

Title 38 United States Code Section 3679(e) School Compliance Form

As part of the Veterans Benefits and Transition Act of 2018, section 3679 of title 38, United States Code was amended, and educational institutions will be required to submit their policy detailing compliance with this law, by catalog or by addendum to an approved catalog, to the State Approving Agency (SAA).

Effective August 1, 2019, the State approving agency, or the Secretary when acting in the role of the State approving agency, shall disapprove a course of education provided by an educational institution that has in effect a policy that is inconsistent with the areas below:

NOTE: A **Covered Individual** is any individual who is entitled to educational assistance under chapter 31, Vocational Rehabilitation and Employment, or chapter 33, Post-9/11 GI Bill benefits and who submits a VA Certificate of Eligibility to the enrolling institution.

- Your policy must permit any covered individual to attend or participate in the course of education, without financial or access penalty, during the period beginning on the date on which the individual provides to the educational institution a certificate of eligibility for entitlement to educational assistance under chapter 31 or 33. A “certificate of eligibility” may also include a “Statement of Benefits” obtained from the U. S. Department of Veterans Affairs’ (VA) website – eBenefits, or a VAF 28-1905 form for chapter 31 authorization purposes. The period of time when the school may not assess a financial or access penalty against a covered individual ends on the earlier of the following dates:
 1. The date on which payment from 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.
- Specifically, the school’s policy must ensure that your educational institution will not impose any penalty, including the 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, on any covered individual because of the individual’s inability to meet his or her financial obligations to the institution due to the delayed disbursement of funding from VA, under chapter 31 or 33.

Your signature on this document attests that your facility currently complies with the requirements of 38 USC 3679(e).

Please provide the SAA with a copy of this attestation, effective August 1, 2019. You may also amend your currently approved catalog, by addendum, or you may submit a new publication of your catalog, where you detail compliance with this law. Please ensure continuing SAA approval with policies in the next publication of your catalog, bulletin, or website which align with all of the above requirements.

School Name

VA Facility Code

Print Name and Title of Official

Signature and Date

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In addition, statute (38 USC § 3679(e)(4)(c)) allows your policy to require the covered individual to take the following additional actions:

1. Submit a certificate of eligibility for entitlement to educational assistance no later than the first day of a course of education.
2. Submit a written request to use such entitlement.
3. Provide additional information necessary to the proper certification of enrollment by the educational institution.
4. Your policy may also require additional payment or impose a fee for the amount that is the difference between the amount of the student's financial obligation and the amount of the VA education benefit disbursement.

The U.S. Department of Veterans Affairs has tasked the SAAs with tracking school information pertaining to compliance with 38 USC § 3679(e). Please provide a thorough response to the following:

1). Please provide your school's NAME _____ and website address: _____

a). In addition to your catalog or addendum, has your school posted a policy on your website, which demonstrates compliance with the requirements in 38 USC § 3679(e)? _____
Please describe website location where it can be found: _____

b). If yes, please save the webpage on which the policy is located, as a PDF document, AND submit that document to the SAA as an email attachment, ALONG WITH THIS QUESTIONNAIRE (in the Subject line, type: '3679e Policy-your school name').

2). Does your institution require (choose and circle ONE of the following):

a). Only a Certificate of Eligibility (COE) be submitted by the covered individual; OR

b). A COE AND additional criteria as allowed by 38 USC § 3679(e)(4)(c)

i). If your school requires a COE AND additional criteria, please list the additional criteria:

ii). Additional criteria can be found on page ____ of our catalog, or ____ in addendum to catalog, on our website, at: _____

Waivers of this requirement may be granted by VA. If you have been provided a waiver, please send that documentation to the SAA so we may correctly document your compliance. VA has posted information pertaining to waiver requests, as well as pertinent Frequently Asked Questions & Answers for school officials on their GI Bill® website at https://benefits.va.gov/gibill/fgib/transition_act.asp