



COMMONWEALTH of VIRGINIA

Executive Department

EXECUTIVE DIRECTIVE SEVEN (2024)

ADDRESSING CHANGES TO THE VIRGINIA MILITARY SURVIVORS AND DEPENDENTS EDUCATION PROGRAM

By virtue of the authority vested in me as Governor of the Commonwealth of Virginia, I hereby issue this Executive Directive to create a stakeholder-driven task force to review the General Assembly's recent program eligibility changes to the Virginia Military Survivors and Dependents Education Program and to help inform the development of guidance and other materials that minimize the impact on military and veteran families to the greatest extent possible. Additionally, the task force will consider further program changes and provide recommendations to address any unintended consequences of the reforms recently passed by the General Assembly.

Importance of the Initiative

As Commander in Chief of the Commonwealth's armed forces, I value our military and the sacrifices our brave men and women make to protect our freedoms. I am committed to ensuring veterans and their families have state-supported programs that meet their needs and to provide opportunities that keep Virginia the most military and veteran friendly state in the nation.

Established in 1996, the Virginia Military Survivors and Dependents Education Program (VMSDEP) is an educational assistance program that provides a waiver of tuition and mandatory fees to qualified survivors and dependents if the military service member was killed, became missing in action, became a prisoner of war, or has 90 percent or more service-related disability. This program honors the selfless sacrifice of our service members by providing financial resources to assist survivors and dependents in attaining their educational goals. We must continue to explore ways to support and sustain this important program.

The 2024 Appropriation Act includes \$40 million to support institutional costs related to their VMSDEP waiver, providing general fund support to the waiver component for the first time, and \$19.4 million in stipends, a 26 percent increase over the current budget for that aspect of the program. Although the budget starting on July 1, 2024 includes historic VMSDEP investments, it also contains significant program eligibility changes to the VMSDEP waiver component made by the General Assembly. This includes defining program eligibility to undergraduate programs, individuals domiciled in Virginia, and students making satisfactory academic progress, as well as requiring participants to utilize certain other benefits for which they may be eligible. **Additionally, currently enrolled participants and those formally committed to an institution for summer or fall of this year by May 15, 2024, are grandfathered in and not subject to these changes.**

In recent years, changes that made more individuals eligible for VMSDEP and increased awareness of the program have led to exponential program growth. Over the last five years, program

enrollment at our public institutions of higher education has increased by 341 percent from 1,385 students in 2018-19 to 6,107 students in 2022-23. Similarly, costs have also increased over the same period by 444 percent, from \$11.9 million to \$64.8 million. At current growth rates, the program is projected to enroll over 18,000 students in 2025-26, totaling more than \$180 million in tuition and fees waivers.

The costs of the VMSDEP waivers have historically been borne by our state-supported institutions of higher education.¹ This expense is mitigated by increasing tuition and fees for tuition-paying students.²

To address institutions' concerns about the rapidly rising costs of the VMSDEP and to ensure its long-term sustainability, the General Assembly advanced significant program eligibility changes in its March 7, 2024 Conference Report. I offered an amendment to create a work group comprised of veterans and other stakeholders to evaluate and make recommendations on future legislative actions and budgetary modifications that could improve the program's long-term viability. Although the final budget did not include the study, we have the opportunity to continue the effort by establishing a task force to guide the State Council of Higher Education of Virginia's implementation of the budget language and look at further reforms to support the sustainability and availability of this program.

Students receiving the VMSDEP waiver in 2023-24 or who formally committed to an institution to enroll in summer or fall 2024 courses by May 15, 2024, will not be impacted by the General Assembly's program eligibility changes. Students who enroll after this date are subject to the new requirements; however, those requirements could change based on recommendations of this task force and future actions by next year's General Assembly ahead of 2025 enrollment.

Although the General Assembly's program eligibility changes are a good-faith effort to ensure the sustainability of VMSDEP for our military families, I have heard from General Assembly members from both sides of the aisle that some of these changes may result in unintended consequences and that the efforts to ensure the long-term health of the program and the preservation of the waiver program would greatly benefit from thorough public engagement with our veteran community, especially our Gold Star families.

We can work together to ensure the General Assembly's program eligibility changes do not disrupt our military families any more than necessary and work together to explore changes for the General Assembly to consider.

Directive

Accordingly, pursuant to the authority vested in me as the Chief Executive Officer of the Commonwealth, and pursuant to Article V of the Constitution of Virginia and the laws of the Commonwealth, I direct the State Council of Higher Education of Virginia, in coordination with the Secretary of Education, Secretary of Veterans and Defense Affairs, and the Department of Veterans Services, to take the following actions:

¹ *FA22: Financial aid by program.* (n.d.). Retrieved May 15, 2024, from https://research.schev.edu/fair/fa22_report.asp.

² Hood, M. (2024, April 5). Potential changes for Virginia military families when it comes to paying for education. *13News Now*. Retrieved May 15, 2024, from <https://www.13newsnow.com/article/news/national/military-news/potential-changes-for-virginia-military-families-to-paying-for-education/291-57df8b85-10d5-4119-8eac-9232c04078b4>.

1. As soon as practicable, form a task force consisting of veterans, Gold Star families, members of the General Assembly, and public institutions of higher education. The task force shall include members representing various branches of the U.S. armed forces, the Virginia National Guard, and public four-year and two-year institutions.
2. Convene the task force described in (1) for no fewer than two in-person meetings to review the VMSDEP changes at § 4-5.01(b)(7) from Chapter 2 of the 2024 Special Session I, Acts of Assembly, and solicit input on how to develop new guidance that minimizes the impact of the changes on military families and instructs public institutions of higher education on how to implement the changes. The guidance shall clearly state that the grandfather clause at § 4-5.01(b)(7)(d) applies for the duration of the student's enrollment in his or her program of study, or the student's four years of program eligibility is exhausted, whichever comes first.
3. Publish materials, such as frequently asked questions documents and other resources, that communicate the VMSDEP changes described in (2) to the various stakeholder groups, including military families, public institutions of higher education, school divisions, and the General Assembly.
4. Based on feedback from the task force described in (2), identify potential changes to the eligibility language at § 4-5.01(b)(7) that could be considered for future action by the General Assembly. In considering program changes, the task force shall balance the need for long-term program sustainability with eliminating unreasonable barriers to the VMSDEP waiver or a survivor or dependent's educational goals.

Effective Date

This Executive Directive shall be effective upon its signing and shall remain in force and effect unless amended or rescinded by further executive order or directive. Given under my hand and under the Seal of the Commonwealth of Virginia, this 15th day of May 2024.




Glenn Youngkin, Governor

Attest:


Kelly Gee, Secretary of the Commonwealth