

# **In-State Tuition for Military-Related Students**

## **2024 Domicile Workshop**

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**STATE COUNCIL OF HIGHER  
EDUCATION FOR VIRGINIA**

# Terminology

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- We often refer to a **Virginia domicile** when speaking of the primary path to in-state tuition.
- With multiple paths to in-state tuition and state financial aid, I will be more often using the term: **Virginia student**.
- A **Virginia Student** is eligible for in-state tuition and state financial aid.

# Terminology

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- A student may be treated as a **Virginia Student** one of three ways:
  - Meeting the Commonwealth's domicile requirements
  - Meeting the Military Dependent requirements under § 23.1-505
  - Meeting the Tuition Equity requirements under § 23.1-505.1
- A student obtaining in-state tuition through an exception clause found under §§ 23.1-506 through 508.1 are not eligible for state financial aid and would be considered out of state students obtaining in-state tuition under an exception.

# Multiple Paths for Military In-State Tuition

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## 1 Domicile

Standard domicile review and benefits, with special provisions for the military family.

## 2 Dependents “Deemed as Domiciled”

Not a domicile review (receive all benefits of domicile).

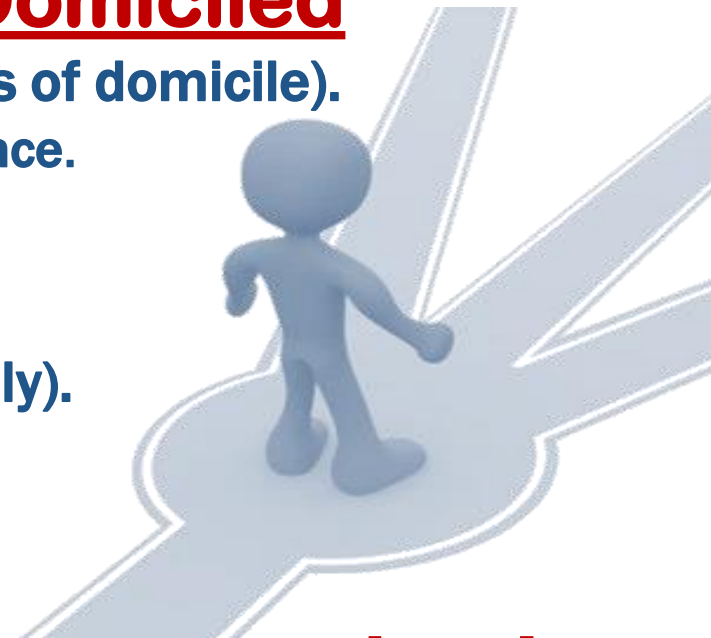
- ❖ Based on military assignment and residence.

## 3 Four Exceptions

Not a domicile review (tuition benefits only).

- ❖ State – two provisions
- ❖ Federal – two provisions

**Each path is completely separate and unique**



# Multiple Paths for Military In-State Tuition

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# Path**1**: Domicile with Military Provisions

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## **Standard domicile review process applies**

- ❖ Evaluate each case using the standard domicile review process.
- ❖ Domicile must be demonstrated.

## **Special provisions for the military family**

**Four** provisions dealing with the timing and maintaining of eligibility for benefits and with the nonmilitary spouse.

# Path 1: Domicile with Military Provisions

## 1. Waiver of One-Year Waiting Period

504. *“In determining the domicile of (i) active duty military personnel residing in the Commonwealth, retired military personnel residing in the Commonwealth at the time of their retirement, surviving spouses, or veterans who voluntarily elect to establish the Commonwealth as their permanent residence for the purpose of domicile or (ii) a dependent spouse or dependent child who claims domicile through an individual listed in clause (i), institutions of higher education shall waive the one-year requirement set forth in subsection B of § 23.1-502.”*

- ❖ **Once domicile is established, eligible for in-state tuition as of the next term (must be domiciled prior to or as of the first day of the term).**
- ❖ **Provision does not change domicile review.**
- ❖ **Still must provide clear and convincing evidence of domicile.**

# Path 1: Domicile with Military Provisions

## 2. Eligibility through Nonmilitary Spouse Residing in Virginia Less than One Year

*502 B “In determining domiciliary intent, institutions of higher education shall consider the totality of the circumstances, including the following applicable factors: continuous residence for at least one year prior to the date of the alleged entitlement, except in the event of the establishment and maintenance of a place of residence outside the Commonwealth for the purpose of maintaining a joint household with an active duty United States military spouse;”*

