



**DEPARTMENT OF VETERANS AFFAIRS
345 Perry Hill Road
Montgomery, AL 36109**

ELR INFORMATION BULLETIN

ESU IB 322-17-11

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August 22, 2017

To: VA Certifying Officials and Administrators

Subject: ACT 2017-349 Revised ANGEAP vs. Chapter 33

On Behalf of SAA, I am resending the following information

ANGEAP revisions for fall 2017, known as ACT 2017-349, have caused many concerns on how to manage VA enrollment certifications for Chapter 33, Post 9/11 beneficiaries. The VA General Council has addressed these same concerns in other states with similar state programs.

I received confirmation from the VA Regional Education Compliance Liaison that the General Council interpretation applies to ANGEAP, as well.

The interpretation is as follows:

To the extent that a State, by legislative enactment, has clearly limited or conditioned the application of a State-sponsored educational assistance benefit as being available for use only after the exhaustion of, or solely as a supplement to, Federal benefits (e.g., chapter 33 benefits), the Federal benefits must be applied to defray applicable charges for tuition and fees for each individual student without regard to consideration of the potential State benefit. In this instance, the State benefit would not be viewed by VA as being available for use in defraying the cost of tuition and fees until such time as the individual's entitlement to his or her VA benefit is fully exhausted. For example, in the case of an individual who is not entitled to a 100 percent payment under the Post-9/11 GI Bill, the State benefit could be applied to defray the charges that are not covered by the VA benefit.

Please know that you may submit all eligible tuition/fees for chapter 33 school payments, without regard to ANGEAP. You are not required to amend tuition/fees to accommodate ANGEAP payments. VA chapter 33 post 9/11 is first payee for ANGEAP beneficiaries.

Please let me know if you have any questions.

Respectfully,

Joan Johnson
State Approving Agency
Alabama Community College System
PO Box 302130
Montgomery, AL 36130-2130
(334) 293-4566
joan.johnson@accs.edu