



STATEMENT FOR THE RECORD

**NATIONAL ASSOCIATION OF STATE APPROVING
AGENCIES**

On

Pending Education Benefits Legislation

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SENATE COMMITTEE ON VETERANS AFFAIRS

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STATEMENT OF DR. JOSEPH WESCOTT
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NATIONAL ASSOCIATION OF STATE APPROVING AGENCIES
FOR THE
SENATE COMMITTEE ON VETERANS' AFFAIRS
CONCERNING
PENDING LEGISLATION
June 15, 2017

CHAIRMAN ISAKSON, RANKING MEMBER TESTER, and Members of the Committee, the National Association of State Approving Agencies (NASAA) thanks you for your invitation to provide written testimony and we are pleased to provide our views on certain education benefits legislation under consideration by the Committee today, June 15, 2017

NASAA does not receive any grants or contracts directly from the federal government, though its member organizations are state agencies operating in whole or in part under federal contracts funded by Congress and administered by the Department of Veterans Affairs (VA).

On behalf of fifty-two State approving agencies (SAAs), including the territory of Puerto Rico and the District of Columbia, NASAA thanks the Senate Committee on Veterans Affairs for its strong commitment to a better future for all service members, veterans and their families through its continued support of the GI Bill® educational programs.

State Approving Agencies (SAAs) were created shortly after the inception of the Servicemen's Readjustment Act of 1944, more commonly known as the GI Bill of Rights, to insure the creditability of the learning experiences in which veterans engage; to assist the federal government in preventing waste, fraud and abuse; and to assist Veterans in making a successful transition from the military to the civilian world. The assignment of this responsibility is constitutionally based upon the legal principle that the states, and not the federal government, have the primary responsibility for the education of their citizenry. Thus, State Approving Agencies work in concert with the Department of Veterans Affairs on behalf of the Congress and the President to achieve these objectives.

SAAs are the guardians and representatives of the GI Bill at the state level and they make major contributions to the success of the various GI Bills in many ways. Every day across our nation, the SAAs function as the "gatekeepers of quality" by determining what programs will be approved for Veterans to enroll and use their GI Bill educational benefits. As such, SAAs make determinations regarding the quality and integrity of just about any kind of learning experience imaginable (institutional, job training, flight, correspondence, etc.); SAAs work with employers to develop

and enroll veterans in job training programs; SAAs assess and approve tests for professional and occupational licensing and certification; SAAs train VA Certifying Officials at educational institutions and job training establishments; SAAs perform outreach activities to increase the utilization of the GI Bills, including briefings during industry conferences and retirement seminars, presentations at job fairs and mailings to recently discharged Veterans and Selected Reserve personnel; and SAAs provide advice and guidance directly to Veterans and other GI Bill eligible persons and indirectly through educators, trainers and others who counsel Veterans. In addition, SAAs are tireless advocates for Veterans at the state and local levels.

As such, SAAs, through their national organization, the National Association of State Approving Agencies, are uniquely situated to provide insights to Congress on changes necessary to make the GI Bills more relevant and responsive. As such, we appreciate the opportunity to provide our views on the following legislation before the committee.

S. 410, Shawna Hill Post 9/11 Education Transferability Act (Crapo, Risch)

This bill provides for the reassignment of a Veteran's or Armed Forces member's Post-9/11 education benefits to another eligible dependent in cases where the original designated beneficiary dies without having used all of such benefits. State Approving Agencies believe that education promises one of the best paths to a better future for a Veteran and their dependents. Furthermore, we believe that money spent to provide that education is a sound investment in our nation's future. Tragedy should not negate that promise or curtail that investment. NASAA supports this bill.

S. 473, Educational Development for Troops and Veterans Act of 2017 (Tester, Blumenthal, Brown, Murray)

Today, as never before, members of the National Guard and Reserve Component play a critical role in our nation's defense throughout the world. Sections 2, 3 and 4 of this bill recognizes the sacrifices and service of these members of our military by making sure that an order to serve on active duty under sections 12304a and 12304b of Title 10, United States Code, is treated equitably with other orders to serve on active duty for determining a Veteran's and Servicemember's benefits eligibility. This bill will do away with the glaring inequality of certain Guard and Reserve service members performing the same services, often side by side with other Servicemembers, and yet they do not receive any benefits. NASAA strongly supports, along with nearly 40 other military, veteran and higher education organizations which met at the American Legion Headquarters in Washington recently, fixing this discrepancy.

