



## **NATIONAL ASSOCIATION OF VETERANS' PROGRAM ADMINISTRATORS**

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### **Veterans' Education Programs Issues and Legislative Talking Points 2025**

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## ***STATEMENT OF PURPOSE***

The National Association of Veterans' Program Administrators (NAVPA) is an organization of institutions and individuals who are involved or interested in the operation of veterans' affairs programs and/or the delivery of services to veterans as Veterans' Education Program Administrators across the country. A Board of Directors elected at our annual conference governs NAVPA. The purpose of NAVPA is to promote professional competency and efficiency through an association of members and others allied with, and involved in, veterans' educational programs and to promote the development, improvement, and extension of opportunities to any service member, veteran, or dependent of a veteran, for their personal growth and development to its fullest potential. This is achieved through assisting with the assessment and attainment of individual needs, communicating and cooperating with communities, schools, agencies, and organizations at the local, state, regional, and federal levels; developing productive relations with the Department of Veterans Affairs, Department of Education, Department of Defense, and other federal or national Veterans Service Organization or agency serving veterans; participating in efforts to facilitate the education and/or training of educationally or otherwise disadvantaged veterans and to promote cooperative studies, research, evaluation, workshops, seminars, conferences, and other activities as may be desired or required to fulfill the purpose of NAVPA.

## ***MEMBERSHIP***

NAVPA has served as the voice of advocacy for veterans in higher education since its founding in 1975. Our research, training, and policy initiatives have developed programs and support services to ensure veterans achieve their academic and professional goals. NAVPA's membership includes over 400 Institutions of Higher Learning across the nation which represent over 530,000 veterans.

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## ***TOP LEGISLATIVE AND REGULATORY ISSUES***

### **PRIORITY ISSUE #1**

#### **RENEWAL OF STALLED BILLS TO ADDRESS HARMFUL IMPACTS ON STUDENT VETERANS FROM PREVIOUS LEGISLATION**

**Issue:** Due to P.L.117-333, Section 12, School Certifying Officials (SCOs), have additional responsibilities placed upon them with unreasonable time limitations to complete all requirements. The Department of Veterans Affairs (VA) interpretations of P.L. 116-315, Section 1019 has placed an unduly financial burden on student veterans. Whereas P.L. 117-328, Section 216 is harmful to student veterans if they are called up for military service while attending school.

**Discussion:** The School Certifying Official (SCO) is the gate keeper of administering GI Bill® benefits for student veterans. The Post 9/11 GI Bill® is the most comprehensive, complex, and robust benefit to manage. The SCOs' responsibilities have continued to evolve and expand, oftentimes creating overworked employees who are leaving their positions in increasing numbers due in large part to an increased administrative workload from the VA. These increased duties delay VA certification and focus school resources on gathering paperwork and documentation instead of serving student veterans and completing other mandated SCO duties.

#### **P.L. 117-333, *Veterans Auto and Education Improvement Act of 2022***

The increased workload instituted by P.L. 117-333, *Veterans Auto and Education Improvement Act of 2022*, added a time limitation upon the SCO to prepare for either a VA Compliance Survey or a Risk Based Survey. Section 12 grants institutions less than 10 business days to prepare for a comprehensive VA Compliance Survey review. For large accredited IHL schools with large quantities of information to organize and gather, this is not enough time for the SCO to gather and prepare documents for review while still serving their student veteran population. For smaller schools, the SCO is wearing a variety of hats in addition to the many SCO responsibilities and struggles to provide this information accurately within the deadline. With this new time limit, SCOs have reported working nonstop and overtime throughout evenings and weekends, to gather the requested information and to prepare for these site visits. Student veterans have very limited, to no access to their SCOs or administrative offices during the preparation time for compliance or risk-based surveys. Because of the limited time, the SCO must complete all mandated tasks prior to the scheduled site visit.

NAVPA members are reporting they do not receive the maximum of 10 business days to prepare, organize, and upload the amount of documentation required for a VA Compliance Survey. SCOs are working from the time they receive notification until the day of the site visit to gather the substantial amount of required documentation for the VA Compliance Survey, regardless of federal holidays and weekends. NAVPA schools are reporting being notified the day before a federal holiday such as Thanksgiving and/or Memorial Day, limiting their time even more so. Centralized schools are reporting that they are being notified for different Compliance Survey locations on the same day.

