VA 9

VIETNAM ERA VETERANS EDUCATIONAL GRANTS

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VA 9.01 Definitions. (1) "Academic year" means 2 school semesters, 3 school trimesters or quarters or a 39 week block course of instruction.

(2) "Block course of instruction" means a course of instruction of 52 weeks or less in length given by a proprietary school whose academic year does not conform with the usual semester, quarter or trimester.

(3) "Course of instruction" means any series of classroom or shop courses having a unified purpose which lead to a diploma or degree or to an occupational or vocational objective.

(4) "Dependent" means the dependent of a veteran who is eligible to receive "VA" educational assistance allowance for such dependent, or dependent as defined in section 45.35 (5m), Wis. Stats., if the veteran involved is not eligible to receive "VA" educational assistance allowance.

(5) "Earned income" means all anticipated monthly and academic year take home earnings from employment after all payroll deductions of the veteran and the veteran's spouse except payroll deductions for savings plans and payment of debts, and includes work study payments.

(6) "FAO" means a school's financial aids officer.

(7) "Financial need" means the dollar total of a veteran's standard single student educational budget or standard married student educational budget as set forth in Wis. Adm. Code, section VA 9.03.

(8) "Full time undergraduate" means a veteran who has not received a baccalaureate degree and who is either enrolled at a college, university, or public vocational-technical school in a course of instruction which such school certifies to be full time or is enrolled at a proprietary trade or technical school in a course of instruction which qualifies as a full time course under Title 38 US Code, Section 1684 (a) (1) or (a) (2) (1970).

(9) "Grant" means a Vietnam era veterans educational grant.

(10) "Income" means the total of 75% of "unearned income", 20% of "savings" over $500, and all "unearned income" less "unusual expenses".

(11) "Married veteran" for the purposes of VA 9.03 means a married veteran, a veteran who is separated and receiving GI Bill subsistence payments as a married veteran and who reports all spouse's

income, or a divorced or widowed veteran having legal custody of children.

(12) "Savings" means all savings belonging to the veteran or the veteran's spouse, including, but not limited to, saving accounts, checking accounts, and bonds, stocks, other securities and trusts that can be converted to cash without loss, and equity in real estate other than the veteran's principal residence, but shall not include the veteran's savings on his summer earnings or parental contributions to savings.

(13) "School" means an accredited institution of higher education in this state as defined in Wis. Adm. Code, section HEA 2.01 (2).

(14) "Unearned income" means the estimated amount the veteran and spouse will receive during the academic year from VA educational assistance allowance (G.I. Bill) benefits, scholarships, fellowships, grants, tuition and fee waivers, all other definite awards other than loans, including amounts paid to the veteran or to the school on behalf of the veteran for vocational rehabilitation by the VA or any other agency, armed forces reserve or national guard pay, income from trusts or inheritances, unemployment compensation, workman's compensation, social security payments, net rentals from real estate, interest or dividend income or other unearned income but shall not include disability compensation paid to the veteran by the VA for service-connected disabilities, armed forces disability retirement pay, or parental contributions.

(15) "Unmet need" means the amount arrived at by subtracting a veteran's "income" from such veteran's "financial need".

(16) "Unusual expenses" means monthly or academic year payments which a veteran will be required to make on medical and dental expenses or as the result of casualty or theft losses which may be listed on lines 2 and 6 or under miscellaneous deductions in Schedule A, federal income tax form 1040 (1972), or alimony being paid under a final judgment or decree of divorce.

(17) "VA" means the federal veterans administration.

(18) "Veteran" means a Vietnam era veteran as defined in section 45.28 (1) (b), Wis. Stats.

(19) "Veterans with dependents" means any single veteran who has one or more dependents.

History: Cr. Register, December, 1973, No. 216, eff. 1–1–74.

VA 9.02 Application, eligibility, entitlement and restrictions. (1) WHERE MADE. An application for a grant shall be made to the FAO of the school where the applicant is enrolled or accepted for enrollment as a full time undergraduate on DVA Form 6a.

(2) DETERMINATION OF ELIGIBILITY. If the applicant certifies on DVA Form 6a that no bonus has been received from another state and the applicant's DD Form 214, U.S. armed forces report of transfer or discharge, shows service under honorable conditions on active duty for other than training purposes for 90 days or more since August 5, 1964, and shows that the applicant's selective service local board, if any, and home of record at time of entry into active service were in this state, the FAO shall establish that the applicant is a veteran. If a DD 214 shows that service was under conditions other

than honorable, a copy of the VA certificate of eligibility pertaining to the applicant involved must be submitted by the FAO to the department. If either the applicant's selective service local board or home of record as shown on the applicant's DD 214 are in another state, the applicant shall be referred to the local county veterans' service officer to complete DVA Form 1 and 1-c for submission to the department, which may require such additional evidence as it deems necessary to establish such applicant's Wisconsin residence at time of entry into active military service for the Vietnam era.