NASAA is also pleased that this bill provides for a grant program to establish, maintain, and improve veteran student centers. Throughout the past several years, SAAs across the nation have encouraged institutions of higher learning to adequately resource Veterans services on their campuses. Working with the Student Veterans of America and our other VSO partners, and with the encouragement of the VA, SAAs have shared during visits to institutions and during the approval or reapproval of programs, data showing that the establishment of veteran student centers

with knowledgeable staff, most of whom are Veterans and/or VA work study students, results in increased recruitment, retention and graduation rates. In many of our states, the numbers of veteran student centers have grown in the past few years and we see this bill encouraging the growth of this important innovation in rural and urban areas with significant veteran populations. NASAA respectfully requests that only institutions or consortiums that possess SAA-approved programs be considered as recipients of these grants.

NASAA strongly supports this bill.

S. 798, Yellow Ribbon Improvement Act (Cassidy, Brown, Tillis)

The Marine Gunnery Sergeant John David Fry Scholarship is awarded to dependents whose families have made the ultimate sacrifice. They represent both our nation's greatest treasure and our greatest obligation. These families face much in their daily lives and we cannot fill the void in their lives created by the loss of their loved one. We can honor that sacrifice by making sure that their dependents can attend the school of their choice without the angst and anxiety of unforeseen charges and tuition costs adding to the challenges they already face. We believe, along with the Tragedy Assistance Program for Survivors (TAPS), the SVA and many other veteran and education organizations, that it is important that we address this need.

NASAA strongly supports this bill.

S. 844, GI Bill Fairness Act of 2017 (Wyden, Boozman)

This bill would amend title 38 of the United States Code such that certain time spent by members of the reserve components of the Armed Forces, while receiving medical care from the Department of Defense on active duty, could get credit for this time for purposes of eligibility for GI Bill benefits. Certainly injury sustained while serving our nation which results in hospitalization or rehabilitation in a medical facility should count toward the Servicemember's eligibility for GI Bill educational benefits. That is only fair.

NASAA supports this bill.

S. 882, a bill to provide entitlement to Post-9/11 Educational Assistance for members of the Armed Forces awarded the Purple Heart (Rounds, Boozman)

This bill would amend title 38 so that the sacrifice of brave men and women who sustain battlefield injuries in the service of our country would be entitled to the same GI Bill benefits as those who have served at least 36 months on active duty or are medically retired.

Congress passed the Post-9/11 GI Bill to expand education benefits so they would match the 21st century challenges that our Veterans face when they come home. Approximately 3,000 Purple Heart recipients will not qualify for this important benefit over the next ten years unless Congress

passes this bill. NASAA considers that it is extremely important that any Purple Heart Veteran who suffered a life-changing injury in the line of duty should be entitled to full benefits. Our nation cannot completely restore life and limb, but we can provide this important lifeline to a better future.

NASAA supports this bill.

S. 1192, Veterans TEST Accessibility Act (Rounds, Hirono)

SAAAs approve licensure and certification testing costs for reimbursement as a part of the benefits of the GI Bill. Certainly, the acquisition of certain certifications and licenses can lead to meaningful employment and advancement in certain fields for our Veterans. Under present law, veterans who seek reimbursement for approved testing are charged an entire month of their entitlement, regardless of the cost of this test. This bill would allow that reimbursement to be pro-rated such that the entitlement charges are based on the actual cost and the Veterans are able to conserve their benefits. This change would encourage Veterans to take needed tests without fear of loss of benefits due to today's reimbursement formula, increase the months of training left and provide better stewardship of taxpayer dollars.

NASAA supports this bill.