- ❖ **Actual residence may be interrupted by a military move.**
- ❖ **Such a move should not penalize the nonmilitary spouse or his/her dependents.**



# Path1: Domicile with Military Provisions

## 3. Maintaining of Domicile by Nonmilitary Spouse

*500 “Domicile, once established, is not affected by (i) mere transient or temporary physical presence outside the Commonwealth or (ii) the establishment and maintenance of a place of residence outside the Commonwealth for the purpose of maintaining a joint household with an active duty United States military spouse.”*

- ❖ **If** it is clear and convincing that the spouse of a military member had established domicile while in Virginia, **and**
- ❖ If the spouse then moves to follow the military member to another assignment, **and**
- ❖ If the spouse can demonstrate they have not intentionally changed their domicile to another jurisdiction,
- ❖ **Then** the nonmilitary spouse does not lose their domicile.

# Path1: Domicile with Military Provisions

## 4. Nonmilitary Spouse Claiming Student for Tax Purposes

*503 “E. The domicile of a dependent student shall be rebuttably presumed to be the domicile of the parent or legal guardian (i) claiming him as an exemption on federal or state income tax returns currently and for the tax year prior to the date of the alleged entitlement or (ii) providing him with substantial financial support. The spouse of an active duty military service member, if such spouse has established domicile and claimed the dependent student on federal or state income tax returns, is not subject to minimum income tests or requirements.”*

### Guidance

- ❖ **Law allows the student to claim domicile of the parent claiming him for tax purposes; however, there is no minimum income test for the nonmilitary spouse.**
- ❖ **Set aside concerns whether the nonmilitary parent is actually providing substantial financial support.**

# Multiple Paths for Military In-State Tuition

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Not a domicile review (receive all benefits of domicile).

- ❖ Based on military assignment and residence.

## 3 Four Exceptions

Not a domicile review (tuition benefits only).

- ❖ State – two provisions
- ❖ Federal – two provisions



# Path 2: Dependents Deemed as Domiciled

## § 23.1-505

*“B. Notwithstanding § 23.1-502 or any other provision of law to the contrary, all dependents, as defined by 37 U.S.C. § 401, of active duty military personnel or activated or temporarily mobilized reservists or guard members (i) assigned to a permanent duty station or workplace in the Commonwealth, the District of Columbia, or a state contiguous to the Commonwealth who reside in the Commonwealth; (ii) assigned unaccompanied orders and immediately prior to receiving such unaccompanied orders were assigned to a permanent duty station or workplace in the Commonwealth, the District of Columbia, or a state contiguous to the Commonwealth and resided in the Commonwealth; or (iii) assigned unaccompanied orders with the Commonwealth listed as the designated place move shall be deemed to be domiciled in the Commonwealth and are eligible to receive in-state tuition.”*

*“C. All such dependents shall be afforded the same educational benefits as any other individual who is eligible for in-state tuition pursuant to § 23.1-502. Such dependents are eligible for such benefits, including in-state tuition status, for as long as they are continuously enrolled in a public institution of higher education or private institution of higher education or have transferred between public institutions of higher education or private institutions of higher education or from an undergraduate degree program to a graduate degree program at a public institution of higher education or private institution of higher education, regardless of any change of duty station or residence of the military service member.”*

# Path 2: Dependents Deemed as Domiciled

*“B. Notwithstanding § 23.1-502 or any other provision of law”*

- ❖ **They do not have to meet any other requirement.**
- ❖ **This is not a domicile review.**

*“all dependents, as defined by 37 U.S.C. § 401”*

- ❖ **Much broader interpretation of dependent than state definition for domicile or federal definition for financial aid.**
- ❖ **Includes adoption, legal custody, stepchildren, dependent parents.**
- ❖ **Complete military definition is available on SCHEV website.**

*“of active duty military personnel or activated or temporarily mobilized reservists or guard members”*

- ❖ **Essentially, active duty military personnel as defined in military law and the Domicile Guidelines.**

