# Policy Reference Guide for Students Using Veterans Education Benefits GI Bill®

Effective August 1, 2019 (38 USC 3679) Fayetteville State University (FSU) policy and regulations regarding attending or participating in education if the individual provides a certificate of eligibility under Chapters 31 or 33.

• Students using Post 9/11 (CH 33) and Veteran Readiness and Employment VR&E (CH 31) are permitted to attend the course, beginning when the student provides a Certificate of Eligibility (COE) until the earlier date VA provides payment to the school or 90 days after the school certifies tuition and fees.

• FSU does not impose any penalty, including assessing late fees, denial of access to classes, libraries, or school facilities, or requiring the student to borrow additional funds due to the inability to meet their financial obligations to the institution because of delayed payments for education assistance under Chapter 31 or 33 unless the student is less than 100% covered.

* In addition, individuals using the VA Benefits below will take the following additional actions:
* Students using Post 9/11 (CH 33)
* Must submit a certificate of eligibility for entitlement to educational assistance no later than the first day of a course of education.

Submit a written request to use such entitlement (request for certification)

* Provide additional information necessary for the proper certification of enrollment by the educational institution.
* Students using Veteran Readiness and Employment VR&E (CH 31) authorization must be sent from VR&E Counselor to the university Veterans Resource Center and bookstore.

**Fayetteville State University complies with the following laws that grant instate tuition to covered individuals using certain VA educational benefits:**

* Section 702 of the Veterans Access, Choice, and Accountability Act of 2014 (“Choice Act”), requires VA to disapprove programs of education for payment of benefits under the Post-9/11 GI Bill**®**and Montgomery GI Bill**®**-Active Duty at public institutions of higher learning if the schools charge qualifying Veterans and dependents tuition and fees in excess of the rate for resident students for terms beginning after July 1, 2015.
* Section 417 of Public Law 114-315 requires VA to disapprove programs of education for payment of benefits under the Post-9/11 GI Bill**®**and Montgomery GI Bill**®**Active Duty at public Institutions of Higher Learning (IHLs) if the school charges qualifying Veterans and dependents tuition and fees in excess of the rate for resident students for terms beginning after July 1, 2017; includes adding dependents of active duty service members and removing the 3-year requirement for Fry Scholarship recipients.
* The Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020 (Public Law 116-315 Section 1005) amends the definition of covered individuals in Title 38 USC 3679(c)(2)(A) by removing the requirement to be within 3 years of discharge in order to receive in-state tuition for individuals using Chapter 30, Post 9/11 and transferred Post 9/11 benefits, effective August 1, 2021.
* The Colonel John M. McHugh Tuition Fairness for Survivors Act of 2021 (Public Law 117-68) amends the definition of covered individuals for instate tuition to include Chapter 35 Dependents' Educational Assistance, effective 8/1/2022.

• Anyone described above while he or she remains continuously enrolled (other than during regularly scheduled breaks between courses, semesters, or terms) at the same school. The person must be using educational benefits under either Chapter 30, Chapter 31, Chapter 33, or Chapter 35, of title 38, United States Code.

**What documentation/requirements are needed to qualify for in-state tuition under the above provision?**

All students must complete [North Carolina Residency Determination (RDS)](https://www.ncresidency.org/) If the student receives an out-of-state tuition status and is using Veterans Education Benefits indicated below. Complete the [Veterans In-State Form](https://www.uncfsu.edu/academics/colleges-schools-and-departments/military-education/fsu-at-fort-liberty-learning-center/military-affiliated-and-veteran-student-resource-center) and submit supporting documentation.

* Post 9/11 and Chapter 30 Recipients: Veterans and servicemembers; dependents of active duty, separated or retired service members:
  + Certificate of Eligibility showing student's approval for Post 9/11 (dependent or Veteran) or Chapter 30 Certificate of Eligibility (COE) for Veterans
  + Must be living in North Carolina while attending classes.
  + Must be using Post 9/11 or Chapter 30 benefits ([Request certification required each semester](https://forms.office.com/r/r3ZfyRyyCp))
* Fry Scholarship recipients:
  + Certificate of Eligibility showing the student's approval for the Fry Scholarship
  + Must be living in North Carolina while attending classes.
  + Must be using Fry Scholarship benefits ([Request certification required each semester](https://forms.office.com/r/r3ZfyRyyCp))
* Chapter 31 recipients:
  + Authorization from VR&E Counselor
  + Must be Living in North Carolina while attending classes.
  + Must be using Veteran Readiness and Employment VR&E (CH 31) benefits ([Request certification required each semester](https://forms.office.com/r/r3ZfyRyyCp))
* Chapter 35 recipients:
  + Certificate of Eligibility showing student's approval for Chapter 35 DEA benefits
  + Must be living in North Carolina while attending classes.
  + Must be using Chapter 35 benefits ([Request certification required each semester](https://forms.office.com/r/r3ZfyRyyCp))

**To remain approved for VA’s GI Bill® programs, schools must charge in-state tuition and fee amounts to “covered individuals.” A covered individual is defined as:**

A Veteran who lives in the state where the Institution of Higher Learning (IHL) is located (regardless of his/her formal state of residence) and was discharged or released after a minimum of 90 days of military service and using Post 9/11 or Chapter 30 benefits.

