OBJECTIVE
To learn about the different educational assistance programs available for veterans.

REFERENCES
- Title 38, U.S. Code, Chapters 30, 32, and 33
- Title 10, U.S. Code, Chapters 1606 and 1607
- Public Law 99-399
- Executive Order 12598
- Veterans Benefits Manual, § 11.2
- School Certifying Official Handbook updated 09/18/2015
- VA Fact Sheets:
  - 22-79-1, Summary of Educational Benefits Under the Post–Vietnam Era Veterans Educational Assistance Program, Chapter 32 of Title 38, U.S. Code, and the Educational Assistance Pilot Program, Section 903 of Public Law 96-3420
  - 22-90-2, The Montgomery GI Bill - Active Duty
  - 22-90-3, The Montgomery GI Bill - Selected Reserve
  - 22-05-1, Reserve Educational Assistance Program (REAP)
  - 22-09-1, Post-9/11 GI Bill – Active Duty
  - Marine Gunnery Sargent John David Fry Scholarship factsheet
- VA Form 22-1990, Application for VA Education Benefits
REFERENCES FOR VOC REHAB

- Title 38, U.S. Code, Chapter 31 and Chapter 41
- Adjudication Manual M21-1MR (Manual Rewrite), Part IX, Subpart i, Chapter 1
- Vocational Rehabilitation and Counseling Procedures Manual M28-1
- Veterans Benefits Manual, § 11.3
- VA Pamphlet 28-00-1, The Vocational Rehabilitation and Employment Program—Working Partners
- VA Form 28-1900, Disabled Veterans Application for Vocational Rehabilitation

REFERENCES FOR SURVIVORS’ AND DEPENDENTS’ EDUCATION ASSISTANCE

- Title 38, U.S. Code, Chapter 35
- Public Law 111-32
- Education Procedures Manual M22-4, Part 7
- Veterans Benefits Manual, § 7.6
- VA Pamphlet 22-73-3, Summary of Educational Benefits Under the Dependents’ Educational Assistance Program, Chapter 35 of Title 38, U. S. Code
- VA Form 22-5490, Dependent Application for VA Education Benefits
SUMMARY

The Department of Veterans Affairs provides an Education Assistance allowance for certain eligible veterans, active duty servicemembers, members of the Selected Reserve, other Reservists and National Guard members who are called to active duty, and to certain civilians and their family members who are covered under the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (Public Law 99-399) and Executive Order 12598. All of these programs are also available for active duty personnel. However, active duty personnel normally apply through the base or post education office, so County Veterans Service Representatives would not assist them with their applications. As such, specific features for active duty servicemembers will not be discussed.

VETERAN EDUCATIONAL ASSISTANCE PROGRAMS:

1. Montgomery GI bill (also called the All-Volunteer Force Educational Assistance Program), 38 U.S. Code, Chapter 30
2. Post-Vietnam Era Veterans' Education Assistance Program (or VEAP), 38 U.S. Code, Chapter 32
3. Post-9/11 Educational Assistance, 38 U.S. Code Chapter 33

MONTGOMERY GI BILL (CHAPTER 30)

The veteran is entitled to 36 months of education benefits.

To apply, a claimant may use VA Form 22-1990, Application for VA Education Benefits, or apply on-line via Veterans On-Line Application (VONAPP).

ELIGIBILITY REQUIREMENTS
The veteran must have an honorable discharge; general under honorable conditions) discharges do not qualify.

The veteran must have entered service on or after July 1, 1985.

The veteran must have fulfilled minimum length of service requirements. The minimum length is 36 months of continuous service, unless the term of service was less than three years, in which case the minimum is 24 months of continuous service.

The minimum length of service requirements do not apply if the veteran was discharged:

- because of hardship,
- for the convenience of the government,
- for disability,
- because of a non-disabling medical condition which interferes with performance of duty, or
- because of a reduction in force.

NOTE: Amounts withheld for the Montgomery GI Bill (Chapter 30) are not refundable, including if eligibility is later barred because the veteran was discharged with anything less than an honorable discharge.

In these instances, entitlement accrues at the rate of one month for each month actually served.

While on active duty, the veteran must have either completed the requirements for a high-school diploma or equivalency certificate (i.e. G.E.D.), or completed 12 hours towards a college degree.

While on active duty, the veteran must have contributed specified amounts of her or his salary to an education fund.

**Benefit Limitations**

The veteran has 10 years from the date of final discharge from the period of qualifying service to use the benefits. This period may be extended if the veteran re-enters active service for at least 90 days, or is prevented from training because of a disability.
(including the disabling effects of chronic alcoholism), or because of being held by a foreign government or power.

