

# Tuition Exemption and Fee Waivers Established by the 2014 Legislature

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## Veteran Tuition Waiver [s. 1009.26(13), F.S.]

### 1. What is the statutory language?

“1009.26(12)(a): There is established the Congressman C.W. Bill Young Veteran Tuition Waiver Program. A state university, Florida College System institution, career center operated by a school district under s. 1001.44, or a charter technical career center shall waive out-of-state fees for an honorably discharged veteran of the United States Armed Forces, the United States Reserve Forces, or the National Guard who physically resides in this state while enrolled in the institution. Tuition and fees charged to a veteran who qualifies for the out-of-state fee waiver under this subsection may not exceed the tuition and fees charged to a resident student. The waiver is applicable for 110 percent of the required credit hours of the degree or certificate program for which the student is enrolled. Each state university, Florida College System institution, career center operated by a school district under s. 1001.44, and charter technical career center shall report to the Board of Governors and the State Board of Education, respectively, the number and value of all fee waivers granted annually under this subsection.”

### 2. What are the United States Armed Forces?

The U.S. Armed Forces consist of the U.S. Air Force, the U.S. Army, the U.S. Coast Guard, the U.S. Marine Corps, and the U.S. Navy.

### 3. What are the United States Reserve Forces?

The U.S. Reserve Forces are the Marine Forces Reserve, the U.S. Navy Reserve, the United States Army Reserve, the Air Force Reserve, and the Coast Guard Reserve.

[http://www.army.mil/article/110950/U\\_S\\_reserve\\_forces\\_model\\_example\\_to\\_world\\_vice\\_chairman\\_of\\_Joint\\_Chiefs\\_says/](http://www.army.mil/article/110950/U_S_reserve_forces_model_example_to_world_vice_chairman_of_Joint_Chiefs_says/)

### 4. What are the National Guard components?

The Army National Guard and the Air National Guard are the components.

<http://www.nationalguard.mil/AbouttheGuard.aspx>

### 5. What documentation must a veteran present to the university in order to be considered for the waiver?

Veterans are expected to provide the following documentation:

- Proof that the veteran physically resides in the state. This may include, but isn't limited to, a copy of an annual lease reflecting the veteran's name.
- Proof that the veteran is honorably discharged. Information may be found on the veteran's DD214 or discharge certificate.

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**6. May a currently active National Guard member receive an out-of-state waiver?**

The statute specifies veteran. Section 1009.21, F.S. specifies that active drilling members of the Florida National Guard are classified as residents for tuition purposes.

**7. Is it possible for the same student to receive both the Purple Heart waiver and the out-of-state fee waiver?**

Perhaps. The Purple Heart waiver is for a recipient who is currently, or was at the time of the military action that resulted in the awarding of the Purple Heart or other combat decoration superior in precedence, a resident of this state. A veteran could qualify for the Purple Heart waiver of undergraduate tuition and still be moving back to Florida after establishing residency in another state after his/her discharge from service.

**8. Is the waiver automatically transferable from one institution to the next or would the student have to reapply for the waiver if transferring to a new institution within the state?**

Each institution must verify eligibility. This is due, in part, to the requirement of proof of physical presence in Florida.

**9. Can an eligible veteran apply the waiver towards the required repeated enrollment fee per s. 1009.285, F.S.? This is the fee that requires a student who enrolled in the same undergraduate college-credit course more than twice to pay tuition at 100% of the full cost of instruction.**

No.

**10. The waiver is applicable for 110 percent of the required credit hours of the degree or certificate program for which the student is enrolled. What does this mean?**

Students may enroll using the waiver for the number of credit hours that would equal 110% of the number of required credit hours of the student's degree program.

This means that the number of credit hours may fluctuate depending on how a student changes his or her major. For example, if a student starts out in an engineering program at 130 credit hours for the degree, the 110% total is 143. If this same student decides to change a major to history (requiring 120 hours for the degree), the total falls down to 132 hours. Credit hours used in the count are the credit hours, after drop/add, for which the student registered.

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**11. Does an institution have to notify veterans of this available option other than the usual inclusion on websites and in catalogs?**

The statute is silent on this issue. At minimum institutions should promote the waiver to the same extent as other waivers. Universities will probably also want to ensure that their veterans' certifying officer is aware of the opportunity.

**12. Must institutions award the waiver?**

Yes. The statute is phrased such that it creates a mandatory waiver for any student who requests the waiver and is eligible.

**13. Will we be required to report data on this waiver?**

Yes. The number and value of fee waivers must be reported to the Board of Governors. Further information on this matter will be given to institutions as to how to report.

**14. Can a veteran's spouse or dependents use this waiver?**

No.

