

**9055.0105 EDUCATION.**

Subpart 1. **State education benefits.** The legislature has established educational programs to assist veterans and the dependents of veterans who were killed in the line of duty or who died as a result of wounds, illness, or injury incurred in the line of duty.

Subp. 2. **Veteran.** Veteran residents who have exhausted through use all federal education benefits to which they may have been entitled are eligible for a single educational grant from the department in an amount approved by the legislature. Veterans who lost four or more months of entitlement to federal veterans educational benefits due to the termination of eligibility by the United States Department of Veterans Affairs effective December 31, 1989, are also eligible for this benefit.

Subp. 3. **Veteran; defined.** For purposes of this part, "veteran" has the meaning given it in Minnesota Statutes, section 197.447.

Subp. 4. [Repealed, 21 SR 460]

Subp. 5. **Application required.** Veteran applicants are required to submit the following forms and documentation:

- A. a completed and signed Department of Veterans Affairs form VA-00024-02;
- B. a copy of the veterans discharge papers or equivalent; and
- C. a statement from the United States Department of Veterans Affairs that the veteran applicant has exhausted through use all educational benefits to which the veteran may have been entitled, as provided by federal law.

Subp. 6. **Approval; notification.** Upon verification of eligibility of the veteran applicant, and approval of the request, notice must be sent to the veteran applicant and to the veteran applicant's educational institution that payment has been approved.

Subp. 7. **Disapproval; notification.** Veteran applicants who do not meet the eligibility requirements prescribed in Minnesota Statutes, section 197.75, must be notified in writing to that effect. This notification must state all reasons why the veteran's application has not been approved. Veteran applicants must also be notified of their right to appeal a determination not to grant educational benefits, as well as of the appeals process.

Subp. 8. **Appeals process.** Veteran applicants who have been denied educational benefits under this part may appeal this determination to the commissioner. The written appeal must cite any errors in the original determination, as well as any arguments that the veteran applicant may wish to offer, detailing why the educational benefits should be granted.

Subp. 9. **Commissioner's determination.** The commissioner shall review the veteran's written statement and the original application and supporting documentation.

The commissioner shall issue a final determination to grant or deny the benefit sought within seven working days of the commissioner's receipt of the veteran's appeal. The commissioner's determination is final.

Subp. 10. **Approval; payment.** Upon verification of eligibility, payment, within budgetary constraints, must be made directly to the educational institution the veteran is attending. Upon receipt of proof of payment of tuition costs, this payment must be made directly to the veteran applicant.

Subp. 11. **Effective date of award.** The effective date of an award of educational benefits is the date that the applicant begins the current school term or semester within which the completed application and required supporting documentation is received by the department. Payment is not authorized for attendance prior to the effective date of the award.

**Statutory Authority:** *MS s 196.04; 197.608*

**History:** *16 SR 1709; 18 SR 273; 21 SR 460*

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