

**Missouri Returning Heroes' Education Act
Implementation Q/A**

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Q: When must institutions begin offering veterans reduced tuition?

A: 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.

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

A: “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.

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

A: 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.

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

A: Yes, **a veteran must be** eligible to register to vote in Missouri, or is eligible to vote, as determined by the Missouri Secretary of State, or is a current Missouri resident.”

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

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

A: 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.

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

A: Public institutions of higher education are those institutions established pursuant to Chapters [173](#), [174](#), 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.

Q: When is the cumulative GPA determined?

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

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

A: No, but the veteran must maintain a 2.5 GPA to receive reduced tuition after the first semester.

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

A: No.

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

A: 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.

Q: 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?

A: 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.

Q: Are other veterans' benefits considered "federal financial assistance" under this Act?

A: 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.

Q: Are loans considered "financial assistance" under this Act?

A: No.

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

A: No.

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

A: 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.

Q: Does the "actual cost of attendance" include room and board, and/or books?

A: 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.

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

A: 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.

Q: How does the Act affect clock hour programs?

A: 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.

Q: Where should institutions direct additional questions?

A: 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>This section will help determine if the veteran was a Missouri resident 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 Primary service will help determine if the veteran served after September 11, 2001.		12 Record of service		
		Year(s)	Month(s)	Day(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>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>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</u> ("OEF") or <u>Operation Iraqi Freedom</u> ("OIF").</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>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>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

COMBAT VETERAN ELIGIBILITY DETERMINATION TABLE COMBAT ZONES, HOSTILITIES and MEDALS

The Department of Veterans Affairs (VA) must use and refer to the Department of Defense (DOD) website <http://www.defenselink.mil/comptroller> to maintain the listing of designated hostile fire or imminent danger pay areas. Although DOD Hostile Fire or Imminent Danger pay existed prior to November 11, 1998, only proof of such pay on or after November 11, 1998, is acceptable. NOTE: The DOD website, the definitions, and the table provided in this Attachment should assist in the determination of combat veteran eligibility.

1. Definitions

a. **Combat Service.** Veterans who served in combat during a period of war after the Gulf War, or against a hostile force during a period of hostilities after November 11, 1998, qualify, and are eligible for hospital care, medical services, and nursing home care for 2 years after discharge from the military for any illness.

(1) **Co-payments** may be charged for those conditions which the Veterans Health Administration (VHA) finds resulted from a cause other than such combat service.

(2) **Combat zones** are designated by an Executive Order from the President as areas in which the United States (U.S.) Armed Forces are engaging or have engaged in combat. An area usually becomes a combat zone and ceases to be a combat zone on the dates the President designates by Executive Order.

b. **Hostilities or Imminent Danger Pay.** Hostile fire pay is defined as pay to anyone exposed to hostile fire or mine explosion, while imminent danger pay is paid to anyone on duty outside the United States area who is subject to physical harm or imminent danger due to wartime conditions, terrorism, civil insurrection, or civil war.

c. **Medals.** Afghanistan Campaign Medal, Iraq Campaign Medal, Armed Forces Expeditionary Medal; Global War on Terrorism Expeditionary Medal (does not include Global War on Terrorism Medal); Kosovo Campaign Medal; Southwest Asia Campaign Medal; and other DOD authorized combat related medals.

NOTE: 1. This listing is current as of the date of publication of this directive. For the most current listing see <http://www.defenselink.mil/comptroller/fmr/07a/07A10.pdf>