# Path 2: Dependents Deemed as Domiciled

*“(i) assigned to a permanent duty station or workplace in the Commonwealth, the District of Columbia, or a state contiguous to the Commonwealth who reside in the Commonwealth; (ii) assigned unaccompanied orders and immediately prior to receiving such unaccompanied orders were assigned to a permanent duty station or workplace in the Commonwealth, the District of Columbia, or a state contiguous to the Commonwealth and resided in the Commonwealth; or (iii) assigned unaccompanied orders with the Commonwealth listed as the designated place move”*

- ❖ **Does not include temporary assignments.**
- ❖ **Includes military personnel assigned to a Virginia base but “deployed” elsewhere.**
- ❖ **Provisions to cover *unaccompanied orders* if the orders (ii) are for immediately after a Virginia assignment and family remains in the state or (iii) prior to Virginia assignment and family is directed to reside in Virginia in advance.**

# Path 2: Dependents Deemed as Domiciled

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*“who reside in Virginia”*

- ❖ **Military member must physically reside in Virginia.**
- ❖ **Any kind of housing in Virginia is acceptable (base, rental, home ownership, etc.).**
- ❖ **Does not include housing outside of the Commonwealth whether military-assigned or voluntary.**

# Path 2: Dependents Deemed as Domiciled

“shall be deemed to be domiciled in the Commonwealth and are eligible to receive in-state tuition.

C. All such dependents shall be afforded the same educational benefits as any other individual who is eligible for in-state tuition pursuant to § 23.1-502”

- ❖ **Means to treat in the same manner as any Virginia domicile.**
- ❖ **Afford every educational benefit including:**
  - **In-state tuition.**
  - **Financial aid (including TAG).**



# Path 2: Dependents Deemed as Domiciled

## Duration of Benefits

*“for as long as they are continuously enrolled in a public institution of higher education or private institution of higher education or have transferred between public institutions of higher education or private institutions of higher education or from an undergraduate degree program to a graduate degree program at a public institution of higher education or private institution of higher education, regardless of any change of duty station or residence of the military service member.”*

- ❖ **“Continuously” means at least one course in consecutive fall/spring or spring/fall terms (lack of summer enrollment does not disqualify).**
- ❖ **Able to transfer between public institutions or private institutions back to public as long as maintains continuous enrollment. (Private institutions are accredited, degree-granting institutions of higher education formed, chartered, or established within Virginia.)**
- ❖ **May enroll in undergraduate or graduate/professional program.**
- ❖ **After initial eligibility, continued eligibility based solely on continuous enrollment, not on the status or reassignment of the military member.**
- ❖ **If a student breaks enrollment, the student may regain eligibility by meeting initial eligibility requirements upon reenrollment.**

# Path 2: Dependents Deemed as Domiciled

## Duration of Benefits Amended

“Such continuous enrollment requirement shall be waived if the dependent verifies that a break of no longer than one year was required in order to support a spouse or parent on orders for a change of duty assignment or location.”

The institution should verify:

- ❖ Whether the initial requirements for the provision have been met (follow current practice).
- ❖ Whether the break in enrollment:
  - ❖ Is no more than one year (student missed no more than one fall and one spring term; in any order)
  - ❖ Is tangential to or overlapping a military reassignment of the military spouse/parent (verifiable through a copy of military orders and enrollment records).
- ❖ Aside from the above documents, the institution need not conduct any further verification or determine specific reasons for the break in enrollment.

# Path 2: Dependents Deemed as Domiciled

## Window of Eligibility

*“For the purpose of this subsection:*

*“Date of alleged entitlement” means the date of admission or acceptance for dependents currently residing in the Commonwealth or the final add/drop date for dependents of members newly transferred to the Commonwealth.”*

- ❖ Differs from standard domicile review definition (first day of term).
- ❖ Altered definition includes an “eligibility window” from the date of admission until the end of add/drop; if conditions met for any one day within this window, then eligible for benefits.
- ❖ Enrolled students meeting criteria within this window remain eligible regardless of any subsequent military reassignment.
- ❖ Students whose families transfer into Virginia after admission but prior to the end of drop/add are eligible if they otherwise meet criteria (and remain eligible regardless of any subsequent military reassignment).

# Path 2: Dependents Deemed as Domiciled

## Documentation

- ❖ Copy of the military orders to verify:
  - Active-duty military status or activation of reservist / guard member, and
  - Permanent duty station within Virginia, a contiguous state, or Washington DC.
- ❖ Documentation verifying Virginia residence.
- ❖ Verification of military dependent status: e.g. copy of military dependent card issued by the military or other document demonstrating dependent status.

