

National Guard Independent Student Status

Members of the National Guard are not considered as independent students when applying for financial aid, often disqualifying them from grants and financial aid.

Many states, such as New Jersey, have state-level grant programs for members of the National Guard that subsidize their postsecondary education at public institutions of higher education. These programs cover the cost of postsecondary education for National Guard servicemembers through a combination of state-level programs and federal aid.

In order to be eligible for state and federal student aid programs, it is required for servicemembers to fill out a FAFSA form. For active duty military under the age of 25, guardian signatures can be waved, as these servicemembers are considered independent students under 20 USC § 1087vv (d)(D):

The term "independent", when used with respect to a student, means any individual who...(D) is a veteran of the Armed Forces of the United States (as defined in subsection (c)(1)) or is currently serving on active duty in the Armed Forces for other than training purposes;

However, members of the National Guard and Reserve component are not considered active duty while on Title 32 orders, and thus, if they are under the age of 25, are not recognized as independent students for the purpose of need analysis for financial aid. This statute disbars members of the National Guard that are estranged from their parents or legal guardians from applying for state and federal financial aid programs for which they are otherwise eligible.

The Veterans Education Project recommends the Committee to amend 20 USC § 1087vv (d)(D) as follows:

(D) is a veteran of the Armed Forces of the United States (as defined in subsection (c)(1)) or is currently serving on active duty or active status, or inactive status currently under a Reserve Component military contract in the Armed Forces,

This addition of "active status or inactive status currently under a Reserve Component military contract in the Armed Forces" will bring parity to members of the National Guard with respect to active duty servicemembers that are considered "independent students" when applying for state and federal financial aid, and ensure that all members of the National Guard have access to the benefits they deserve.