

**BOARD OF TRUSTEES**  
**UNIVERSITY OF THE DISTRICT OF COLUMBIA**

**UDC RESOLUTION NO. 2015\_\_\_\_**

**SUBJECT: Compliance with Section 702 of the Veterans Access, Choice and Accountability Act of 2014**

**WHEREAS**, District of Columbia law (D.C. Official Code §1202.06(8)) provides for the Board of Trustees of the University of the District of Columbia to fix tuition, and fees in addition to tuition, to be paid by resident and nonresident students attending the University; provided, that such tuition and fees are adopted by the Trustees in accordance with the provisions of D.C. Official Code §2-505(a); and

**WHEREAS**, in consideration of the enhanced educational opportunities and to assure compliance with the Veterans Access, Choice and Accountability Act of 2014 that all qualifying veterans and eligible dependents that meet the requirements of Section 702 be charged in-state resident rates effective as of 1 July 2015. This applies to eligible students enrolled at all UDC schools, including the Flagship, the David A. Clarke School of Law, and the Community College, the Board of Trustees adopts a tuition policy change to support Veterans and their dependents; and

**WHEREAS**, 38 U.S.C. 3679(c), the Veterans Access, Choice and Accountability Act of 2014 ("the Act") requires the U.S. Department of Veterans Affairs 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 education if such institutions charge qualifying veterans and other qualified individuals ("covered individuals") tuition and fees in excess of the rate for in-state students for terms beginning after July 1, 2015; and

**WHEREAS**, "covered individuals" under the Act include:

- A veteran who lives in the District of Columbia, regardless of formal state of residence or domicile, and enrolls in this institution within three years of discharge from a period of active duty service of 90 days or more using benefits under the Post-9/11 GI Bill and Montgomery GI Bill-Active Duty.
- Anyone using transferred benefits under the Post-9/11 GI Bill and Montgomery GI Bill-Active Duty who lives in the District of Columbia, regardless of formal state of residence or domicile, and enrolls in this institution within three years of the transferor's discharge from a period of active duty service of 90 days or more.
- Anyone using benefits under the Marine Gunnery Sergeant John David Fry Scholarship who lives in the District of Columbia, regardless of formal state of residence or domicile, and enrolls in this institution 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; and

- 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 so described must have enrolled in the school prior to the expiration of the three year period following discharge, release, or death described above and must be using educational benefits under either chapter 30 or chapter 33, of title 38, United States Code; and

**NOW, THEREFORE BE IT RESOLVED**, that the tuition and fee rate for the following categories of students shall be equal to the tuition and fee rate charged to in-state students:

- Anyone using transferred benefits under the Post-9/11 GI Bill and Montgomery GI Bill-Active Duty who lives in the District of Columbia regardless of formal state of residence or domicile, and enrolls in this institution within three years of the transferor's discharge from a period of active duty service of 90 days or more.
- Anyone using benefits under the Marine Gunnery Sergeant John David Fry Scholarship who lives in the District of Columbia, regardless of formal state of residence, and enrolls in this institution 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.
- 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 so described must have enrolled in the school prior to the expiration of the three year period following discharge, release, or death described above and must be using educational benefits under either chapter 30 or chapter 33, of title 38, United States Code.

**BE IT FURTHER RESOLVED** , that the Board of Trustees adopt this policy change to comply with the tuition requirements of the Veterans Access, Choice and Accountability Act of 2014 and that the University of the District of Columbia and the University of the District of Columbia Community College shall charge tuition and fees to uniformed services veterans and other qualified individuals covered under 38 U.S.C. 3679(c) at a rate equal to in-state tuition and fees for that course of education.

**BE IT FURTHER RESOLVED** that the Board of Trustees of the University of the District of Columbia hereby directs the University to incorporate the above policy changes into the University Tuition Schedule.