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❖ Based on military assignment and residence.

## Four Exceptions

### 3 Not a domicile review (tuition benefits only).

- a. State - based on residence
- b. State - based on paying taxes for 10 years
- c. Federal - based on military assignment
- d. Federal Veteran’s Choice Act



# Path: 3.a. State Military Exception

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## Section 506 – residence based

*3. Any active duty member, activated guard or reserve member, or guard or reserve member mobilized or on temporary active orders for 180 days or more who resides in the Commonwealth.*

*4. Any veteran who resides in the Commonwealth.*

*5. Any surviving spouse who resides in the Commonwealth.*

# Path: 3.a. State Military Exception

## Code of Virginia Definitions

### “Active duty service members”

- ❖ *“Any active duty member, activated guard or reserve member, or guard or reserve member mobilized or on temporary active orders for 180 days or more”*

Refers to active-duty military of the United States.

### “Veteran”

- ❖ *“means an individual who has served on active duty in the Armed Forces of the United States and who was discharged or released from such service under conditions other than dishonorable.”*

### “Surviving spouse”

- ❖ *“means the spouse of a military service member who, while serving as an active duty member in the Armed Forces of the United States, Reserves of the Armed Forces of the United States, or Virginia National Guard, during military operations against terrorism, on a peacekeeping mission, or as a result of a terrorist act, or in any armed conflict, was killed in action, became missing in action, or became a prisoner of war.”*

Must have been the result of active combat.

# Path: **3.a.** State Military Exception

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## Who is eligible?

- ❖ Active-duty service members.
- ❖ Veterans.
- ❖ Surviving spouses.

*Family members of the above are not eligible under these provisions.*

## What are they eligible for?

- ❖ In-state tuition rate.

*Other educational benefits such as financial aid are not included.*

## Which institutions are affected?

- ❖ Since provision affects tuition rate, only Virginia public colleges and universities are affected.



# Path: **3.a. State Military Exception**

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## Residence Requirement

*“who resides in the Commonwealth”*

- ❖ Eligible student must have a physical residence within Virginia.
- ❖ Commuting from out-of-state or taking online courses from out-of-state does **not** qualify.

### Specific to active-duty members

- ❖ Regardless of military assignment.
- ❖ In addition to personal permanent housing, 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.

# Path: **3.a. State Military Exception**

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## **Window of Eligibility**

- ❖ Must be eligible as of the date of alleged entitlement - the first official day of class within the term, semester, or quarter of the student's program.

## **Continued Eligibility**

- ❖ Eligible student must continue to meet all eligibility criteria in successive terms.

# Path: **3.a. State Military Exception**

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## Documentation Needed to Verify Eligibility

### For active-duty military status

- ❖ Copy of military orders.

### For veteran status

- ❖ Copy of form DD-214 – Certificate of Release or Discharge from Active Duty.

### For surviving spouse status

- ❖ Proof of payment from Office of Servicemembers Group Life Insurance or OSGI (call 800.419.1473) or
- ❖ Copy of form DD-1300 “Report of Casualty” (<http://www.archives.gov/veterans/>) and
- ❖ Copy of marriage certificate.

### For Virginia residence

- ❖ Any official document showing name, date, and a Virginia address.

# Path: **3.b.State Military Exception**

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**Section 506 – tax based**

# Path: 3.b. State Military Exception

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## Section 506 – tax based

*8. Any child of an active-duty member or veteran who claims Virginia as his home state and filed Virginia tax returns for at least 10 years during active-duty service.*

# Path: **3.b**. State Military Exception

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## Section 506 – tax based

- Eligible student
  - Any child
    - Biological, Adopted, Step, and/or Foster; see definition under Title 37 U.S. Code § 401
    - Does not include the spouse.
  - whose parent was either
    - An active-duty member or
    - Veteran
  - And such parent, while on active-duty, claimed Virginia as the home of record
  - And such parent, for at least 10 years during active-duty service, filed Virginia state tax returns

# Path: **3.b.State Military Exception**

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## Section 506 – tax based

### State taxes:

- Proof of filing Virginia state income taxes for at least ten years during active duty
- No restrictions on when state taxes were filed
- No requirement that the ten years of filing were continuous or current
- State tax returns must have been filed as Virginia legal resident

### Verification:

- Proof of current (military orders) or prior active-duty status (DD-214)
- Proof of having Virginia as home of record during active service
- Proof of filing Virginia state income taxes for at least ten years during active duty
  - For example, tax transcript or copies of Leave and Earnings Statement.

