

## Division of Florida Colleges (DFC) Question and Answer (Q&A) Guidance

The purpose of this Q&A document is to provide additional information and clarification regarding the new State Board of Education Rule 6A-10.0451, *Tuition and Fee Waivers for Disabled Veterans*, Florida Administrative Code (F.A.C.). This guidance is aimed at ensuring all institutions have the information needed to implement the tuition and fee waiver.

**1. Q: What current waivers and exemptions exist for veterans?**

**A:** Florida College System (FCS) institutions, school district career centers, and charter technical career centers currently offer tuition waivers to honorably discharged veterans of the U.S. Armed Forces, the U.S. Reserve Forces, or the National Guard who physically resides in Florida while enrolled in the institution identified in section (s.) [1009.26 \(13\)](#), Florida Statutes (F.S.), and Florida military veterans who have received a purple heart OR combat decoration that is “superior in precedence” identified in s. [1009.26 \(8\)](#), F.S.

**2. Q: What is the purpose of this rule?**

**A:** In 2022, House Bill (HB) 45 created s. [295.011](#), F.S., to establish a fee waiver for disabled veterans who are enrolled in a postsecondary program and receive educational assistance under the GI Bill, but who do not qualify for the 100 percent eligibility tier federally. The purpose of the proposed rule is to set forth the documentation needed to establish eligibility for the waiver, to provide notice of who and where information about the waivers must be provided to the Florida Department of Education, and to provide notice about limits on eligibility for the waiver.

**3. Q: When did the waiver become effective?**

**A:** The waiver pertaining to disabled veterans went into effect on July 1, 2022. (DFC Memo June 22, 2022: <https://www.fldoe.org/core/fileparse.php/5592/urlt/DFCMemo2022-07.pdf>)

**4. Q: To whom must a Florida College System (FCS) institution provide the waiver?**

**A:** Pursuant to s. [295.011](#), F.S., beginning with the 2022-2023 academic year, a disabled veteran enrolled in a program of education approved for educational assistance under 38 U.S.C. s. 3313, and pursuant to the eligibility outlined in 38 U.S.C. s. 3313(2), as one who serves at least 30 continuous days on active duty in the Armed Forces commencing on or after September 11, 2001, and after completion of service, is discharged or released from active duty in the Armed Forces for a service-connected disability. A disabled veteran who does not qualify for the 100-percent eligibility tier under federal law is eligible to receive a waiver for tuition and fees. Therefore, eligible recipients of the waiver are disabled veterans classified by any military branch as 100 percent disabled, but do not qualify to receive 100 percent in GI Bill educational benefits.

**5. Q: Please define “disabled veteran.”**

**A:** According to s. [295.011](#), F.S., a “disabled veteran” is an individual who is:

- Determined by the United States Department of Veterans Affairs to have a service-connected 100-percent total and permanent disability rating for compensation;
- Determined to have a service-connected total and permanent disability rating of 100 percent and is in receipt of disability retirement pay from any branch of the United States Armed Services; or

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- Issued a valid identification card by the Department of Veterans Affairs in accordance with s. [295.17](#), F.S., that shows eligibility for any benefit provided by state law for 100-percent service-connected permanently and totally disabled veterans.

**6. Q: Must the disabled veteran be a Florida resident to qualify for the waiver?**

**A:** Yes, s. [295.011](#), F.S., states the disabled veteran must be a resident of Florida, according to s. [1009.21](#), F.S.

**7. Q: What documentation is required for proof of eligibility?**

**A:** The new rule states each institution must determine and verify student eligibility, including any necessary documentation to demonstrate eligibility. Evidence of eligibility must include documented proof of service and separation, evidence of a compensable service-connected disability, and the portion of tuition and fees paid in accordance with federal law. Evidential documentation is not required in separate documents and may be combined if necessary.

- Documents to show *Service and Separation* may include, but are not limited to:
  - DD-214, "Certificate of Release or Discharge from Active Duty;" or
  - Retirement or separation orders; or
  - Official statement from military personnel records center.
- Documents to show a *compensable service-connected disability* may include, but are not limited to:
  - An official document from the Department of Veterans Affairs or an Armed Forces branch certifying the 100 percent total and permanent service-connected disability rating; or
  - An official document or retired orders from an Armed Forces branch showing that the veteran was retired due to a service-connected disability or has been transferred to a Disability Retirement List with a 100 percent total and permanent service-connected disability rating.
- Documents to show *the portion of tuition and fees paid in accordance with federal law* may include, but are not limited to:
  - A Veteran Affairs Award Letter showing a 100 percent total and permanent service-connected disability rating and the portion of tuition and fees paid in accordance with federal law.
  - An official document from the Department of Veterans Affairs showing the portion of tuition and fees paid in accordance with federal law.

**8. Q: How is the amount of the waiver calculated?**

**A:** The waiver amount is equal to the difference between the portion of tuition and fees paid in accordance with federal law and the total amount of tuition and fees at the institution attended. The amount waived by the institution is not to be determined until after the application of federal benefits under 38 U.S.C. s. 3313 and the application of federal or state scholarships and grants received by the student.

Therefore, institutions must ascertain the total awards the disabled veteran receives, including all federal and state grants and scholarships, and subtract them from the total tuition and fees. The institution will then waive (i.e., not charge the disabled veteran) the difference.

**9. Q: What if the student veteran is required to repeat a course for a third attempt?**

**A:** The student veteran will be required to pay tuition at one hundred (100) percent of the full cost of instruction upon the third attempt of a college credit course unless the institution has granted an exception due to extenuating circumstances, pursuant to s. [1009.285](#), F.S.

**10. Q: How should colleges report these waivers?**

**A:** For state reporting, the Student Database Data Element 3006 Course Fee Kind will be modified to include a new table value. Institutions should report these waivers through table value 3: Disabled Veteran who does not qualify for 100 percent eligibility tier. Additionally, colleges will be expected to report the value of these fee waivers in the annual Student Fee Exemptions and Waivers report submitted to the FCS budget office.

**11. Q. Was there an allocation associated with this waiver?**

**A.** No, funding was not allocated for this waiver.