

June 30, 2017

CODED MEMORANDUM

ASA-2017-16

TO: CSU Presidents

FROM: Loren J. Blanchard, Ph.D. 
Executive Vice Chancellor

**Attention:
Admission Officers,
Enrollment Managers, and
Veterans Services Staff**

SUBJECT: Veterans Nonresident Tuition Exemption (VNRTE) for Qualifying Veterans and Dependents

This coded memorandum supersedes the Veterans Nonresident Tuition Exemption (VNRTE) memorandum dated August 28, 2015. In December 2016, the Veterans Access Choice and Accountability Act of 2014 (VACAA), which mandates that public institutions of higher learning exempt “covered individuals” from paying nonresident tuition, was amended by Public Law 114-315. The amendment makes two significant changes, and is effective July 1, 2017.

First, a recipient of the Marine Gunnery Sergeant John D. Fry (provides Post-9/11 GI Bill® benefits to the children and surviving spouses of service members who died in the line of duty while on active duty) is no longer required to enroll in college within three years of the service member’s death to receive the nonresident tuition exemption. If the Fry Scholarship recipient resides in California and attends a public institution of higher learning, they must be granted resident tuition.

Second, the amendment now requires that dependents of active duty service members who are eligible to use transferred benefits under Chapter 33 (Post 9/11 GI Bill®) must be granted resident tuition.

An amendment to California Education Code section 68075.7, the state law equivalent of VACAA, is pending to ensure it does not conflict with federal requirements.

Eligibility

For purposes of compliance with the amended VACAA and California Education Code section 68075.7, a “covered individual” is defined as:

1. A veteran or dependent (child or spouse) of a veteran eligible for educational assistance under either the Montgomery GI Bill-Active Duty or Post-9/11 GI Bill® education benefit programs who resides in

California and enrolls in college within three years of discharge from active duty service of 90 days or more.¹

After expiration of the three-year period following discharge, an enrolled student shall maintain “covered individual” status as long the student remains continuously enrolled in college, even if the student enrolls in multiple programs, and the student shall continue to be exempt from paying nonresident tuition and other fees that are exclusively applicable to nonresident students. “Continuously enrolled” means enrolled for at least the fall and spring semesters of an academic year, or for at least three quarters in an academic year (the academic year does not include summer or other intersessions). For veterans and dependents, the first day of class in the CSU must fall within the 36-month period from the date of discharge from active duty.

2. A dependent of an active duty service member who resides in California and has received transferred benefits under the Post-9/11 GI Bill® education benefit programs. The 36-month requirement does not apply to eligible dependents of active duty service members.
3. The dependent of a person who, on or after September 11, 2001, died while serving on active duty as a member of the Armed Forces who resides in California. This includes individuals eligible for benefits under the Fry Scholarship.

Determination of eligibility for the VNRTE is made during the campus admissions process. Absences authorized by the campus do not affect the continuous enrollment clause. Academic disqualification, disciplinary suspension, dropping out or actions involving readmission are examples of a break in continuous enrollment that may result in a loss of the nonresident tuition exemption. Use of the Title 38 benefits is not required for covered individuals to receive the VNTRE.

Documentation

Eligibility for all VNRTE students is determined by verifying the Veterans Administration Certificate of Eligibility (COE) letter. The COE validates the “covered individual’s” eligibility to participate in Chapters 30 or 33 and, for dependents of active duty members, reflects that the service member (benefit transferee) is still on active duty. In the case of veterans or dependents of veterans, the DD 214 (Certificate of Release or Discharge from Active Duty) displays the effective date of the veteran's discharge from active federal service.

Status and Enrollment Reporting

“Covered individuals” are classified as nonresidents of the state receiving a nonresident tuition exemption; however, because this is an established full exemption, their enrollment should be counted as “resident” for FTE purposes and coded as “Military” or “Other” for residence status code.

Refunding Nonresident Tuition

CSU campuses are guided by California Code of Regulations, Title 5, section 41802, “Refund of Fees Including Nonresident Tuition,” when determining how and when to refund nonresident tuition for “covered individuals.”

¹ This requirement was enacted in 2014 and was not modified by the 2016 amendment.

Questions concerning eligibility and the provisions of the Veterans Nonresident Tuition Exemption may be referred to Pat O'Rourke, Director, Active Duty and Veterans Affairs at porourke@calstate.edu or (562) 951-4130. Questions concerning residency may be referred to Ray Murillo, Director, Student Programs at rmurillo@calstate.edu.

LJB/ay0

- c: Provosts/Vice Presidents of Academic Affairs
- Vice Presidents of Student Affairs
- Associate Vice Presidents of Academic Affairs
- Vice Presidents of Business and Finance
- Patrick O'Rourke, Director, Active Duty and Veterans Affairs
- Ray Murillo, Director, Student Programs
- Directors of Admission
- State University Registrars
- Directors, Coordinators, School Certifying Officials of Veterans Services