2. Table Designating Hostile Fire or Imminent Danger Pay Areas after November 11, 1998

AREA	INCLUDES	EFFECTIVE	TERMINATED
Adriatic Sea	Sea area and airspace	April 12, 1999	September 15, 1999
Afghanistan	Land area and airspace	November 11, 1998	
Albania	Land area and airspace	November 11, 1998	March 31, 2002
Algeria	Land area	November 11, 1998	
Angola	Land area	November 11, 1998	
Arabian Peninsula *	Locations and airspace	November 11, 1998	
	above: Persian Gulf and		
	land area of Saudi Arabia		
Arabian Peninsula *	Surface area of the following	September 19, 2001	
	sea boundaries: Red Sea,		
	Gulf of Aden, Gulf of Oman		
	and Arabian Sea		
Azerbaijan	Land area	November 11, 1998	
Bahrain	Land area and airspace	November 11, 1998	
Bosnia-Herzegovina	Land area and airspace	November 11, 1998	
Burundi	Land area	November 11, 1998	
Cambodia	Land area	November 11, 1998	October 31, 2001
Colombia	Land area	November 11, 1998	
Cote D'Ivoire	Land area	February 27, 2003	
(Ivory Coast)			
Croatia	Land area and airspace	November 11, 1998	
Djibouti	Land area	July 31, 2002	
East Timor	Land area	September 30, 1999	October 28, 1999
	Land area and airspace	October 29, 1999	October 31, 2001
	Land area	November 1, 2001	
Egypt	Land area	November 11, 1998	
El Salvador	Land area	November 11, 1998	May 31, 2001
Eritrea	Land	July 31, 2002	
Ethiopia	Land area	September 13, 1999	
Georgia, Republic of	Land area	July 31, 2002	
Greece **	Land area	November 11, 1998	
Haiti	Land area	November 11, 1998	
Hungary **	Land area	May 31, 1999	September 15, 1999
Indonesia	Land area	October 31, 2001	
Ionian Sea **	Sea area and airspace	April 12, 1999	September 15, 1999
Iran	Land area	November 11, 1998	
Iraq	Land area and airspace	November 11, 1998	

*Arabian Peninsula and adjacent sea areas that include Bahrain, Oman, Kuwait, Qatar, Saudi Arabia, United Arab Emirates and Yemen.

**For detailed specific information regarding designated hostile fire or imminent danger pay areas for these countries, refer to the website citation.

AREA	INCLUDES	EFFECTIVE	TERMINATED
Israel	Land area	January 31, 2002	
Italy **	Land area	May 31, 1999	September 15, 1999
Jordan	Land area	November 11, 1998	
Kenya	Land area	July 31, 2002	
Kuwait	Land area and airspace	November 11, 1998	
Kyrgyz tan	Land area	September 19, 2001	
Lebanon	Land area	November 11, 1998	
Liberia	Land area	November 11, 1998	
Macedonia	Land area and airspace	November 11, 1998	
Malaysia	Land area	October 31, 2001	
Mediterranean Sea	Sea area	April 11, 2003	July 31, 2003
Montenegro	Land area and airspace	November 11, 1998	
Oman	Land area	September 19, 2001	
Pakistan	Land area	November 11, 1998	
Peru	Land area	November 11, 1998	December 31, 2001
Philippines	Land area	October 31, 2001	
Qatar	Land area and airspace	November 11, 1998	
Rwanda	Land area	November 11, 1998	
Saudi Arabia	Land area and airspace	November 11, 1998	
Serbia	Land area and airspace	November 11, 1998	
Sierra Leone	Land area	November 11, 1998	
Somalia	Land area and airspace	November 11, 1998	
Sudan	Land area and airspace	November 11, 1998	
Syria	Land area	July 31, 2003	
Tajikistan	Land area	November 11, 1998	
Turkey **	Land area and airspace	November 11, 1998	
Uganda	Land area	January 19, 2000	
United Arab Emirates	Land area	September 19, 2001	
Uzbekistan	Land area	September 19, 2001	
Yemen	Land area	May 25, 1999	
Yugoslavia	Land area and airspace	November 11, 1998	
Zaire	Land area	November 11, 1998	

*Arabian Peninsula and adjacent sea areas that include Bahrain, Oman, Kuwait, Qatar, Saudi Arabia, United Arab Emirates and Yemen.

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