**POST-VIETNAM ERA VETERANS’ EDUCATION ASSISTANCE PROGRAM (VEAP) (CHAPTER 32)**

The veteran is entitled to 36 months of benefits.

To apply, a claimant may use VA Form 22-1990, *Application for VA Education Benefits*, or apply on-line via Veterans On-Line Application (VONAPP).

**ELIGIBILITY REQUIREMENTS**

1. The veteran must have entered service on or after January 1, 1977, but before July 1, 1985.
2. The veteran must have an Honorable or a General (Under Honorable Conditions) discharge.
3. There is a minimum length of service requirement: originally the veteran was required to serve at least 181 continuous days, but veterans whose original enlistment was after September 7, 1980 or who entered onto active duty after October 16, 1981 (either as an officer or an enlisted member) are required to have served either 24 continuous months or the full period for which the member was called or ordered to active duty, whichever was shorter.

   - The minimum length of service requirement does not apply if the veteran:
     - was discharged because of hardship,
     - was discharged under an early-out program,
     - was discharged because of a service-connected disability, or
     - is determined to have a service-connected disability of compensable severity.

4. While on active duty the veteran must have contributed specified amounts of her or his salary to an education fund account. If the veteran did not contribute, or withdraws his or her contributions, there is no eligibility for education assistance under Chapter 32.
BENEFIT LIMITATIONS
The veteran has 10 years from the date of final discharge from the period of qualifying service to use the benefits; this period may be extended if the veteran re-enters active service for at least 90 days, or is prevented from training because of a disability.

POST – 9/11 GI BILL (CHAPTER 33)
Veterans who receive full benefits under Chapter 33 receive full tuition and fees, a monthly housing stipend, and a stipend for books and supplies, for up to 36 months of post-secondary education. This benefit can also be used for on-the-job training or apprenticeship programs.

To apply, a claimant may use VA Form 22-1990, Application for VA Education Benefits, or apply on-line via Veterans On-Line Application (VONAPP).

ELIGIBILITY REQUIREMENTS FOR FULL BENEFITS
1. The veteran must have served, beginning on or after September 11, 2001, an aggregate of at least 36 months on active duty in any of the Armed Forces.
2. The veteran must have received a fully honorable discharge.
3. Full benefits are also available to veterans who served at least 30 consecutive days and were discharged or released from active duty due to a service-connected disability.

BENEFIT LIMITATIONS
The veteran has 15 years from the date of final discharge from the period of qualifying service to use the benefits; this period may be extended if the veteran re-enters service for at least 90 days, or is prevented from training because of a disability.

ELIGIBILITY REQUIREMENTS FOR LIMITED BENEFITS (CHAPTER 33)
Veterans who served between 90 days and 36 months and received an honorable discharge are eligible for tuition, fees and a monthly stipend on a pro rata basis, based upon their length of service.
**Benefits for Dependents of Eligible Veterans (Chapter 33)**

Post 9/11 GI bill benefits are also available to an individual who is the child of a person who, on or after September 11, 2001, dies in line of duty. Post 9/11 GI bill benefits may also be transferred to dependents. In order to do so, an individual must be a member of the Armed Forces and generally requires an agreement to serve four more years. *Transfer requests must be submitted and approved while the member is still in the armed forces.*

---

**GI Bill Resources:**

There are some great resources available to applicants wanting to learn more about GI bill benefits on their own:

- [www.GIBILL.va.gov](http://www.GIBILL.va.gov)
- 1-888-GIBILL-1 (1-888-442-4551)
  - If you are hearing impaired call 1-800-829-4833
- All educational institutions have School Certifying Officials that can help students
- The GI Bill Calculator, [http://newgibill.org/calculator](http://newgibill.org/calculator), helps veterans determine the dollar amount of their GI bill benefit.

---

**Educational Assistance Under 10 U.S. Code Chapter 1606**

The Montgomery GI bill also established an Educational Assistance program for members of the Selected Reserve of the Ready Reserves (includes the Army National Guard and the Air National Guard) under Title 10 U.S. Code, Chapter 1606. An eligible Reservist under Chapter 1606 is entitled to 36 months of education assistance benefits, or, if entitled under more than one program, to a maximum of 48 months combined under all programs to which entitled.

To apply, a claimant may use VA Form 22-1990, *Application for VA Education Benefits*, or apply on-line via Veterans On-Line Application (VONAPP).
ELIGIBILITY REQUIREMENTS

1. Beginning on or after July 1, 1985, the Reservist must have agreed to serve a six-year obligation in the Selected Reserve (an officer must agree to serve six years in addition to any other obligation).