Schools are also reporting that there is no flexibility or FMLA consideration from the VA in changing the deadline once the notification has been sent. SCOs have had to cancel planned life events to

include maternity leave, vacation, holidays, hospital stays and graduation attendance just to meet the unexpected, mandated deadline set upon them by the VA. Schools are reporting that they receive a site visit date from the reviewer but are then being asked to upload all documents into the VA portal well before the date, giving less time to prepare. NAVPA members are reporting that the VA is asking the SCO to upload all documents within 6 days or less of notification, which is unfathomable and humanly impossible to complete.

With the increased complexity of administering the GI Bill®, several schools have opened veterans' centers or centralized their SCOs to focus on certifying their students' benefits and serve this unique student population. These schools have reported a multitude of Compliance Surveys even though the institution has one OPEID, one governing catalog or school bulletin, and one leader who oversees the institution. The same processes are applicable to all students regardless of where they enrolled for school, yet these schools are required to complete multiple Compliance Surveys. Prior to the Pandemic, the VA conducted centralized compliance visits. That is no longer happening.

Removing the ability to conduct consolidated/centralized Compliance Surveys adds a significant amount of work to the responsibilities of the already overworked SCO. One NAVPA member school reported they completed over 70 Compliance Surveys in 2023. These surveys often overlap by creating triple duty or more for the SCO at times. Having a multitude of Compliance Surveys for the same school places undue hardship on the institution and their student veterans taking the SCO away from serving their veteran population.

The limited time to prepare for a VA Compliance Survey has increased the cost for the government to conduct these in-person site visits. Reviewers are sharing with schools that oftentimes they cannot book travel accommodations until the week prior to the visit, which increases the costs of plane tickets. Schools have also reported that more than one VA representative has attended their site visits, which increases the costs of travel for the VA employees.

NAVPA was pleased to see the introduction of H.R. 8661, Reforming Education for Veterans Act in June 2024. This Bill addresses the unreasonable 10-day limit for schools to prepare for a VA Compliance Survey and the inequity of centralized institutions completing multiple survey reviews.

P.L. 116-315, *Isakson and Roe Veterans Health Care and Benefits Improvement Act of 2020*

The second concern stems from P.L. 116-315, Isakson and Roe Veterans Health Care and Benefits Improvement Act of 2020, Section 1019, Overpayments to eligible persons or veterans. VA continues to send overpayment letters to schools from old changes in enrollment that occurred prior to this law going into effect. Because the VA is now processing these status changes as overpayments, or if the VA has determined the student is not eligible for the amount of GI Bill® as first identified in their Certificate of Eligibility (COE), the tuition and fees have become a school debt and must be returned to the VA, leaving the student veteran with a balance they were not expecting. The VA will also send debt letters to the student veteran to recoup housing and book payments that were previously approved by the VA at no fault of the veteran. These overpayments are unexpected to the veteran and NAVPA members are reporting these are causing financial hardships.

These old debt letters have created additional burdens on the SCO as they must research these old status changes and report to school leadership why the VA is asking for the return of already approved funds from as far back as 2011. This has been an on-going issue since the implementation

of Section 1019. Oftentimes, the student veteran is unaware the VA has taken back all approved tuition and fees paid on their behalf to the institution and, now, the veteran is responsible for a large debt to the institution.

NAVPA was pleased to see Congress introduce H.R. 8627, the Student Veteran Debt Relief Act of 2024 to address this huge disservice to our veterans. Student veterans enroll in schools with the promise from the government stating they have earned GI Bill® benefits to cover the cost of their education only to have the VA come back to them later and ask for the return of monies previously approved leaving the veteran with a large debt they were not expecting.

#### P.L. 117-328 Consolidated Appropriations Act, 2023

This law does not reinstate the student veterans' GI Bill® benefits if they are activated while in school. Mandating the institution to return all funds for services already rendered is a disservice to the institutional operations and students. Schools that serve active-duty students must have a signed Department of Defense Memorandum of Understanding (DODMOU), where schools are required to follow the DODi1322.25 directive of returning funds. Schools are required to return any unearned Federal Tuition Assistance (FTA) funds on a proportional basis through at least the 60 percent portion of the period for which the funds were provided.

Currently, schools are mandated to follow guidance from the Department of Education (ED) and the Department of Defense (DOD) in how to administer to students when or if they are activated while attending the institution.

Mandating that students receive an "Incomplete" grade removes the academic freedom of the faculty and the servicemember as the student may decide an "Incomplete" grade is not in their best interest while they serve their country. Oftentimes, students that withdraw for military duty are focused on their mission and will retake the class upon their return to school as these deployments often can be long lasting of 6 months to one year dependent upon the mission.

