Background on the *Protect the GI Bill Act*: Understanding Section 1016

In 2016, a unanimous Congress enacted the *Career Ready Student Veterans Act*, preventing GI Bill funding to be wasted at education programs which leave veterans ineligible for their promised careers. Among the provisions, the Act specifically blocked GI Bill resources from going to law schools whose graduates are ineligible for the bar exam. This change was further strengthened in 2019 when over 40 of the largest national military and veteran service organizations called on Congress to pass additional protections for student veterans in the *Protect the GI Bill Act* (Appendices A, B), including clarifying that law graduates must be eligible to sit for the bar exam in any state. The provisions of the *Protect the GI Bill Act* passed unanimously as Section 1016 of the *Johnny Isakson and David P. Roe, M.D. Veterans Health Care And Benefits Improvement Act Of 2020* (“Isakson-Roe”).

These new protections took effect August 1st, 2021, ensuring law schools eligible for GI Bill dollars would have accreditation from "a specialized accrediting agency," such that graduates, “are eligible to sit for a bar examination in any State.” The vast majority of states require students to achieve a degree from a law school recognized by the American Bar Association (ABA) due to the ABA's rigorous accreditation standards. However, California is unique in allowing anybody to sit for the state bar examination; this gave rise to non-ABA accredited law schools, graduates of which are explicitly prohibited from sitting for the bar exam in nearly two dozen states.

In an economy that switches on a dime, the mobility of our veterans and their families is paramount. The clarified law ensures GI Bill benefits lead to a law degree that gives veterans the ability to sit for the bar exam in any state, and to enjoy mobility in the job market. This is especially important for military families who frequently relocate across state lines. Yet, in response to this new law, some California law schools lacking ABA-recognition (collectively, known as the “California-Accredited Law Schools”, or “CALS” for short) have lobbied against Section 1016 of the Isakson-Roe law. These schools present troubling facts:

- **None of the approximately 20 schools** met the *minimum* American Bar Association bar passage rate of 75% this past year, and one of these schools (University of West Los Angeles) has a bar passage rate of just 9% for its first-time bar takers (Appendix C).
- 25% of the law schools have been placed on *probation* through July 1, 2022, due to a noncompliant minimum passage rate, or have lost accreditation entirely, including: Southern California Institute of Law, Pacific Coast University School of Law, San Francisco Law School, and Lincoln Law School of San Jose. Several of these schools have also been hit with non-compliance citations recently by the State Bar of California: JFK School of Law-National University and San Francisco Law School (Alliant University).
- Several of these law schools appear to simply be a front for BARBRI commercial bar preparation classes, providing little or no substantive education. One “school” is merely a small office next to a gas station and another has just 2 full-time faculty.
- One school’s website is “lawdegree.com,” a recruiting tactic of lead-generator sites, some that notoriously operated websites including GIBill.com and Army.com; both were shut down by law enforcement.

Many of these schools have seen steadily declining veteran enrollments in recent years. Prior to the law’s taking effect, these schools had fewer than 20 GI Bill students. And as of this fall term, there are officially no student veterans attending with their GI Bill. Despite the desperate attempts of those schools to undermine this new law, the *Protect the GI Bill Act* continues to foster the success of student veterans nationwide. Some of the non-ABA schools have gone so far as to hire a lobbyist who misrepresented veterans groups on multiple occasions. For more information on the new law, or other student veteran issues, many veteran service organizations stand ready to discuss the history and importance of these provisions.
November 21, 2019

The Honorable Johnny Isakson
Chairman
Committee on Veterans Affairs
U.S. Senate
Washington, DC 20510

The Honorable Jon Tester
Ranking Member
Committee on Veterans Affairs
U.S. Senate
Washington, DC 20510

Dear Chairman Isakson, Ranking Member Tester, and Members of the Committee:

Thank you for your many years of strong leadership for America’s veterans. We remain indebted to you for all you have accomplished.

For nearly a decade, Veterans and Military Service Organizations have been asking for veterans and other military-connected students to have the same rights as Title IV students.