2. The Reservist must have completed the initial period of active duty for training (IADT) and must already meet the requirements for a high school diploma or equivalency certificate.

3. The Reservist must drill in a drilling Selected Reserve unit and remain a member in good standing of the unit.

4. Reservists who are called to and serve on active duty for two years or more must contribute $1,200 to the education fund account within one year from the date he or she has completed two years of active duty for full eligibility.

BENEFIT LIMITATIONS

Under Chapter 1606, a Reservist has ten years from the date he or she first becomes eligible under this program to use the benefits, provided he or she remains in the Selected Reserve during this time. The 10-year period may be extended if the Reservist is unable to train because of a disability caused by service in the Selected Reserve. If the Reservist is called to active duty, the period of eligibility will be extended by the length of the period of active duty service plus four months. Even if the Reservist leaves the Selected Reserve, he or she may still have the full 10-year period of eligibility, provided that:

- She or he has a disability not due to willful misconduct; or
- She or he was involuntarily separated under provisions of 10 USC § 286(b), during the period October 1, 1991 through September 30, 1999; or
- The unit was inactivated during the period October 1, 1991 through December 31, 2001, or during the period October 1, 2007, through September 30, 2014.
EDUCATIONAL ASSISTANCE UNDER 10 U.S. CODE CHAPTER 1607

The Reserve Educational Assistance Program (REAP), codified at 10 U.S.C. Chapter 1607, provides educational assistance for reserve component members supporting contingency operations and certain other operations. The program is for members of the Selected Reserves, the Individual Ready Reserves (IRR), and the National Guard who have been called to active duty for 90 consecutive days or longer since September 11, 2001. This is a combined program, jointly administered by VA, the Department of Defense, and the Department of Homeland Security. An eligible Reservist under Chapter 1607 is entitled to 36 months of education assistance benefits, or, if entitled under more than one program, to a maximum of 48 months combined under all programs to which entitled.

To apply, a claimant may use VA Form 22-1990, Application for VA Education Benefits, or apply on-line via Veterans On-Line Application (VONAPP).

Eligibility requirements:

1. The Reservist or Guard member must have been called to active duty under 10 U.S.C. (or 32 U.S.C. § 502(f), for National Guard), and have served on active duty for at least 90 consecutive days.
   - Members who serve less than 90 consecutive days but who are released from active duty because of service-connected disability are also eligible.

Benefit Limitations

Under Chapter 1607, there is no ending date by which a Reservist or Guard member must use the benefits, except for members of the Ready Reserve who are released from active duty for disability not due to willful misconduct—in these cases, the period of eligibility ends 10 years from the date eligibility was initially established. For all others, eligibility continues so long as the member continues to serve in the
same Reserve component or the National Guard, except that a member called up from the Selected Reserve would not remain eligible if the member then went into the Individual Ready Reserve (IRR).

**EDUCATION BENEFITS FOR SURVIVING DEPENDENTS OF DECEASED ACTIVE DUTY SERVICEMEMBERS AND VETERANS WHO WERE ELIGIBLE FOR EDUCATION BENEFITS**

For certain survivors of active duty servicemembers and veterans who met service and other requirements and who had contributed to the education fund while on active duty (even if the full $1,200 had not been contributed at the time of death), but who died before their contributions were used, there is provision for payment of the unused portion to a designated survivor (the Montgomery GI Bill (MGIB) death benefit). The servicemember must have died on active duty, in the line of duty; a veteran separated from service must have died within one year of separation from active duty, from service-connected causes. The amount available is reduced by any amounts already paid out for education purposes; if the full $1,200 had not yet been collected; only the amount actually collected is available.

The proper claimant for this benefit is:

1. The designated Servicemembers’ Group Life Insurance (SGLI) beneficiary;
2. If there is no SGLI beneficiary designated, the veteran’s spouse;
3. If there is no spouse, the veteran’s children, in equal shares; or
4. If there are no children, the veteran’s parents, in equal shares.

If there is no claimant in any of these categories, the benefit is not payable.
Exclusive jurisdiction of MGIB death benefit claims lies with the St. Louis, Missouri VA Regional Office, and claims for the MGIB death benefit should be directed there. There is no specific application; any written communication will suffice. A copy of DD Form 1300, Report of Casualty, or death certificate (as appropriate) should accompany the letter. If the claimant is not the designated SGLI beneficiary, proof of relationship should also be submitted.