Approved by the Executive Committee:

September 3, 2015

Ratified by the Board of Trustees

December 8, 2015

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Elaine A. Crider  
Chairperson of the Board



Office of the Chief Financial Officer

Donald L. Rickford  
Chief Financial Officer

## FISCAL IMPACT STATEMENT

**TO:** The Board of Trustees  
**FROM:** Office of the Chief Financial Officer (UDC) *DLR*  
**DATE:** August 27, 2015  
**SUBJECT:** Section 702 of the Veterans Access, Choice and Accountability Act of 2014

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### Conclusion

The OCFO has concluded that since this is a new program and UDC does not track the data needed to estimate the fiscal impact of adopting a policy wherein all qualifying veterans and eligible dependents that meet the requirements of Section 702 of the Veterans Access, Choice and Accountability Act of 2014 will be charged in-state residential rates effective July 1, 2015. However, it is anticipated that implementation of this policy will not have a negative impact on enrollment or revenue.

### Background

District of Columbia law currently provides for the Board of Trustees of the University of the District of Columbia (UDC) to fix tuition, and fees in addition to tuition, to be paid by resident and nonresident students attending the University provided such charges are adopted by Board of Trustees in accordance with the provisions of D.C. Official Code 2-505(a).

A policy change is being considered by the Board of Trustees wherein the tuition and fee rate for the following categories of students shall be equal to the tuition and fee rate charged to in-state students.

Anyone using transferred benefits under the Post 9-11 GI Bill and Montgomery GI Bill-Active Duty who lives in the District of Columbia regardless of formal state of residence or domicile, and enrolls in this institution within three years of the transferor's discharge from a period of active duty service of 90 days or more is eligible.

Anyone using benefits under the Marine Gunnery Sergeant John David Fry Scholarship and lives in the District of Columbia, regardless of formal state of residence, and enrolls in this institution

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 is eligible.

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 is eligible. The person so described must have enrolled in the school prior to the expiration of the three year period following discharge, release, or death described above and must be using educational benefits under either chapter 30 or chapter 33, of title 38, United States Code.

#### **Financial Impact**

Given the fact that the collective number of qualifying veterans and eligible dependents at UDC, and the District at large, is generally unknown, there is no reliable basis upon which to measure the fiscal impact of approving the proposed resolution. However, it is anticipated that implementation of this policy will not have a negative impact on enrollment or revenue.



Ronald F. Mason, Jr.  
*President*

August 5, 2015

[Section702.vbavaco@va.gov](mailto:Section702.vbavaco@va.gov)  
Department of Veterans Affairs  
Education Service  
810 Vermont Ave.  
Washington D.C., 20006

Attn: Ms. Jessica Bingham

RE: Compliance with Section 702 of the Veterans Access, Choice and Accountability Act of  
2014

This letter serves to confirm that the University of the District of Columbia (UDC) is in compliance with the Veterans Access, Choice and Accountability Act of 2014. All qualifying veterans and eligible dependents that meet the requirements of Section 702 are being charged in-state resident rates effective as of 1 July 2015. This applies to eligible students enrolled at all UDC schools, including the Flagship, the David A. Clarke School of Law, and the Community College.

See attached University Policy Amendment (Special Populations Sec. 5c) implemented by the University and included on our Veteran Affairs website, [www.udc.edu/military](http://www.udc.edu/military). Also, attached is a brochure regarding Section 702 of the Choice Act from the Department of Veteran Affairs which was distributed to all veteran students. Additionally, the catalog, the University's website and a new brochure is being updated and developed with website references to the policy amendment.

As stated and indicated by the materials provided, UDC has fully implemented the new policy. As an internal University process, our Board of Trustees will ratify the policy change at the next regularly scheduled Board meeting this fall. However, we are fully compliant as of July 1, 2015 and will continue our efforts to publicize the change and encourage veterans to attend UDC.

We look forward to working with you to serve and support our veterans population and their eligible dependents. If you have any questions, please contact Valerie L. Epps, Ph.D., Vice President for Student Affairs at [vepps@udc.edu](mailto:vepps@udc.edu) or 202-274-5210 (Office) or 202-215-8159 (cell) or Thomas E. Redmond, Director, State and Local Affairs, Office of Government Relations at [tredmond@udc.edu](mailto:tredmond@udc.edu) or 202-274-5622.

