Chapter 5
Administrative Functions

Section 1. Authority.

Wyoming Statute § 21-18-202(c) assigns the Commission’s administrative functions.

Section 2. Applicability.

This chapter governs the Commission’s administrative functions.

Section 11. Administering the Tuition Benefit for Vietnam Veterans, Overseas Combat Veterans and Surviving Spouses and Orphans.

(a) Authority. This section is promulgated under authority of WYO. STAT. § 19-14-106.

(b) Purpose. The purpose of the benefit is to provide free tuition and fees for eligible Vietnam veterans, overseas combat veterans and surviving spouses and dependents.

(c) Definitions.

(i) "Academic year" in this section means the twelve (12) month period beginning with the commencement of the fall semester for the University of Wyoming and with the commencement of the summer semester for community colleges.

(ii) "Combat veteran surviving spouse" means a person who is a surviving spouse of any overseas combat veteran when the overseas combat veteran was a resident of Wyoming for at least one (1) year immediately prior to entering active service and the overseas combat veteran died during active military service;

(iii) “Combat veteran surviving dependent” means a person who is a surviving dependent of any overseas combat veteran and who was under twenty-two (22) years of age at the time his parent or guardian died in overseas combat during active military service;

(iv) “Eligible institution” means The University of Wyoming or one of Wyoming’s community colleges.

(v) "Overseas combat veteran" means a person other than a Vietnam veteran who was a resident of Wyoming for at least one (1) year immediately prior to entering into active service, who is an honorably discharged veteran who served in the military service of the United States and who was awarded the armed forces
expeditionary medal or other authorized service or campaign medal indicating service to
the United States in any armed conflict in a foreign country.

(vi) “Vietnam veteran” means any person who was in active service
with the military forces of the United States between August 5, 1964 to May 7, 1975 and
received a Vietnam service medal; and received a discharge from the military forces of
the United States other than dishonorable; and has been a resident of Wyoming for not
less than one (1) year prior to entering active military service.

(vii) “Vietnam veteran surviving spouse” means a person who is a
surviving spouse of a Vietnam veteran and who meets the eligibility criteria as defined in
paragraph (d) of this section.

(viii) “Vietnam veteran surviving dependent” means a person who is a
surviving dependent of a Vietnam veteran and who meets the eligibility criteria as
defined in paragraph (d) of this section.

(d) Eligibility.

(i) Vietnam Veteran. A Vietnam veteran is eligible for educational
benefits under this section, under the following conditions:

(A) Must have been in active service with the military forces of
the United States between August 5, 1964 to May 7, 1975 and received a Vietnam service
medal; and

(B) Must have received a discharge from the military forces of
the United States other than dishonorable; and

(C) Must have been a resident of Wyoming for not less than
one (1) year prior to entering active military service; and

(D) Must not be receiving educational benefits under the
Servicemen’s Readjustment Act of 1944, as amended, for any credit or vocational
education course for which the Vietnam veteran registers.

(E) Vietnam veterans, who were granted educational benefits
pursuant to Rules (d)(i)(C) effective as of August 30, 2006, may be grandfathered by the
eligible institution.

(ii) Vietnam Veteran Surviving Spouse. A Vietnam veteran surviving
spouse is eligible for educational benefits under this section, under the following
conditions:
(A) Must be the surviving spouse of a Vietnam veteran who was a resident of Wyoming at the time of entering into active state service or active service with the military forces of the United States; and

(B) Whose death was service connected, as defined in 81 Stat. 181, 38 U.S.C. 101, or is listed officially in the military records of the United States as being a prisoner of war or missing in action as a result of active state service or active service with the military forces of the United States; or

(C) Who was honorably discharged from the military forces of the United States and thereafter died of an injury or disease incurred while in active state service or active service with such military forces, being a resident of Wyoming at the time of death.

