

197.75 EDUCATIONAL ASSISTANCE; VETERANS' CHILDREN AND SPOUSES.

Subdivision 1. **Definitions.** (a) The definitions in this subdivision apply to this section.

(b) "Commissioner" means the commissioner of veterans affairs.

(c) "Deceased veteran" means a veteran who has died as a result of the person's military service, as determined by the United States Department of Veterans Affairs or United States Department of Defense.

(d) "Eligible child" means a person who:

(1) is the natural or adopted child or stepchild of:

(i) a deceased veteran; or

(ii) a person who served as a prisoner of war or was declared a person missing in action, if the child was born or legally adopted by the person or was in the legal custody of the person before or during the period that the person served as a prisoner of war or was declared a person missing in action;

(2) is a student making satisfactory academic progress at an eligible institution of higher education;

(3) is a resident student, as defined in section 136A.101, subdivision 8; and

(4) has applied for educational assistance under this section before the end of the academic term for which the assistance is being requested.

(e) "Eligible institution" means a postsecondary educational institution located in this state that either is operated by this state, the Board of Regents of the University of Minnesota, or a Tribally controlled college or is licensed or registered with the Office of Higher Education.

(f) "Eligible spouse" means a person who:

(1) is the spouse or surviving spouse of:

(i) a deceased veteran, regardless of whether the surviving spouse remarries; or

(ii) a person who served as a prisoner of war or was declared a person missing in action;

(2) is a student making satisfactory academic progress at an eligible institution of higher education;

(3) is a resident student, as defined in section 136A.101, subdivision 8; and

(4) has applied for educational assistance under this section before the end of the academic term for which the assistance is being requested.

(g) "Prisoner of war" and "person missing in action" mean any person who, while serving in the United States armed forces, has been declared to be a prisoner of war or to be a person missing in action as established by the Secretary of Defense after August 1, 1958.

(h) "Public postsecondary educational institution" means an institution operated by the state or the Board of Regents of the University of Minnesota.

(i) "Satisfactory academic progress" has the meaning given in section 136A.101, subdivision 10.

(j) "Student" has the meaning given in section 136A.101, subdivision 7.

(k) "Surviving spouse" means a person who was legally married, as recognized by the state of Minnesota, to a veteran at the time of the veteran's death.

(l) "Tribally controlled college" has the meaning given in section 136A.1796, subdivision 1, paragraph (d).

(m) "Tuition and fees" means the tuition and fees charged by an institution.

(n) "Veteran" has the meaning given in section 197.447.

Subd. 2. **Benefits; eligibility.** (a) The commissioner of veterans affairs must spend a biennial appropriation to provide an educational assistance stipend of \$750 each year for each eligible child and each eligible spouse. The stipend under this subdivision is not available for any person who has attained a bachelor's or equivalent degree.

(b) Each eligible child and each eligible spouse must be admitted to any eligible Minnesota public postsecondary educational institution free of tuition and fees until the person has attained a bachelor's or equivalent degree.

(c) After the commissioner approves of an applicant's eligibility for educational assistance, the applicant must be awarded a financial stipend on a funds-available basis. Payments of benefits authorized under this section must be made directly to the participating eligible institutions or to eligible individuals, as determined by the commissioner.

(d) Once a person qualifies as an eligible child under subdivision 1, paragraph (d), the person remains an eligible child, regardless of any change in circumstance, including:

- (1) the return of the person's parent who was a prisoner of war or person missing in action; or
- (2) the reported death of the person's parent who was a prisoner of war or person missing in action.

(e) Once a person qualifies as an eligible spouse under subdivision 1, paragraph (f), the person remains an eligible spouse, regardless of any change in circumstance, including:

- (1) the return of the person's spouse who was a prisoner of war or person missing in action; or
- (2) the reported death of the person's spouse who was a prisoner of war or person missing in action.

Subd. 3. **Proof of eligibility.** A person seeking approval for benefits under this section must submit the following evidence: an application, proof of military service, and, if applicable, proof of residency, proof of service-connected disability, or proof that the veteran died as a result of the veteran's military service as determined by the United States Department of Veterans Affairs or United States Department of Defense. Upon submission of satisfactory proof of eligibility, benefits must be provided from the date of application and notification of approval must be sent to the educational institution and applicant.

Subd. 4. **Reimbursement form.** The commissioner shall establish policies and procedures for determining eligibility and payment under this section.

Subd. 5. **Participation by eligible institutions.** (a) Each Minnesota public postsecondary educational institution must continue to participate in the educational assistance program authorized in this section during both peacetime and times of war.

(b) Any participating eligible institution not described in paragraph (a) may suspend or terminate its participation in the program at the end of any academic semester or other academic term.

Subd. 6. MS 2006 [Repealed by amendment, 2007 c 45 art 2 s 3]

Subd. 7. **Reports.** (a) An eligible institution must submit an annual report by September 30 each year to the commissioner that describes:

- (1) program activity and the number of students that the institution served under this section;
- (2) enrollment and graduation data for all students awarded education benefits under this section; and
- (3) the aggregate cost of tuition and awarded tuition waivers for students who received benefits under this section.

(b) A public or regionally accredited private postsecondary educational institution must provide information to eligible children and spouses according to this section and other information and links that are useful to students and parents who are in the process of selecting a college or university and on the institution's website by providing a veterans education benefits page with links to the federal and state veterans education benefits programs.

History: 1943 c 663 s 5; 1945 c 235 s 2; 1947 c 176 s 2,3; 1953 c 108 s 1; 1955 c 45 s 1; 1957 c 258 s 2; 1957 c 576 s 1,2; 1969 c 275 s 9,10; 1971 c 24 s 16; 1971 c 97 s 1-3; 1973 c 349 s 2; 1975 c 321 s 2; 1980 c 614 s 99; 1983 c 335 s 1; 1987 c 258 s 12; 1989 c 246 s 2; 1990 c 444 s 2; 1Sp1995 c 3 art 16 s 13; 1Sp2001 c 10 art 2 s 68,69; 2003 c 130 s 12; 2004 c 256 art 2 s 3,4; 2007 c 45 art 2 s 3; 2010 c 333 art 2 s 21; 2015 c 69 art 2 s 44; 2025 c 30 art 2 s 11; 2026 c 49 s 1-5