

**§21.7614**

**38 CFR Ch. I (7-1-03 Edition)**

show that his or her complete program of education is not available at the educational institution in which he or she will pursue the major portion of his or her program (the primary educational institution), or that it cannot be scheduled within the period in which he or she plans to complete his or her program. A reservist who is limited in the types of courses he or she may pursue, as provided in §21.7540 (b)(2) and (b)(3), may pursue courses only at an institution of higher learning. If such a reservist cannot complete his or her program at one institution of higher learning, VA may approve a concurrent enrollment only if both the educational institutions the reservist enrolls in are institutions of higher learning.

(Authority: 10 U.S.C. 2131(c), 2136(b); 38 U.S.C. 3680(g); sec. 705(a)(1), Pub. L. 98-525, 98 Stat. 2565, 2567; sec. 642, Pub. L. 101-189, 103 Stat. 1456-1458)

(b) *Television.* In determining whether a reservist may pursue all or part of a program of education by television, VA will apply the provisions of §21.4233(c).

(Authority: 10 U.S.C. 16136(b); 38 U.S.C. 3680A)

[53 FR 34740, Sept. 8, 1988, as amended at 61 FR 20729, May 8, 1996; 61 FR 29303, June 10, 1996; 62 FR 40280, July 28, 1997]

**§21.7614 Changes of program.**

In determining whether a change of program of education may be approved for the payments of educational assistance, VA will apply §21.4234 of this part.

(Authority: 10 U.S.C. 16136(b), 38 U.S.C. 3691; Pub. L. 98-525, Pub. L. 101-366) (June 1, 1991)

[58 FR 50846, Sept. 29, 1993]

**COURSES**

**§21.7620 Courses included in programs of education.**

(a) *General.* Generally, VA will approve, and will authorize payment of educational assistance for the reservist's enrollment in any course or subject which a State approving agency has approved as provided in §21.7720 of this part, and which forms a part of a program of education as defined in §21.7520(b)(17). Restrictions on this gen-

eral rule are stated in the other paragraphs in this section and in §21.7722(b) of this part, however.

(Authority: 10 U.S.C. 16131; Pub. L. 98-525)

(b) *Flight training.* (1) VA may pay educational assistance for an enrollment in a flight training course when—

(i) An institution of higher learning offers the course for credit toward the standard college degree the reservist is pursuing; or

(ii) When:

(A) The reservist is eligible to pursue flight training as provided in §21.7540(b)(1) and (b)(3);

(B) The State approving agency has approved the course;

(C) A flight school is offering the course;

(D) The reservist's training meets the requirements of §21.4263(b)(1);

(E) The reservist meets the requirements of §21.4263(a); and

(F) The training for which payment is made occurs after September 29, 1990.

(2) VA will not pay educational assistance for an enrollment in a flight training course when the reservist is pursuing an ancillary flight objective.

(Authority: 10 U.S.C. 16131, 16136(c)(1); 38 U.S.C. 3034)

(c) *Independent study.* (1) VA will pay educational assistance to a reservist who is limited in the types of courses he or she may pursue, as provided in §21.7540(b)(2) and (b)(3), for an enrollment in any course or unit subject offered by independent study only when the reservist is enrolled concurrently in one or more courses or unit subjects offered by resident training.

(2) Only a reservist who meets the requirements of §21.7540(b)(1) may be paid educational assistance for an enrollment in an independent study course or unit subject leading to a standard college degree without a simultaneous enrollment in a course or unit subject offered by resident training.

(3) Except as provided in paragraph (c)(4) of this section and subject to the restrictions found in paragraph (c)(1) of this section, effective October 29, 1992, VA may pay educational assistance to