

**(A) 2021 08 January: Revised Procedural Advisory: School Closure Procedures for Education Claims Processing (COVID-19 UPDATE)**

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Revised Procedural Advisory: School Closure Procedures for Education Claims Processing (COVID-19

UPDATE)

**This advisory was originally released on February 15, 2019, and updated on April 29, 2020. Previous versions will be archived, and this advisory will be used.**

**January 8, 2021**

**What Changed:** Due to the national emergency surrounding COVID-19, updated procedures are necessary when processing education claims as a result of **temporary** school/training establishment closures. These procedures are intended to be used for all temporary school closures. In this revised advisory, an additional step has been added for processing COVID-19 temporary school closures for claims which are manually processed. Education Service has determined there shall be no entitlement charged for the additional 28 days of benefits paid for this temporary provision effective March 1, 2020 through December 21, 2021. Effective January 9, 2021, the Long Term Solution (LTS) Release 7.3 contains limited programming to automate most terminations for COVID-19 temporary school closures. This new functionality does not charge entitlement for benefits extended up to 28 days consistent with this revised guidance. Remediation will be required for all claims manually processed which is explained in this advisory.

**Purpose:** To provide Regional Processing Offices (RPOs) with procedural guidance and instructions for handling temporary school closings. This advisory outlines additional guidance supplementing the Procedural Advisory: Temporary School Closure Due to a Natural Disaster, dated September 21, 2018.

**Background:** In accordance with 38 USC 3680(a) and 38 CFR 21.4138(f)(6) when schools temporarily close due to emergencies, including strikes or upon an Executive Order by the President, the Department of Veteran Affairs (VA) will continue payments for certified periods of enrollment through the end of the term or up to 4 weeks (28 calendar days) from the date of the temporary school closure, whichever is earlier. VA has no authority to issue payments for terms that would have begun during a temporary shutdown. In that scenario, VA will resume payments for training effective the date the student begins training after the school reopens.

School Certifying Officials (SCOs) were informed to report the following:

- School closures.
- The reason for the school closure (i.e. Hurricane Affected Student, Strike, Permanently Closed...)
- Any changes to enrollment dates (Note: Schools must request and receive approval from the State Approving Agency (SAA) of jurisdiction.)
- Actual dates closed and official breaks, as available
- When a school is closed at the beginning of a certified enrollment period. (VA has no authority to commence payments during a period a school is closed.)

**NOTE:** If a student is unable to resume his or her classes when the school reopens or was unable to attend while the school remained open, then VA is unable to continue payments to that student.

When the student is no longer pursuing classes, the school must report this change in student status as a termination to VA as soon as possible. (e.g. A student must relocate due to damage to the family's home caused by a natural disaster. The school will include an appropriate statement in the remarks section of the change in student status with the termination.)

**COVID 19 UPDATE:** Due to the national emergency, schools and training establishments are to report to the Education Liaison Representative of jurisdiction (ELR) any temporary closures. The ELRs send this information to the Chief, Education Liaison Officer (CELO) who reports information to the Operations Management team in Education Service. This team, with the assistance of Business Analytics, prepares a list of GI Bill Beneficiaries (all chapters) currently enrolled at that facility.

This list will be released to the RPO for immediate processing. It is recommended each RPO use a special team to process

these terminations since the process is slightly different from regular adjudication.

**CLAIMS PROCESSING:** Veterans Claims Examiners (VCE) must do the following:

**1. Permanent School Closure (all benefits).** Permanent School Closures are processed at the Muskogee RPO due to Section 109 of the Colmery Act. Follow procedures in M22-4, Part 4, 11.20 and route these claims to the RESTORATION queue for specialized processing.

**2. Student is unable to complete training (all benefits).** Upon receipt of a VA Form 22-1999b indicating a student has been terminated due to reasons beyond their control (i.e. mitigating circumstances have been provided) and the school **remains** open, VCEs should process the claim as normal applying mitigating circumstances. This action may result in an overpayment.

