

Revision of B.O.G. Statute 2.34.03.090
Tuition Regulations and Review Procedures – Military Service

Recommendation

It is recommended that the Board of Governors revise statute 2.34.03.090 to be in compliance with the federal Veterans Access, Choice, and Accountability Act of 2014.

Policy Description

Wayne State University has a policy (see Appendix) to allow residency waivers for service members, veterans and their qualifying dependents (B.O.G. statute 2.34.03.090). While the current statute does satisfy the intended purpose of the “Choice Act,” the specific language included in the BOG statute needs to be modified in order to remain compliant.

Background

On August 7, 2014, President Obama signed into law H.R. 3230, the Veterans Access, Choice, and Accountability Act (“Choice Act”). Among other significant changes, this law requires certain accommodations for veterans attending public institutions of higher learning. In order to be in compliance with the Choice Act and to remain eligible to receive payments for educational programs (e.g., GI Bill benefits), public institutions must have in place a policy which will allow in-state tuition and fee rates for all eligible individuals identified in the Choice Act by July 1, 2015.

Approvals

The proposed revision of statute 2.34.03.090 was drafted in consultation with the WSU General Counsel’s Office. The revision was approved by the University Registrar and has been tentatively approved by the Veterans Administration, pending adoption by the WSU Board of Governors.

The proposed language will not alter the current policy in regard to veterans’ residency requirements; instead, the new language will simply bring it into full compliance with the Choice Act. As such, the WSU Office of Military and Veterans Academic Excellence endorses the revision of B.O.G. statute 2.34.03.090.

Proposed Revision of BOG Statute 2.34.03.090

Military Service

Individuals on active duty in the U.S. Military who are stationed in Michigan and their dependents are eligible for Michigan in-state tuition. Stationing orders and proof of relationship (for dependents) must be provided with the application.

Veterans and their dependents are eligible for Michigan in-state tuition.

The term "veteran" means a citizen of the United States or a resident alien whose most recent separation from any branch of the armed forces of the United States was under conditions other than dishonorable after having served on active duty for 90 consecutive days or more or by reason of disability incurred while serving on active duty.

Individuals who are members of the National Guard of any state, or who were separated from the National Guard of any state under conditions other than dishonorable, and their dependents are eligible for Michigan in-state tuition.

Without regard to the foregoing, any individual using educational assistance under either Chapter 30 (Montgomery GI Bill® – Active Duty Program), Chapter 33 (Post-9/11 GI Bill®), of title 38, United States Code, and/or the Marine Gunnery Sergeant John David Fry Scholarship (38 U.S.C. § 3311(b)(9)) who lives in the State of Michigan while attending Wayne State University (regardless of his/her formal state of residence) is eligible for Michigan in-state tuition.

Appendix

Current Board Statute

2.34.03.090

Military Service

a. Active Service Status

Individuals serving in the U.S. Military and stationed in Michigan and their dependents are eligible for Michigan in-state tuition. Stationing orders and proof of relationship (for dependents) must be provided with the application.

b. Veteran Status

Veterans and their dependents attending Wayne State University are assessed in-state tuition rates.

The term "veteran" means a citizen of the United States or a resident alien who has been separated under honorable conditions from any branch of the armed forces of the United States after having served on active duty for 181 consecutive days or more or by reason of disability incurred while serving on active duty.