643 Educational Assistance: Veterans' Dependents, State Retirees, Disabled, and Elderly Persons Programs

Approved by President

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Sidney A. McPhee, President

Effective Date: ____________, 2020

Responsible Division: Business and Finance
Responsible Office: Business and Finance
Responsible Officer: Associate Vice President, Business and Finance

I. Purpose

This policy establishes the process for educational assistance programs offered by institutions governed by the Board of Regents, state-supported universities, and University of Tennessee systems.

II. Veterans’ Dependents’ Post-Secondary Education Program

A. T.C.A. § 49-7-102 provides that every dependent child in this state under the age of twenty-three (23) years, whose parent was killed, died as a direct result of injuries received, or has been officially reported as being either a prisoner of war or missing in action, while serving honorably as a member of the U.S. armed forces during a qualifying period of armed conflict, or was formerly a prisoner of war or missing in action under such circumstances, or the spouse of such veteran, is entitled to a waiver of tuition, maintenance fees, student activity fees, and required registration or matriculation fees, and shall be admitted without cost to any institutions of higher education owned, operated, and maintained by the state. A full-time student load (twelve [12] semester hours or equivalent) is required.

B. Employees of any state supported college or university, qualifying as a spouse or dependent for benefits under this program, shall use this program first and shall not be simultaneously eligible for benefits under other programs in this policy.

C. Exceptions: Grant-in-Aid Program recipients. For purposes of this program, the following definitions are provided:

1. Dependent Child. A natural or adopted child or stepchild of a veteran or service member who is claimed as a dependent for income tax purposes.
2. Parent. The parent of a natural or adopted child or stepchild whom such parent claims as a dependent for federal income tax purposes.

3. Qualifying period of armed conflict. Any hostile military operation for which U.S. military campaign medals, as listed in T.C.A. § 49-7-102, are authorized.

4. Service member. A Tennessee resident who is engaged in active U.S. military service.

5. Served honorably. The character of service condition, as reported on Certificate of Release or Discharge from Active Duty (Department of Defense Form 214).

6. State institution(s) of higher education. Any public post-secondary institution.

7. Veteran. A Tennessee resident who has entered and served honorably in the U.S. armed forces.

D. Eligibility

1. The office responsible for veteran’s affairs services shall be responsible for determining eligibility and providing application forms to those wishing to obtain benefits under this program.

2. To be eligible for educational assistance benefits under this program, a dependent child or spouse shall:

   a. Present official certification from the U.S. Department of Veterans Affairs that the parent or spouse veteran was killed, or died as a direct result of injuries, as stated above; or

   b. Present official certification from the U.S. Department of Defense that the parent or spouse service member has been officially reported as being a prisoner of war or missing in action while serving honorably during a qualifying period of armed conflict; or

   c. Present Certificate of Release of Discharge from Active Duty, U.S. Department of Defense Form 214, for the veteran or service member from whom the eligibility for the benefits derives.

3. The deceased veteran, prisoner of war, or missing in action service member shall have been a citizen of Tennessee at the time of the qualifying event.

4. The dependent child or spouse, prior to receiving benefits under this program, shall have, or possess, the necessary qualifications required for admission. To maintain
eligibility, the recipient shall be in active pursuit of a specific and declared degree or certificate program.

5. No dependent child or spouse shall be entitled to receive benefits after the conclusion of any term during which the parent (father or mother) of the dependent child or spouse is officially removed from the status of being a prisoner of war, or being a service member missing in action.

6. Eligibility of a veteran’s spouse for benefits shall terminate ten (10) years after the death of the veteran; however, eligibility shall terminate immediately upon the spouse’s remarriage within this period.

