

Transferability of Benefits (Legacy Program):

Eligible veterans may assign unused hours of exemption eligibility to a child under certain conditions.

25. If a Texas veteran has defaulted on an education loan through a loan program in another state, would he/she be eligible for an exemption?

A default on a non-federal education loan authorized by the legislature of another state and administered by that state is not a basis for denying the Hazlewood Act benefit. A portion of the law indicates that defaulted loans made or guaranteed by the State of Texas also disqualify a veteran from Hazlewood Act benefits. This portion of the law relates to defaults on education loans authorized by the Texas Legislature and administered by the State of Texas. Currently, the state loans to which this provision applies are: Hinson-Hazlewood Stafford Loans, Hinson-Hazlewood Health Education Loans (HELP), Hinson-Hazlewood College Access Loans (CAL), uninsured Texas Opportunity Plan Loans (TOP) and the Texas B-On-Time Student Loan administered by the Texas Higher Education Coordinating Board.

26. Will individuals in default on a federal or state student loan be eligible to use the Hazlewood Act benefits for non-credit courses?

If a veteran has a default, which would exclude him/her from Hazlewood Act benefits, that exclusion would apply no matter what types of classes are taken.

27. If a veteran receives Hazlewood Act benefits and it is later discovered that he/she defaulted on an applicable federal or state loan, does he/she have to reimburse the school for the classes taken with the exemption?

If the veteran signs a statement that he/she is not in default of any federal education loan or any education loan made or guaranteed by the State of Texas and is later found to be in default, the school can require repayment of tuition and appropriate fees.

28. If a student is in default on a PLUS loan, can he or she receive Hazlewood Act benefits?

PLUS loans are taken out by the parents of students. If the parents default on their child's PLUS loan, the child is not in default. This default status does NOT have an impact on the student's eligibility for Hazlewood Act benefits.

29. Is it possible to receive the Hazlewood Act benefits and federal VA educational benefits concurrently?

Yes. If the student is receiving federal VA education benefits other than the Post-9/11 GI Bill (Chapter 33 or any other benefits designated only for payment of tuition and fees), he/she can receive both benefits concurrently. If the student is receiving federal VA education benefits for payment of tuition and fees, he/she may receive both benefits concurrently only if the federal VA tuition and fees benefit amount does not equal or exceed the Hazlewood exemption value. If the federal VA benefits do not equal or exceed the Hazlewood exemption value, the student may receive a Hazlewood exemption that equals the difference between the total tuition and fees (including student property deposit, student services, and all other fees) and the federal VA benefits. Students must provide copies of the official written notice (award letter) from the VA indicating the student's benefit type and amount, the inclusive dates of payment, and the remaining entitlement at the end of the award period.

TYPES OF COURSES COVERED

30. Does the Hazlewood Act cover teacher certification fees?

No. The teacher certification fee is not an institutional fee. It is a fee required by the State Board for Educator Certification and is paid directly to that board.

31. Does the Hazlewood Act cover credit by examination?

Yes. Since Texas Education Code 54.203 (a) refers to an exemption from "all dues, fees and charges..." the exemption would include charges for credit by examination.

32. Will Hazlewood Act benefits pay for continuing education classes?

Institutions are NOT required to offer Hazlewood Act benefits to veterans enrolled in continuing education classes for which the college or university receives no formula funding (tax support). However, the college or university may choose to permit this option.

33. Can Hazlewood Act benefits be used for graduate school?

Yes. Hazlewood Act benefits may be used for graduate studies, including law school or any other program of study at public institutions (other than continuing education) if the veteran has not accumulated 150 credit hours using Hazlewood Act benefits since fall of 1995.

34. Can veterans who are concurrently enrolled in more than one college or university (in the same semester) receive Hazlewood Act benefits for both schools?

Yes. But each college/university granting Hazlewood Act benefits must document the veteran's eligibility and must observe the 150-hour limit.

35. Are distance education classes covered by the Hazlewood Act?

If the classes receive formula funding, are taken through Texas public institutions, and the charges are paid to the institution and not to a third party, they are covered by the Hazlewood Act.

36. Are aircraft training courses covered by the Hazlewood Act?

Maybe, but each school must decide the extent to which this is true. The governing board of a junior or community college may establish a fee for extraordinary costs associated with a specific course or program such as flight training, diesel mechanics or other classes in which fees are higher than that of a normal class.

RECORDING INFORMATION

37. What information will be made available upon signing the release form?

All students using the Hazlewood Act benefit are required to sign a release form which allows the Texas Higher Education Coordinating Board, along with any institution the veteran may attend, access to the number of credit hours attempted in the current and previous years.

38. How will the Hazlewood credit hours attempted be tracked and recorded?

The governing board of each institution shall report to the Texas Higher Education Coordinating Board information relating to each individual receiving an exemption from fees and charges through the Hazlewood Act benefit.



TEXAS VETERANS
COMMISSION



HAZLEWOOD ACT

The Texas Veterans Commission is a State agency created to serve Texas Veterans, their dependents or survivors in all matters pertaining to veterans benefits and rights.

