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H.817

Introduced by Representatives Cole of Hartford, Dodge of Essex, Holcombe
of Norwich, Anthony of Barre City, Arsenault of Williston,
Austin of Colchester, Bartley of Fairfax, Berbeco of Winooski,
Boyden of Cambridge, Branagan of Georgia, Burke of
Brattleboro, Buss of Woodstock, Campbell of St. Johnsbury,
Carpenter of Hyde Park, Carroll of Bennington, Casey of
Montpelier, Chase of Chester, Chase of Colchester, Christie of
Hartford, Cordes of Lincoln, Demrow of Corinth, Dolan of
Essex Junction, Farlice-Rubio of Barnet, Garofano of Essex,
Goldman of Rockingham, Gregoire of Fairfield, Krasnow of
South Burlington, LaMont of Morristown, Leavitt of Grand
Isle, Lipsky of Stowe, Logan of Burlington, Masland of
Thetford, McCann of Montpelier, McGill of Bridport, Minier of
South Burlington, Morris of Springfield, Mulvaney-Stanak of
Burlington, Nicoll of Ludlow, Nugent of South Burlington,
O'Brien of Tunbridge, Pearl of Danville, Pouech of Hinesburg,
Priestley of Bradford, Rachelson of Burlington, Rice of Dorset,
Roberts of Halifax, Sims of Craftsbury, Small of Winooski,
Stebbins of Burlington, Stone of Burlington, Surprenant of
Barnard, Taylor of Milton, Templeman of Brownington, Toof

1 of St. Albans Town, Torre of Moretown, Troiano of Stannard,
2 Whitman of Bennington, and Williams of Barre City

3 Referred to Committee on

4 Date:

5 Subject: Education; postsecondary education; in-state tuition

6 Statement of purpose of bill as introduced: This bill proposes to prohibit the
7 Vermont State Colleges Corporation's policies regarding residency for tuition
8 purposes from discriminating or excluding a person based solely on the
9 person's immigration status if the person would otherwise qualify for and meet
10 requirements for Vermont residency for tuition purposes. This bill also
11 proposes to require the Vermont Student Assistance Corporation to make state-
12 funded financial aid available to all persons who meet the Corporation's
13 definition of resident, regardless of the person's immigration status.

14 An act relating to in-state tuition eligibility for the Vermont State Colleges
15 System and financial aid eligibility for Vermont Student Assistance
16 Corporation programs

17 It is hereby enacted by the General Assembly of the State of Vermont:

18 Sec. 1. 16 V.S.A. § 2185 is amended to read:

19 § 2185. DETERMINATION OF RESIDENCY FOR TUITION PURPOSES

20 (a) The Board of Trustees shall adopt policies related to residency for
21 tuition purposes, consistent with State and federal requirements. Any policies

1 adopted by the Board shall not discriminate against or exclude a person based
2 solely on the person's immigration status, or lack thereof, if such person would
3 otherwise qualify for and meet requirements for Vermont residency for tuition
4 purposes as set forth by the Board and as permitted under federal law.

5 (b) Any member of the U.S. Armed Forces on active duty who is
6 transferred to Vermont for duty other than for the purpose of education shall,
7 upon transfer and for the period of active duty served in Vermont, be
8 considered a resident for in-state tuition purposes at the start of the next
9 semester or academic period.

10 (c) For determination of residency for tuition to the Community College of
11 Vermont, a person who resides in Vermont shall be considered a resident for
12 in-state tuition purposes, beginning at the start of the next semester or
13 academic period after arrival in Vermont, if that person:

14 (1) qualifies as a refugee pursuant to 8 U.S.C. § 1101(a)(42);

15 (2) is granted parole to enter the United States pursuant to 8 U.S.C.
16 § 1182(d)(5); or

17 (3) is issued a special immigrant visa pursuant to the Afghan Allies
18 Protection Act of 2009, as amended.

19 (d) The spouse and dependent child of any person who is a member of the
20 U.S. Armed Forces and stationed in this State pursuant to military orders shall
21 be entitled to be considered, upon taking up a residence in the State, a resident

1 for in-state tuition purposes at the start of the next semester or academic
2 period. The spouse or dependent child shall not lose classification as an in-
3 state student if the spouse or dependent child continues to reside in the State
4 and the member of the U.S. Armed Forces is transferred on military orders or
5 retires. The spouse or dependent child shall lose this classification as an in-
6 state student under this subsection if the spouse or dependent child no longer
7 resides in the State and shall regain this classification upon again taking up a
8 residency in the State only if the member of the U.S. Armed Forces is stationed
9 in this State pursuant to military orders.

10 Sec. 2. 16 V.S.A. § 2828 is added to read:

11 § 2828. FINANCIAL AID ELIGIBILITY FOR CERTAIN STUDENTS

12 (a) For purposes of this chapter, any state-funded financial aid shall be
13 available to all persons who are a “resident,” as defined by the Corporation,
14 regardless of the person’s immigration status, or lack thereof. Nothing in this
15 subsection shall be construed to preempt federal law.

16 (b) Calculations of need-based financial aid made by the Corporation shall
17 consider a student’s eligibility or lack of eligibility for federal financial aid.

18 (c) The Corporation shall establish procedures and forms that enable
19 students who meet the requirements of subsection (a) of this section to apply
20 for, and participate in, all student financial aid programs administered by the
21 Corporation to the full extent permitted by federal law.

1 (d) The Corporation shall adopt rules pursuant to 3 V.S.A. chapter 25 as
2 necessary to carry out the provisions of this section.

3 Sec. 3. EFFECTIVE DATE

4 This act shall take effect on July 1, 2025.