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# Federal Provisions



# Path: 3.C. Federal Military Exception

## Active Duty and Dependents

Federal Higher Education Opportunity Act - 2008

<http://www.ed.gov/policy/highered/leg/hea08/index.html>

### *SEC. 135. IN-STATE TUITION RATES FOR MEMBERS OF THE ARMED FORCES ON ACTIVE DUTY, SPOUSES, AND DEPENDENT CHILDREN.*

*(a) REQUIREMENT. — In the case of a member of the armed forces who is on active duty for a period of more than 30 days and whose domicile or permanent duty station is in a State that receives assistance under this Act, such State shall not charge such member (or the spouse or dependent child of such member) tuition for attendance at a public institution of higher education in the State at a rate that is greater than the rate charged for residents of the State.*

*(b) CONTINUATION. — If a member of the armed forces (or the spouse or dependent child of a member) pays tuition at a public institution of higher education in a State at a rate determined by subsection (a), the provisions of subsection (a) shall continue to apply to such member, spouse, or dependent while continuously enrolled at that institution, notwithstanding a subsequent change in the permanent duty station of the member to a location outside the State.*

# Path: **3.C. Federal Military Exception**

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## ❖ Who is Eligible:

- **Active duty members, spouse and dependent children.**

## ❖ Requirement:

- **Permanent duty station is in Virginia.**

## ❖ Benefit:

- **Institution cannot charge more than the tuition charged to in-state residents.**
- **Continuous enrollment at the institution.**
- **Does not include state financial aid.**

# Path: 3.d. Federal Veteran's Choice Act

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- Any student using benefits from Chapter 30, 31, 33, or 35.  
A student not using military education assistance is not covered by this provision.
- The student resides in Virginia: cannot be commuting from out of Virginia or enrolled distance learning from another state.
- Provides access to in-state tuition but not state financial assistance.
- The institution's SAA (State Approving Agency) is responsible for the interpretation and administration of this program. In Virginia, the SA is attached to the Virginia Department of Veterans Services (DVS).

# Comparison of State and Federal Provisions

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## Differences for Dependents

- ❖ **State** 505 “deemed-as-domiciled” provision is residency based:
  - ❖ military member must reside in Virginia
  - ❖ military member can be assigned to a contiguous state.
- ❖ **Federal** title IV provision is assignment based:
  - ❖ military member must be assigned to Virginia,
  - ❖ military member can reside in another state.
- ❖ **State** “deemed as domicile” provision for military dependents provides for in-state tuition and access to state financial aid.
- ❖ **Federal** provision only provides for in-state tuition but not state financial aid.
- ❖ **State** is based on continuous enrollment in any state institution
- ❖ **Federal** is based on continuous enrollment in the one institution.

# Comparison of State and Federal Provisions

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## Differences for Active Duty Members

**Under federal provision, duration of eligibility based upon enrollment of the student, not military assignment.**

### **Of special note:**

- ❖ State law covers “residing in Virginia”
- ❖ Federal law covers “assigned to Virginia”
- ❖ So active duty military members need only one or the other, not both and the benefit is the same: in-state tuition.
- ❖ Neither provision provides access to state financial aid.

# Path 3: Military Exception (Comparison)

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**Expansive comparison between federal and state law  
available on SCHEV website:**

<https://www.schev.edu/home/showpublisheddocument/276/637807172783830000>

# Path 3: Exception Comparison Cheat Sheet

Military Member		
	Federal Exception	State Exception
<b>ELIGIBILITY CRITERIA</b>		
<b>Residency</b>	No residency requirement	<b>Must reside in Virginia</b>
<b>Duty Station</b>	<b>Virginia</b>	Not specified
<b>Length of Military Member Activation</b>	More than 30 days	At least six months
<b>BENEFITS</b>		
<b>Tuition Rate</b>	No more than in-state tuition	No more than in-state tuition
<b>State Financial Aid</b>	None	None
<b>Continuation</b>	<b>Continuous enrollment</b> at initial institution	Continuation not automatic. <b>Must continue to meet initial eligibility criteria.</b>

