

Missouri Returning Heroes' Education Act
Implementation Q/A
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Q1: When must institutions begin offering veterans reduced tuition?

A1: The Act officially becomes law on August 28, 2008. The MDHE has notified institutions that determinations about whether the law requires them to begin offering the reduced tuition during the fall 2008 semester must be made by staff at each institution.

Q2: What does the phrase “served in armed combat” mean?

A2: “Served in armed combat” means served in a combat zone as designated by the U.S. Department of Defense. An institution may consult a veteran’s “DD 214” form¹, which is a certificate of release or discharge from active duty, to determine if a veteran served in a combat zone. Each of the following is an indicator that a veteran served in a combat zone:

- **Receipt of a combat service medal.** Field 13 (“Decorations, medals, badges, citations, and campaign ribbons awarded or authorized”) on the DD 214 will indicate that the veteran received one or more of the combat service medals listed in Appendix B.
- **Any military service in a combat zone between September 11, 2001, and the present.** This will often be indicated in Field 13 of the DD 214. As of July 2008, the geographic areas listed in Appendix B are generally considered combat zones. Please note that this list may not be comprehensive. If a veteran claims to have served in a combat zone, the MDHE advises that you contact the Missouri Veterans Commission for more information.

Q3: Does the term “in the military” include individuals who were members of the Reserves or National Guard?

A3: Yes, so long as the member of the Reserves or National Guard served in armed combat in a full-time capacity under a call to active service authorized by the President of the United States or the Secretary of Defense for a period of more than thirty consecutive days.

Q4: How will institutions know if a veteran was a Missouri resident when first entering the military?

A4: The veteran’s DD 214 provides the “home of record” at the time of entry. Field 7b of the DD 214 contains this information.

Q5: Does the veteran have to have established residency in Missouri to receive the reduced tuition?

A5: No, so long as the veteran was a Missouri resident when first entering the military.

¹ A sample DD 214 form is included in Appendix A.

Q6: How will institutions know if a veteran was discharged from military service under honorable conditions?

A6: A veteran whose DD 214 indicates any type of discharge other than “bad conduct,” “less than honorable,” “undesirable,” or “dishonorable” is considered to have been discharged under honorable conditions. Fields 24 and 28 on the DD 214 generally contain this information.

Q7: How is a “public institution of higher education” defined?

A7: Public institutions of higher education are those institutions established pursuant to Chapters [172](#), [174](#), [175](#), and [178](#) of the Revised Statutes of Missouri and which receive a part of their funding as direct or indirect appropriations from the state of Missouri.

Q8: When is the cumulative GPA determined?

A8: Each institution should calculate veterans’ cumulative GPAs on the same timetable it uses to calculate grant and scholarship recipients’ cumulative GPAs.

Q9: Does the veteran have to have a 2.5 GPA the first semester they receive the reduced tuition?

A9: No. There should be no grade point requirement for a veteran the first time they receive the tuition reduction even if they have previously attended an institution of higher education. However, the veteran must achieve a 2.5 GPA at the end of the first and all subsequent periods when the institution checks satisfactory progress in order to continue to receive the reduction.

Q10: Are loans considered “financial assistance” under this Act?

A10: No.

Q11: What does the phrase “enrolled in a program leading to a certificate or an associate or baccalaureate degree” mean in the context of programs where a student is pursuing a bachelor’s degree and an advanced degree at the same time?

A12: Although the law does not specifically address this scenario, the legislative intent appears to be that veterans receive the reduced tuition for undergraduate coursework. The veteran should receive the reduced tuition during the portion of his or her coursework that is specifically designated as leading to a bachelor’s degree. Determinations about individual cases that do not fit within this framework should be made by institutions in consultation with the MDHE.

Q13: What does the phrase “The tuition limitation under this section shall be provided after all other federal and state aid for which the veteran is eligible has been applied” mean?

A13: Based on the standard reading of this provision, federal and state student financial assistance must be applied to a student’s cost of attendance before the institution calculates the tuition waiver. For example, if the institution’s tuition is \$7,000 for an academic year for a full time student (15 credit hours per semester) and the student is eligible for \$5,000 in federal and state aid, the tuition limitation would be applied to the remaining \$2,000. The student would be required to pay \$1,500 (30 hours times \$50) and the institution would waive \$500.

