

Special Processing Unit

Special Projects Processing Issues



Agenda

- Survivors' and Dependents' Educational Assistance Program (Chapter 35)
- Fry Scholarship (Post-9/11 GI Bill)
- Tuition Assistance Top-Up (TATU)
- Licensing and Certification (LACA/LACAS)



Dependents' Educational Assistance Program – DEA (Chapter 35)

- What is Chapter 35?
 - Educational assistance to dependents (spouses and children) of a veteran who:
 - Died as a result of a service connected disability
 - Died while rated permanently and totally disabled due to a service connected disability
 - Is permanently and totally disabled resulting from a service connected disability
 - OR**
 - Is on active duty that dies in the line of duty as determined by the Department of Defense
 - Is on active duty that is listed as MIA or as a POW



Dependents' Educational Assistance Program – DEA (Chapter 35)

- Who qualifies for Chapter 35?
 - Spouses and surviving spouses
 - Children
 - Biological
 - Legally adopted
 - Stepchild (who acquired the status before 18 and is a member of the veteran's household)

Dependents' Educational Assistance Program – DEA (Chapter 35)

- When does eligibility to Chapter 35 begin?
 - Spouses
 - On the effective date of the permanent and total rating or the notification date of the rating (or any day in between these dates)
 - On the date of marriage if the spouse marries the veteran after eligibility has been established.
 - Surviving Spouses
 - On the date of the veteran's death or the date which the VA determines the death to be service connected (or any date in between these dates).



Dependents' Educational Assistance Program – DEA (Chapter 35)

- When does eligibility to Chapter 35 begin?
 - **Children:**
 - On the effective date of the permanent and total rating or the notification date of the rating (or any day in between), or
 - The child's 18th birthday, or
 - In the case of a stepchild the date of marriage, or
 - If the veteran is deceased: on the date of the veteran's death or the date which the VA determines the death to be service connected (or any date in between these dates).

Dependents' Educational Assistance Program – DEA (Chapter 35)

- **How much entitlement can a Chapter 35 dependent receive?**
 - All dependents have 45 months of entitlement
 - 5 Months Free Entitlement: will receive their first 5 months of deficiency, remedial, refresher, or high school training for free. They will be paid and no entitlement will be deducted for this training.

Dependents' Educational Assistance Program – DEA (Chapter 35)

- **When does eligibility to Chapter 35 end?**
 - **Spouse:** 10 years to use their benefits or 20 years if the veteran was rated permanently and totally disabled within 3 years of his/her release from active duty.
 - **Surviving Spouse:** 10 additional years in the event of the veteran's death or 20 years for spouses of servicemembers who die on active duty.
 - **Child:** 8 years to use benefits from their effective date.



New! Direct Deposit

Chapter 35 now allows for Direct Deposit!

Effective February 3, 2012 Chapter 35 beneficiaries can now have their education benefits directly deposited into their bank account.

VA is currently in the processing of notifying beneficiaries of this change.

Fry Scholarship (Post-9 / 11 GI Bill)

- Effective August 1, 2010, VA began issuing payments under the Marine Gunnery Sergeant John David Fry Scholarship (**Fry Scholarship**)
- The payments are retroactive with enrollment periods beginning on or after August 1, 2009

Fry Scholarship (Post-9 / 11 GI Bill)

- **Who is eligible?**

- A child of an active duty member in the Armed Forces who dies **in the line of duty*** on or after 9/11/01:
 - The child can be married
 - Individuals 23 and above where eligibility has been established prior to turning 23 will remain eligible until age 33

**In the line of duty: if the service person died on active duty on or after 09/11/01*

Fry Scholarship (Post-9 / 11 GI Bill)

- **Eligibility:**

- If the child is eligible for education benefits in their own right:
 - **Must relinquish** a benefit if they are eligible under Chapter 30, Chapter 1606, or Chapter 1607 on or after August 1, 2009 in order to receive benefits under Fry Scholarship
 - Will receive benefits at the active duty benefit rate if they are on active duty, and will be eligible for unlimited Tuition and Fees. However, they will not be eligible for a Monthly Housing Allowance or Books and Supplies Stipend

