

17 KAR 1:040. Application requirements for tuition waiver programs related to veterans.

RELATES TO: KRS 164.505, 164.507, 164.512, 164.515

STATUTORY AUTHORITY: KRS 164.479(2)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 164.479(2) requires the Kentucky Department of Veterans Affairs to promulgate administrative regulations regarding the eligibility of applicants to participate in tuition waiver programs. This administrative regulation establishes the application requirements for these programs.

Section 1. Definition. "Honorable discharge" means a discharge from service in the Kentucky National Guard or a branch of the U.S. Armed Forces that is:

- (1) Classified as:
 - (a) Honorable; or
 - (b) General under honorable conditions; and
- (2) Not classified as:
 - (a) Other than honorable;
 - (b) Bad conduct;
 - (c) Dishonorable; or
 - (d) Dismissed by court-martial.

Section 2. Application.

- (1) An applicant for tuition waiver pursuant to KRS 164.505, 164.507, 164.512, or 164.515 shall submit the "Kentucky Department of Veterans Affairs Tuition Waiver Application" to the department.
- (2) In addition to the requirements in subsection (1) of this section, an applicant for tuition waiver pursuant to KRS 164.505, 164.507, or 164.515, who is the stepchild of a veteran, shall submit to the department the sworn "Affidavit of Membership in the Veteran's Household" to document that the stepchild is a current member of the living veteran's household or was a member of the veteran's household at the time of the veteran's death.

Section 3. Certification.

- (1) An applicant for tuition waiver shall be issued a "Certificate of Entitlement to Waiver of Tuition" from the department if the department determines that the applicant qualifies for the tuition waiver.
- (2) If the applicant does not qualify for the tuition waiver, the department shall notify the applicant in writing of the reasons for the denial.

Section 4. Extension Request.

- (1) An applicant for extension of tuition waiver benefits who is under the age of twenty-six (26) and whose tuition waiver certificate expired at age twenty-three (23) shall submit to the department the "Application for Extension of Tuition Waiver Benefit".
- (2) An applicant for extension of tuition waiver benefits whose tuition waiver certificate expired after thirty-six (36) months of benefits shall submit to the department the "Application for Extension of Tuition Waiver Benefit".

Section 5. Incorporation by Reference.

- (1) The following material is incorporated by reference:
 - (a) "Kentucky Department of Veterans Affairs Tuition Waiver Application", KDVA Form TW 1, April 2020;
 - (b) "Affidavit of Membership in the Veteran's Household", KDVA Form TW 3, September 2011;
 - (c) "Certificate of Entitlement to Waiver of Tuition", KDVA Form TW 2, May 2007.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Department of Veterans Affairs, Attention: Tuition Waiver Coordinator, 1111B Louisville Road, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m.
(47 Ky.R. 597, 1188; eff. 3-2-2021.)