

**MAINE COMMUNITY COLLEGE SYSTEM**

**FINANCIAL AFFAIRS**

**Section 707.3**

**SUBJECT: TUITION BENEFITS FOR SERVICE MEMBERS AND VETERANS OF THE ARMED FORCES AND THEIR DEPENDENTS**

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**PURPOSE: To provide guidance regarding military service-related tuition benefits**

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**A. Introduction**

Several state and federal law require MCCS to provide certain tuition benefits to certain current service members or veterans of the United States Armed Forces and their dependents. The purpose of this procedure is to explain the requirements of those laws.

**B. Definitions**

Unless otherwise indicated, “tuition” for purposes of this policy does not include costs related to room, board, supplies or fees.

**C. In-State Tuition for Maine Residents Generally**

In addition to *sections D and E* below, MCCS shall charge the in-state tuition rate to any current service members or veterans of the United States Armed Forces and their dependents who qualify for that rate pursuant to the generally applicable standards set forth in the MCCS Policy on In-State Tuition (*MCCS Policy 708*).

**D. In-State Tuition for Certain Out-of-State Service Members and Veterans**

**1. Service Members and Veterans**

MCCS shall also, pursuant to state law (*20-A MRSA §10010*), charge the in-state tuition rate to a person who, regardless of the person’s legal residence, is a:

- a. Current service member; or
- b. Veteran who has been honorably discharged.

**2. Veterans Only**

MCCS shall also, pursuant to federal law (*38 U.S.C. § 3679(c)*), charge the in-state tuition and fee rates to a veteran, as defined in title 38 of the United States Code, who, regardless of the veteran’s legal residence:

- a. Lives in Maine; and

- b. Enrolls within three years of being discharged from a period of active duty of 90 days or more. A veteran who initially meets the requirements in this subsection will continue to receive in-state tuition and fees as long as he/she maintains continuous enrollment once he/she reaches the three-year window, even if he/she enrolls in multiple programs.

**E. In-State Tuition for Certain Out-of-State Dependents of Certain Veterans**

MCCS shall also, pursuant to federal law (*38 U.S.C. § 3679(c)*), charge the in-state tuition and fee rates to a spouse (including a same-sex spouse or former spouse) and children (biological, adopted, pre-adoptive, and stepchildren of a spouse, including a same-sex spouse or former spouse) of a veteran, as defined in title 38 of the United States Code, when, regardless of any other legal residence, such spouse or children:

- 1. Are using benefits that have been:
  - a. Transferred (pursuant to the Post 9/11 GI Bill) to the spouse or child by a veteran or active service member; or
  - b. Awarded as:
    - 1) A Marine Gunnery Sergeant John David Fry Scholarship (for dependents of service members who died on active duty); or
    - 2) Dependents Educational Assistance (for dependents of a veteran who is deceased or permanently and totally disabled as a result of military service); and
- 2. Live in Maine; and
- 3. If using benefits transferred by a veteran pursuant to the Post-9/11 GI Bill or awarded as Dependents Educational Assistance, enroll within three years after the veteran:
  - a. Was discharged from a period of active duty of 90 days or more; or
  - b. Died in the line of duty following a period of active duty of 90 days or more.

A spouse or child using transferred Post-9/11 GI Bill benefits from a veteran or Dependents Educational Assistance who initially meets the requirements in this subsection will continue to receive in-state tuition and fees as long as s/he maintains continuous enrollment once s/he reaches the three year window, even if s/he enrolls in multiple programs.

## **F. Waiver of Certain Costs for Certain Dependents of Certain Veterans**

In addition to the benefits described in *sections B, C and D* above, M CCS shall also, pursuant to state law (*37-B MRSA §505*), waive tuition and certain fees for children and spouses of veterans as follows.

### **1. Definitions**

For purposes of this section, the following terms have the following meanings.

- a. “Veteran” means any person who meets both of the following two criteria. First, veteran means any person who:
  - 1) Served in the military or naval forces of the United States and entered the service from Maine or resided in Maine for 5 years immediately preceding application for aid, and if living, continues to reside in Maine; and
  - 2) Has a total permanent disability resulting from a service-connected disability as a result of service; was killed in action; died from a service-connected disability as a result of service; at the time of death was totally and permanently disabled due to service-connected disability, but whose death was not related to the service-connected disability; or is a member of the Armed Forces on active duty who has been listed for more than 90 days as missing in action, captured or forcibly detained or interned in the line of duty by a foreign government or power.
- b. “Child” means any person who meets all three of the following criteria. First, a child of a veteran means a person:
  - 1) Whose mother or father is or was a veteran, or a stepchild who is a member of a veteran's household either at the time of application or, in the event of the veteran's death, at the time of death, continues as a member of the household after the death of that veteran;
  - 2) Who is at least 16 years of age;
  - 3) Who is enrolled in a degree program prior to turning 22 years of age and is not over 25 years of age at the time of application. If, however, the child is “unable to enroll in a degree program prior to turning 22 years of age due to service in the United States Armed Forces, then the child may apply to begin this benefit until reaching 26 years of age; and

- 4) Has graduated from high school.
- c. "Spouse" means a person currently legally married to a living veteran or a widow or widower of a deceased veteran, not previously divorced from that veteran.

## **2. Benefits for a Veteran's Child**

MCCS shall, pursuant to *37-B MRSA §505*, provide the following benefits to a veteran's child.

### **a. Scope of Benefit**

A child of a veteran must be admitted free of tuition including mandatory fees and lab fees for associate's programs. A child is entitled to a tuition waiver for 120 credit hours. Room and board may not be waived.

### **b. Offsets**

The waiver for a child may be reduced by an amount necessary to ensure that the value of this waiver, combined with all other grants and benefits received by the student, does not exceed the total cost of education.

### **c. Time Limit**

A child of a veteran has six academic years from the date of first entrance to complete 120 credit hours. However, the Director of the Bureau of Maine Veterans' Services may waive the limit of six consecutive academic years when the recipient's education has been interrupted by severe medical disability, learning disability, illness or other hardship making continued attendance impossible.

## **3. Benefits for a Veteran's Spouse**

MCCS shall, pursuant to *37-B MRSA §505*, provide the following benefits to a veteran's spouse.

### **a. Scope of Benefit**

The spouse of a veteran must be admitted free of tuition including mandatory fees and lab fees for associate's degree programs. A spouse is entitled to a tuition waiver for up to 120 credit hours. Room and board may not be waived.

### **b. Offsets**

There is no offset provision for spouses as there is for children.

**c. Time Limits**

The spouse of a veteran has 10 years from the date of first entrance to complete a degree program.

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REFERENCES: 38 U.S. Code §101(2); 20-A MRSA §10010; P.L. 113-146, §702; 37-B MRSA §505; and MCCS Policy 708

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