

Rudisill and Perkins

The VA is making it easier for eligible veterans to maximize use of their G.I. Bill education benefits through two recent court rulings (Rudisill v. McDonough and Perkins v. Collins). Veterans may be eligible under either court decision for an additional 12 months of benefits, up to a total of 48 months.

Rudisill Ruling – requires veterans to have at least two separate periods of qualifying honorable active duty service, one that qualifies for MGIB, another for Post-9/11, in order to obtain a combined 48 months of benefits using both programs.

Perkins Ruling – allows veterans with a single period of qualifying honorable active duty service to obtain a combined 48 months of benefits using both MGIB and Post-9/11 benefits IF time in service requirements under both programs are met.

Veterans are still required to have enrolled in the MGIB during their service and served qualifying active duty on or after 11 September 2001 in order to receive additional benefits under either ruling.

The rulings do NOT make veterans eligible to now enroll in the MGIB.

MGIB time-in-service requirements:

- 36 months of honorable active duty service (at least 24 months if enlistment term was less than 36 months)
- May be eligible for month-for-month MGIB benefits if member served less than 36 months with a qualifying separation reason/code listed on their DD-214

Post-9/11 service requirements

- 36 months of honorable qualifying active duty service on or after 11 September 2001
- 30 days of active duty other than for training and received a service connected disability

Steps the VA is taking to help veterans in the wake of these rulings:

- VA is no longer requiring veterans to formally request an assessment of their eligibility under Rudisill. VA will automatically assess their eligibility under this decision.
- VA is reviewing eligibility under both Rudisill and Perkins for any veteran with less than three months of benefits remaining who is currently enrolled in school, or was enrolled in the last six months, to ensure that no current or recent students will be left without benefits if they qualify for additional benefits under either decision.

- VA is updating its automated adjudication systems to apply the Perkins decision. Once complete, VA will review all veterans' files for additional entitlement under the Perkins ruling.

*****Please be mindful that the VA manages the application of either ruling. Veterans MUST be directed to contact the VA for specific guidance and eligibility under these provisions. PERS-311 is not the appropriate contact for this matter.*****