NAVPA was pleased to see the introduction of H.R.8661, Reforming Education for Veterans Act that would amend this law to protect students when activated for military service.

#### **Recommendation:**

NAVPA would like to see these Bills reintroduced in the current Congress as the issues were not resolved in the previous Congress and these disparities are still on-going.

### **PRIORITY ISSUE #2**

#### **STUDENT CALL CENTER**

**Issue:** NAVPA members are reporting incorrect information being communicated from the VA Education Call Center (ECC) to student veterans.

**Discussion:** The ECC and the School Certifying Official (SCO) Hotline are resources for students and SCOs to use for assistance with questions about education benefits and assistance from the VA in solving problems related to applications, processes, and payments.

The ECC customer service has deteriorated to the extent that incorrect information is consistently given to students by the Customer Service Representatives (CSR) and has affected the institution-

student relationship. Many CSRs lack training and familiarity with CFR 38 and the SCO Handbook; they are uncertain where to locate a reference in the handbook or where to refer the SCO or student for assistance; and oftentimes students report receiving information from CSRs that contradicts institutional guidance which creates distrust of the institution.

In a recent incident, the CSR told a student he could file a complaint against the institution because of his dissatisfaction with the explanation he received from the institution. One NAVPA member reported they received a complaint from a person that was not enrolled in their school, yet filed a complaint against them because the school explained they could not certify online courses as on-ground. Schools that receive at least two complaints can and will trigger a Risk Based Survey (RBS) for the institution.

After placing calls to the ECC, the CSR directs students to Ask VA (AVA) for an answer to questions instead of the CSR providing an explanation. The response to these inquiries can take seven days or more, and certain issues are time-sensitive, which can delay student payments. Students report receiving contradictory information from different CSRs after placing multiple calls to the ECC regarding the same benefit issue. When following up on a call, students are unable to speak with the previous CSR who assisted them and must explain repeatedly each time why they are calling. They also report waiting on hold for over an hour to speak with a CSR. VA has directed the institutions to advise students to contact VA to update discrepancies with contact information in Enrollment Manager (EM), but CSRs are sending students back to the institution claiming it is the institution's responsibility to update the information. Per VA, the institution cannot update students' personal information in EM.

CSRs continue to advise students to manually apply for benefits. SCOs are aware VA is moving to digital applications because they are more efficient and quicker to process. VA may return the paper application to the student with a request to resubmit a digital application.

Frequently, SCOs assist students with an issue which requires calling the SCO Hotline for assistance while the student is in their office. SCOs report CSRs have rudely explained that they cannot discuss the question or benefit while the student is present. Usually, these calls are the last resort after the student was unable to receive help from the ECC or was confused with the explanation they received. It would be helpful for both the students and SCO to hear the same explanation from the VA.

**Recommendation:** NAVPA recognizes the CSRs answer hundreds of questions daily from veterans and their families that may not be related to education benefits, and we appreciate their assistance. Due to the increased volume of calls to the ECC, we recommend VA creates a dedicated Student Call Center within the VBA where CSRs training can focus solely on education benefits and receive guidance and training from the National Training Team (NTT).

### **PRIORITY ISSUE #3**

#### **VA INTERPRETATION OF LEGISLATION THAT INCLUDES A 30-DAY TIME-PERIOD**

**Issue:** Current VA interpretation of 38CFR, 21.4203(d)(3) and P.L. 116-315, Section 1010, does not exclude weekends and federal holidays during the reporting period.

**Discussion:** This current interpretation limits the SCO to less than 30 days to report a student's change in status or a change in the number of hours in credit or attendance to the VA. NAVPA members have shared that this is frequently not a reasonable enough time to administer the current GI Bill® and still meet the 30-day requirement as stated below.

Per § 21.4203(d)(3):

*If the change in status or change in the number of hours of credit or attendance occurs during the 30 days of a drop-add period, the school must report the change in status or change in the number of hours of credit or attendance to the Department of Veterans Affairs in time for the Department of Veterans Affairs to receive the report within 30 days from the last date of drop-add period or 60 days from the first day of the enrollment period, whichever occurs first.*

A period of 30 calendar days assures that at least 8 of those are non-workdays such as Saturday's and Sunday's.