**ADVOCACY TIP**

What if a claimant is eligible to benefits under more than one program?

If a person has eligibility for benefits under more than one education or training program, including also Vocational Rehabilitation or Dependents’ Education Assistance, the maximum amount of entitlement allowed under all programs combined is 48 months. The veteran or eligible person must elect under which program benefits are to be paid for any given course or enrollment period. All programs charge entitlement to benefits at the rate of one day of entitlement per one day of full-time training; the entitlement charges are pro-rated for training at less than full-time. Under certain circumstances, some of the programs will not make a charge against entitlement for certain types of training.

**MONTHLY PAYMENT RATES FOR PROGRAMS**

The monthly rates payable vary according to the particular program, the type of training (institutional, apprenticeship, etc.), and the rate of training. Monthly rates for Chapter 1607 training vary according to the length of time the Reservist or Guard member serves on active duty. Under certain circumstances, veterans training under Chapter 30 may be entitled to additional amounts for dependents, if training at the half-time rate or greater; except for veterans training under Vocational Rehabilitation, no other veterans or eligible persons are entitled to payment for dependents under any of the programs.
**Types of Training for Programs**

All of the programs allow essentially similar types of training: degree programs at a college or university; independent courses of study; certificate programs from a trade, business, or vocational school; apprenticeship or on-the-job training programs; farm cooperative training programs; high school level programs (Chapter 32 veterans, former captives and spouses); remedial, refresher, or deficiency courses; correspondence courses; vocational flight training (except former captives and family members). None of the programs will pay benefits for self-improvement courses, courses given by radio or entirely by television, bartending courses, audited courses, repeats of courses previously successfully completed, or courses not leading to an educational, professional or vocational objective.

**What if a Claimant is Eligible to Benefits under More than One Program?**

If a person has eligibility for benefits under more than one education or training program, including also Vocational Rehabilitation or Dependents’ Education Assistance, the maximum amount of entitlement allowed under all programs combined is 48 months. The veteran or eligible person must elect under which program benefits are to be paid for any given course or enrollment period. All programs charge entitlement to benefits at the rate of one day of entitlement per one day of full-time training; the entitlement charges are pro-rated for training at less than full-time. Under certain circumstances, some of the programs will not make a charge against entitlement for certain types of training.
VA REGIONAL PROCESSING Office Jurisdiction over Educational Benefits Claims

The programs described in this chapter are under the jurisdiction of one of four Regional Offices, depending on the veteran’s, servicemember’s, or Reservist’s address and/or place of training, as follows:

### VA REGIONAL OFFICE JURISDICTION OVER EDUCATION AND TRAINING PROGRAMS

<table>
<thead>
<tr>
<th>STATES</th>
<th>VA REGIONAL OFFICES</th>
</tr>
</thead>
<tbody>
<tr>
<td>CT, DE, DC, ME, MD, MA, NH, NJ, NY, PA, RI, VT, VA, and Foreign Schools</td>
<td>VA Regional Office&lt;br&gt;P.O. Box 4616&lt;br&gt;Buffalo, NY 14220-4616</td>
</tr>
<tr>
<td>CO, IA, IL, IN, KS, KY, MI, MN, MO, MT, NE, ND, OH, SD, TN, WI, WV, WY</td>
<td>VA Regional Office&lt;br&gt;P.O. Box 66830&lt;br&gt;St. Louis, MO 63166-6830</td>
</tr>
<tr>
<td>GA, NC, Puerto Rico, US Virgin Islands</td>
<td>VA Regional Office&lt;br&gt;P.O. Box 100022&lt;br&gt;Decatur, GA 30031-7022</td>
</tr>
<tr>
<td>AK, AL, AR, AZ, CA, FL, HI, ID, LA, MS, NM, NV, OK, OR, SC, TX, UT, WA, Trust Territories/Philippines</td>
<td>VA Regional Office&lt;br&gt;P.O. Box 8888&lt;br&gt;Muskogee, OK 74402-8888</td>
</tr>
</tbody>
</table>
VOCATIONAL REHABILITATION AND EMPLOYMENT (CHAPTER 31)

The Vocational Rehabilitation Program is designed to help a service-disabled veteran overcome employment handicaps imposed by such disability, so that the veteran is able to find and keep suitable employment as well as achieve maximum independence in daily living. The primary goal of the program is to train veterans with disabilities for appropriate employment; although, education benefits for school attendance may be authorized if that is determined to be the best way to prepare a particular veteran for entry or re-entry into the labor force. Vocational Rehabilitation benefits are not a supplement to, or a substitute or replacement for, VA education assistance benefits available under other programs, and must not be viewed as such.

