

MILITARY & VETERAN STUDENTS  
EDUCATIONAL BILL OF RIGHTS

The VSOs and MSOs indicated below urge the Administration to establish an interagency working group, from among the Departments of Defense, Veterans Affairs, Education, and Justice, to develop appropriate protocols to protect active duty service members, reservists and members of the National Guard, veterans and family members who seek to use their GI Bill and Tuition Assistance benefits to pursue higher education from unethical and predatory institutions of higher learning. Several of our ideas on reining in the abuses that we know have been harming troops and veterans are offered below. We defer to the Administration on the appropriate agency or mechanism to implement these ideas, and are available to provide more specifics as needed. We have referred to the Military Student Bill of Rights developed by the Servicemembers Opportunity Colleges Consortium (SOCC) as a touchstone on this issue. We also encourage reference to section 559 of the FY'12 National Defense Authorization Act.

1. REQUIRE (either through strong Memoranda of Understanding from both DoD and VA or through Executive action) all institutions of higher learning that want to accept students under Tuition Assistance or the Post-9/11 or Montgomery GI Bills to:

a. DISCLOSE relevant educational and financial information to DoD/VA and to prospective students in plain language and in easily accessible, obvious places on all materials and websites:

i. The actual costs per credit hour and/or degree or other relevant measures, including all lab and student fees;

ii. Whether or not credits are transferrable to that state's public universities and community colleges;

iii. If receiving a degree or certificate will fulfill licensing requirements in a particular field;

iv. If the institution of higher learning (IHL) has been accredited by what national and/or regional accrediting entity;

v. That programs of study have been approved for GI Bill benefits by a State Approving Agency.

vi. Whether the institution is a public, private non-profit, or private for-profit institution; and if it is a for-profit entity, it should be required to disclose its profitability, executive compensation, and shareholder return annually and semi-annually, as well as what percent of its budget goes to marketing and recruitment; to career placement; and to actual instruction.

vii. What the overall graduation and job placement rates have been for the past five years, as well as in the specific field of study in which a prospective student is considering majoring.

viii. What the dropout rates have been over the past five years;

ix. The student debt and default rates on loans at one year, two years, and three years after a student has graduated or has otherwise left the school;

x. Whether the college has dedicated support staff to assist students negotiate the educational terrain, especially support staff for military, veterans, and military families - in particular disabled veterans (it's one thing to get into a school; it's quite another to attain a degree while juggling family and work and studies); and whether or not the college has certified counselors available to assist students seek scholarships and other forms of financial aid;

xi. The qualification level of the teaching and tutoring staff, e.g., what percentage of instructors have achieved a terminal degree in their field of discipline;

xii. Whether or not the school has a career placement office with paid, dedicated staff to assist students in their job search upon graduation; or, in the case of online institutions, what is the availability of career placement services for students and alumni;

xiii. What percentage of the institution's budget is spent on advertising, marketing, recruitment, commissions, and sales; how much has been taken as profit over an institution's past five fiscal years; and the total annual individual executive compensation package for the senior corporate or college staff over the past years, as well as shareholder returns quarterly and annually over the same period.

b. REQUIRE institutions of higher learning to report data on graduation and dropout rates and other relevant measures of their commitment to providing quality higher education to the National Center for Education Statistics' College Navigator.

c. MANDATE that any institution of higher learning that receives Tuition Assistance, Post-9/11 or Montgomery GI Bill funds has a career placement office with dedicated, paid staff to assist students in their job search upon graduation; or, in the case of online institutions, provides career placement services for students and alumni.

d. MANDATE institutions of higher learning provide support services for military, veterans, including disabled veterans, and their families.

e. MANDATE under penalty that no institution of higher learning may provide incentive payments to recruit; and that no financial incentives may be offered to current or former students to recruit; nor may a school use GI Bill or TA dollars for recruiting or marketing.

f. MANDATE under penalty that any institution of higher learning receiving GI Bill or Tuition Assistance dollars must be brought under the rules of Title IV of the Higher Education Act governing institutions that receive Pell grants and federal student loans.

g. ENSURE that currently enrolled students will be given sufficient notice if an institution of higher learning declines to sign the MOU.

2. CLOSE the 90/10 loophole. A cornerstone of any effort must be closing the loophole in which GI Bill and Tuition Assistance funds are considered "private" funds, not "federal" funds in the 90/10

equation. This has opened the floodgates to extreme targeting of military and veteran students by predatory for-profit colleges, and has led to the waste of hundreds of millions of dollars. (Note: The American Legion does not have a Resolution that supports this proposal).