**Recommendation:**

NAVPA is asking for clarification of the laws to establish 30 valid workdays excluding federal holidays within a 40-hour work week. Per the Department of Labor, 29 CFR 778.105:

*An employee's workweek is a fixed and regularly recurring period of 168 hours—seven consecutive 24-hour periods. It need not coincide with the calendar week but may begin on any day and at any hour of the day.*

Many SCOs are non-exempt employees and are scheduled to work the established 40 hours under the Fair Labor Standards Act (FLSA). With the growing number of veterans returning to school and the complicated requirements placed on the SCOs with limited resources, oftentimes these same SCOs are working overtime to meet deadlines set by § 21.4203(d)(3) and the VA to stay in compliance. There needs to be some flexibility in administering the GI Bill® when reporting a change in status to create a more common-sense workweek where SCOs can assist and serve their student veterans while still meeting the intent of the law.

**PRIORITY ISSUE #4**

**GI BILL® COMPARISON TOOL – COMPLAINT SYSTEM (CONTINUING ISSUE FROM 2019)**

**Issue:** Institutions of higher learning continue to receive unvetted/unwarranted complaints against them as part of the Department of Veterans Affairs (VA) GI Bill® feedback system, which is then posted on the public GI Bill® Comparison Tool. This results in higher education institutions erroneously having a “black mark” on their public record that directly impacts a veteran or other VA education beneficiary's choice in selecting a reputable school and program of study. The recent passing of the Elizabeth Dole Act increases the length of published feedback from 2 years to not less than 6 years.

**Discussion:** The VA GI Bill® feedback system allows recipients of VA educational benefits to submit complaints against educational institutions they believe have failed to follow the Principles of Excellence (POE) established under Executive Order, 13607, signed April 27, 2012, and codified in statute under P.L.116-315, Isakson and Roe Veterans Health Care and Benefits Improvement Act of 2020. While complaints are supposed to be reviewed by the VA and addressed by the institution,



not all complaints filed have been true violations of POE and yet are still posted on the institution's profile for public viewing with no option of removal or disclaimer by the institution.

VA announced in 2020 that complaints older than 2-years would be removed. However, it appears that the GI Bill® Comparison Tool does not receive updates in a timely manner. Complaints posted on the public site are not vetted by the VA, have issues with a delimitating date, and are posted after student issues/concerns have been resolved but are not annotated as resolved.

With the new legislation passed through the enactment of the *Elizabeth Dole Act- Section 215 - Improving Transparency and Accountability of Educational institutions for Purposes of Veteran Educational Assistance* the VA will now allow all information on the GI Bill Comparison Tool including Feedback to be retained for a period of not less than 6 years. This goes well beyond the current VA retention policy of 2 years for feedback and 3 years for VA Document Compliance per 38CFR 21.4209.

Per 38CFR 21.4209(f):

*(f) Retention of records.*

*(1) Except as provided in [paragraph \(f\)\(2\)](#) of this section, an educational institution must keep records and accounts, including those pertaining to students not receiving benefits from VA, as described in this section, pertaining to each period of enrollment of a veteran, reservist, or eligible person. If those records are not available electronically, the paper records must be kept intact and in good condition at the educational institution for at least 3 years following the end of each enrollment period. If the records are stored electronically, the paper records may be stored at another site. The electronic records must be easily accessible at the educational institution for at least 3 years following the end of each enrollment period.*

*(2) An organization or entity offering a licensing or certification test must keep records and accounts intact and in good condition that are needed to show that veterans and eligible persons have been paid correctly for taking licensing or certification tests. The organization or entity must keep those records, at a site mutually agreed on, for at least 3 years following the date of the test.*

*(3) An educational institution will not be required under this section to retain records for longer than 3 years unless the educational institution receives from the Government Accountability Office or VA not later than 30 days before the end of the 3-year period a written request for longer retention.*

The 6-year feedback retention policy does not align with 38CFR.

Last summer the VA posted on the Federal Registry where they were working to open complaints to be anonymous. Anonymous complaints are not transparent and prevent the institution from serving their student veteran population. These types of complaints have the propensity for false accusations, difficult to identify any true issue, and cannot be vetted as an active student attending that institution. NAVPA is concerned that these types of complaints will trigger unjustified RBS.

NAVPA members have reported that unvetted complaints have triggered unwarranted RBSs at their institution and that the VA Hotline is directing students to file a complaint for various reasons. NAVPA conducted a nationwide survey during the Fall 2023 and schools reported that student complaints were the number one reason they were identified for an RBS.

Members have reported the following examples of invalid complaints:

- An RBS was initiated due to unsubstantiated student complaints. The complaints which were submitted to the VA were really errors on the student's part, not understanding school policies or how the GI Bill® works.
- One school reported receiving complaints because of benefit processing errors by the VA, not the institution. But the VA does not have a process to count such complaints as anything other than fault by the school.