S. 1277, Veteran Employment Through Technology Education Courses Act of 2017 (Boozman, Heller)

This bill would direct the Secretary of Veterans Affairs to establish a high technology education pilot program, which would operate for five years and be funded for up to \$15 million dollars annually. This program could be complementary to existing programs and could be an innovative way to address the needs of non-traditional students in this sector. The program would be administered by contracting with providers, so SAA involvement would be minimal or non-existent. However, the split payment requirement built into the contract will hopefully serve as an incentive for companies to deliver high quality impactful programs which will result in rewarding and meaningful employment. NASAA respectfully requests that the language of this bill be changed so that safeguards are retained or written into the bill requiring contracted providers to show previous proficiency providing training in the high technology education field and successful employment by the graduates in that same field after their graduation from the program.

NASAA supports this bill

Discussion Draft to improve Post-9/11 Educational Assistance

State approving agencies take seriously our role as “the gatekeepers of quality” and the “boots on the ground” defending the integrity of the GI Bill and making sure that only quality programs are approved by applying federal and state law and regulation. An additional and equally important role is the continued oversight of these programs after their initial approval. We do so in conjunction with other stakeholders in veteran organizations and higher education, including state licensing agencies, state higher education departments, the Department of Veterans Affairs, the Department of Education and national and regional accrediting agencies. This proposed bill makes important changes in existing law to provide for the modernization and enhancement of the GI Bill educational program, and NASAA supports these changes, but we do want to address certain concerns raised by certain provisions, and respectfully ask for needed amendments in others.

We support the extension of the GI Bill to provide certain additional benefits for veterans and their dependents seeking STEM (science, technology, engineering, and math) degrees (Section 3). Our nation needs more students to consider careers in these fields, and certainly Veterans, with their demonstrated preference for service and enhanced leadership skills, could provide the manpower to fuel American innovation and progress in the years to come. They should not be deterred from their decision to enroll in these programs by either curriculum length or greater cost. The return for this small additional investment could be large in terms of increased revenue and continued leadership in these critical fields.

NASAA also supports the other sections of the draft which would consolidate certain eligibility tiers under the Post-9/11 Educational Assistance Program, increase the amounts payable under the survivors and dependents’ education assistance programs (Chapter 35) by approximately \$400 per month, and expand and codify the highly successful Vet Success on Campus program. We certainly support the permanent authorization of work study allowances for individuals who are performing outreach services to Servicemembers and Veterans furnished under the supervision of a State approving agency employee, as well as certain medical treatment and domiciliary care in State Homes and administrative activities at a state or national Veterans cemetery. Likewise, we support the increase of school certifying official fees, but with additional safeguards built in to ensure that schools are only using these funds in such a fashion as to directly benefit GI Bill recipients. And we strongly support education requirements for certifying officials, but equally believe that SAAs should be involved in the development of that requirement and the provision of that training.

NASAA also supports the restoration of entitlement to Post-9/11 GI Bill Educational Assistance and other relief for veterans affected by school closures. We saw firsthand the impact of school closures on the veterans in our states and we believe that entitlement, which Veterans lost through no fault of their own, should be partially or completely restored. However, we also believe that SAAs should be given enhanced measures for approval and oversight, such as allowing SAAs to suspend programs for longer than 60 days, and to require evidence of financial stability even from accredited institutions when circumstances dictate.

We appreciate and support the provision of additional financial resources to allow SAAs to take on an enhanced role in the protection of the GI Bill and the future of our veterans. Over the past several years, NASAA has supported and even applauded the expansion of benefits for Veterans along with increased safeguards which Congress has provided. And we have taken on a greater role in assuring compliance with Congressional mandates as well as VA and state regulations. However, SAAs have been flat-funded for the past decade, and in order to continue effectively to provide the important services to approved institutions and Veterans, we would respectfully request an increase of \$7 million dollars to our allocation. It should be noted that this increase would only cover the cost of increase in personnel salary and benefits, inflation and our increased workload over the past ten years. The result would be a total allocation of \$26 million dollars provided to support the important work of state agencies throughout the nation. We estimate that at least \$7 million dollars of the total amount is required to do the compliance surveys for the VA, of which we have historically performed 50 percent.

