § 3679(e); Veterans Benefits and Transition Act of 2018; Pub. L. 115-407, § 103; Pub. L. 117-68 (Chapter 35); Pub. L. 119-55 (Chapter 1606); 38 U.S.C. Chapters 31, 33, and 35; 10 U.S.C. Chapter 1606; 38 CFR Part 21. ~~Title 38 United States Code Section 3679(e) School Compliance Veterans Benefits and Transition Act of 2018; Section 3679 of Title 38; Public Law 115-407 sections 103 and 104~~

I. Purpose

This policy ensures the College does not penalize students who receive U.S. Department of Veterans Affairs (VA) educational benefits when VA payment to the College is delayed, as required by 38 U.S.C. § 3679(e).

II. Purpose

1. **Covered individual.** Any person entitled to educational assistance under Chapter 31 (Veteran Readiness and Employment), Chapter 33 (Post-9/11 GI Bill), or Chapter 35 (Survivors' and Dependents' Educational Assistance) of Title 38, U.S. Code, or Chapter 1606 (Montgomery GI Bill, Selected Reserve) of Title 10, U.S. Code. This includes veterans, service members, reservists, and eligible spouses, children, and survivors.
2. **Certificate of eligibility.** The VA document showing entitlement to benefits. This may include a Statement of Benefits obtained from the VA website, or VA Form 28-1905 for Chapter 31 authorization. For Chapters 35 and 1606, it means the equivalent eligibility documentation issued by VA or the Department of Defense.
3. **Secretary.** The Secretary of Veterans Affairs.

III. Right to Attend

A covered individual may attend or participate in the course of education from the date the individual provides the College a certificate of eligibility until the earlier of:

1. the date the Secretary makes payment to the College for the course of education; or
2. 90 days after the date the College certifies tuition and fees following receipt of the certificate of eligibility.

IV. No Penalties

During the period in Section III, the College will not impose any penalty on a covered individual because of an inability to meet financial obligations to the College due to delayed VA disbursement. Penalties include late fees, denial of access to classes, libraries, or other institutional facilities, and any requirement to borrow additional funds. The College will also not deny enrollment or registration, or place a hold on records, solely for this reason.

V. Student Responsibilities

The College may require a covered individual to:

1. submit a certificate of eligibility no later than the first day of the course of education for which the individual wishes to use the benefit;
2. submit a written request to use the entitlement; and
3. provide additional information necessary for the College to properly certify enrollment.

VI. Payment Shortfalls

If VA disburses less than the amount the student owes, the College may require the student to pay the difference between the College's charges and the amount VA paid, and may charge applicable fees on that difference.

VII. Administration

1. The College's VA School Certifying Official (SCO) will administer this policy, and the Vice President for [Enrollment Management and Student Services / Business Affairs] is responsible for its implementation.
2. The College will publish this policy in the catalog, on its website, and in materials given to students who identify as receiving VA benefits.
3. Before the protection period in Section III ends, the SCO will notify the student in writing of any remaining balance and available payment options.
4. The Business Office and Financial Aid Office will apply this policy consistently and will not treat pending VA payments as delinquent.

VIII. Review

This policy shall be reviewed at least every threeyears and whenever 38 U.S.C. § 3679 is amended.

~~US veteran students must be allowed to attend or participate in the course of education during the period beginning on the date on which they provide their certificate of eligibility for entitlement to educational assistance under Chapter 31 or 33 (a "certificate of eligibility" can also include a "Statement of Benefits" obtained from the Department of Veterans affairs' website, or a VAF 28-1905 form for Chapter 31 authorization purposes) and ending on the earlier of the following dates:~~

1. ~~The date on which payment from the US Department of Veterans Affairs (VA) is made to the institution.~~
2. ~~90 days after the date the institution certified tuition and fees following the receipt of the certificate of eligibility.~~

~~No penalty, including assessment of late fees, the denial of access to classes, libraries, or other institutional facilities, or the requirement that a covered individual borrow additional funds shall be imposed if the individuals' inability to meet his/her financial obligation to the college is due to the delayed disbursement of funding from VA under Chapter 31 or 33.~~