3. MANDATE counseling about educational benefits and the potential for abuse to the uneducated consumer student. Active duty troops should be informed by DoD and VA personnel about educational opportunities available to them - and their families - and the risks for abuse by predatory institutions, prior to receiving benefits. National Guard and military families should also receive counseling through appropriate avenues. Potential students should be told about the College Navigator. Those who are considering enrolling in an institution of higher learning, and those who are about to separate from service, should attend mandatory sessions that focus on what factors potential students need to consider when choosing a school. Similarly, all levels of command, from company commander through installation commander, should be alert to the risks of predatory institutions and take steps if necessary to bar these recruiters and their principals from coming onto their base. All levels of command should be encouraged to disseminate information through publications and periodic briefings by MSO and VSO representatives. Institutions of higher education should not themselves be given a platform to conduct education counseling under Chapter 36 or other avenues.

4. DEVELOP an online college comparison tool (e.g., a mandatory, not a voluntary, College Navigator) that can assist students compare actual costs, transferability of credits, eligibility to get licensed, key indicators or measures of student success, e.g., drop-out rates, graduation rates, student loan default rates, and job placement successes. This tool would also catalog an online database of student complaints. And this College Navigator should allow for social media integration so that potential students can rate schools by learning of the experiences of students at these institutions.

5. ESTABLISH an Ombudsman system at VA and DoD to take student complaints at a toll-free number, such as 1-800-GI BILL1, facilitated through existing infrastructure at the VA call center in Muskogee, Oklahoma. Student complaints could be made available online and connected to College Navigator, with all personal information redacted, so prospective students might see complaints about the schools they are considering. Require VA to develop an Education Benefits Customer Service portal, where student veterans can file complaints about benefits and report fraud waste and abuse. Veteran complaints should be assigned a case file and tracked as the VA works with agencies to find resolution to the problem.

6. TRACK the data on school performance and student outcomes under Tuition Assistance, Montgomery and Post-9/11 GI Bills, and Top-Up. Currently DoD and VA track dollars out the door, but not what those dollars have bought. (No agency is currently tracking even dollars out the door under Top-Up.) At a minimum, DoD and VA should track the number of credits earned and whether students remain enrolled, have successfully completed a program, or have dropped out. Metrics should be regularly reported to Congress.

7. REVIEW any institution that shows a rapid increase in student dropout rates or student loan defaults, an increase in student complaints, a state lawsuit or probation, etc. VA and DoD should decertify or terminate from TA and GI Bill eligibility any institution of higher education that has been put on probation or terminated by a state government from its student aid program, has been found by a government agency to have engaged in grossly deceptive recruiting practices, or has admitted fraud or been successfully sued for fraud. VA and DoD should share information with the Departments of

Education and Justice, and communicate information on adverse findings by those agencies with the State Approving Agencies for institutions that may require additional inspections or remedial action.

8. ADDRESS access to military installations in CONUS and overseas. Installation commanders should utilize the rule against commercial solicitation on their base, as well as JAG procedures to ban predatory commercial entities. They should be encouraged to enter into MOUs with community and non-profit schools to teach on post; no national educational entity, e.g., Kaplan or Colorado Tech, should have entered into a national MOU with DoD or one of the services to have unfettered access to all bases. It should be in the province of a local commander and his/her educational officers to determine who is authorized to teach on campus, but there should be no limit to the number of MOUs they can sign. Access to bases by former service members should be limited if they are paid by schools to recruit on base.

9. TRADEMARK or otherwise protect such terms as "GI Bill" and "Military friendly" but provide a carve-out for recognized VSOs. (Websites owned by for-profit lead generators include GIBillAmerica.com, MilitaryGIBill.com, GIBill.Com, GIBenefits.com, and US-Army-Info.com.) The federal government has already trademarked terms such as "Social Security," "Medicare," "No Guts, No Glory," "PTSD Coach," "VetBiz," and "MyFuture.com."

10. DESIGN a method of recourse for service members and veterans who have lost their benefits because they were duped or tricked by a predatory practice by an institution of higher learning. If a troop or veteran has wasted his/her benefits on a worthless degree or certification because of misrepresentations made by unscrupulous representatives of predatory for-profits, they should be permitted to petition the Court of Appeals for Veterans Claims to have them reinstated.

The undersigned organizations have endorsed this military and veteran students' educational Bill of Rights:

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