Thankfully, parity for veterans and military-connected students is finally close to reality with the bipartisan, unanimously-enacted House Veterans Affairs Committee’s bill, HR 4625. We are so grateful. Please support HR 4625 in your committee. This important legislation provides the following provisions to support and protect GI Bill students:

- Restores veterans’ and military-connected students’ education benefits if their school suddenly closes (providing parity with students protected under Title IV);
- Requires schools, not students, to repay tuition overpayments since schools receive tuition funds directly from the U.S. Department of Veterans Affairs (VA) (providing parity with students protected under Title IV);
- Protects veterans’ and military-connected students’ education benefits from schools terminated by the Education Department (ED). Earlier this year, ED terminated Argosy for stealing Title IV federal student aid, but VA did not have statutory authority to protect veterans’ education benefits;
- Requires common-sense oversight of schools following punitive action by federal or state government or the accreditor; and
- Strengthens existing statutes to ensure VA compliance.

We humbly request your leadership to ensure this bill’s passage as soon as possible. We would appreciate the opportunity to meet with you to discuss this legislation.
We thank you.

Sincerely,

[Signatures of various organizations and individuals]

[Signatures of various organizations and individuals]
The Mission Continues

Service 2 School

Student Veterans of America

Tragedy Assistance Program for Survivors

The Retired Enlisted Association

U.S. Coast Guard Chief Petty Officers Association & Enlisted Association

Veterans Education Success

Veterans Student Loan Relief Fund

VetsFirst, a program of United Spinal Association

Military Orders of the Purple Heart

National Military Family Association

Paralyzed Veterans of America

Service Women’s Action Network

Swords to Plowshares

Travis Manion Foundation

US Army Warrant Officers Association

Veterans for Common Sense

San Diego University Veterans Law Clinic

Veterans of Foreign Wars

Vietnam Veterans of America
Appendix B

July 02, 2021

TO: The Honorable Mark Stone, Chair, Committee on Judiciary
    The Honorable Thomas J. Umberg, Chair, Senate Standing Committee on Judiciary
    The Honorable Bob Archuleta, Chair, Senate Committee, Military & Veterans Affairs
    The Honorable Jacqui Irwin, Chair, Committee on Military and Veterans Affairs
    The Honorable Connie M. Leyva, Chair, Senate Education Committee
    The Honorable Jose Medina, Chair, Committee on Higher Education

FROM: The Nation’s Leading Military and Veteran-Serving Organizations

RE: California Legislature Assembly Joint Resolution No. 12

To the Honorable Chairs of the California Legislature:

We, the undersigned, understand that certain California law schools that failed to achieve accreditation from the American Bar Association are pushing for a California resolution calling on Congress to undo the federal Protect the GI Bill Act. Please know the Protect the GI Bill Act was, and is, supported by more than 40 of the nation’s largest veterans and military service organizations. We urge you to stand with our organizations and support the Protect the GI Bill Act.

Very sincerely,

AMSUS, The Society Of Federal Healthcare Professionals

Irak and Afghanistan Veterans of America

Army Aviation Association of America

Military Child Education Coalition

Blue Star Families

Military Order of the Purple Heart

Campaign to Protect Student Veterans

National Military Family Association

High Ground Veterans Advocacy

Deshauna Barber
Service Women’s Action Network

Matthew Cary
Veterans and Military Families for Progress

Swords to Plowshares
Veterans Education Success

Tragedy Assistance Program For Survivors
Veterans for Common Sense

Randy Reid
Veterans of Foreign Wars

U.S. Coast Guard Chief Petty Officers Association & Enlisted Association
Vietnam Veterans of America
### California-Accredited Law Schools (Non-ABA)

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¹ Minimum passage rate (MPR) not reported due to there being fewer than 11 applicants for all listed testing occasions.
² No statistics reported. Ref: http://www.calbar.ca.gov/Admissions/Law-School-Regulation/Exam-Statistics
³ MPR reflects the February testing period of 2018, 2019, and 2020 for first-time test-takers.
⁴ These schools are no longer accredited law schools. Ref: http://www.calbar.ca.gov/Portals/0/documents/admissions/Education/MinimumPassRateStandardCumulativePassRates.pdf
⁵ This law school has been placed on probation through July 1, 2022, due to a noncompliant MPR.