**15. When must institutions begin using this waiver?**

The statute is effective July 1, 2014. If your institution has any summer sessions beginning July 1, 2014 or after, qualified veterans may receive the waiver if he/she would have had to pay the out-of-state fee along with tuition and fees.

**16. Do we have to review a student's documentation every semester in order to ensure that the student is qualified for the waiver?**

Because of the physical presence requirement, universities should at least check annually. As a student approaches the 110% limit, institutions may need to review student eligibility more often as this may be an auditable requirement.

**17. May veterans receiving funding from Chapter 33 or other GI Bill chapters receive the waiver?**

Yes, assuming that they meet the physical presence requirement.

**18. How is transfer credit counted?**

Any transfer credit that is evaluated and applied towards the degree is applied in the count towards 110% of the required credit hours of the degree or certificate program. For example, a university may accept 40 credit hours in transfer credit from a veteran yet only have 20 that will actually apply towards the veteran's particular degree program. If the veteran's degree program is 120 semester hours, 110% of the credit total is 132 credit hours. Subtracting 20 from 132, this means that the waiver may be applied towards another 112 credit hours.

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## Nonresident Out-of-State Fee Waiver [s. 1009.26(12) F.S.]

### 1. What is the statutory language?

“(12)(a) A state university, a Florida College System 501 institution, a career center operated by a school district under s. 1001.44, or a charter technical career center shall waive out-of-state fees for students, including, but not limited to, students who are undocumented for federal immigration purposes, who meet the following conditions:

1. Attended a secondary school in this state for 3 consecutive years immediately before graduating from a high school in this state;
2. Apply for enrollment in an institution of higher education within 24 months after high school graduation; and
3. Submit an official Florida high school transcript as evidence of attendance and graduation.

(b) Tuition and fees charged to a student who qualifies for the out-of-state fee waiver under this subsection may not exceed the tuition and fees charged to a resident student. The waiver is applicable for 110 percent of the required credit hours of the degree or certificate program for which the student is enrolled. Each state university, Florida College System institution, career center operated by a school district under s. 1001.44, and charter technical career center shall report to the Board of Governors and the State Board of Education, respectively, the number and value of all fee waivers granted annually under this subsection. By October 1 of each year, the Board of Governors for the state universities and the State Board of Education for Florida College System institutions, career centers operated by a school district under s. 1001.44, and charter technical career centers shall annually report for the previous academic year the percentage of resident and nonresident students enrolled systemwide.

(c) A state university student granted an out-of-state fee waiver under this subsection must be considered a nonresident student for purposes of calculating the system-wide total enrollment of nonresident students as limited by regulation of the Board of Governors. In addition, a student who is granted an out-of-state fee waiver under this subsection is not eligible for state financial aid under part III of this chapter and must not be reported as a resident for tuition purposes.

(d) A state university, a Florida College System institution, a career center operated by a school district under s. 1001.44, or a charter technical career center shall, within the nonresident student enrollment systemwide, prioritize the enrollment of a veteran who is granted an out-of-state fee

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waiver pursuant to the Congressman C.W. Bill Young Tuition Waiver Act over a student who is granted an out-of-state fee waiver under this subsection.”

**2. Must institutions award the fee waiver?**

Yes. The statute is phrased such that it creates a mandatory waiver for any student who requests the waiver and is eligible.

**3. Do we need to scan out-of-state residency decisions from previous years to determine if students are eligible for the waiver?**

No; however, you should review a request if a student meeting the requirements (i.e., 3 consecutive years FL high school, graduation, and within 24 months) approaches your office.

**4. Are students enrolled in private schools who meet the three year of high school attendance and graduation standards eligible for the waiver?**

Yes, as long as they meet the other statutory requirements. The statute reads “Florida high school” and not “Florida public high school.”

**5. Could a student whose parents live in another state be eligible?**

Yes, as long as the student meets the stated requirements.

**6. Will data be collected on this waiver?**

Yes, in order to meet the following statutory requirement: *“By October 1 of each year, the Board of Governors for the state universities ... shall annually report for the previous academic year the percentage of resident and nonresident students enrolled systemwide.”*

**7. Are home education students eligible to receive this waiver?**

No, home education students are not eligible to receive this waiver since one of the requirements is that the student attended a Florida secondary school.

**8. Can this waiver apply to online programs and courses?**

Yes, this waiver may be applied to out-of-state fees tied to online programs and courses.

**9. What is counted in the 110% total?**

Calculate how many credit hours is 110% of the student’s degree program. Subtract the number of any transfer credit hours that apply towards the degree program. The remaining total is the number of credit hours available

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for waiving the associated out-of-state fees. Courses for which a student is registered for, after drop and add, count towards this application. No course out-of-state fee is exempt.