7. A spouse eligible for the benefits of this program shall complete an undergraduate degree or certificate program within the ten (10)-year period; provided that the spouse’s eligibility shall extend to the end of the term in which the ten (10)-year period expires. A spouse who has previously earned an undergraduate degree or certificate shall not be eligible for benefits. Otherwise, the spouse shall be eligible for benefits until one (1) of the following occurs:

   a. Prior to the expiration of benefits, the spouse earns an undergraduate degree or certificate; or

   b. The spouse has accumulated one hundred thirty-five (135) semester hours, or the equivalent, excluding required remedial or developmental hours; or

   c. The spouse has attempted one hundred fifty (150) semester hours, or the equivalent, inclusive of required remedial or developmental hours.

8. A dependent child shall be matriculated as a full-time student at a state institution of higher education prior to attainment of age twenty-three (23). However, the age limitation of dependent children shall not be strictly applied. Once declared eligible, a dependent child shall remain eligible until one (1) of the following has occurred:

   a. Prior to attaining age twenty-three (23), the dependent earns an undergraduate degree or certificate; or

   b. The dependent has accumulated one hundred thirty-five (135) semester hours, or the equivalent, excluding required remedial or developmental hours; or

   c. The dependent has attempted one hundred fifty (150) semester hours, or the equivalent, inclusive of required remedial or developmental hours.

D. Accounting/Budgeting
1. Any fees waived by statute, that are calculated and credited to revenue for administration purposes, should be written off against a contra revenue account.

2. No expenditures should be charged to scholarships and fellowships.

III. Disabled, Elderly Persons, and State Retirees Program

A. In accordance with T.C.A. § 49-7-113, and as provided in Policy 301 Admissions and Policy 641 Student Fees-Incidental Charges and Refunds, certain disabled and elderly persons and state service retirees are able to take courses on an audit or for-credit basis at a reduced rate at MTSU, or at any state-supported college or university.

B. Eligibility

1. To audit courses, eligible persons are individuals domiciled in Tennessee who:
   a. have a permanent, total disability as defined in T.C.A. § 49-7-113;
   b. will become sixty (60) years of age or older during the academic semester in which they begin classes; or,
   c. have retired from state service with thirty (30) or more years of service, regardless of age.

2. For credit courses, eligible persons are individuals domiciled in Tennessee who:
   a. have a permanent, total disability as defined in T.C.A. § 49-7-113; or,
   b. will become sixty-five (65) years of age or older during the academic semester in which they begin classes.

C. Admission may be limited or denied based on availability of space in the individual classroom whether the course is being audited or taken for credit.

D. Prior to admittance, the University may require an affidavit or certificate from a physician, or from an agency charged with compensating the disabled person or adjudicating the permanent total disability of the person requesting admission, that the person is suffering from a permanent total disability that totally incapacitates the person from working at an occupation that brings the person an income.

E. Fees Paid, Type Courses Paid, Number of Hours
1. A service fee of seventy dollars (\$70) per semester will be assessed for credit courses. This fee does not include any non-mandatory fees including, but not limited to, course-specific fees, materials fees, online course fees, application fees, etc.

2. There is no limit on the number of courses that may be taken during a semester.

3. The institution where the disabled, elderly, or state retiree student is attending classes will provide forms for processing fees waived or assessed.

F. When the Participant May Attend

1. Employees participating in this program, in counsel with their immediate supervisors, should limit the number of courses so as to maintain an optimum level of job performance.

2. Employees participating in this program should schedule courses at times other than during regularly scheduled work hours, unless annual leave or flex time, based on the University’s needs, have been approved.

3. Undergraduate and graduate course tuition, paid by Board of Regents institutions, state universities, and the University of Tennessee Systems for their employees, is eligible for exclusion from the employees' gross annual income, in accordance with Internal Revenue Code (IRC) Section 127.

G. Accounting/Budgeting

1. Any fees set by statute are considered the fee rate for that group. The fees are not considered waived.

2. No expenditures should be charged to scholarships and fellowships.

Forms: none.

Revisions: June 5, 2017 (Original); __________, 2020.

Last Reviewed: __________2020.

References: Policy 641 Student Fees-Incidental Charges and Refunds; T.C.A. §§ 49-7-102; 49-7-113; Internal Revenue Code (IRC) Section 127.