

### **Veterans Access, Choice, and Accountability Act (VACA H.R. 3230)**

Veterans or dependents of an eligible Veteran who meet the following requirements shall be exempt from paying nonresident tuition at San Joaquin Delta College. A “covered individual” for purposes of compliance with the VACA Act and Education Code Section 68075.7 is defined as:

1. A veteran eligible for educational assistance under either the Montgomery GI Bill-Active Duty (MGIB-AD) or Post-9/11 GI Bill education benefit programs who resides (lives) in California (regardless of his/her formal state of residence) and enrolls in the community college within three years of discharge from a period of active duty service of 90 days or more.
2. An individual eligible for transferred education benefits under either the Montgomery GI Bill-Active Duty (MGIB-AD) or Post-9/11 GI Bill education benefit programs who resides (lives) in California (regardless of his/her formal state of residence) and enrolls in the community college within 3 years of the transferor’s discharge from a period of active duty service of 90 days or more.
3. An individual eligible for transferred Post-9/11 G.I. Bill benefits while the transferor is on active duty who resides (lives) in California (regardless of his/her formal state of residence) as described in 38 USC 3679 (c) (2) (B) (ii) (II). The 3-year enrollment period limitation does not apply to eligible dependents of active duty service members.
4. An individual eligible for benefits under the Marine Gunnery Sergeant John David Fry Scholarship (provides Post-9/11 GI Bill benefits to the children and surviving spouses of service members who died in the line of duty while on active duty) who resides (lives) in California (regardless of his/her formal state of residence).
5. If applicable, after expiration of the three year period following discharge or death as described in 38 U.S.C. 3679(c), a student who qualifies under the applicable requirements above shall maintain “covered individual” status as long the student remains continuously enrolled at the community college, even if the student enrolls in multiple programs, and the student shall continue to be exempt from paying nonresident tuition and other fees that are exclusively applicable to nonresident students. “Continuously enrolled” means enrolled for at least the fall and spring semesters of an academic year (pursuant to California Code of Regulations, Title 5 Section 55701, the academic year does not include summer or other intersessions).

Under this exemption students are NOT eligible to receive a BOG waiver. Students will still be classified as a non-resident but given an exemption from paying non-resident tuition.

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**HOW TO APPLY FOR THIS EXEMPTION:** To apply for AB13 (VACA) California Nonresident Tuition Exemption for Eligible Veterans & Dependents you must complete the AB13 (VACA) Affidavit form, sign and attach all applicable documentation:

1. Copy of DD214 Certificate of Release or Discharge from Active Duty.
2. Certificate of Eligibility (COE) from VA confirming the approval of education benefits for student.

Please submit to the Admissions and Records Service Window, DeRicco Building Lobby or mail to:

San Joaquin Delta College  
Admissions & Records-Residency  
5151 Pacific Avenue, Box 102  
Stockton, CA 95207



# AB13 VACA Affidavit for Eligible Veterans & Dependents

California Nonresident Tuition Exemption  
*Complete & submit this form with required proof of eligibility*

Applying for:  Fall  Summer  Spring Year \_\_\_\_\_

Eligibility: Check the box that applies to you (Check only one box):  Veteran  Spouse  Child

Delta Student ID: 98 - \_\_\_\_\_  
Last Name First Name Middle

Physical Address City State Zip

Student Email Username: \_\_\_\_\_@student.deltacollege.edu (\_\_\_\_\_) \_\_\_\_\_  
(Example: msmith123) Daytime Phone Number

I declare the following, under penalty of perjury: I am eligible to use one of the following:

- Post 9/11 GI Bill (Chapters 30 or 33)
- Montgomery GI Bill-Active Duty
- John David Fry Scholarship

**Please read through carefully and initial each statement:**

- \_\_\_\_\_ I understand that I must be physically present in California in order to qualify for this exemption.
- \_\_\_\_\_ I understand that I must enroll at San Joaquin Delta College within 3 years of my discharge date (or the discharge date of the member in cases of dependents) in order to qualify for this exemption.
- \_\_\_\_\_ I understand that I must have served at least 90 days in active duty status (or in the case of dependents, the member must have served at least 90 days in active duty status).
- \_\_\_\_\_ I understand after expiration of the three years period following discharge or death as described in 38 U.S.C. 3679(c), a student who initially qualifies under the applicable requirements above will maintain "covered individual" status as long as he or she remains continuously enrolled at the institution and shall continue to be exempt from paying nonresident tuition.
- \_\_\_\_\_ I understand that if I exhaust my entitlement or choose to decline GI Bill benefits under the Post-9/11 GI Bill or Montgomery GI Bill-Active Duty, the provisions of section 702-"covered Individuals" will no longer apply, even if I remain continuously enrolled.

- \_\_\_\_\_ I understand that I must provide proof of eligibility and submit copies of the documentation listed below:
  1. Certificate of Eligibility of student showing eligibility for Montgomery GI Bill Active Duty or Post-911 GI Bill education benefit programs (Chapters 30 or 33, respectively, to Title 38, U.S. Code)
  2. Copy of Veteran member's DD214 Certificate if discharged from active duty.

**Affidavit:** I understand that a former member of the Armed Forces of the United States who received a dishonorable or bad conduct discharge shall not be eligible for this exemption. I further understand that if any of the above information is untrue, I will be liable for payment of all nonresident charges from which I was exempted and may be subject to disciplinary action by the College. I declare under penalty of perjury under the laws of the state of California that the information I have provided on this form is true and correct. I understand that the information I have provided on this form and submitted documentation will be used to determine my eligibility for the California nonresident tuition exemption for eligible veterans and their dependents.

Signature \_\_\_\_\_ Date \_\_\_\_\_

For Office Use Only			
DD214: Received: ___YES ___NO	Member discharge date ____/____/____ (3yr period begins on this date).		
Within 3 year period requirement? ___YES ___NO	Discharge before term begins? ___YES ___NO		
Certificate of Eligibility Received: ___YES ___NO	90 days Active Duty: _____		
GRANTED ___ DENIED ___	Date: _____	CODE: <input type="checkbox"/> MV <input type="checkbox"/> MD	