# Path 3: Exception Comparison Cheat Sheet

Military Dependents		
	Federal Exception	State Exception
<b>ELIGIBILITY CRITERIA</b>		
Who Benefits	Spouse and dependent children	Spouse and children but <b>could include other relationships</b> such as a dependent parent
Residency	No residency requirement	<ol style="list-style-type: none"> <li>Assigned to Virginia or contiguous state or DC; and <b>reside in Virginia</b></li> <li>Assigned unaccompanied orders and immediately prior to receiving such orders was assigned to a permanent duty station or workplace geographically located in Virginia, or in a state contiguous to Virginia or DC; and <b>resided in Virginia</b></li> <li>Assigned unaccompanied orders with Virginia listed as the designated place move</li> </ol>
Military Member Permanent Duty Station	<b>Virginia</b>	
Length of Military Member Activation	More than 30 days	No minimum
<b>BENEFITS</b>		
Tuition Rate	No more than in-state tuition	In-state tuition
State Financial Aid	<b>None</b>	<b>Eligible</b>
Continuation	Continuous enrollment at <u>initial</u> institution	Continuous enrollment in <u>any Virginia</u> institution



# New Federal Expansion

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- [20 USC 1015d: In-State tuition rates for members of the armed forces on active duty, spouses, and dependent children \(house.gov\)](https://www.house.gov)
- (1) in the section heading, by striking "the armed forces on active duty, spouses, and dependent children" and inserting "**qualifying Federal service**";
- (2) in subsection (a), by striking "member of the armed forces who is on active duty for a period of more than 30 days and" and inserting "member of a qualifying Federal service";
- (3) in subsection (b), by striking "member of the armed forces" and inserting "member of a qualifying Federal service"; and
- (4) by striking subsection (d) and inserting the following:
  - (d) Definitions
  - In this section, the term "member of a **qualifying Federal service**" means-
    - (1) a **member of the armed forces** (as defined in section 101 of title 10, United States Code) who is on **active duty** for a period of more than 30 days (as defined in section 101 of title 10, United States Code);
    - (2) a **member of the Foreign Service** (as defined in section 103 of the Foreign Service Act of 1980 (22 U.S.C. 3903)) who is on active duty for a period of more than 30 days; or
    - (3) an **officer or employee of an element of the intelligence community** (as such term is defined in section 3003 of title 50) who serves in a position of employment in such element for a period of more than 30 days.

# Federal Expansion

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1. This is the active duty military section, not in Veterans Choice Act
2. Definition of intelligence community is provided in federal law (copied below)
3. Federal requirement for any institution within a state participating in federal title IV aid
4. Must be employed in an intelligence community agency for at least 30 days.
5. Must be assigned to Virginia
6. Proof of employment and assignment is responsibility of the employee/officer.
7. Actual Virginia residency is not a requirement
8. Once initial eligibility is established, benefit continues based on continuous enrollment
9. Available to the employee and to spouse and children
10. Does not provide access to state financial aid.
11. For terms beginning July 1, 2024 or after.

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- **Definitions:**
  - [50 U.S. Code § 3003 - Definitions | U.S. Code | US Law | LII / Legal Information Institute \(cornell.edu\)](#)
  - <https://www.law.cornell.edu/uscode/text/50/3003>

**(4)The term “intelligence community” includes the following:**

- **(A)The Office of the Director of National Intelligence.**
- **(B)The Central Intelligence Agency.**
- **(C)The National Security Agency.**
- **(D)The Defense Intelligence Agency.**
- **(E)The National Geospatial-Intelligence Agency.**
- **(F)The National Reconnaissance Office.**
- **(G)Other offices within the Department of Defense for the collection of specialized national intelligence through reconnaissance programs.**
- **(H)The intelligence elements of the Army, the Navy, the Air Force, the Marine Corps, the Space Force, the Coast Guard, the Federal Bureau of Investigation, the Drug Enforcement Administration, and the Department of Energy.**

# Active Duty Military v Active Duty Member

## §2101. Civil service; armed forces; uniformed services

- For the purpose of this title-
  - (1) the "civil service" consists of all appointive positions in the executive, judicial, and legislative branches of the Government of the United States, except positions in the uniformed services;
  - (2) "armed forces" means the Army, Navy, Air Force, Marine Corps, Space Force, and Coast Guard; and
  - (3) "uniformed services" means the armed forces, the commissioned corps of the Public Health Service, and the commissioned corps of the National Oceanic and Atmospheric Administration.

