



INDIANA COMMISSION *for*
HIGHER EDUCATION

MEMORANDUM

TO: Indiana Department of Veterans' Affairs
Indiana Financial Aid Offices

FROM: Josh Garrison, Associate Commissioner, Legislation and Program Implementation
Colby Shank, Assistant Commissioner, Financial Aid and Student Support Services

Date: June 28, 2019

RE: Senate Enrolled Act 216 - Educational Cost Exemptions

Background:

Indiana has numerous programs which exempt the children and spouses of deceased or disabled veterans or public safety officers from paying tuition and regularly assessed fees at public institutions. These programs, commonly known as CVO, have undergone significant changes over the last decade. The varying and constantly changing requirements have made it difficult for the Commission and its partners to explain these programs to the families seeking to utilize them.

During the 2019 legislative session, the General Assembly sought to unify eligibility requirements in an effort to simplify the programs. Senate Enrolled Act 216 (SEA 216) outlines five general eligibility requirements and placed all CVO programs in the same chapter of Indiana Code (21-14-4). These updates become effective July 1, 2019.

This memo provides an overview of the updates made by SEA 216 and clarification of implementation of the eight-year rule. This memo does not serve as comprehensive guidance of all CVO program requirements. For more information about CVO program requirements, please review the State Financial Aid manual found at www.IN.gov/CHE.

Guidance

To ensure uniformity across programs, SEA 216 outlines five eligibility requirements which apply to all CVO programs. These requirements are:

- 1) Applicants who are applying for a CVO program based on a parent's service and were adopted must have been adopted before age 18;
- 2) Applicants who are applying for a CVO program based on a parent's service must apply prior to reaching age 33;

- 3) Recipients, after high school graduation, must be pursuing a prescribed course of study;
- 4) Recipients must be eligible to pay the resident tuition rate at their institution; and
- 5) After July 1, 2020, recipients must maintain satisfactory academic progress, as determined by their institution.

The first two requirements deal with initial eligibility and are verified by the certifying agencies (ICHE, IDVA, etc.) during the initial application process. The final three requirements address ongoing eligibility and are verified by the recipients' institution each term. The following addresses how each requirement impacts current and future recipients.

Requirement 1: *Applicants who are applying for a CVO program based on a parent's service and were adopted must have been adopted before age 18.*

The current requirements for adopted students differ across CVO programs and application cycles. To ensure alignment across programs, all new applicants who were adopted and are applying for a CVO program based on a parent's service must have been adopted prior to reaching age 18. Although adoptions after the age of majority are less common, some current recipients may have been adopted after age eighteen. All current recipients will retain eligibility regardless of when they were adopted.

Requirement 2: *Applicants who are applying for a CVO program based on a parent's service must apply prior to reaching age 33.*

Like the previous requirement, the age deadline to apply for a CVO program varies by program and application cycle. There are three different ages applicants must apply across the CVO programs. The current ages are 23, 24, and 32. SEA 216 applies the requirement to apply prior to reaching age 33 to all CVO programs. Please note, recipients may continue to use CVO programs past age 32. The deadline only requires individuals to apply prior to reaching age 33.

Recipients who applied prior to any age application deadlines will remain eligible so long as they have not used all of their state financial aid eligibility. Further, any applicant previously denied for applying after turning age 23 or 24 may reapply so long as the student has not reached age 33.

Requirement 3: *Recipients, after high school graduation, must be pursuing a prescribed course of study*

College-level CVO recipients may use their eligibility towards courses that are part of Title IV eligible certificate or degree program. SEA 216 clarifies that the student must be enrolled in the eligible degree or certificate program and not just taking a course. All college-level recipients must meet this requirement.

Please note, this requirement only applies to recipients who have graduated high school. High school students may continue to use CVO programs to cover the cost of dual credit courses not covered by other funds.

Requirement 4: *Recipients must be eligible to pay the resident tuition rate at their institution*

This requirement already applies to all CVO programs and has not changed. All recipients must be eligible to pay the resident tuition rate.

Requirement 5: *After July 1, 2020, recipients must maintain Satisfactory Academic Progress, as determined by their institution.*

Prior to 2011, the majority of CVO recipients were required to meet Satisfactory Academic Progress (SAP) as determined by their institution. However, the 2011 changes to the CVO programs removed this requirement from the Child of Disabled Veterans program. This allowed hundreds of students that were not progressing towards their degree to continue using the program.

SEA 216 restores the SAP requirement to all recipients starting fall 2020. The Commission will reach out to all current and past recipients to make them aware of this requirement.

Updated Indiana's Code Citations

Prior to SEA 216, the eligibility requirements for CVO programs were contained across five chapters of Indiana code. SEA 216 moves all CVO programs under IC 21-14-4. Below are the updated Indiana Code citations for each CVO program.

1. Former Soldiers & Sailors Home Students *IC 21-14-4-1(a)(1)*
2. Child of a Purple Heart Recipient *IC 21-14-4-1(a)(2)*
3. Child of a Deceased or Disabled Veteran *IC 21-14-4-1(a)(3)*
4. Purple Heart Recipients *IC 21-14-4-1(a)(4)*
5. Child or Spouse of a Deceased Public Safety Officer *IC 21-14-4-1(a)(5)*
6. Child or Spouse of a Disabled Member of the 1977 Fund *IC 21-14-4-1(a)(6)*
7. Child or Spouse of a Deceased Member of the Indiana National Guard *IC 21-14-4-1(a)(7)*
8. Child or Spouse of a Disabled State Police Officer *IC 21-14-4-1(a)(8)*

Previously, two CVO programs were contained outside of Title 21. Both of these programs are now incorporated into the requirements of IC 21-14-4. These programs were:

- (1) Children of an employee of the state police department who is killed in the line of duty *IC 10-12-2-6*
- (2) Child or spouse of an employee of the state police department who sustains catastrophic personal injury in the line of duty *IC 10-12-2-11*

Eight-Year Rule Clarification

In 2017, after an update to the Renewal of Scholarships Chapter (IC 21-12-13) of Indiana Code, the Commission issued a clarification on how the eight-year rule should be applied. All students who first used a CVO program in the 2011-2012 academic year or later had eight academic years to use their eligibility. Students who first used aid prior to the 2011-2012 academic year have eight academic years to use their eligibility once the recipient uses a CVO program in the 2017-2018 academic year or later.

The full text of the bill can be found [here](#). Students or parents who have questions or need assistance applying may contact the Commission at awards@che.in.gov or 1-888-528-4719.