**3. Temporary School Closure.**

**Updated information based on COVID 19 procedures.** Schools are required to contact their ELR and State Approving Agency (SAA) to provide a notice of temporary closure. However, if the school submits a VA Form 22-1999b and indicates a temporary school closure, the VCE should notify the ELR of jurisdiction in addition to following these instructions.

#### a.Non-chapter 33 Claims

1. FLASH the Image Management System (TIMS) appropriately and add "TCLOSED" to TIMS facility code field.
2. The VCE must continue payment and stop after 28 calendar days from the date the school was reported closed. If the enrollment period ends sooner, no adjustments are required.
3. Add BDN STOP message: "STOP SCHOOL TEMPORARILY CLOSED (Insert date and reason)" and suppress the BDN generated letter.
4. Release payments through date stopped using the CERT command when applicable. If the VCE cannot verify attendance through the end of the amended award, the VCE must suspend under TIMS control until date the verification can be performed. Refer to local guidance regarding TIMS control.
5. **COVID-19 ONLY** - Determine the entitlement used for 28 days (or less if payments stopped sooner) at the training time paid using the **Standardized Claims Processing Worksheets, Entitlement Calculation tab. Then CORR the master record to restore the amount of days used for the extension.**
6. Send edited adverse action letter to the claimant, clearly explaining the reasons benefits have been stopped.

#### b.Chapter 33 Claims

1. FLASH TIMS appropriately and add "TCLOSED" to TIMS facility code field.
2. On the LTS Biography page add a Stop Automation flag with "TCLOSED" as the description.
3. In Work Product 1:
  - For IHLs, add an amendment, terminating the enrollment. (The VCE will extend the effective date 28 calendar days from the date reported or to the end of the term whichever is earlier.) Authorize the Work Product without payments, isolating the tuition and fee and other debts.
  - For NCD facilities, process as a leave of absence (LOA). Add an amendment, terminating the enrollment. (The VCE will extend the effective date 28 calendar days from the date reported or to the end of the term whichever is earlier.) Authorize the Work Product without payments, isolating the tuition and fee debts.

NOTE 1: When necessary, the VCE shall control the claim action until the system will allow data entry on the 28th day after closed.

NOTE 2: VCE should suppress the LTS letter in both situations. Remember, system generated letters should be suppressed when generated during multi- work product process and do not correctly or completely indicate actions taken. As an example, certain system generated letters generate when authorizing with no payments or manual payments which either requires editing or is not a final action. In those situations, the letters should be suppressed.

4. In Work Product 2: Make no additional changes to the LTS and authorize with automatic payments. This action will prevent additional erroneous housing payment from being released.

**NOTE: (COVID-19 ONLY) Determine the entitlement used for the 28 days (or less if payments stop sooner) by multiplying number of days by the rate of pursuit (RoP). Enter and have authorized an "Add Entitlement" manual award for this amount as the beneficiary shall not be charged entitlement for the additional 28 days paid. (See RoP formula in section 5 below.) NCD facilities with tuition and fees paid for the enrollment period DO NOT require a manual award as additional entitlement is not charged for this type of training.**

5. Edit the notification to the claimant, explaining the reason benefits have been stopped. Remove references to tuition and fee debts which would not be established at this time.

**4. Overpayments.** Schools have been informed to notify VA immediately when they temporarily close. However, due to the national emergency some schools may not be able to provide the information before the extra 28 calendar days.

a. Monthly Housing Allowance Debts.

1. If the school has provided the information to the VA and the adjustment can be made without creating an overpayment to the student for MHA, process the award.
2. If the school provided the information to the VA but the VA was unable to process the claim before the MHA was released, thus appearing to create an overpayment, VCEs should authorize without payment (not create the overpayment) and follow administrative error procedures as found in M22-4, Part 3, chapter 2.
3. If the school provided the information to the VA, more than 28 days from the date of the temporary closure, the VCE should extend the enrollment period as appropriate, and then authorize any remaining overpayment.

b. Books & Supplies Debts.

