



**Title:** Military Service Members Resuming Program of Study following Active Duty

**Approved by:** Office of the President

**Date approved by President:** November 4, 2021

**Effective date:** November 4, 2021

**Responsible Official:** University Provost

**Responsible University Office:** Office of the Provost

**Related legislation and University policies:** H.R.7105 (Johnny Isakson and David P. Roe Veterans Health Care and Benefits Improvement Act of 2020)

**Review Period:** 5 Years

**Date of Last Review:** November 4, 2021

**Relates to:** Staff, Prospective Students

## **I. Summary of this Policy**

Case Western Reserve University (“CWRU” or “the University”) welcomes military service members to enroll as students in its educational programs. If a student temporarily pauses their CWRU studies in order to assume active military duty, then they may resume their studies with the same academic status as they had when last attending the University.

## **II. Purpose(s) of this Policy**

The University has systems in place regarding students who pause their CWRU studies and then resume them at a later date. This policy expressly describes how those systems relate to military service members who pause their studies to engage in active military duty and then resume their studies afterward.

## **III. Definitions**

Academic status— for the purposes of this policy, academic status means:

- to the same program to which the student was last admitted or, if that exact program is no longer offered, the program that is most similar to that program, unless they choose a different program;

- at the same enrollment status (e.g., part-time, full-time), unless the student wants to enroll at a different enrollment status;
- with the same number of credit hours or academic requirements previously completed, unless the student is readmitted to a different program to which the completed credit hours are not transferable, and
- with the same academic standing (e.g., with the same Satisfactory Academic Progress status) the student had at the time of military leave.

Active duty— full-time duty in the active military service of the United States.

Active duty includes full-time training duty, annual training duty, and attendance, while in the active military service, at a school designated as a service school by law or by the Secretary of the military department concerned. Active duty does not include full-time National Guard duty.

Admit/Readmit— for the purposes of this policy, "admit" and "readmit" refer to the process by which the university returns the student to an active enrollment status.

Appropriate officer— a warrant, commissioned, or noncommissioned officer authorized to give such notice by the military service concerned.

Armed Forces—the U.S. Army, Navy, Air Force, Marine Corps, Coast Guard, and Space Force.

Military service (or service in the uniformed services)— service, whether voluntary or involuntary, in the armed forces, including service by a member of the National Guard or Reserve on active duty, active duty for training, or full-time National Guard duty under federal authority, for a period of more than 30 consecutive days under a call or order to active duty of more than 30 consecutive days. This does not include National Guard service under state authority.

Service member— someone who is a member of, applies to be a member of, performs, has performed, applies to perform, or has an obligation to perform, service in the uniformed services.

#### **IV. Notifications of Military Service and Intent to Return to School**

The University designates the CWRU Office of the University Registrar as the office that a student may contact to provide notification of service and notification of intent to return. Students must give written confirmation of military service and intent to re-enroll to the University as far in advance as is reasonable under the circumstances.

- A. Regarding a student who cannot attend school due to military service, the University will promptly readmit a service member with the same academic status as they had when last attending the University or accepted for admission to the University.

- B. The student must notify the University of their military service and intention to return to school as follows:

Notification of military service. The student (or an appropriate officer of the armed forces or official of the Department of Defense) must provide written confirmation of such service to the University as far in advance as is reasonable under the circumstances. This notice does not have to indicate whether the student intends to return to the school and may not be subject to any rule of timeliness.

(Timeliness must be determined by the facts in each case.) Alternatively, when the student resumes studies, they may submit an attestation of military service that necessitated the student's absence from the school. No notice is required if precluded by military necessity, such as service in operations that are classified or would be compromised by such notice.

Notification of intent to return to school. The student must also give written confirmation of their intent to return to the school within three years after the completion of the period of service. A student who is hospitalized or convalescing due to an illness or injury incurred or aggravated during the performance of service must notify the school within two years after the end of the period needed for recovery from the illness or injury. A student who fails to apply for readmission within these periods does not automatically forfeit eligibility for readmission but is subject to the school's established leave of absence policy and general practices.

## **V. Resuming studies following a pause due to active military duty**

The University must promptly readmit the student into the next class or classes in the program beginning after they provide notice of intent to reenroll, unless they request a later date or unusual circumstances require the school to admit them at a later date. This requirement supersedes state law—for example, a school must readmit a qualifying service member to the next class even if that class is at the maximum enrollment level set by the state.

The school must admit the student with the same academic status, which means to the same program to which the student was last admitted or, if that exact program is no longer offered, the program that is most similar to that program, unless the student chooses a different program; at the same enrollment status, unless the student wants to enroll at a different enrollment status; with the same number of credit hours previously completed, unless the student is readmitted to a different program to which the completed credit hours are not transferable, and

with the same academic standing (e.g., with the same Satisfactory Academic Progress status) the student had at the time of military leave.

If the student is readmitted to the same program, for the first academic year in which they return, the school must assess the tuition and fee charges that they were or would have been assessed for the academic year during which they left the school. However, if their veterans education benefits or other service member education benefits will pay the higher tuition and fee charges that other students in the program are paying for the year, the school may assess those charges to the student as well.

If the student is admitted to a different program, and for subsequent academic years for a student admitted to the same program, the school must assess no more than the tuition and fee charges that other students in the program are assessed for that academic year.

This policy only applies if the cumulative length of the absence and of all previous absences from the school for military service does not exceed five years.

## **VI. Reasonable efforts to help prepare the student to complete the program**

If the school determines that the student is not prepared to resume the program with the same academic status at the point where they left off or will not be able to complete the program, the school must make reasonable efforts at no extra cost to help them become prepared or to enable them to complete the program. When possible, this may include providing refresher courses or allowing the student to retake a pretest at no extra cost.

The school is not required to readmit the student if it determines: that there are no reasonable efforts it can take to prepare them to resume the program at the point where they left off or to enable them to complete the program, or that after it makes reasonable efforts (those that do not place an undue hardship on the institution), the student is not prepared to resume or complete the program. In the event that students are not found to be re-admissible under this policy, schools will make efforts to advise students on how to prepare to resume their studies.

“Undue hardship” means an action requiring significant difficulty or expense when considered in light of the overall financial resources of the institution and the impact otherwise of such action on the operation of the institution. The school has the burden to prove by a preponderance of the evidence that the student is

not prepared to resume the program with the same academic status at the point where they left off or that they will not be able to complete the program.

## **VII. Termination for Bad Conduct**

A student's readmission rights under this policy may terminate in the case of a dishonorable or bad conduct discharge, general court-martial, federal or state prison sentence, or other reasons as described in 34 CFR 668.18(h).