

9055.0450 STATE SOLDIERS ASSISTANCE PROGRAM SURVIVING CHILDREN'S AND SPOUSE'S EDUCATION BENEFITS.

Subpart 1. Definitions.

A. For the purposes of this part, "deceased veteran" means a veteran as defined by Minnesota Statutes, section 197.447, who meets the requirements of Minnesota Statutes, section 197.75, subdivision 1, paragraph (c).

B. For the purposes of this part, "eligible child" means a person defined by Minnesota Statutes, section 197.75, subdivision 1, paragraph (d), clauses (1) and (2), and who otherwise meets the requirements of this part.

C. For the purposes of this part, "eligible institution" means an educational institution meeting the requirements of Minnesota Statutes, section 197.75, subdivision 1, paragraph (e).

D. For the purposes of this part, "eligible spouse" means a person defined by Minnesota Statutes, section 197.75, subdivision 1, paragraph (f), who was legally married, as recognized by the state of Minnesota, to a deceased veteran at the time of the deceased veteran's death and who has not remarried and who otherwise meets the requirements of this part.

Subp. 2. Program purpose.

A. Upon application approval, the commissioner must provide educational assistance to an eligible child or an eligible spouse of a deceased veteran. An eligible child or eligible spouse must be attending an eligible institution.

B. An applicant for education benefits must meet the requirements of this part and be an eligible child or eligible spouse as defined in subpart 1.

C. This part applies only to the surviving children's and spouse's education program activity.

Subp. 3. Eligible children and spouses.

A. A spouse of a deceased veteran who has remarried is not eligible for education benefits under this part.

B. An eligible child of a deceased veteran who is a stepchild must have acquired the status of a stepchild before the age of 18 years and been a member of the veteran's household at the time of the veteran's death to be eligible for education benefits under this part.

C. An eligible child of a deceased veteran who is adopted must have been legally adopted before the age of 18 years to be eligible for education benefits under this part.

D. An eligible child of a deceased veteran who is married is eligible for education benefits under this part.

E. An eligible child or eligible spouse who has already attained a bachelor's or equivalent degree is not eligible for education benefits under this part.

Subp. 4. Frequency and application for surviving children's and spouse's education benefits.

A. The commissioner must issue education benefits to an eligible child or eligible spouse as a once-per-fiscal-year benefit.

B. To be eligible for benefits under this part, an eligible child or eligible spouse must submit a completed application and the required supporting documentation to the commissioner between July 1 up to and including June 30 of the fiscal year the eligible child or eligible spouse is requesting benefits for.

C. Payment is prohibited for a term or semester that began and ended in a fiscal year for which there was not an application and supporting documentation submitted to the commissioner.

Subp. 5. Benefits provided.

A. Benefits provided under this part are limited to:

(1) up to a \$750 stipend per fiscal year paid to an eligible institution or reimbursed to an eligible child or eligible spouse for tuition, fees, room and board, books, and supplies; and

(2) a waiver of tuition at all Minnesota public eligible institutions for an eligible child or eligible spouse until the eligible child or eligible spouse attains a bachelor's or equivalent degree.

B. An eligible child or eligible spouse who is not attending a Minnesota public eligible institution is not eligible for a waiver of tuition but is eligible for the \$750 stipend per fiscal year for tuition, fees, room and board, books, and supplies.

Subp. 6. Surviving children's and spouse's education authorization letter.

A. The commissioner must issue an education authorization letter to each eligible child and eligible spouse receiving education benefits.

B. The education authorization letter must confirm the eligible child or eligible spouse is approved for benefits and is eligible for waiver of tuition if attending a Minnesota public eligible institution, and the final day of the fiscal year covered by the authorization letter.

C. The education authorization letter is valid only at the education institution indicated on the authorization letter.

D. The commissioner must issue only one education authorization letter per fiscal year to an eligible child or eligible spouse, unless the eligible child or eligible spouse submits documentation to the commissioner that confirms attendance at multiple eligible institutions is required to continue in a chosen degree program.

E. An eligible child or eligible spouse who is attending more than one eligible institution is eligible for only one \$750 stipend per fiscal year.

Subp. 7. Surviving children's and spouse's education denial letter.

A. The commissioner must issue a surviving children's and spouse's education denial letter to a surviving child or surviving spouse who is denied education benefits.

B. A surviving children's and spouse's education denial letter must explain the reasons for denial and the surviving child's or surviving spouse's right to appeal under part 9055.0290, subpart 8.

Subp. 8. Surviving children's and spouse's education payments.

A. The eligible institution must submit documentation to the commissioner with its request for payment of the eligible child's or eligible spouse's tuition, fees, and charges for room and board, books, and supplies.

B. The eligible child or eligible spouse must submit documentation to the commissioner with the request for reimbursement of tuition, fees, and charges for room and board, books, and supplies.

C. The commissioner must make reimbursements or payments for tuition, fees, and charges for room and board, books, and supplies directly to an eligible child, eligible spouse, or eligible institution.

D. Documentation submitted for payment or reimbursement must include a copy of the education authorization letter and an itemized breakdown of fees and charges for tuition, room and board, books, and supplies and confirm the following:

- (1) the eligible child's or eligible spouse's name;
- (2) the amount requested for payment or reimbursement of fees and charges for tuition, room and board, books, and supplies;
- (3) the name and payment address of the eligible institution the eligible child or eligible spouse is attending;
- (4) the start and end dates of the terms or semesters that benefits are requested for;
- (5) the terms and semesters that benefits are requested for begin or end within the fiscal year;
- (6) the eligible child's or eligible spouse's attendance at the eligible institution during the fiscal year; and
- (7) the eligible child or eligible spouse paid the tuition, fees, room and board, books, and supplies at the eligible institution if the eligible child or eligible spouse is requesting reimbursement.

Statutory Authority: *MS s 14.06; 196.04; 196.05; 197.03; 197.05; 197.06; 197.75*

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