Over 250 skilled counselors in 75 cities provide one-on-one guidance to Veterans and their families to ensure they get the maximum benefits they have earned.

Assistance is provided to Veterans in obtaining state and federal benefits such as disability compensation, pension, employment, education and training.

For information about how the Texas Veterans Commission can help you and your family go to www.TexasVeteransCommission.org.

Contact Information

State Headquarters
PO Box 12277
Austin, Texas 78711-2277
(512) 463-5538
info@tvc.state.tx.us

Claims Representation & Counseling

(512) 463-6564
info@tvc.state.tx.us

Veterans Employment Services

(512) 463-5538
VetJobs@tvc.state.tx.us

Veterans Education Program

Toll Free: 877-898-3833
Local: (512) 463-3168
VetsEd@tvc.state.tx.us

Fund for Veterans' Assistance

(512) 463-6564
grants@tvc.state.tx.us

Frequently Asked Questions about the Education Tuition Waiver



TEXAS VETERANS
COMMISSION

The Hazlewood Act provides qualified veterans, spouses, and children with an education benefit of up to 150 hours of tuition and fee exemptions at state supported colleges or universities.

TO QUALIFY:

- Have been a Texas resident upon entry into the military, entered into active federal duty in the State of Texas, or declared Texas as his or her home of record at the time of entry into the armed forces as documented on his or her DD Form 214;
- Have a military discharge of honorable or general, under honorable conditions;
- Served at least 181 days of active duty service (excluding training);
- Not be in default on an education loan made or guaranteed by the State of Texas and not in default on a federal loan if that default is the reason the student cannot use his or her federal veterans’ benefits.

COLLEGE CHARGES COVERED

1. **What charges are covered?**
The Hazlewood Act exempts qualified students taking classes at public institutions of higher education in Texas from all tuition and fee charges, but does not include property deposits or student services fees.
2. **What charges are not covered?**
Books, supplies and living expenses are not covered, nor are property deposit and student services fees.
3. **Is there a limit to the number of years or semesters a Texas veteran can receive the Hazlewood Exemption?**
No. However, there is a limit on the number of semester credit hours that may be exempted by the program. The exemption will cover all up to 150 semester credit hours. This limit is not per institution, but is a cumulative total per eligible participant.
4. **How does the exemption work? Will I get a check in the mail for tuition?**
The Hazlewood Act is an exemption from the payment of tuition and most fees. There is no money changing hands with this benefit. The institution the student attends absorbs the cost of tuition and some fees for that student.

DEPENDENTS & RESIDENCY

5. **5. Which dependents qualify for Hazlewood Act benefits ?**
Children and spouses (as of the Fall 2009 school term) of service members who were killed or die in the line of duty, are missing in action, who die as a result of injury or illness directly related to military service, or who became totally disabled for purposes of employability as a result of a service-related injury or illness are eligible for Hazlewood Act benefits provided (1) the child must have been a dependent of the eligible service member when the member died, sustained the disabling injury or when the service member was declared to be 100% unemployable by the VA. (2) the spouse or child must be able to provide official documentation from the VA indicating that the service member has a 100% unemployability rating, if applicable (3) the spouse must provide proof that he/she was the legal spouse of the eligible service member at the time the service member died, sustained his/her disabling injury, or was classified as missing in action

Effective as of the Fall 2009 school term, dependent children of military service members who are deployed to a combat zone outside the United States are eligible for exemption of tuition (not fees or other charges) at any public school in the State. The eligible child must be a Texas resident and be able to provide a copy of military orders assigning the parent(s) to a combat zone during the academic term for which the exemption is claimed.

6. **Would a veteran who was a dependent when his/her parents moved to Texas and who shortly thereafter entered the service be eligible?**
Yes. To be eligible, veterans must have entered the service in the State of Texas, declared Texas as their home of record in the manner provided by the military or other service, or were residents of Texas when they entered the service.
7. **Does the dependent child of a deceased service member using Hazlewood Act benefits have to be a Texas resident at the time he/she uses the benefit?**
Yes. The dependent child must be classified by their institutions as residents of Texas for the term or semester for which they apply for the Hazlewood Act exemption.
8. **Can the dependent children or spouses of a member of the Texas National Guard use the Hazlewood benefit?**
Yes. This benefit applies to the dependent children and spouses of members of Texas National Guard or Air National Guard units who were killed while on active duty while serving either the State of Texas or the United States or are totally disabled for purposes of employability. An eligible child or spouse must provide official military documentation indicating that he or she meets the requirements.