§ 23.1-505. *Determination of domicile; exception; dependents of certain active duty military personnel, etc.*

"Unaccompanied orders" means orders that assign **active duty military** personnel or activated or temporarily mobilized reserve or guard members an unaccompanied tour listed in Appendix Q of the Joint Federal Travel Regulations.

§ 23.1-506. *Eligibility for in-state tuition; exception; certain out-of-state and high school students*

3. Any **active duty member**, activated guard or reserve member, or guard or reserve member mobilized or on temporary active orders for 180 days or more who resides in the Commonwealth.

# Micronesia, Marshall Islands, and Palau

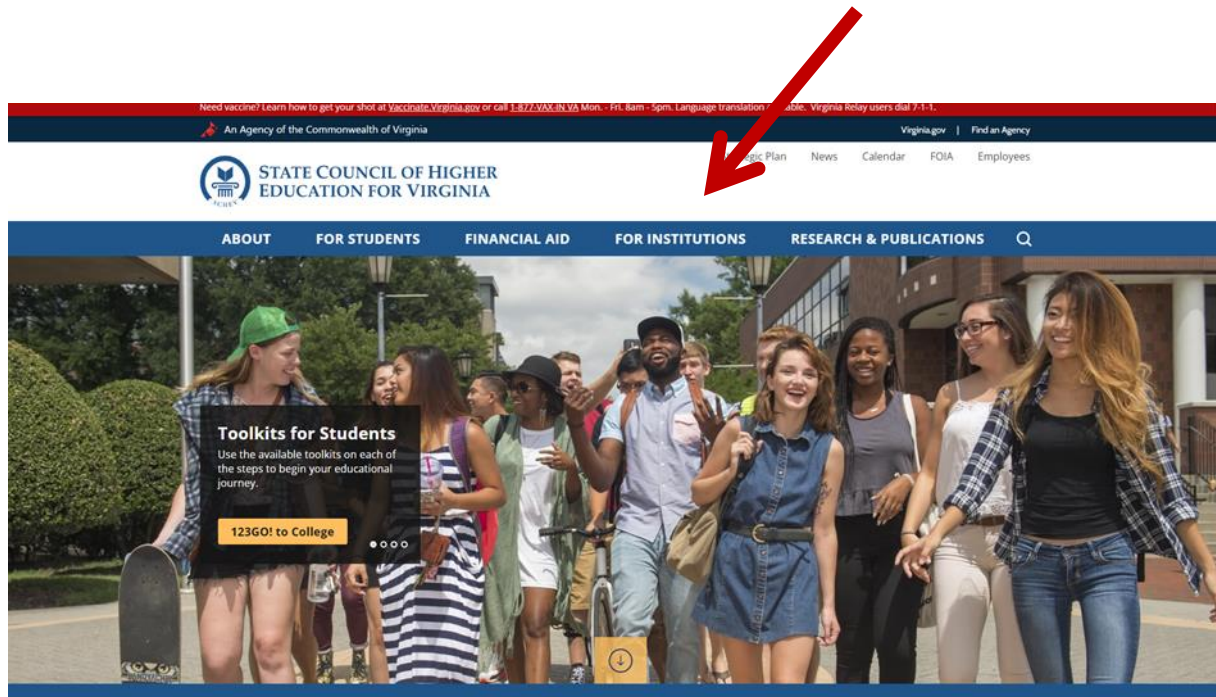
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- The text from the [federal Public Law 118-42](#) is below:
  - *(b) AUTHORIZATION OF EDUCATION PROGRAMS.—*
  - *(1) ELIGIBILITY.—For fiscal year 2024 and each fiscal year thereafter, the Government of the United States shall—*
  - *...*
  - *“(E) require, as a condition of eligibility for a public institution of higher education in any State (as defined in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003)) that is not a Freely Associated State to participate in or receive funds under any program under title IV of such Act (20 U.S.C. 1070 et seq.), that the institution charge students who are citizens of the Federated States of Micronesia, the Republic of the Marshall Islands, or the Republic of Palau tuition for attendance at a rate that is not greater than the rate charged for residents of the State in which such public institution of higher education is located.”*

