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Hazlewood Act Policy Advisory 2015-02

Reference: Supporting Documentation for Grandchildren and Other Children Using Hazlewood, 40 TAC §§ 461.90(b)(3), 461.90(c)(1)

In certain circumstances, a grandchild may qualify for Hazlewood or Hazlewood Legacy benefits. For the purposes of this advisory, a “grandchild” means any child who is not a biological child, adopted child, or a stepchild of a qualified Hazlewood veteran.

The grandchild should only receive benefits if the qualified veteran grandparent or surviving spouse is raising or raised the grandchild as a child or *in loco parentis*.

Proof of dependency required for 40 TAC §§ 461.90(b)(3), 461.90(c)(1) for a child is a birth certificate, marriage certificate and birth certificate, adoption certificate, or a federal income tax return.

When a federal income tax return is used to prove dependency, we recommend that schools verify that the grandchild is actually a dependant of the veteran or veteran’s surviving spouse. Recommended techniques include:

1. Requiring the veteran/surviving spouse to provide proof that the income tax return was filed with the Internal Revenue Service.
2. Checking with your school’s financial aid office to see if the information provided on the Hazlewood application matches with the Free Application for Federal Student Aid application.
3. Checking with the address provided on the Texas Hazlewood Act Exemption Application with address that the grandchild provides on his or her school application.

While we do not want to place unnecessary burdens on students using benefits, we encourage schools to adopt reasonable safeguards against fraudulent applications. Schools are encouraged to contact Veterans Education if they have any questions.

/s/
Rufus Coburn
Director

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