TRANSFERABILITY OF UNUSED HAZLEWOOD HOURS TO A CHILD (Legacy Program)

9. **Can eligible veterans transfer unused hours to a child?**
Yes. An eligible veteran may elect to waive his or her right to any unused hours for which he or she is eligible (up to the maximum 150 semester credit hours). The child designee must be the stepchild, biological, or adopted child of the parent veteran, or claimed as a dependent on a federal income tax return filed for the preceding or current tax year. The child must be a resident of Texas, be 25 years or younger on the first day of the semester or

term for which the exemption is claimed, and must be making satisfactory academic progress in a degree, certificate, or continuing education program as determined by the institution. Veterans' spouses are not eligible to receive a transfer of unused hours.

DISABLED VETERANS

10. **Does the Hazlewood Act provide benefits to injured/disabled veterans ?**
The Hazlewood Act is available to all veterans who meet the program eligibility requirements, regardless of injury or disability.

DISCHARGE ISSUES

11. **Does a veteran have to provide his/her DD214 to qualify?**
Yes. The veteran must provide official military documentation in the form of the DD214 to prove his/her eligibility for the Hazlewood Act exemption.
12. **I can't find my DD214. Where can I get a new copy?**
You can obtain a copy of your DD214 from the National Personnel Records Center in St. Louis, Missouri. The fastest way to obtain a copy is to submit your request via the NPRC website at www.vetrecs.archives.gov. You can also make your request via mail by sending in a Standard Form 180, which can be obtained by calling the Texas Veterans Commission toll-free at 1-800-252-VETS (8387).
13. **What is acceptable discharge language related to the phrase “under honorable conditions”?**
Discharges that have been characterized as “honorable” or “general, under honorable conditions” are legally acceptable for qualifying for the Hazlewood Act exemption. If other wording is used and you are unsure of its meaning, please contact the Texas Veterans Commission.
14. **My discharge is listed as “other than honorable.” Can I use the Hazlewood exemption?**
No. You must have a discharge of “honorable” or “general, under honorable conditions.” You can make a request to have your discharge status upgraded. For information, contact the Texas Veterans Commission.

15. **My military documents state I have an “honorable separation” as opposed to an “honorable discharge”. Can I still qualify for Hazlewood Act benefits?**
Yes. In September 1996, the Texas Attorney General issued an opinion that military personnel honorably separated after being on active duty may qualify for the Hazlewood Act exemption if they meet other program requirements.

LENGTH OF ACTIVE MILITARY DUTY

16. **Is the required amount of active service still 181 days? Are there any exceptions?**
The requirement is “more than 180 days” of active military service, excluding training, for the veteran. There are exceptions: veterans who completed all of their duty prior to the conclusion of the Korean War. If the applicant is the dependent child of a veteran who died in the line of duty, the active duty time of the veteran may be fewer than 181 days.
17. **If a veteran served less than 181 days of active duty service when he/she entered the service as a Texas resident, but had previously participated in active duty in the armed forces, could periods of service be combined to meet the 181-day requirement?**
Yes. The law requires more than 180 days of active duty excluding training. It does not indicate this duty time has to fall in the period of service after entering as a Texas resident.

MILITARY DUTY ISSUES

18. **Can service in the Texas National Guard qualify an individual for Hazlewood Act benefits?**
Maybe. The Hazlewood Act benefit is for veterans who served in the armed forces of the United States. The National Guard is a state unit. However, an individual in the National Guard who is called into active duty service by a branch of the United States Armed Forces who serves at least 181 days (excluding training) and meets all other program requirements may qualify for Hazlewood Act benefits.
19. **Can men/women who served in Operation Desert Storm qualify for Hazlewood Act benefits?**
Yes, as long as they meet all of the program requirements, including 181 days of active military duty, excluding training.

RESIDENCY OF VETERAN

20. **Can a veteran whose place of entry is in another state qualify for Hazlewood Act benefits if he/she was a Texas resident at the time of entry?**
Yes. In order to be eligible to receive a Hazlewood Act Exemption, a veteran must demonstrate that he or she was a Texas resident at the time of entry into military service, entered the service in the State of Texas, or declared Texas as his/her Home of Record at the time of entry as indicated on his/her DD214.
21. **Does an individual have to be a U.S. citizen when he/she enters service in order to receive Hazlewood Act benefits?**
No. U.S. citizenship is no longer a requirement. However, the veteran must meet one of the conditions listed in question 21.
22. **If the veteran is now a Texas resident but was not a resident at the time of entering the service, can he/she qualify for Hazlewood Act benefits?**
Maybe, but only if he or she entered the service in the State of Texas or declared Texas as his/her home of record at the time of entry into the service as indicated on his/her DD214..
23. **If someone from another state re-enters active duty after establishing residency in Texas, can he/she be eligible for Hazlewood Act benefits?**
Maybe, but only if he/she was out of the military and living in Texas long enough to establish Texas residency (12 months), enters the service in the State of Texas, or declares Texas as his or her home of record. Please note that if the person was in Texas simply because he/she was stationed here at the end of the previous enlistment period, the time while stationed here does NOT count toward the establishment of residence in Texas for the subsequent enlistment.

STUDENT FINANCIAL AID

24. **Is financial need an eligibility requirement?**
No. Hazlewood Act benefits are awarded regardless of financial need.