ELIGIBILITY REQUIREMENTS

Basic eligibility for and entitlement to Vocational Rehabilitation requires that a veteran have a service-connected disability or disabilities ratable at 20% or more, and have an employment handicap resulting primarily from such disability. A veteran with a 10% service-connected disability (including multiple non-compensable conditions for which compensation is paid at the 10% rate under 38 C.F.R. § 3.324) may also qualify on a showing that such disability produces a “serious” employment handicap. Statutory ratings under 38 U.S.C. § 1114(k) (loss of a creative organ) or the former subsection (q) (arrested tuberculosis) will not qualify for this. The period of eligibility is 12 years from date of discharge from service or 12 years from the date VA first notifies the veteran of a qualifying service-connected disability, whichever date is later. This may be extended for those severely disabled veterans who are unable to begin or complete their program within that time either (1) because of their disability, or (2) because they are deemed to have a severe employment handicap such that they require additional time for rehabilitation.
Rehabilitation services may continue until the veteran has reached his or her rehabilitation goal, but the education or training portion of a rehabilitation program may not exceed 48 months except under exceptional circumstances. VA may continue to provide counseling, job-placement, and post-employment services for up to 18 additional months.

A veteran who applies for Vocational Rehabilitation must be entitled to receive compensation (or would be entitled but for the receipt of military retired pay). The application for Vocational Rehabilitation may be submitted together with the application for compensation, or may be filed at any time thereafter, subject to the 12-year time limit. An active duty service member who is hospitalized awaiting separation from service for disability may apply for Vocational Rehabilitation without applying for compensation. The active duty service member must have a service-connectable disability which is immediately ratable at 20% or more to qualify for consideration.

**WHAT HAPPENS WHEN AN APPLICATION IS RECEIVED?**
When an application is received, and it is established that a qualifying degree of service-connected disability is present, the applicant will be given counseling, testing and evaluation to determine whether an employment handicap exists, and if so, whether training and/or rehabilitation services are feasible or necessary.
REHABILITATION PROGRAMS MAY INCLUDE:

1. Employment (including self-employment) services and assistance;
2. Educational (college-level) or vocational (trade, business or technical school) training;
3. Apprenticeship or on-the-job training; or,
4. Farm cooperative training.

For severely disabled veterans there may be training in a rehabilitation facility, in a sheltered workshop, or in-home. The program may also include independent living services and training.

ACCOMPANYING MONETARY BENEFIT

While in training a veteran will be paid a monthly subsistence allowance, varying according to the type and rate of training, the number of dependents, and other factors. Recent legislation allows those who are eligible for both Vocational Rehabilitation and the Post 9/11 GI Bill benefits to choose the Post 9/11 GI Bill’s monthly housing allowance instead of the Vocational Rehabilitation subsistence allowance. In addition, VA will pay all training expenses, including tuition, fees, books and supplies, and the cost of any necessary tools, equipment, and uniforms. The veteran is also entitled to any and all medical and dental treatment (or reimbursement for the costs of such treatment), including prosthetic devices or other special equipment and special restorative services, necessary to continue or complete his or her program. When necessary, the veteran may be provided special help such as tutoring assistance, readers for the visually impaired, or sign language interpreters for the hearing impaired. If the veteran encounters unexpected financial difficulties while training, a no-interest loan service is available. Counseling services, such as educational, vocational, personal, and employment counseling are available, as well as career planning and job placement services.

VOCATIONAL REHABILITATION AND INDIVIDUAL UNEMPLOYABILITY

A veteran who is rated as totally disabled because of individual unemployability may apply for, and pursue, a program of Vocational Rehabilitation without jeopardizing
her or his total disability rating. Even if the veteran is then rehabilitated and obtains employment, the total disability rating will continue undisturbed for a minimum of twelve (12) additional months before action is begun to reduce the rating. This grace period is meant to allow the veteran time to demonstrate that he or she is able to maintain substantially gainful employment and is no longer unemployable.

**Survivors’ and Dependents’ Educational Assistance (Chapter 35)**

The VA provides an educational assistance allowance for certain family members of veterans and servicemembers under Title 38 U.S. Code, Chapter 35. When analyzing eligibility for Chapter 35 benefits, ask these questions: “Is there a qualifying veteran or servicemember?”; “Is there an eligible family member?”; “What is the eligibility period to use the benefits?”; and “What is this family member’s entitlement?”