(3) DETERMINATION OF ENTITLEMENT. The FAO shall compute and verify the amount of the applicant's income and financial need and shall determine the amount of the applicant's unmet need. Financial need shall be based upon the standard student budget applicable to the applicant. If an applicant's unmet need for an academic year is less than the maximum amount of the grant, the amount of unmet need so determined will be rounded off to the next highest $10, which shall be the entitlement to a grant approved for the academic year. The FAO of any state of Wisconsin school shall also verify that the applicant is a resident student as defined in section 36.16, Wis. Stats. Unless the FAO's determination of an applicant's unmet need is unreasonable on its face or is based upon incorrect computation of income or financial need, the department shall accept such computation and, if applicable, the FAO's determination that the applicant is a resident student, as the basis for determining the entitlement of the applicant for a grant if such applicant is a veteran.

(4) TIME FOR APPLYING, PAYMENT. An application must be submitted to the FAO before the end of a block course of instruction or of an academic year in order for a grant to be approved therefor. The amount of a grant check will be based upon the entitlement to a grant approved or the maximum academic year grant payable to an applicant, whichever is less, divided by ⅓ if the school term involved is a quarter or trimester and by ½ if the school term involved is a semester or a block course of instruction of more than 6 months in length or in amount of the full academic year entitlement if his first application is made prior to the end of the academic year and he had been in attendance for the full academic year. A grant check will be made payable to the applicant and mailed to the school cashier or bursar upon condition that it will be released only upon verification that no refund of tuition and fees has been paid or is payable to the applicant.

(5) RESTRICTIONS. Except as provided in subsection (4), the grant payable to an applicant who is enrolled in a block course of instruction, or in the final quarter, trimester or semester of a course of instruction, shall be based upon such veteran's unmet need for such school term and shall not exceed ⅓ in the case of a trimester or quarter, ½ in the case of a semester or the percentage arrived at by dividing the number of weeks in the block course of instruction by 39 weeks, of the maximum academic year grant payable to such veteran. No applicant shall receive more than the applicable maximum academic year grant set forth in section 45.28 (1) (c), Wis. Stats., for participation in a course of instruction between the beginning of the academic year of the school from which application for a grant is made and the beginning of such school's next succeeding academic year.

(6) RE-APPLICATION. A new DVA Form 6a must be completed by the applicant at the beginning of each new school academic year and submitted to the FAO and must also be completed and submitted to the FAO if, at any time during the course of an academic year, the applicant's income or financial need is either increased or decreased to such an extent that the amount of the grant to which such applicant was entitled on the basis of such applicant's initial unmet need is affected.

History: Cr. Register, December, 1973, No. 216, eff. 1–1–74.

VA 9.03 Standard student budgets. Standard single and married student educational budgets shall include standard living expenses budgets for single or married students, to which shall be added $50.00 per dependent other than spouse per month, and all actual expenses for tuition, course fees, and book and materials costs for the academic year. Standard living expenses budgets shall be based upon 9 months living expenses of $3,161 for single veterans or upon 9 months living expenses of $4,849 for married veterans, per academic year.

History: Cr. Register, December, 1973, No. 216, eff. 1–1–74.

VA 9.04 Notification of withdrawal. The FAO should inform the department during the course of an academic year of those veterans receiving grants who withdraw from school and of the amount of tuition and fee refunds paid to such veterans. If a grant check is received by the school before issuing a refund to a veteran, the grant check shall be returned to the department with a report of the refund made. The department shall require veterans who receive grants but do not complete the school term for which such grants were paid, and who receive a fee refund for such term, to return to the state a prorated share of the grant based upon the number of weeks of the school term not completed.

History: Cr. Register, December, 1973, No. 216, eff. 1–1–74.

VA 9.05 Evidence of qualifying service. For the purposes of this chapter and Wis. Adm. Code, chapters VA 1 through VA 4 and VA 6, uncertified photocopies of reports of separation or discharge from the U.S. Armed Forces may be accepted by the department as the basis for establishing the service eligibility of veterans.

History: Cr. Register, December, 1973, No. 216, eff. 1–1–74.