

Pennsylvania's State System of Higher Education
Procedures and Standards for University Operations

Procedure/Standard Number 2015-20
Veterans' In-State Tuition Benefits

For Compliance with Federal Choice Act and Commonwealth Act 11 of 2015

Approved by: _____

Chancellor

Date: _____

7/9/15

History: In August 2014, the federal government enacted the *Veterans Access, Choice, and Accountability Act of 2014* (Choice Act), which requires public institutions of higher learning to charge in-state tuition and fees to "covered individuals" to remain approved for the Veterans Administration's GI Bill programs. In response, Pennsylvania's Act 11 of 2015, ensures Pennsylvania's compliance with the Choice Act.

Revised:

Additional History:

Related Policies, Procedures, or Standards: [Board of Governors' Policies 2015-01: Veterans' In-State Tuition Benefits](#), and [1985-03: Student Domicile Regulations](#)

Key Words/Categories: students, finance, residency, tuition and fees, scholarships and waivers

Additional References: Section 702 of the *Veterans Access, Choice, and Accountability Act of 2014* (Choice Act); Commonwealth Act 11 of 2015 (enacting House Bill 131)

I. **Introduction**

Pennsylvania's State System of Higher Education offers a wide variety of services to military members, veterans, their spouses, and dependents. Effective July 1, 2015, the Board of Governors approved charging in-state tuition for programs of education under the Post-9/11 GI Bill (Chapter 33 of Title 38 of the United States Code, which includes the Fry Scholarship) and the Montgomery GI Bill (Chapter 30 Title 38 of the United States Code) for eligible veterans and their dependents who are "covered individuals" in compliance with Section 702 of the *Veterans Access, Choice, and Accountability Act of 2014* (Choice Act). See Board of Governors' Policy 2015-01: *Veterans' In-State Tuition Benefits*, which permits the chancellor to establish procedures, standards, and guidelines in compliance with Section 702 of the Choice Act and Commonwealth law.

II. Definitions

A. Covered Individual

1. A veteran who lives in the Commonwealth of Pennsylvania (regardless of his/her formal state of residence), enrolls in a State System university, and is eligible to receive benefits under any of the following:
 - a. 10 U.S.C. Chapters 1606, relating to educational assistance for members of the selected reserve; and 1607, relating to educational assistance for reserve component members supporting contingency operations and certain other operations.
 - b. 38 U.S.C. Chapter 30, relating to all-volunteer force educational assistance program.
 - c. 38 U.S.C. Chapter 31, relating to training and rehabilitation for veterans with service-connected disabilities.
 - d. 38 U.S.C. Chapter 33, relating to Post-9/11 educational assistance.
2. An individual (typically a spouse or child) using transferred benefits under U.S.C. Chapter 33, relating to authority to transfer unused educational benefits to family members, who lives in the Commonwealth of Pennsylvania (regardless of his/her formal state of residence) and enrolls in a State System university.
3. An individual (typically a spouse or child) using benefits under U.S.C. Chapters 33 and/or 35, relating to the Marine Gunnery Sergeant David Fry Scholarship and/or other survivor and dependent benefits, who lives in the Commonwealth of Pennsylvania (regardless of his/her formal state of residence) and enrolls in a State System university.

- B. **Veteran**—An individual who served in the United States Armed Forces (military, naval, or air service), including a reserve component or the United States National Guard and commissioned corps of the public Health Service or National Oceanic and Atmospheric Administration, and who has been discharged or released from service under conditions other than dishonorable. Note: All references to veterans in this document are in the context of veterans who are covered individuals, as defined in Section II.A.

III. Universities Shall Charge In-State Tuition for Covered Individuals

- A. Beginning with terms that start after July 1, 2015, covered individuals who enroll in State System universities shall be charged in-state tuition and fees.
- B. Covered individuals who are not veterans must use educational benefits until exhausted, with the exclusion of summer and winter sessions, in order to receive in-state tuition.
- C. Students shall maintain status of a covered individual as long as they remain continually enrolled in any State System university in one or more programs, even if they have exhausted their educational benefits.
- D. Covered individuals shall be eligible for in-state tuition and fees provided that the student lives in Pennsylvania on the first day of the semester or term, which can

include student housing.

- E. All covered individuals charged in-state tuition will be considered in-state for all other student billing purposes, enrollment reports by residency, and allocation formula calculations, and may be considered for institutional in-state financial aid. Universities must be able to track these students separately, as required by the System Research Office.
- F. A veteran does not have to be using educational benefits in order to receive in-state tuition. Veteran active duty of 90 days or more for eligibility may be established based on one, or more than one, period of honorable qualifying active duty service, and qualifying service may be earned in the various branches of the armed forces and uniformed services.
- G. Under certain circumstances, veterans or other covered individuals will be charged out-of-state tuition and fees. For example, covered individuals who live out-of-state and 1) participate via distance education or 2) commute to campus will be charged out-of-state tuition and fees.

IV. **Documentation**

A. Veterans shall provide the following:

- 1. A Member 4 copy of the veteran's DD Form 214 (DD214) in order to establish the veteran's discharge date and a period of honorable active duty of 90 days or more (multiples of the veteran's DD214 may be used to establish qualifying time period and service status).
- 2. A copy of the federal Veterans Affairs Certificate of Eligibility (COE) that establishes eligibility for veterans' educational benefits.
- 3. Evidence that the veteran lives in Pennsylvania; however, there is no requirement that the veteran live in Pennsylvania for a specific amount of time in order to be eligible for in-state tuition and fees.

B. Individuals (typically a spouse or child) using transferred benefits or benefits under the Marine Gunnery Sergeant David Fry Scholarship shall provide the following:

- 1. A copy of the Veterans Affairs Certificate of Eligibility (COE) that establishes the transferred benefits or eligibility for the Marine Gunnery Sergeant David Fry Scholarship.
- 2. A Member 4 copy of the transferor's or veteran's DD214 in order to establish the discharge date and a period of honorable active duty of 90 days or more (multiples of the veteran's DD214 may be used to establish qualifying time period and service status)
- 3. Evidence that the covered individual lives in Pennsylvania; however, there is no requirement that the covered individual live in Pennsylvania for a specific amount of time in order to be eligible for in-state tuition and fees.

- C. If the necessary documentation is not provided, the student shall be charged out-of-state tuition.
- D. Universities shall ensure the safety and confidentiality, as appropriate, of all documentation submitted.

V. **Effective Date**

Effective for terms beginning after July 1, 2015.