**Qualifying Veterans and Servicemembers**

Eligibility is based on a family relationship to certain disabled or deceased veterans or servicemembers. This includes veterans who:

- are rated permanently and totally disabled from service-connected disabilities;
- died as the result of a service-connected disability;
- died from any cause not the result of willful misconduct, and who at the time of death were rated as being permanently and totally disabled from service-connected disabilities;
- died in service.

Chapter 35 benefits are also available to family members of an active servicemember who:

- is listed as being missing in action or a prisoner of war for more than 90 days, or who is forcibly detained or interned in the line of duty by a foreign government or power for more than 90 days; or,
has a qualifying permanent and total disability incurred or aggravated in the line of duty for which he or she is hospitalized or undergoing outpatient treatment, and for which he or she will be discharged from service.

**Eligible Family Members**

Chapter 35 benefits are available to certain spouses, surviving spouses, and children of qualifying veterans.

**Limitations on Eligibility for Spouses and Surviving Spouses**

If a spouse divorces from a veteran, the spouse will lose eligibility at the end of that school term. If the veteran remarries, the new spouse becomes an eligible spouse.

The surviving spouse is the spouse married to the veteran at the time of death. A surviving spouse who is under 57 years old loses eligibility if they remarry. That remarried surviving spouse will regain eligibility as a surviving spouse if the subsequent marriage ends by death or divorce. A surviving spouse who is at least 57 years old does not lose eligibility if he or she remarries.

An eligible spouse loses eligibility while serving in the Armed Forces, and they must be discharged under other than dishonorable conditions in order to resume benefits upon separation from service. A spouse or surviving spouse can receive Chapter 35 benefits at the same time that they are receiving Compensation, Pension, DIC, or Death Pension benefits.

**Limitations on Eligibility for Children**

A dependent child of a qualifying veteran or servicemember becomes eligible for Chapter 35 benefits at the age of 18, or when they finish high school, whichever is earlier. It is possible that the child will not become eligible until after they turn 18, for example if the parent dies from a service-connected disability that had not been permanently and totally disabling. A child may become eligible at any point until
they turn 26. As discussed below, a child may continue to be eligible for Chapter 35 benefits after their 26th birthday, based on eligibility that was already established; but the VA will no longer establish new eligibility after that date.

A child over the age of 18 may not receive Chapter 35 benefits at the same time that the VA provides Compensation, Pension, or DIC dependency allotments based on their school attendance. There is an exception to this rule for children who are “helpless.” In that case the child may receive education assistance at the same time that they receive Compensation, Pension, or Dependency and Indemnity Compensation.

An eligible spouse loses eligibility while serving in the Armed Forces, and they must be discharged under other than dishonorable conditions in order to resume benefits upon separation from service.

**Eligibility Periods**
The educational benefits do not have to be used all at once, but they have to be used within certain timeframes.

**Eligibility Periods for Children**
If a child became eligible when they turned 18 or when they graduated from high school, their eligibility period continues until their 26th birthday. If a child became eligible after they turned 18, their eligibility period generally lasts for eight years from the date that they became eligible, or for ten years if they are participating in an apprenticeship or on-the-job training program. If a child interrupts training to serve in the Armed Forces, or for other reasons beyond the child’s control, the period of eligibility may be extended by an amount equal to the length of the interruption. However, the eligibility period never extends past their 31st birthday.

**Eligibility Periods for Spouses and Surviving Spouses**
If the spouse is eligible because the veteran is permanently and totally disabled, the eligibility period is generally ten years from the date permanent and total disability arose or 10 years from the date of notice of permanent and total disability,
whichever is to the spouse's advantage. The eligibility period is 20 years if the veteran was rated permanently and totally disabled with an effective date no more than 3 years after separation. Once the 10- or 20-year ending date has been established, it does not change if the veteran remarries. The new spouse's eligibility is still limited by the prior spouse's eligibility termination date. The only exception is where the veteran is deemed to be not permanently and totally disabled for some reason, but then has permanent and total disability restored. In this event the spouse at the time the rating is reestablished is entitled to a new eligibility termination date.

If the surviving spouse is eligible because the veteran died from a service-connected disability, the eligibility period is 10 years from the date of the veteran's death or 10 years from the date of notice that the veteran's death was service-connected, whichever is to the surviving spouse's advantage. If the surviving spouse is eligible because the veteran died while on active duty, the eligibility period is 20 years from the date of the veteran's death in service.