(iii) Vietnam Veteran Surviving Dependent. A Vietnam veteran surviving dependent is eligible for educational benefits under this section, under the following conditions:

(A) Must be the surviving dependent of a Vietnam veteran who was a resident of Wyoming at the time of entering into active state service or active service with the military forces of the United States; and

(B) Whose death was service connected, as defined in 81 Stat. 181, 38 U.S.C. 101, or is listed officially in the military records of the United States as being a prisoner of war or missing in action as a result of active state service or active service with the military forces of the United States; or

(C) Who was honorably discharged from the military forces of the United States and thereafter died of an injury or disease incurred while in active state service or active service with such military forces, being a resident of Wyoming at the time of death.

(iv) Overseas Combat Veteran. An overseas combat veteran is eligible for educational benefits under this section, under the following conditions:

(A) Must have been a resident of the state of Wyoming for at least one (1) year immediately prior to entering into active military service; and

(B) Must not be a Vietnam veteran; and

(C) Must be honorably discharged from active military service; and

(D) Must have been awarded the armed forces expeditionary medal or other authorized service or campaign medal indicating service to the United States in any conflict in a foreign country.
(v) **Combat Veteran Surviving Spouse.** A combat veteran surviving spouse is eligible for educational benefits under this section, under the following conditions:

(A) Combat Veteran Surviving Spouse must be the surviving spouse of an overseas combat veteran.

(B) The overseas combat veteran must have met the following criteria:

   (I) Must have been a resident of the state of Wyoming for at least one (1) year immediately prior to entering into active military service; and

   (II) Must not have been a Vietnam veteran; and

   (III) Must have been awarded the armed forces expeditionary medal or other authorized service or campaign medal indicating service to the United States in any conflict in a foreign country; and

   (IV) Whose death was service connected, as defined in 81 Stat. 181, 38 U.S.C. 101; or

   (V) Must be listed officially in the military records of the United States as being a prisoner of war or missing in action as a result of active state service or active service with the military forces of the United States, or

   (VI) Must have been honorably discharged from the military forces of the United States and thereafter died of an injury or disease incurred while in active state service or active service with such military forces, being a resident of Wyoming at the time of death.

(vi) **Combat Veteran Surviving Dependent.** A combat veteran surviving dependent is eligible for educational benefits under this section, under the following conditions:

(A) Applicant must be under twenty-two (22) years of age at the time of enrollment at an eligible institution; and

(B) The overseas combat veteran must have met the following criteria:

   (I) Must have been a resident of the state of Wyoming for at least one (1) year immediately prior to entering into active military service; and

   (II) Must not have been a Vietnam veteran; and
(III) Must have been awarded the armed forces expeditionary medal or other authorized service or campaign medal indicating service to the United States in any conflict in a foreign country; and

(IV) Whose death was service connected, as defined in 81 Stat. 181, 38 U.S.C. 101; or

(V) Must be listed officially in the military records of the United States as being a prisoner of war or missing in action as a result of active state service or active service with the military forces of the United States, or

(VI) Must have been honorably discharged from the military forces of the United States and thereafter died of an injury or disease incurred while in active state service or active service with such military forces, being a resident at the time of death.

(e) Application Process.

Vietnam veterans, overseas combat veterans and surviving spouses and dependents shall apply for the educational benefit under this section with an eligible institution and will provide the appropriate documentation to establish eligibility.

(f) Educational Benefits.

(i) A person who qualifies for free tuition and fees shall be deemed eligible for the free tuition and fees at any eligible institution up to the maximum number of semesters of study allowed as described in this section, if the person transfers from one eligible institution to another eligible institution.

(ii) **Vietnam veterans** will be eligible for free tuition and fees for not more than ten (10) semesters for any credit or vocational educational course for which the Vietnam veteran registers.

(A) There is no limitation as to when a Vietnam veteran may enroll and begin receiving benefits under this section, if otherwise eligible, and

(B) Shall not be eligible after eight (8) academic years following the semester of initial receipt of free tuition and fees under this section; and

(C) Shall earn a cumulative 2.0 grade point average on a four-point scale by the end of the Spring semester completing the third or fourth semester of attendance; and

(D) Shall maintain a 2.0 grade point average after the end of each subsequent Spring semester of enrollment.
Vietnam veterans, who were granted educational benefits pursuant to Rules (f) (i) and (ii) effective as of August 30, 2006, may be grandfathered by the eligible institution.