### **Recommendation:**

While the Elizabeth Dole Act provides some positive updates to the Feedback tool, there are still several items that need to be addressed and clarified.

NAVPA asks that:

- The VA vets all complaints so as not to post unwarranted/unproven feedback which could trigger Risk Based Surveys (RBS). Stop posting unvetted and unwarranted complaints/feedback on the GI Bill® Comparison Tool.
- The VA provides schools with the process to challenge student feedback before it is published.
- The *Elizabeth Dole Act* aligns feedback retention policy so that it is consistent with 38CFR 21.4209(f) of 3 years.
- If a valid complaint has been addressed and closed to everyone's satisfaction, it should not be used as retribution against the school nor published on the Comparison Tool. VA should notify the institution that the complaint has been resolved and closed.
- NAVPA recommends that VA not accept anonymous complaints. Schools can better serve their students who may not fully understand their benefit if they can identify who the students are and help them in understanding the very complicated GI Bill®. Anonymous complaints would make it impossible for the institution to address the students' concern and make the feedback difficult.

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## **Areas of Concern**

### **ELR ROLE DEFINITION AND SUPPORT OF SCOS (CONTINUING ISSUE SINCE 2022)**

It is important to have Education Liaison Representatives (ELRs) interaction to provide guidance to the School Certifying Officials (SCOs) in the implementation of the many changes in recent Department Veterans Affairs (VA) policies, procedures, and/or legislation.

NAVPA's understanding is that the ELR is someone to help with individualized communication and understanding of regulation, policies, and procedures to school-specific issues which cannot be effectively addressed at a National Training Team (NTT) level. SCOs frequently need individual guidance at a school level to properly administer GI Bill® benefits to take care of student veterans. A stabilized and trained VA workforce with clearly defined roles will ensure proper communication and support functions are in place to better serve our student veteran population and support the

institutions administering the GI Bill®. Because the NTT receives thousands of SCO questions every month, they are unable to respond to or immediately answer these inquiries.

As such, NAVPA recommends a review of the current organizational structure within the VA Education Services to ensure the ELR has administrative support, time, and training to be able to communicate with SCOs regarding their individual issues. Hiring a team to input mundane data will free up the ELR to respond to the needs of SCOs in understanding specific student veteran issues and the many changes in policies and procedures.

NAVPA also recommends a strong mentoring and communication system be developed within the Veterans Benefits Administration (VBA) to support the necessary ELR communications and training. The lack of ELR support has been crippling in the administration of the GI Bill® to the detriment of student veterans.

### **SCO HANDBOOK UPDATES (CONTINUED FROM 2021)**

The School Certifying Official (SCO) Handbook has been moved to an online format by the VA during the summer of 2020. This has created an issue in that little or no communication is sent to the field surrounding updates made to the Handbook.

NAVPA is concerned about the many changes occurring in the SCO Handbook with no communication and how that will affect Compliance and Risk Based Surveys.

NAVPA asks that the VA submit all update announcements to SCOs immediately regarding the SCO Handbook users via a formal announcement tool such as the mass emails received from the VA using the following email methodology: [Veteransbenefits@messages.va.gov](mailto:Veteransbenefits@messages.va.gov).

NAVPA was pleased to see the introduction of H.R. 8661, Reforming Education for Veterans Act in June 2024. This Bill addresses the lack of communication from the VA when the SCO Handbook is changed.

### **DELAYED STUDENT PAYMENTS**

NAVPA members are reporting that their students are receiving delayed housing payments for Chapter 33 and delayed payments for Chapter 1606, Chapter 35, and Chapter 31 recipients.

As most recently, there was an update to the Enrollment Manager system in December 2024. Unbeknownst to the VA, this update prevented certifications from being sent to the proper processing area of the VA. NAVPA members discovered this issue and contacted the SCO Hotline only to be told they (the VA) were not aware of any certification issue. After consistent complaints to the Hotline and Ask VA, the VA finally acknowledged there was a glitch caused by the software update. During the VA Fireside Chat, it was announced that VA was working on a temporary fix. Per the VA, this affected over 44,500 student veterans who were certified during the update.

NAVPA members are reporting that this issue has affected several students, as they were not paid on time in February.

NAVPA asks that the VA be more receptive to SCOs when reporting technical issues and announce these issues to the SCO community and GI Bill® recipients.

It would be most helpful if these updates were scheduled at a time that would not affect as many students instead of right before the beginning or ending of a semester. December can be a busy time for SCOs as they are certifying their student veterans for the upcoming semester.