If the surviving spouse is eligible because the veteran was permanently and totally disabled at the time of death from non-service connected conditions, the eligibility period is ten years from the date of the veteran's death. If that spouse was previously eligible based on permanent and total disability due to service connected disabilities, the surviving spouse is entitled to a new 10-year period of eligibility from the date of the veteran's death.

If the spouse is eligible because the active servicemember is missing in action, a prisoner of war, or being forcibly held by a foreign government or power, the period of eligibility runs for ten years after the 90th day of being listed in such status.

If the spouse or surviving spouse is unable to complete a program of education or training during the applicable 10-year period because of mental or physical disability
(including the disabling effects of chronic alcoholism), the period of eligibility may be extended by an amount of time equal to the length of the disability.

Certain military service can also extend an eligibility period. If a person was called to active duty under Title 10, U.S. Code on or after September 11, 2001 (Federal Authority), or if a person was involuntarily ordered to full-time National Guard duty under Section 502(f) of Title 32, U.S. Code (State Authority), in most cases, their period of eligibility for educational assistance can be extended by the number of months and days they spent on active duty plus four months.

ENTITLEMENTS AND ELIGIBLE ACTIVITIES

The VA provides tuition assistance and a stipend toward eligible educational programs. Payments are made monthly, and are based on the rate of attendance or training (i.e. full-time or three-quarter time). No additional amount is paid for the student’s dependents.

An eligible person will be entitled to 45 months of assistance under this program. If the person has also earned eligibility for education assistance through another source, such as through the GI Bill based on their own active service, the person can use both benefits but the total eligibility under all programs cannot exceed 48 months.

The VA treats this entitlement like a bank account that the person can draw from; in fact, when a family member uses a part of that entitlement, the VA states that it is “charging” the entitlement. Entitlement is charged at the rate of one day of entitlement for one day of class or training, if attending school or training full-time. Entitlement charges are pro-rated if the eligible person attends school less than full-time, and under certain circumstances there may be no charge to entitlement.
Although students under this program most commonly pursue institutional courses such as collegiate studies, business or vocational schools, etc., benefits may also be paid for apprenticeships, on-job training programs, or farm cooperative courses, as well as for secondary school courses leading to a high school diploma or for remedial courses to qualify for college admission. Assistance may be authorized for overseas study only if the courses lead to a college degree. Spouses and surviving spouses, but not eligible children, may take correspondence courses.

If the eligible person has eligibility under more than one educational assistance program, he or she must elect which program he or she will receive benefits under for any given training program or enrollment period.

The entitlement amount does not change when a veteran remarries. If the prior spouse used some portion of the 45-month entitlement, the subsequent spouse may only use the remainder of the original entitlement.

**Spouses and Disabled Children**

There are two specialized programs for disabled children and spouses. There are significant differences in the length of eligibility for children and for spouses or surviving spouses. Generally, a child is eligible for education assistance from age 18 or completion of high school, whichever is earlier, to age 26. If eligibility arises after age 18, but before age 26, the child will be eligible for education assistance for a
period of eight years (ten years if pursuing an apprenticeship or a program of on-job training), but not beyond age 31. An eligible disabled ("helpless") child whose mental or physical disability precludes pursuit of an educational program may receive Special Restorative Training under Chapter 35. Under certain circumstances, this special training may be provided for more than 45 months, but not beyond the child's 31st birthday. In addition, an eligible disabled child over the age of 14 or an eligible disabled spouse or surviving spouse may receive Specialized Vocational Training, leading to a suitable vocational objective for the particular disability.

**Marine Gunnery Sergeant John David Fry Scholarship**

On August 7, 2014, President Barrack Obama signed Public Law 113-146 (Choice Act). The Choice Act extends the Fry Scholarship to certain surviving spouses of military personnel who died in the line of duty after September 10, 2001. Before this Act, only children of those who died in the line of duty were eligible for this scholarship.

Eligible spouses and children can receive up to 36 months of the full 100% eligibility rate of the Post 9/11 GI Bill. This benefit includes tuition and fees, a monthly housing allowance and a books and supplies allowance.

Beneficiaries must make an irrevocable election on whether receive DEA (CH 35) or the Fry Scholarship on all enrollments beginning January 1, 2015.

Determinations of eligibility to education assistance under Chapter 35 are made by the VA Regional Office having jurisdiction of the veteran’s claims file. However, once eligibility is established, the eligible child’s or spouse's claim and education file comes under the jurisdiction of one of four centralized locations, depending on where the eligible person is attending school or being trained, as follows:
PROCESSING JURISDICTIONS

Map 1 represents Claims Processing Jurisdictions. All mail related to claims processing should be sent to the appropriate RPO as shown on the Claims Processing Map.