* An individual using transferred Post 9/11 benefits who live in the state where the IHL is located (regardless of his/her formal state of residence).
* Anyone using transferred Post-9/11 GI Bill**®**benefits who lives in the state where the IHL is located and the transferor is a member of the uniformed service who is serving on active duty. Effective 7/1/2017
* Anyone using benefits under the Marine Gunnery Sergeant John David Fry Scholarship who lives in the state where the IHL is located (regardless of his/her formal state of residence). Effective 7/1/2017
* Anyone using educational assistance under Chapter 31, Veterans Readiness and Employment (VR&E) who lives in the state while attending a school located in North Carolina (regardless of his/her formal State of residence) Effective 3/1/2019.
* Anyone using Chapter 35 Dependents Educational Assistance (DEA) benefits those who live in the state where the IHL is located while attending classes (regardless of their formal state of residence). Effective 8/1/2022

Anyone described above, while he or she remains continuously enrolled (other than during regularly scheduled breaks between courses, semesters, or terms) at the same school. The person must be using educational benefits under either Chapter 30, Chapter 31, Chapter 33, or Chapter 35, of title 38, United States Code.

These requirements ensure our nation’s recently discharged Veterans, and their eligible family members, will not bear the cost of out-of-state charges while using their well-deserved education benefits.

**The Certificate of Eligibility should be submitted to the School Certifying Official (SCO) in the Veterans Resource Center no later than the first day of classes** to be considered for in-state tuition under the Choice Act provision.

All documentation can be submitted to the Military Affiliated and Veteran Student Resource Center (MAVSRC) Team via email ([veterans@uncfsu.edu](mailto:veterans@uncfsu.edu))

For more information: visit [VA Resident Rate Requirement Website,](http://www.benefits.va.gov/gibill/417.asp) [Instate Tuition Under Choice Act website](https://www.va.gov/resources/in-state-tuition-rates-under-the-veterans-choice-act/), or call VA at 1-888-442-4551

**PL 116-315 Section 1018 and 1020. 38 U.S.C. 3679**

**Personalized documentation for a covered individual that describes the following information:**

• The estimated **itemized** total cost of the course, including tuition, fees, books, supplies, and any other additional costs.

• An estimate of the cost-of-living expenses for students enrolled in the course.

• The amount of the costs under clauses (i) and (ii) that are covered by the educational assistance provided to the individual under Chapters 30, 31, 32, 33, or 35 of this title, or Chapter 1606 of Title 10.

• The type and amount of Federal financial aid not administered by the Secretary and financial aid offered by the institution that the individual may qualify to receive.

• An estimate of the amount of student loan debt the individual would have upon graduation.

• Information regarding graduation rates.

• Job placement rates for graduates of the course, if available.

• Information regarding the acceptance by the institution of transfer of credits, including military credits.

• Any conditions or additional requirements, including training, experience, or examinations, required to obtain the license, certification, or approval for which the course of education is designed to provide preparation; and

• Other information to facilitate comparison by the individual of aid packages offered by different educational institutions.

• FSU attests to providing covered individuals enrolled at the institution's notification no later than 15 days after the date the institution determines tuition and fee rate changes.

• FSU maintain a policy informing the covered individual of the availability of Federal financial aid not administered by the Secretary and financial aid offered by the institution and alert such individual of potential eligibility for such financial aid before packaging or arranging student loans or alternative financing programs.

• FSU maintains policies that prohibit the automatic renewal of a covered individual in courses and education programs and ensure that the covered individual approves of the individual's enrollment in a course.

• FSU provides a covered individual enrolled in the course of education at the educational institution with information regarding the requirements to graduate from such course, including information regarding when required classes will be offered and a timeline to graduate.

• FSU maintains a policy that ensures that members of the Armed Forces, including the Reserve components and the National Guard, who enroll in the course of education at the educational institution may be readmitted at such institution if such members are temporarily unavailable or have to suspend such enrollment because of serving in the Armed Forces and otherwise accommodates such members during short absences because of such service.

• FSU designates an employee of the education institution to serve as a point of contact for covered individuals and the family of such individuals needing assistance with respect to academic counseling, financial counseling, disability counseling, and other information regarding completing a course of education at such institution, including by referring such individuals and families to the appropriate persons for such counseling and information.