1. For IHLs, if a student attends one day of an enrollment period, they remain entitled to all of the Books & Supplies (B&S) payments issued for that term.
2. For On-the-Job Training (OJT) and Apprenticeship (APP), VA has determined no overpayment for B&S will be created if the school has temporarily closed. Authorize without payments for those actions.
3. For NCD, VA has determined no overpayment for B&S will be created if the school has temporarily closed. Authorize without payments for those actions.

c. Tuition and Fees Debt (Student)

1. Temporary school closures should NOT routinely affect tuition and fees debts. The presumption is the student is temporarily not attending the class/program/course, and at the time of resumption, the school will not charge additional tuition and fees.
2. At the time the school resumes, if the student fails to return to class, the school will appropriately submit termination notices and VCEs will adjust the awards as normal.
3. When an overpayment MUST be created, in an adverse action letter, advise the claimant of the changes to the length of the enrollment period reported by his/her school and the circumstances for these changes.

5. Resumptions (after temporary school closure)

**a. Non-chapter 33 benefits.** Once VA receives notice indicating the school has resumed, the VCE should resume payments for the enrollment period at the rate of training based upon the original enrollment period from the date the school resumed until the revised term ending date

b. Chapter 33.

1. For IHLs, delete the amendment added previously terminating the enrollment period.
2. For NCD facilities, update the NCD interruption amendment as necessary with additional non-payable days after 28 calendar days. Edit the original enrollment ending date, if necessary.

Enter the number of days the school was closed, including the 28 calendar days extension as "vacation" days on the enrollment pop-up. If necessary, edit the full-time measure to manipulate RoP if necessary. (See below.) Verify any adjustments by ensuring the MHA payment amount is the same as paid before the school closure was reported.

NOTE: This step does not apply to NCD facilities where LOA is used.

**c. Procedures to Manipulate RoP when necessary:** Verify the monthly housing allowance (MHA) rate. If the MHA rate remains the same, no additional remediation is necessary.

If the MHA rate changes, perform the following remediation to correct the MHA rate payable:

- Non-Standard Term: Add an amount of days equivalent to the extension in the vacation days field.
- Non-Standard to Standard Term - Follow the steps below:
  - a. Determine the rate of pursuit (RoP) of the original non-standard length term prior to the change (Previous RoP) using the Credit Hour Equivalent (CHE) spreadsheet. Divide the CHE result by Fulltime amount for program.

Formula: Non-Standard term:  $CHE / \text{Fulltime amount} = \text{RoP}$

- b. Divide credit hours enrolled by the Previous RoP determined above to calculate an Adjusted Fulltime amount.

Formula:  $CHE / \text{Previous RoP} = \text{Adjusted Fulltime amount}$

- c. Enter the Adjusted Fulltime amount in the LTS resulting in the same RoP for the term with adjusted term dates.
- d. Authorize without payments. Observe if Student Debt Management issued an appropriate offsetting STUDENT 06S payment, correctly managing the isolated tuition and fee debt we did not establish.
- e. If the school was closed longer than 28 days and there is a period where the LTS is wanting to issue MHA payments prior when the student resumes training, manually FIST/FAUT MHA payments according to local policy. DO not pay prior to the date the school resumed.
- f. NOTE: This step must be completed prior to the next step and should not apply to NCDs processed as LOA.
- g. In another Work Product, make no changes to the LTS and authorize with automatic payments. This step will correct recurring payments and the date last paid.
- h. Edit the LTS generated letter as necessary and release.

NOTE 1: In some instances, MHA may not have been and should remain not payable. The same remediation steps above should be applied to ensure the RoP remains the same for the purpose of charging the correct amount of entitlement.

NOTE 2: For NCD training on clock hours, do not recalculate length of program.

**Questions:** Questions should be addressed to the Procedures Team at [POLPROC.VBACO@va.gov](mailto:POLPROC.VBACO@va.gov).

V/R

Procedures Team

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