# Website

- **Domicile information at: “For Institutions” then “Policies and Guidelines” then “Financial Aid and Domicile Officers”**

**<https://www.schev.edu/institutions/policies-guidelines/financial-aid-domicile-officers>**



STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA

ABOUT FOR STUDENTS FINANCIAL AID **FOR INSTITUTIONS** RESEARCH & PUBLICATIONS

INSTITUTIONAL COMPLIANCE CERTIFICATION

+ OUTSTANDING FACULTY AWARDS

+ PLANNING & PERFORMANCE

- POLICIES & GUIDELINES

+ Academic Affairs Policy

Finance & Facilities

- **Financial Aid & Domicile Officers**

Financial Aid Regulations

TAG Eligibility Program

PRIVATE AND VOCATIONAL SCHOOLS (PPE)

+ TEACHING & ASSESSMENT INITIATIVES

VIRGINIA SARA

+ K12 & COLLEGE ACCESS

## Financial Aid & Domicile Officers

Font Size: + - + Share & Bookmark

### Information for Financial Aid Coordinators

- [Financial Aid Award Letters Policies and Guidance](#)
- [Financial Aid Deadlines](#)
- [Financial Aid Regulations](#)
- Institutional Allocations
  - [2020-21 Institutional Allocations](#)
  - [2019-20 Virginia Scholarships and Grants Institutional Allocations](#)
- [TAG Eligibility Program](#)
- [Post 9-11 GI Bill](#) also known as the Yellow Ribbon Program, including a [list of participating Virginia institutions](#).
- [Cybersecurity Public Service Grant Regulations](#)

### Information for Domicile Officers

- [Code of Virginia Relating to Domicile](#)
- [Domicile Guidelines](#)
- [Addendum A - Descriptions and Domicile Eligibility Status for Various Categories of Aliens](#)
- [Addendum B - Common Forms and Definitions](#)
- [Addendum C - Summary of In-State or Reduced Tuition Provisions](#)
- [Establishing Virginia Domicile](#)

#### DACA Students

- [Attorney General's Advice to Public Institutions Regarding DACA Students](#) - April 29, 2014
- [Domicile Determinations for Students Under Deferred Action for Childhood Arrivals](#)

# Summary of Military Benefits

- <https://www.schev.edu/students/military>

- PAYING FOR COLLEGE
- MAKING DECISIONS ABOUT COLLEGE
- + STUDENT LOAN ADVISING
- + RESOURCES
- MIDDLE - HIGH SCHOOL STUDENT
- ADULT LEARNER
- MILITARY**
- TRANSFER STUDENTS
- COLLEGE STUDENT
- I Am a...
  - [Middle - High School Student](#)
  - [Adult Learner](#)
  - [Military](#)
  - [College Student](#)

## Military Education

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With the goal of being known as "America's Most Veteran-Friendly State," Virginia provides many unique state benefits to supplement and expand on federal benefits for military families. The information here is designed to help military personnel and their families understand and utilize those educational benefits and resources available in the Commonwealth. In most cases, the student's point of contact for these financial benefits is the institution's domicile or admissions office.

- Financial Benefits for Active Duty Military Members** +
- Financial Benefits for Family of Active Duty Members** +
- Financial Benefits for Veterans and Their Families** +
- Military Educational Resources** +
- Separation and Reinstatement Policies** +

## Virginia Guidelines Governing Public Institution Policies



# Military (Conclusion)

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- ❖ The hardest part is choosing the right provision, but **they never lose right to claim any provision, if eligible.**
- ❖ Most military family members will qualify for the in-state tuition rate. Legislative intent is clear for military-related students; extend benefit of doubt where applicable.
- ❖ It is possible a military family might not qualify though those cases will now be rare.
  - Temporary assignments.
  - No Virginia connection: assigned/residing in another state and not domiciled in Virginia.

# Resources

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## Virginia Educational Benefits for Military Families

- ❖ <https://www.schev.edu/students/military>

## Comparing federal and state In-State Tuition Provisions

- ❖ <https://www.schev.edu/home/showpublisheddocument/276/637807172783830000>

## Photocopying Military ID Cards

- ❖ <https://www.schev.edu/home/showpublisheddocument/614/637810401501870000>

# Questions

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