

Tuition Benefits for Military Personnel

This document serves as general guidance to the institutions until the Domicile Guidelines are revised and promulgated. This reflects SCHEV's current interpretation of the statute and may be amended as unusual circumstances are addressed and the guidance is implemented.

During the 2007 session of the General Assembly, a new law providing for tuition benefits for military personnel was passed. Below is the Code of Virginia language effective as of July 1, 2007.

§ 23-7.4:2 G.

[quote]

G. Any active duty members, activated guard or reservist members, or guard or reservist members mobilized or on temporary active orders for six months or more, that are either stationed or assigned by their military service to a work location in Virginia, and residing in Virginia, shall pay tuition, to the public institution of higher education in which they are enrolled, in an amount no more than the amount covered by their military service Tuition Assistance program or the institution's in-state tuition rate, whichever is greater.

[end quote]

Guidance:

1. **Effective Date** - Affects all terms whose first day begins on or after July 1, 2007. The benefits of this legislation are not retroactive to terms beginning prior to July 1, 2007.
2. **Beneficiary** – Affects the active duty military member, activated guard or reservist member, or guard or reservist members mobilized or on temporary active orders for six months or more. Guidance on identifying these categories of personnel will be on-going as the provision is implemented.
3. **Application** – This provision is intended to benefit those students who otherwise do not meet Virginia domiciliary requirements. Students who are determined to be Virginia domiciles do not need this provision and are therefore not subject to its restrictions.
4. **Military Assignment** – Must be assigned to a base physically located within Virginia borders (Pentagon inclusive). Temporary deployment away from Virginia does not disqualify the student as long as the military member remains attached to a unit whose home base is located in Virginia.
5. **Residence** – The eligible student must have a physical residence within Virginia. In addition to personal permanent housing, such residence may include base, rental, or other temporary housing. Temporary deployment (i.e. to overseas station) does not disqualify the member as long as a residence is maintained in Virginia. Military assigned and voluntary housing located outside of Virginia do not qualify.
6. **Benefits** – The benefit is not designation as a Virginia domicile, but rather it places a limit on the amount of tuition the student may be charged. The student will be charged the tuition rate in effect for Virginia domiciles unless the student's military service Tuition Assistance program is able to pay more; in which case, the tuition rate is raised up to the level of the available Tuition Assistance, plus mandatory fees not otherwise covered by Tuition Assistance. The provision does not provide access to financial aid reserved for Virginia domiciles and eligible students continue to be categorized as out-of-state for reporting purposes.
7. **Institutions Affected** – Since this provision affects only the tuition charged, the institutions affected are Virginia public colleges and universities only.

8. **Date of Alleged Entitlement** – The date is defined as the first official day of class within the term, semester or quarter of the student's program. The expanded definition of this term used for military dependents under section E, is not applicable to this provision.
9. **Continued Eligibility** – The eligible student must continue to meet all eligibility criteria in successive terms.
10. **Suggested Documentation** - A copy of the military orders verifying military status and assignment to a base located within Virginia, documentation verifying Virginia residence, and a copy of federal Tuition Assistance Program benefit letter (documentation of amount to be charged).