We thank you again for your leadership and support of our veterans.

Sincerely,



Ronald F. Mason, Jr., J.D.



The University of the District of Columbia

Section 702 Of the Veterans Access, Choice, and Accountability Policy Amendment

Approved by the Veterans Administration

Effective July 1, 2015

Compliance as explicitly required by Section 702: includes individuals covered by 38 U.S.C. 3679(c).

The following individuals shall be eligible to pay the District of Columbia in-state residency rate for tuition purposes and the requirement for living in-state for 12 months is waived.

- A Veteran using educational assistance under either chapter 30 (Montgomery G.I. Bill – Active Duty Program) or chapter 33 (Post-9/11 G.I. Bill), of title 38, United States Code, who lives in the District of Columbia while attending the University of the District of Columbia (regardless of his/her formal State of residence) and enrolls in the school within three years of discharge from a period of active duty service.
- Anyone using transferred Post-9/11 GI Bill benefits (38 U.S.C. § 3319) who lives in the District of Columbia while attending the University of the District of Columbia (regardless of his/her formal State of residence) and enrolls in the school within three years of the transferor's discharge from a period of active duty service.
- Anyone using benefits under the Marine Gunnery Sergeant John David Fry Scholarship (38 U.S.C. § 3311(b)(9)) who lives in the District of Columbia while attending the University of the District of Columbia (regardless of his/her formal State of residence) and enrolls in the school within three years of the Servicemember's death in the line of duty following a period of active duty service.
- 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 so described must have enrolled in the school prior to the expiration of the three year period following discharge or death described above and must be using educational benefits under either chapter 30 or chapter 33, of title 38, United States Code.



**Veterans Access, Choice and Accountability Act of 2014  
Section 702 Policy**

**Effective July 1, 2015**

The University of the District of Columbia is deeply committed to ensuring that veterans have access to the educational opportunities it offers. The University has a substantial interest in complying with Federal legislation, specifically the Veterans Access, Choice and Accountability Act of 2014 (hereinafter referred to as “Act”).

“Covered individuals” under the Act include:

- A Veteran using educational assistance under either Chapter 30 (Montgomery G.I. Bill – Active Duty Program) or Chapter 33 (Post-9/11 G.I. Bill), of Title 38, United States Code, who lives in the District of Columbia while attending the University of the District of Columbia (regardless of his/her formal State of residence or domicile) and enrolls in the University of the District of Columbia within three years of discharge from a period of active duty service of 90 days or more using benefits under the Post-9/11 GI Bill and Montgomery GI Bill-Active Duty.
- Anyone (including covered individuals as defined by the Act) using transferred benefits under the Post-9/11 GI Bill (38 U.S.C. § 3319) and Montgomery GI Bill-Active Duty who lives in the District of Columbia (regardless of formal State of residence or domicile) and enrolls in the University of the District of Columbia within three years of the transferor's discharge from a period of active duty service of 90 days or more.
- Anyone (including covered individuals as defined by the Act) using benefits under the Marine Gunnery Sergeant John David Fry Scholarship (38 U.S.C. § 3311(b)(9)) who lives in the District of Columbia (regardless of formal State of residence or domicile) and enrolls in the University of the District of Columbia 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.

“Covered individuals” shall be eligible to pay the District of Columbia in-state residency rate for tuition purposes. Therefore, the requirement for living in the District of Columbia for 12 months is waived for these individuals.

Individuals who initially meet these requirements will maintain “covered individual” status as long as they remain continuously enrolled (other than during regularly scheduled breaks between courses, semesters, or terms) at the University, provided that the individual must have enrolled at the University prior to the expiration of the three year period following discharge, release, or death and must be using educational benefits under either Chapter 30 or Chapter 33, of Title 38, United States Code.



