

May 21-22, 2015

ITEM 167-101-R0515

Veterans Choice Act-Revised Board Policy 940.1

THAT

The Board of Regents of Higher Education revises Board of Regents' Policy 940.1 to provide an exception to the residency requirements for covered individuals identified in the Veterans Access, Choice and Accountability Act, Public Law 113-146.

EXPLANATION

In 2014, the U.S. Congress enacted the Veterans Access, Choice and Accountability Act, (Choice Act). Under Section 702 of the Choice Act, the Department of Veterans Affairs (VA) is required to disapprove programs of education if an institution charges out-of-state tuition and fees to any "covered individuals" who live in the state in which the public institution is located. If a program of education is disapproved by the VA, the institution is not eligible to receive tuition and fee reimbursement payments for student attending under either of the two federal GI bills. The effective date is for periods of enrollment that begin after July 1, 2015.

Not all veterans and dependents are eligible, only those that qualify as "covered individuals". Covered individuals under the Choice Act include:

- A veteran who lives in the state (regardless of formal in-state residence status) in which the higher education institution is located and enrolls within three years of discharge from a period of active duty services of 90 days or more.
 - A spouse or child using transferred benefits who lives in the state (regardless of formal in-state residence status) in which the higher education institution is located and enrolls within three years of the transferor's discharge from a period of active duty service of 90 days or more.
 - A spouse or child using benefits under the Marine Gunnery Sergeant John David Fry Scholarship who lives in the state (regardless of formal in-state residence status) in which the higher education institution is located and enrolls within three years of the service member's death in the line of duty following a period of active duty service of 90 days or more.
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ATTACHMENTS

Attachment #1-Revised Policy 940.1