



# STATE OF IOWA

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IOWA DEPARTMENT OF VETERANS AFFAIRS  
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## **SUBJECT: Iowa War Orphans Educational Assistance Instructions**

1. REFERENCE: Code of Iowa Chapter 35A.13
2. PURPOSE: Provide instructions and procedures will be followed on receipt of Iowa War Orphan Fund Application
3. BACKGROUND: A WAR ORPHAN is the child of a Veteran who died during active federal military service while serving in the armed forces or during active federal military service in the Iowa National Guard or other military component of the United States, or who died as a result of such service. A Veteran is further defined as a resident of Iowa who served in the armed forces of the United States at any time during the following dates and was discharged under honorable conditions:
  - ◆ World War I, between April 6, 1917 and November 11, 1918
  - ◆ Occupation of Germany from November 12, 1918 through July 11, 1923
  - ◆ American expeditionary forces in Siberia from November 12, 1918 through April 30, 1920
  - ◆ Second Haitian suppression of insurrections from 1919 through 1920
  - ◆ Yangtze service with Navy and Marines in Shanghai or in the Yangtze Valley from 1926 through 1927 and 1930 through 1932
  - ◆ China service with Navy and Marines from 1937 through 1939
  - ◆ World War II service between September 16, 1940 through December 31, 1946
  - ◆ Korean Conflict service between June 25, 1950 through January 31, 1955
  - ◆ Vietnam Conflict service between February 28, 1961 through May 7, 1975
  - ◆ Lebanon or Grenada service from August 24, 1982 through July 31, 1984
  - ◆ Panama service from December 20, 1989 through January 31, 1990
  - ◆ Persian Gulf conflict service from August 2, 1990, through the date the President or Congress of the United States declares a cessation of hostilities
  - ◆ Former members of the reserve forces of the United States who served at least twenty years in the reserve forces after January 28, 1973 and who were discharged under honorable conditions. However a member of the reserve forces of the United States who completed a minimum aggregate of ninety days of active federal service other than training and was discharged under honorable conditions, or was retired under Title X of the United States Code shall be included as a veteran
  - ◆ Former members of the Iowa National Guard who served at least twenty years in the Iowa National Guard after January 28, 1973 and who were discharged under honorable conditions. However, a member of the Iowa National Guard who was activated for federal duty, other than training, for a minimum aggregate of ninety days and was discharged under honorable conditions or was retired under Title X of the United States Code shall be included as a veteran

- ◆ Former members of the active, oceangoing merchant marines who served during World War II at any time between December 7, 1941 and December 31, 1946 both dates inclusive, who were discharged under honorable conditions
- ◆ Former members of the Women's Air Force service pilots and other persons who have been conferred veteran's status based on their civilian duties during World War II in accordance with federal Pub. L. No. 95-202, 38 U.S.C.} 106

**The amount of War Orphans Educational Aid allowed to eligible War Orphans is based upon an annual appropriation made by the Iowa Legislature. Payment is limited to \$600.00 per calendar year for each War Orphan with a lifetime maximum benefit of \$3,000.00.**

- A War Orphan MUST have graduated from a high school or educational institution offering a course of training equivalent to high school training.
- A War Orphan MUST have lived in the State of Iowa for at least two (2) years immediately preceding the filing of an application.
- A War Orphan MUST attend a University, College, Junior College, School of Nursing, Business School, or Trade School located within the State of Iowa and approved by the Iowa Commission of Veterans Affairs.

#### 4. RESPONSIBILITIES:

- a. The Iowa Department of Veterans Affairs has the ultimate responsibility to ensure that applicants for the War Orphan Fund have applied for the "Dependency and Indemnity Compensation (DIC) for Survivors" benefits through the Federal VA.
- b. The War Orphans Fund is available through the State of Iowa **if** an applicant does not qualify for the Federal VA educational benefits. Applicants cannot receive both DIC and The War Orphans Fund. Applicants can only receive the greater of the two available benefits.

#### ***Federal VA Educational Benefits: Survivors' & Dependents' Educational Assistance***

REFERENCE: [http://www.va.gov/opa/publications/benefits\\_book/benefits\\_chap13.asp](http://www.va.gov/opa/publications/benefits_book/benefits_chap13.asp)

**Eligibility:** VA provides educational assistance to qualifying dependents as follows:

1. The spouse or child of a Service member or Veteran who either died of a service-connected disability, or who has permanent and total service-connected disability, or who died while such a disability existed.
2. The spouse or child of a Service member listed for more than 90 days as currently Missing in Action (MIA), captured in the line of duty by a hostile force, or detained or interned by a foreign government or power.
3. The spouse or child of a Service member who is hospitalized or receives outpatient care or treatment for a disability that is determined to be totally and permanently disabling, incurred or aggravated due to active duty, and for which the service member is likely to be discharged from military service.
4. Surviving spouses lose eligibility if they remarry before age 57 or are living with another person who has been recognized publicly as their spouse. They can regain eligibility if their remarriage ends by death or divorce or if they cease living with the person. Dependent children do not lose eligibility if the surviving spouse remarries. Visit [www.gibill.va.gov/](http://www.gibill.va.gov/) for more information.

5. **Period of Eligibility:** The period of eligibility for Veterans' spouses expires 10 years from either the date they become eligible or the date of the Veteran's death. Children generally must be between the ages of 18 and 26 to receive educational benefits. VA may grant extensions to both spouses and children.

The period of eligibility for spouses of Service members who died on active duty expires 20 years from the date of death. This is a change in law that became effective Dec. 10, 2004.

Spouses of Service members who died on active duty whose 10-year eligibility period expired before Dec. 10, 2004, now have 20 years from the date of death to use educational benefits. Effective Oct. 10, 2008, Public Law 110-389 provides a 20-year period of eligibility for spouses of Veterans with a permanent and total service-connected disability rating effective within 3 years of release from active duty.

**Payments: The payment rate effective Oct. 1, 2012, is \$987 a month for full-time school attendance, with lesser amounts for part-time. Benefits are paid for full-time training up to 45 months or the equivalent in part-time training.**

6. **Training Available:** Benefits may be awarded for pursuit of associate, bachelor, or graduate degrees at colleges and universities; independent study; cooperative training study abroad certificate or diploma from business, technical or vocational schools, apprenticeships, on-the-job training programs; farm cooperative courses; and preparatory courses for tests required or used for admission to an institution of higher learning or graduate school. Benefits for correspondence courses under certain conditions are available to spouses only. Beneficiaries without high-school degrees can pursue secondary schooling, and those with a deficiency in a subject may receive tutorial assistance if enrolled half-time or more.
7. **Special Benefits:** Dependents over age 14 with physical or mental disabilities that impair their ability to pursue an education may receive specialized vocational or restorative training, including speech and voice correction, language retraining, lip reading, auditory training, Braille reading and writing, and similar programs. Certain disabled or surviving spouses are also eligible.

The application for VA Survivors' & Dependents' Educational Assistance can be found at the link on form 21-534EZ: [http://www.va.gov/vaforms/form\\_detail.asp?FormNo=21-534EZ](http://www.va.gov/vaforms/form_detail.asp?FormNo=21-534EZ)