Q14: Are other veterans’ benefits considered “federal financial assistance” under this Act?

A14: Yes, if those benefits are designated solely for the payment of tuition, fees, or other education-related expenses by the U.S. Department of Veterans Affairs or other awarding governmental body. Under the current version of the GI Bill, most benefits are not designated solely for the payment of tuition, fees, or other education-related expenses. This analysis may change after the “new GI Bill” (formally known as the Post-9/11 Veterans Education Assistance Act of 2008) goes into effect on August 1, 2009.

Q15: Does the Act require the veteran to apply for other aid, such as Access Missouri or GI Bill benefits?

A15: No.

Q16: Are institutions that do not charge “tuition” but instead charge certain students only “fees” required to charge no more than \$50 per credit hour?

A16: The law does not specifically address “fees.” Although there is no official record that allows one to clearly discern legislative intent, it is likely that the legislators who supported the bills that established the Act intended it to include “fees” where such fees are charged in lieu of tuition. Consequently, in instances where fees are charged by the credit hour and no charge specifically designated as “tuition” is charged, the MDHE recommends that the institution apply the limitation to the fee.

Q17: Does the “actual cost of attendance” include room and board, and/or books?

A17: Yes. Cost of attendance must be calculated consistently with requirements for federal Title IV financial assistance. Consequently, it would include room, board, books, and standard allowances for personal expenses.

Q18: What will the mechanism for reporting the amount of tuition waived to the CBHE be?

A18: Institutions may submit this information in a letter that accompanies their budget requests. The Act provides that institutions may submit information about the amount of tuition waived during the previous fiscal year

when they request funding for the following year. An illustration of the timeline for this is: During July/August 2010, institutions will provide the CBHE with information about the amount of tuition waived during FY09 (which would include the 2008-09 academic year). This information will be provided in connection with the institution's FY11 budget request.

Q19: How does the Act affect clock hour programs?

A19: The statute does not specifically exempt programs from this requirement based on the progress measurement system used by the school. Consequently, the limit must apply to these programs as well. For programs measured in clock hours rather than credit hours, the institution shall use the conversion formula of 15 classroom hours equals 1 credit hour and apply the tuition limit in an equivalent fashion.

Q20: Where should institutions direct additional questions?

A20: Questions relating to the status of an individual student and their satisfaction of eligibility criteria should be directed to the Missouri Veteran's Commission. While the Veterans' Commission cannot make eligibility determinations, they can provide information about available documentation and interpretation of the information relating to a veteran's military service. For information about the implementation of the requirements, please contact Zora AuBuchon, general counsel for the MDHE.

APPENDIX A

SAMPLE DD 214 FORM

CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY				
1 Name		2 Department, component, and branch		3 Social security number
4a Grade, rate, or rank	B Pay grade	5 Date of birth	6 Reserve obligation termination date	
7a Place of entry into active duty		b Home at time of record		
		<i>NOTE FROM THE MDHE: This section will help determine if the veteran was a <u>Missouri resident</u> at the time he or she entered the service.</i>		
8a Last duty assignment and major command		b Station where separated		
9 Command to which transferred			10 SLGI Coverage None Amount:	
11 P <i>NOTE FROM THE MDHE: This section will help determine if the veteran served after September 11, 2001.</i>	12 Record of service		Year(s)	Month(s)
	a Date entered ad this period			
	b Separation date this period			
	c Net active service this period			
	d Total prior active service			
	e Total prior inactive service			
	f Foreign service			
	g Sea service			
	h Effective date of pay grade			
13 Decorations, medals, badges, citations, and campaign ribbons awarded or authorized		14 Military education		
<i>NOTE FROM THE MDHE: This section will help determine whether the veteran served in armed combat.</i>				
15 a Member contributed to post-Vietnam era educational assistance program				
b High school graduate or equivalent				
16 Days accrued leave		17 Member was provided complete dental examination and all appropriate dental services and treatment within 90 days prior to separation		
18 Remarks				
<i>NOTE FROM THE MDHE: This section will help determine whether the veteran served in armed combat.</i> <i>This section may contain references to the geographic region where the veteran served or references to service in support of <u>Operating Enduring Freedom ("OEF")</u> or <u>Operation Iraqi Freedom ("OIF")</u>.</i>				
19 a Mailing address after separation			b Nearest relative	
20 Member requests copy 6 be sent to				
21 Signature of member		22 Official authorized to sign		
Special Additional Information				
23 Type of separation		24 Character of service		
		<i>NOTE FROM THE MDHE: This section will help determine if the veteran was discharged under honorable conditions.</i>		
25 Separation authority		26 Separation code	27 Reentry code	
28 Narrative of reason for separation				
<i>NOTE FROM THE MDHE: This section may contain information relevant to the determination of whether the veteran was discharged under honorable conditions.</i>				
29 Dates of time lost during this period			30 Member requests copy 4	

