§ 21.7658 False, late, or missing reports.

(a) Reservist. Payments may not be based on false or misleading statements, claims, or reports. VA will apply the provisions of §§ 21.4006 and 21.4007 of this part to a reservist or any other person who submits false or misleading claims, statements or reports in connection with benefits payable under 10 U.S.C. chapter 1606 in the same manner as they are applied to people who make similar false or misleading claims for benefits payable under 38 U.S.C. chapter 34 or 36.

(b) Educational institution or training establishment. (1) VA may hold an educational institution liable for overpayments which result from a willful or negligent:

(i) Failure of the educational institution to report, excessive absences from a course or discontinuance or interruption of a course by a reservist; or

(ii) False certification by the educational institution. See § 21.7644(c).

(2) If an educational institution or training establishment willfully and knowingly submits a false report or certification, VA may disapprove that institution's or establishment's courses for further enrollments and may discontinue educational assistance to reservists already enrolled. In doing so, VA will apply §§ 21.4210 through 21.4216.

§ 21.7659 Reporting fee.

In determining the amount of the reporting fee payable to educational institutions for furnishing required reports, VA will apply the provisions of § 21.4206.

§ 21.7658 Reporting fee.

In determining the amount of the reporting fee payable to educational institutions for furnishing required reports, VA will apply the provisions of § 21.4206.

§ 21.7670 Measurement of courses leading to a standard, undergraduate college degree.

Except as provided in § 21.7672, VA will measure a reservist's courses as stated in this section.

(a) Fourteen semester hours are full time. Unless 12 or 13 semester hours are full time as provided in paragraphs (b)
and (c) of this section, or unless paragraphs (d) or (e) of this section apply to measurement of the reservist’s enrollment VA will measure a reservist’s enrollment as follows:

(1) 14 or more semester hours or the equivalent are full-time training;
(2) 10 through 13 semester hours or the equivalent are three-quarter-time training;
(3) 7 through 9 semester hours or the equivalent are half-time training; and
(4) 1 through 6 semester hours or the equivalent are less than half-time training.


(b) Thirteen semester hours are full time. (1) VA will consider that 13 semester hours or the equivalent are full-time training when the educational institution certifies that all undergraduate students enrolled for 13 semester hours or the equivalent are—
(i) Charged full-time tuition, or
(ii) Considered full-time for other administrative purposes.
(2) When 13 semester hours or the equivalent are full-time training—
(i) 10 through 12 semester hours or the equivalent are three-quarter-time training;
(ii) 7 through 9 semester hours or the equivalent are half-time training; and
(iii) 1 through 6 semester hours or the equivalent are less than half-time training.


(c) Twelve semester hours are full time. (1) VA will consider that 12 semester hours or the equivalent are full-time training when the educational institution certifies that all undergraduate students enrolled for 12 semester hours or the equivalent are—
(i) Charged full-time tuition, or
(ii) Considered full time for other administrative purposes.
(2) When 12 semester hours or the equivalent are full-time training—
(i) 9 through 11 semester hours or the equivalent are three-quarter-time training;
(ii) 6 through 8 semester hours or the equivalent are half-time training; and
(iii) 1 through 5 semester hours or the equivalent are less than half-time training.


(d) Other requirements. Notwithstanding any other provision of this section, in administering benefits payable under 10 U.S.C. chapter 1606, VA shall apply the provisions of §21.4272.

(Authority: 10 U.S.C. 16136(b); 38 U.S.C. 3688(b))

§21.7672 Measurement of courses not leading to a standard college degree.

(a) Overview. (1) Courses not leading to a standard college degree may be measured on either a clock-hour basis, or a credit-hour basis or a combination of both. Factors which the Department of Veterans Affairs must include in determining the proper basis for measurement include whether the courses are accredited; whether the course could be credited toward a standard college degree; and whether the course is offered on a standard quarter or semester-hour basis.
(2) In determining which is the correct basis for measuring a reservist’s enrollment, VA will first examine whether credit-hour measurement is appropriate, as provided in paragraph (b) of this section.
(3) If it is not appropriate to measure a reservist’s enrollment on a credit-hour basis, VA will measure the enrollment on a clock-hour basis as described in paragraph (c) of this section.

(Authority: 10 U.S.C. 16136(b); 38 U.S.C. 3688(b))

(b) Credit-hour measurement—standard method. (1) When all the conditions of paragraph (b)(1) of this section are met, the Department of Veterans Affairs will—