## EDUCATION AND TRAINING

### VETERANS ACCESS, CHOICE AND ACCOUNTABILITY ACT OF 2014

#### SECTION 702 OF THE CHOICE ACT

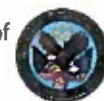
Section 702 of the Veterans Access, Choice and Accountability Act of 2014 ("Choice Act"), requires VA to disapprove programs of education for payment of benefits under the Post-9/11 GI Bill and Montgomery GI Bill-Active Duty at public institutions of higher learning if the schools charge qualifying Veterans and dependents tuition and fees in excess of the rate for resident students for terms beginning after July 1, 2015.

These new requirements will ensure that our Nation's recently discharged Veterans, and their eligible family members, will not have to bear the cost of out-of-state charges while using their well-deserved education benefits.

#### **DO PUBLIC SCHOOLS HAVE TO OFFER IN-STATE RATES TO ALL VETERANS AND DEPENDENTS TO MEET THE REQUIREMENTS OF SECTION 702?**

No. 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 in the Choice Act as:

- A Veteran who lives in the state in which the institution of higher learning is located (regardless of his/her formal state of residence) and enrolls in the school within three years of discharge from a period of active duty service of 90 days or more.
- A spouse or child using transferred benefits who lives in the state in which the institution of higher learning is located (regardless of his/her formal state of residence) and enrolls in the school within 3 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 in which the institution of higher learning is located (regardless of his/her formal state of residence) and enrolls in the school within three years of the Servicemember's death in the line of duty following a period of active duty service of 90 days or more.





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*Note: Individuals who initially meet the requirements above will maintain “covered individual” status as long as they remain continuously enrolled at the institution of higher learning, even if they are outside the 3-year window or enroll in multiple programs.*

**WHAT HAPPENS IF A STATE DOES NOT OFFER IN-STATE TUITION AND FEES TO ALL “COVERED INDIVIDUALS”?**

The law requires VA to disapprove programs of education for everyone training under the Post-9/11 GI Bill and the Montgomery GI Bill –Active Duty (MGIB-AD) if in-state tuition and fees are not offered to all “covered individuals.”

**WHAT STEPS MUST BE TAKEN TO ENSURE THAT VETERANS AND THEIR FAMILY MEMBERS CAN RECEIVE VA GI BILL BENEFITS AT PUBLIC SCHOOLS IN MY STATE?**

States must ensure all public institutions of higher learning offering VA-approved programs charge in-state tuition and fees to “covered individuals” as described, to include same-sex spouses and children (biological, adopted, pre-adoptive, and stepchildren of same-sex spouses) after July 1, 2015. To ensure compliance, States should consider offering in-state tuition and fees to all individuals eligible for benefits under the Post-9/11 and MGIB-AD programs.

**WHEN DO STATES HAVE TO MEET THESE REQUIREMENTS?**

Public institutions must offer in-state tuition and fees to all “covered individuals” for Veterans and family members to be eligible to receive GI Bill benefits for training beginning after July 1, 2015. VA will not issue payments for any students eligible for the Post-9/11 GI Bill or the MGIB-AD until the school becomes fully compliant. VA is in the process of developing waiver criteria for States that are actively pursuing changes to comply with these provisions. More information regarding the waiver criteria will be included in a regulation published in the Federal Register.

**IF MY SCHOOL BECOMES COMPLIANT AFTER JULY 1, 2015, WHEN WILL VA BEGIN ISSUING PAYMENTS?**

VA will not issue payments under the Post-9/11 GI Bill and MGIB-AD for all students in terms beginning after July 1, 2015, if the requirements of Section 702 are not met, unless a waiver is granted. If the in-state tuition and fee policies are brought into compliance with the requirements after July 1, 2015, and no waiver was previously granted, VA will begin making payments for terms, quarters, or semesters that begin on or after the date that the compliant policies take effect.

**WHERE CAN I GO TO GET MORE INFORMATION?**

Questions regarding the provisions of Section 702 may be submitted to [Section702.Vbavaco@va.gov](mailto:Section702.Vbavaco@va.gov). VA will provide updates on its website at [www.benefits.va.gov/gibill](http://www.benefits.va.gov/gibill).