**10. Does an eligible student need to maintain continuous enrollment in order to remain eligible for this waiver?**

No, a student who meets the specified criteria will remain eligible for this waiver until the 110 percent limit is reached.

**11. Is there a limit on the number of times an eligible student may repeat a course using this waiver?**

Yes, according to s. 1009.285, F.S.: *A student enrolled in the same undergraduate college-credit course more than twice shall pay tuition at 100 percent of the full cost of instruction and shall not be included in calculations of full-time equivalent enrollments for state funding purposes.*

Therefore, a student will be required to pay 100 percent of the full cost of instruction if a course is repeated more than twice. All course attempts are counted towards the 110 percent limit unless an exception has been granted for extenuating circumstances.

**12. Must student eligibility for this waiver be verified each term?**

No, verification of student eligibility for this waiver is only required the term of initial eligibility. However, a student who transfers from another public postsecondary institution in Florida may be required to provide an official high school and previous postsecondary institution transcript for purposes of eligibility verification.

**13. What happens if a student indicates that he/she applied to the postsecondary institution within the 24 months but did not attend?**

Unless the student can provide acceptable documentation for verification, the student may be determined to be ineligible. If the student did actually enroll at a public postsecondary institution in Florida by the fall following the 24 months after high school graduation, it is reasonable to determine that the student had applied within the designated time frame.

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## Child Protection and Child Welfare Personnel Tuition Exemption Program [s. 402.403, F.S.]

### 1. What is the statutory language for the tuition and fee exemption?

**S. 402.403, F.S.:** (1) There is established within the department the Child Protection and Child Welfare Personnel Tuition Exemption Program for the purpose of recruiting and retaining high-performing individuals who are employed as child protection and child welfare personnel. For purposes of this section, “child protection and child welfare personnel” includes child protective investigators and child protective investigation supervisors employed by the department and case managers and case manager supervisors employed by a community-based care lead agency or a subcontractor of a community-based care lead agency who do not possess a master’s degree in social work.

(2) Child protection and child welfare personnel who meet the requirements specified in subsection (3) are exempt from the payment of tuition and fees at a state university.

(3) The department may approve child protection and child welfare personnel for the tuition and fee exemption if such personnel:

(a) Are employed as child protection and child welfare personnel and are determined by their employers to perform at a high level as established by their personnel evaluations; and

(b) Are accepted in a graduate-level social work program or a certificate program related to child welfare which is accredited by the Council on Social Work Education.

(4) Child protection and child welfare personnel who meet the requirements specified in subsection (3) may enroll for up to 6 credit hours of courses per term.

(5) Child protection and child welfare personnel who are accepted into a graduate-level social work program or a certificate program related to child welfare which is accredited by the Council on Social Work Education shall take courses associated with the degree or certificate program online if such courses are offered online.

(6) All child protection and child welfare personnel who participate in the tuition exemption program established under this section must remain employed by the department, a state agency, or a contracted provider for 5 years after completion of a graduate level social work program. If employment ends before the 5-year period, the benefit shall be repaid according to a pro rata calculation based on the number of years of service.

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### **2. How are eligible students identified?**

There is a common tuition exemption form that is utilized by students that begins with child welfare employers verifying first that the student is an eligible employee based on his or her employment status.

Other key eligibility requirements are:

- Enrollment in an accredited social work graduate or certificate degree program;
- Reimbursement of tuition/fee exemption for any course taken where the grade awarded is below that of a "B" (i.e., 3.0).

### **3. Must a tuition exemption form be completed every semester?**

Yes. The specific coursework for which the tuition/fee is exempted is specified on the form. The student may also owe the reimbursement fee as noted above.

### **4. Are universities required to track whether or not the student makes below a "B" on a course for which the exemption is applied?**

Yes.

### **5. Are universities required to track whether or not the student continues employment for the required number of years within an eligible Florida agency?**

No. It is the employer whose responsibility it is to track compliance with this issue.

### **6. If there a specified course is offered both in online and face-to-face on campus, must the student enroll in the online version?**

According to s. 402.403(5), the student shall take the online version.

### **7. Are distance education fees exempted?**

Yes.

### **8. Can universities establish their own procedures for implementation of this exemption?**

Yes.

### **9. Will data be collected on SUS data files on this exemption?**

Yes. At minimum there will be the need to be an accounting of the number of students receiving the exemption and the amount of total tuition/fees exempted.



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### **10. How are students informed of this opportunity?**

Eligible students should know through their employer; however, Social Work programs may want to include information about the exemption on their individual departmental or college websites.