MAP 1

<table>
<thead>
<tr>
<th>St. Louis RPO</th>
<th>Buffalo RPO</th>
</tr>
</thead>
<tbody>
<tr>
<td>VA Regional Office</td>
<td>VA Regional Office</td>
</tr>
<tr>
<td>PO Box 66830</td>
<td>PO Box 4616</td>
</tr>
<tr>
<td>St. Louis, MO 63166-6830</td>
<td>Buffalo, NY 14240-4616</td>
</tr>
<tr>
<td>FAX (314) 552-9741</td>
<td>FAX (716) 551-3241</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Muskogee RPO</th>
<th>Atlanta RPO</th>
</tr>
</thead>
<tbody>
<tr>
<td>VA Regional Office</td>
<td>VA Regional Office</td>
</tr>
<tr>
<td>PO Box 8888</td>
<td>PO Box 100022</td>
</tr>
<tr>
<td>Muskogee, OK 74402-8888</td>
<td>Atlanta, GA 30031-4032</td>
</tr>
<tr>
<td>FAX (918) 781-7863</td>
<td>FAX (404) 929-3009</td>
</tr>
</tbody>
</table>
STUDY QUESTIONS

Using the assigned references and reading materials, answer the following questions:

1. If a veteran is eligible for education assistance benefits under more than one program, the maximum combined entitlement under all programs is:
   a. 24 months  
   b. 36 months  
   c. 48 months  
   d. 60 months

   38 C.F.R. §§ 21.4020(a), 21.5022(b)

2. If a veteran did not contribute a portion of her or his salary to the Education/Training Fund while on active duty, she or he will be paid education benefits at a reduced rate. (T/F)

   38 C.F.R. §§ 21.5071, 21.7042(g), 21.5045(b)(2)

3. Which of the following is not true for Chapter 30 education benefits:
   a. The veteran must have entered service on or after July 1, 1985.
   b. The veteran must have served at least 36 continuous months of active duty; or, if the term of service was less than 36 months, served at least 24 continuous months; or have been discharged for disability, for hardship, for the convenience of the Government, or because of a reduction in force.
   c. The veteran must have completed high school or the equivalent, or have completed 12 units or more towards a college degree before the end of the qualifying service.
   d. The veteran’s discharge from the period of qualifying service must have been honorable or general under honorable conditions.

   38 C.F.R. § 21.7042(a)(4)(ii)
4. Veterans eligible for education benefits under either Chapter 30 or Chapter 32 have 10 years from the day following discharge from the most recent period of service of 90 days or longer duration to use their benefits. (T/F)


5. VA education benefits are available to certain members of the Reserves and National Guard who agree to serve the following Reserve obligation:
   a. Two years
   b. Four years
   c. Six years
   d. Eight years

38 C.F.R. § 21.7540(a)(1)

6. There is no requirement that a veteran be disabled to pursue a program of Vocational Rehabilitation? (T/F)

38 C.F.R. §§ 21.40(a) and (b)

7. While training in a program of Vocational Rehabilitation, the veteran may be entitled to which of the following:

   a. VA payment for costs of training, including tuition and fees, books and supplies, and tools and uniforms.
   b. Any medical and/or dental care necessary to allow the veteran to continue training, or reimbursement for the costs of such care.
   c. Payment of a monthly subsistence allowance including additional amounts for dependents, if any.
   d. All of the above

8. An eligible surviving child under age 18 who has completed high school may be paid both DIC (or Death Pension) and Chapter 35 education benefits? (T/F)
   
   38 C.F.R. § 21.3023(b)

9. If a child becomes eligible for Chapter 35 benefits after his or her 18th birthday and attends school, he or she will remain eligible for benefits for 8 years, but not beyond:
   
   a. Their 26th birthday
   b. Their 28th birthday
   c. Their 31st birthday
   d. Their 35th birthday

   38 C.F.R. §§ 21.3040(d) and 21.3041(g)

10. If a permanently and totally disabled veteran remarries, the new spouse is entitled only to the remaining portion of the previous spouse’s entitlement to education benefits under Chapter 35? (T/F)

   38 C.F.R. § 21.3021(a) (3) and 21.3155(d)

11. The surviving spouse of a deceased veteran may extend the 10-year period of eligibility for Chapter 35 benefits if the surviving spouse is unable to begin or complete training because of mental or physical disability. (T/F)

12. If other requirements such as length of service are met, can an eligible child be paid Chapter 35 benefits for attending school while on active duty? (Y/N)

   38 C.F.R. § 21.3042