Vietnam veteran surviving spouses and dependents will be eligible for free tuition, matriculation and other fees for courses of instruction at any state institution in elementary, secondary and college grades, business colleges, state vocational training schools or other educational institutions of the State of Wyoming which would tend to enable the individual to engage in any useful trade, occupation or profession,

Overseas combat veterans will be eligible under this section for free tuition and fees at any eligible institution for not more than ten (10) semesters for any credit course for which the overseas combat veteran registers subject to the following provisions:

(A) Shall not be eligible more than ten (10) academic years after the date the veteran completes military service; and
(B) Shall not be eligible after eight (8) academic years following the semester of initial receipt of free tuition and fees under this section; and
(C) Shall earn a cumulative 2.0 grade point average on a four-point scale by the end of the Spring semester completing the third or fourth semester of attendance; and
(D) Shall maintain a 2.0 grade point average after the end of each subsequent Spring semester of enrollment and shall otherwise remain eligible as provided in this section.

Combat veteran surviving spouses are eligible for free tuition and fees at any eligible institution subject to the following provisions:

(A) Shall not be eligible more than ten (10) years after the death of the combat veteran; and
(B) Shall not be eligible for more than ten (10) semesters for any credit course for which the surviving spouse registers; and
(C) Shall not be eligible after eight (8) academic years following the semester of initial receipt of free tuition and fees under this section; and
(D) Shall earn a cumulative 2.0 grade point average on a four-point scale by the end of the Spring semester completing the third or fourth semester of attendance; and
(E) Shall maintain a 2.0 grade point average after the end of each subsequent Spring semester of enrollment and shall otherwise remain eligible as provided in this section.

(vi) Combat veteran surviving dependents are eligible for free tuition and fees at any eligible institution subject to the following provisions:

(A) Shall be under twenty-two (22) years of age at the time the parent or legal guardian died in overseas combat during active service; and

(B) Shall be under twenty-two (22) years of age at the time of enrollment at an eligible institution; and

(C) Shall not be eligible for more than ten (10) semesters for any credit course for which the combat veteran surviving dependent registers; and

(D) Shall not be eligible after eight (8) academic years following the semester of initial receipt of free tuition and fees under this section; and

(E) Shall earn a cumulative 2.0 grade point average on a four-point scale by the end of the Spring semester of the third or fourth semester of attendance; and

(F) Shall maintain a 2.0 grade point average after the end of each subsequent Spring semester of attendance and shall otherwise remain eligible as provided in this section.

(g) Reimbursement.

(i) Tuition and fees for overseas combat veterans, combat veteran surviving spouses and combat veteran surviving dependents under this section will be reimbursed by the Community College Commission to the eligible institutions, subject to the availability of funds appropriated.

(ii) Tuition and fees for Vietnam veterans, Vietnam veteran surviving spouses and Vietnam veteran surviving dependents will be reimbursed by the Community College Commission to eligible institutions, subject to the availability of funds appropriated, for those eligible individuals who are enrolled beginning with the Spring semester 2007.

(A) Reimbursement requests, accompanied by a Certificate of Eligibility provided by the Community College Commission, will be processed for payment on a semester basis by the Commission; and

(B) The financial aid director of the University of Wyoming or community college will certify as correct, with an original signature, all Certificates of
Eligibility and mail them to the Community College Commission using the United States Postal Service.

(h) Exemptions for Good Cause.

Any combat veteran surviving dependent may be exempt from the deadline for applying for educational benefits as outlined in (f)(iv)(A) of this section if the dependent:

(i) Enters into active military duty in the U.S. Armed Forces; or

(ii) Enters into a formalized religious service; or

(iii) Can demonstrate in writing, to the financial aid director of the University of Wyoming or a community college, other good cause.

(i) Review and Reporting.

(i) The community college commission shall submit a report to the joint appropriations and the joint education interim committees by October 1, 2006 and annually thereafter on October 1.

(ii) The report shall identify the actions taken and monies expended pursuant to this act.