

Isakson/Roe Act and V.A. Funding

UPDATE: As of early 2024, it appears that Congress is poised to remedy the issue caused by the Isakson/Roe Act the eliminates V.A. funding for institutions not “participating” in Title IV. The V.A. has taken the position that they believe schools must “participate.”

Hopefully, new legislation will soon arrive allowing schools “eligible” for Title IV to once again receive this source of valuable funding for veteran students. Please continue in prayer.

The Isakson/Roe Act of 2020 made changes to the rules for institutions who provide Veterans Administration benefits (i.e. the G.I. Bill) to their students. Here is a quick summary of the issue with “our size” schools who do not “participate in” ED Title IV programs but have historically utilized V.A. funds (i.e. G.I. Bill)...

The “Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020” added several requirements, including Section 1015, that negatively affect those schools who receive Veterans Administration (V.A.)/G.I. Bill funding that currently do not participate in Title IV.

Back in the Summer of 2021, the clarion call went out to schools in this situation to “apply for a waiver” – as prescribed in the verbiage of this act.

Section 1015 of the new law requires an institution receiving V.A. funding to either:

1. Be approved for and participate in at least one program under Title IV, or
2. Receive a waiver from this requirement

Here is the specific verbiage as updated from the Isakson/Roe Act of 2020:

Section 3675(b)(4) [NEWLY ADDED WORDING EFFECTIVE 8/1/21]

The educational institution is approved and participates in a program under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) or the Secretary has waived the requirement under this paragraph with respect to an educational institution and submits to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives notice of such waiver.”.

It was our hope – in alignment with the wording of the Act – that the Secretary would approve waivers from institutions who (for various reasons) choose not to “participate” in Title IV which would continue to allow those institutions to receive V.A. funds for their students who are veterans. However, we were disappointed at the time.

Many schools applied for the waiver in 2021, but were dismayed to receive notice that – after December 31, 2022 they would be required to “participate” in Title IV to receive these V.A. funds.

This left most schools with a decision: 1) enter into an agreement to participate in Title IV or, 2) no longer receive G.I. Bill funding for their students who are veterans. Sadly, many schools have had to make the difficult choice to not have this great benefit available for their veteran students. It does not appear to be fair nor equitable treatment.

Practically, it should not be difficult to provide a waiver process (as appears to be mandated in the Act) for schools who want to provide educational benefits to veterans, but feel compelled – for various reasons – not to participate in Title IV. The V.A. could simply provide:

1. A standard waiver form/template (might be completed on-line)
2. Require documentation of “eligibility” for the statutory waiver (accreditation, compliance with Isakson/Roe Section 1018, etc.)
3. Define a streamlined review process for waiver “approval”
4. Provide the institution who has “applied” for the waiver with a letter of approval

What could be more simple than that?

We still hold out hope that Congress will intervene and/or the V.A. will reconsider their position and provide a waiver (as appears to be contemplated in the Isakson/Roe Act, Section 3675(b)(4)) from the requirement to participate in Title IV programs in order to receive V.A. funds to aid in veteran students’ educations.