

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

Procedure/Standard Number 2015-20 (Amended)

In-State Tuition Benefits

Approved by:  _____
Chancellor

Date Oct. 10, 2024

Revised: Oct. 10, 2024; Original on file dated July 9, 2015.

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.

On October 23, 2023, Governor Shapiro signed Act 14 of 2023, which changes when residency is established for certain reassigned active-duty military, their spouses and/or dependents as well as civilian personnel employed by the Department of Defense and their spouses and dependents. Revisions were made to ensure compliance with Federal Choice Act, Commonwealth Act 11 of 2015, and Commonwealth Act 14 of 2023.

I. Introduction

Pennsylvania’s State System of Higher Education offers a wide variety of services to military members, veterans, Department of Defense employees, their spouses, and dependents, including in-state tuition benefits for eligible individuals. See Board of Governors’ Policy 2015-01: 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. Active Military – An individual who currently serves in the United States Armed Forces (military, naval, or air service), including a reserve component of the United States National Guard and commissioned corps of the United States Public Health Services or National Oceanic and Atmospheric Administration.
- B. Covered Individual
 - 1. A veteran (regardless of his/her formal state of residence) or a member of the United States military who is assigned to an active duty station in Pennsylvania and who lives in Pennsylvania, 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. Spouses and dependents of the aforementioned individuals.
 - 3. A civilian employed at a United States Department of Defense facility who is transferred by the Department of Defense to a facility in Pennsylvania and lives in Pennsylvania and enrolls in a State System university. Spouses and dependents of the civilian who live in Pennsylvania are also eligible.
 - 4. 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.
 - 5. An individual (typically a spouse or child) using benefits under U.S.C. Chapters 33, 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.
 - 6. A spouse, surviving spouse, or dependent who is eligible to receive benefits under U.S.C. Ch. 35 relating to survivors' and dependents' educational assistance.
- C. Tuition – The basic fee established by the Board of Governors for rendering educational services, as enumerated in Act 188 of 1982. The technology tuition fee is a form of tuition.
- D. 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 United States 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. 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. Covered individuals shall be eligible for in-state tuition and fees, provided that the student lives in Pennsylvania on the date of deposit, confirms their intent to enroll at the university, and begins enrollment within the corresponding term for which the deposit was made, or the first day of a semester or term.
- D. Students shall be considered a covered individual if they remain continually enrolled in any State System university in one or more programs, even if they have exhausted their educational benefits.
- E. All covered individuals charged in-state tuition will be considered in-state for all other student billing purposes, enrollment reports by residency, 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 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:
 - i. A Member 4 copy of the veteran's DD Form 214 (DD214) 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).
 - ii. A copy of the federal Veterans Affairs Certificate of Eligibility (COE) that establishes eligibility for veterans' educational benefits.

For a spouse or dependent: marriage or birth certificate, military ID card, or record from Defense Eligibility Reporting System (DEERS) showing relationship to the veteran.

- B. Active military members should provide the following:
1. A copy of the federal Certificate of Eligibility (COE) that establishes eligibility for educational benefits.
 2. Active military orders indicating location and date of assignment.
 3. For a spouse or dependent child: marriage or birth certificate, military ID card, or record from Defense Eligibility Reporting System (DEERS) showing relationship to service member.
 4. Evidence that the military member, spouse, or dependent lives in Pennsylvania.
- C. Civilian personnel employed at a Department of Defense facility shall provide the following:
1. Employment verification from the Department of Defense's Defense Civilian Personnel Advisory Service (DCPAS) self-service portal, indicating location of assignment.
 2. For a spouse or dependent – marriage or birth certificate, military ID card, or record from Defense Enrollment Eligibility Reporting System (DEERS) showing relationship to employee.
 3. Evidence that the civilian, spouse, or dependent lives in Pennsylvania.
- D. Individuals (typically a spouse or dependent) 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), active military member's orders, or a copy of the civilian's documentation of transfer to a Pennsylvania facility.
 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.
- E. If the necessary documentation is not provided, the student shall be charged out-of-state tuition.

F. Universities shall ensure the safety and confidentiality, as appropriate, of all documentation submitted.

V. Effective Date:

Effective for terms beginning after December 21, 2023.