APPENDIX B

COMBAT SERVICE MEDALS

Bronze Star

Combat Action Badge

Combat Action Medal

Combat Infantry Badge (Army)

Combat Ribbon (Marine)

Congressional Medal of Honor

Global War on Terror ("GWOT") Service Medal

Global War on Terror ("GWOT") Badge

Purple Heart

Any other Action Badge, Combat Medal, or Expeditionary Medal or Ribbon offered within a geographic area that enables the veteran to receive a combat pay tax exclusion exemption, hazardous duty pay, imminent danger pay, or hostile fire pay.

APPENDIX C

COMBAT ZONES

The information provided here is based on an [Internal Revenue Service website](#) that lists combat zones to help taxpayers determine if they are eligible for tax benefits for service in a combat zone, and on information provided by the Missouri Veterans Commission. This list may not include all combat zones and is current only through July 10, 2008. If a veteran claims to have served in a combat zone not listed here, the MDHE advises that you contact the Missouri Veterans Commission for more information.

Area	Time period during which area has been a "combat zone"
Adriatic Sea	March 24, 1999 to the present
Afghanistan	September 19, 2001 to the present
Albania	March 24, 1999 to the present
Arabian Peninsula	January 17, 1991 to the present
Arabian Sea north of 10° North latitude and west of 68° East longitude	January 17, 1991 to the present
Bahrain	January 17, 1991 to the present
Bosnia-Herzegovina	November 21, 1995 – October 31, 2007
Croatia	November 21, 1995 – October 31, 2007
Djibouti	July 1, 2001 to the present
Egypt	March 19, 2003 – April 20, 2003
Gulf of Aden	January 17, 1991 to the present
Gulf of Oman	January 17, 1991 to the present
Incirlik Air Base, Turkey	September 21, 2001 – December 31, 2005
Ionian Sea north of the 39th Parallel	March 24, 1999 to the present
Iraq	January 17, 1991 to the present
Israel	January 1, 2003 – July 31, 2003
Jordan	September 19, 2001 to the present
Kosovo Area	March 24, 1999 to the present
Kuwait	January 17, 1991 to the present
Kyrgyzstan	October 1, 2001 to the present
Macedonia	November 21, 1995 – October 31, 2007
Mediterranean Sea east of 30° East longitude	March 19, 2003 – July 31, 2003
Montenegro	March 24, 1999 to the present
Oman	January 17, 1991 to the present
Pakistan	September 19, 2001 to the present
Persian Gulf	January 17, 1991 to the present
Philippines (only troops with orders referencing Operation Enduring Freedom)	January 9, 2002 to the present
Qatar	January 17, 1991 to the present
Red Sea	January 17, 1991 to the present
Saudi Arabia	January 17, 1991 to the present
Serbia	March 24, 1999 to the present
Somalia	January 1, 2004 to the present

Tajikistan	September 19, 2001 to the present
Turkey	January 1, 2003 – December 31, 2005
United Arab Emirates	January 17, 1991 to the present
Uzbekistan	October 1, 2001 to the present
Yemen	April 10, 2002 to the present
Yugoslavia, Federal Republic of	March 24, 1999 to the present

In addition to the areas listed above, service in support of **Operation Enduring Freedom (“OEF”)** (also known as the “Afghanistan combat zone”) and **Operation Iraqi Freedom (“OIF”)** (also known as the “Arabian Peninsula combat zone”) is generally considered service in a combat zone.