

801—9.3(35) Program for children of veterans who died on or after September 11, 2001.

9.3(1) *Definition.* For the purposes of this rule, a war orphan is:

a. A child who has not reached the age of 31 and who is the child of a man or woman who died in service or as a result of such service on or after September 11, 2001, as follows:

(1) While serving in the military or naval forces of the United States, to include members of the reserve components performing service or duties required or authorized under Chapter 39, United States Code, and Title 32, United States Code, Sections 502 through 505.

(2) Active state service required or authorized under Iowa Code chapter 29A, or as a result of such service.

b. A child who has not reached the age of 31 and who is the child of a national guardsman or other member of a reserve component who died or was killed in the performance of training or other duties ordered by federal or state authorities.

9.3(2) *Residency requirement.* To qualify for war orphan tuition assistance, the war orphan shall be the child of a veteran who died as a result of active military service and at the time of entering into active military service had maintained primary residence in this state for a period of at least six months immediately before entering into active military service.

9.3(3) *School requirement.* A war orphan shall attend a postsecondary educational institution in this state.

9.3(4) *Amount of payment.* In no case shall payment of war orphans educational assistance be an amount in excess of the highest resident undergraduate tuition rate established per year for an institution of higher learning under the control of the state board of regents, less the amount of any state and federal education benefits, grants, or scholarships received by the child, or the amount of the child's established financial need, whichever is less, to defray the expenses of tuition. The lifetime maximum payment to an eligible child shall be an amount not to exceed five times the highest resident undergraduate tuition rate established per year for an institution of higher learning under the control of the state board of regents.

9.3(5) *Age requirements.* In order to receive state educational assistance under this rule, a war orphan shall begin postsecondary education prior to reaching the age of 26. State educational assistance ceases at the time the war orphan reaches the age of 31.