Fry Scholarship (Post-9 / 11 GI Bill)

- **Elections:**

- Individuals electing to use Fry Scholarship benefits lose eligible for Dependency and Indemnity Compensation (DIC) benefits
- A child cannot establish eligible for Fry and DEA (Chapter 35) benefits based upon a parent's death
 - Claimants will have to make an election between DEA and Fry if he/she wishes to receive education assistance
 - The VA will send the claimant an Election Letter explaining the options

Fry Scholarship (Post-9/11 GI Bill)

- **Applying for benefits:**

- Fill out the VA Form 22-5490
- Paper Version: Part III, Section 18b
- VONAPP Version: see below, Chapter 33 says “yes”

VA Form 22-5490
JAN 2009

DEPENDENTS APPLICATION FOR EDUCATION BENEFITS
(Under Provisions of chapters 33 and 35 of Title 38, U.S.C)

PART III

18a. CHAPTER 35:No

COLLEGE OR OTHER SCHOOL:No

LICENSING OR CERTIFICATION TEST:No

APPRENTICESHIP OR OTHER ON-THE-JOB TRAINING:No

NATIONAL ADMISSION EXAMS OR NATIONAL EXAMS FOR CREDIT:No

CORRESPONDENCE COURSE:No

18b. CHAPTER 33:Yes

“Yes” in box 18b indicates the claimant is applying for FRY.

Fry Scholarship (Post-9 / 11 GI Bill)

- **Entitlement:**

- Entitled to 36 months of benefits at the 100% Benefit Level
- Individuals have 15 years from their 18th birthday to use benefits, not to exceed 33 years of age
- Benefits can not be used prior to age 18 (even if high school has been completed)
- Individuals are not eligible for the Yellow Ribbon Program

Fry Scholarship (Post-9 / 11 GI Bill)

- **Benefits include:**

- Tuition and Fees
- Monthly Housing Allowance (MHA)
- Kickers: only payable when child relinquishes a benefit to receive Fry Scholarship. The child is not eligible to receive kickers to which the deceased parent was entitled.
- Books and Supplies Stipend
- LAC (more than 1 exam after 08/01/11)
- Tutorial Assistance
- Rural benefit
- Effective 10/01/11: Correspondence, OJT, NCD, Apprenticeship, and Flight

Tuition Assistance Top-Up (TATU)

- PL 106-398 allowed VA to pay Chapter 30 benefits to supplement Tuition Assistance benefits paid by the military effective November 30, 2000.
- PL 110-252 allowed VA to pay Chapter 33 benefits to supplement Tuition Assistance benefits paid by the military effective August 1, 2009.
- Tuition assistance authorization forms are submitted directly to VA. Forms vary by service department.
- Enrollment certifications should not be submitted for courses for which a student is in receipt of TATU.
- TATU benefits are paid in a lump sum directly to the student.

Licensing and Certification (LAC / LACAS)

- PL 106-419 expanded the term “program of education” to include certain licensing or certification tests.
- Tests must be approved for VA benefits.
- LAC payments are authorized for individuals eligible under Chapters 30, 32, and 35 effective March 1, 2001. LAC payments are authorized for Chapters 1606 and 1607 effective January 6, 2006. LAC payments are authorized for Chapter 33 effective August 1, 2009.
- Reimbursement may not exceed \$2,000

Licensing and Certification (LAC / LACAS)

- There is no specific application form for LAC payments. To apply for LAC benefits, a student should submit the following:
 - A VA Form 22-1990, Application for Education Benefits, if applicable
 - Name
 - Social Security Number
 - Name and address or organization issuing the license/certification
 - Cost of test
 - A statement indicating “I authorize release of my test information to the VA”



VA Regional Processing Office
2012 CONFERENCE

Questions?