Finally, section 5 of the draft seeks to expand the Post 9/11 GI Bill to provide for the approval of independent study programs at certain educational institutions that are not institutions of higher learning, namely stand-alone non-degree granting institutions. Though this bill does include language to restrict the extent of this expansion somewhat, some of that language could be problematical. As this is a radical departure from the inherent safeguard provided in the code of disallowing the approval of “any independent study program except an accredited independent study program (including open circuit television) leading (A) to a standard college degree, or (B) to a certificate that reflects educational attainment offered by an institution of higher learning”, NASAA cannot support this legislation. However, we would not oppose it as long as the following concerns are addressed.

First, as regards proposed subsection (C)(ii): The definition of a “postsecondary vocational institution” as defined in the Higher Education Act, does seem to contain adequate parameters to protect the integrity of the GI Bill. The institution must be limited to high school graduates or equivalent, and to students in an eligible career pathway program who have been determined to have an ability to benefit; it must be authorized by the State to offer the program; is public or nonprofit; and is accredited by a nationally recognized accrediting agency or granted preaccreditation status by an agency authorized to grant such status. This definition would seem to bar predatory institutions providing training of questionable quality which might or might not lead to a job or career from seeking approval.

However, NASAA is concerned that proposed subsection (C)(i) is problematical. If you solely look at the definition that is cited, the Perkins Act does not require that the institutions be accredited, and only requires that the institution be authorized by the State if it is an institution of higher learning. So, upon reviewing the definition that the proposed language cites, the non-IHL schools might not be required to have a license to operate. Also, although the lead-in provision in 3680A(4) requires the independent study program to be accredited, there is nothing that requires the accrediting agency for career and technical education schools to be nationally or regionally recognized, as, unlike the definition of a “postsecondary vocational institution,” the definition of an “area career and technical education school” does not mention accreditation. Therefore, as the

proposed language currently stands, an area career and technical education school could be accredited by an unrecognized accrediting entity, and still be able to qualify for the GI Bill. Finally, the Perkins Act definition of “career and technical education” includes entrepreneurship, which is currently restricted under the GI Bill when the program is a non-degree program. For the reasons cited here, NASAA respectfully requests that the language of this bill be changed to limit the eligibility of non-degree institutions to those that are either public or not-for-profit institutions AND are accredited by a national or regionally recognized accrediting agency.

NASAA supports this bill, in particular with the proposed revisions.

Today, SAAs throughout our nation, composed of approximately 175 professional and support personnel, are supervising over 10,000 active facilities and over 100,000 programs. We pledge to you that we will not fail in our critical mission and in our commitment to safeguard the public trust, to protect the GI Bill, and to defend the future of those who have so nobly defended us. Mr. Chairman, NASAA thanks the Committee for the opportunity to share our concerns and suggestions, and we commit to working together with you and your staff to enhance the pending legislation.

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Joseph W. Wescott II (Joe) was appointed Legislative Director of the National Association of State Approving Agencies in August 2015. Previous to that, he served four years as NASAA President and Vice President, while simultaneously working on the NASAA Legislative Committee.

Wescott was appointed Executive Director of the North Carolina State Approving Agency (NCSAA) in Raleigh North Carolina on September 14, 2009 by the UNC System Board of Governors, at the recommendation of then system president Erskine Bowles. The fourth Executive Director since the agency was established in 1947; Dr. Wescott had previously served three years as an agency program specialist. As Executive Director, he oversees over 400 institutions of higher education and training throughout North Carolina ensuring quality educational programming and job training for veterans and their eligible dependents.

Prior to his appointment, Wescott served in various leadership roles in higher education including director of the office of Planning, Policy and Evaluation at Brunswick Community College, federal relations analyst/government relations representative for Duke University and an adjunct instructor at several colleges and professional organizations. Dr. Wescott is a veteran, having served on active duty as a combat officer in the US Army. Earlier, he attended Wake Forest University on a four year Army ROTC scholarship, graduating with honors. He holds advanced degrees from Wake Forest University and North Carolina State University, including the doctorate in Higher Education Administration. In addition to other duties, Wescott serves as an Adjunct Professor in the Department of Leadership, Policy, Adult and Higher Education at NC State University. He serves on numerous national boards and state committees, including the NASAA Executive Board, NC Proprietary Schools Advisory Board, and the Governor's Working Group on Veterans, Service Members and their Families.

Dr. Wescott resides in Raleigh, NC and has written several articles and books on history and higher education topics including the history of the North Carolina Community College system.