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H.72

Introduced by Representatives Till of Jericho, Christie of Hartford, Tate of
Mendon, Carr of Brandon, Chesnut-Tangerman of Middletown
Springs, Connor of Fairfield, Cupoli of Rutland City, Dunn of
Essex, Fields of Bennington, Gannon of Wilmington, Gonzalez
of Winooski, Lucke of Hartford, Morris of Bennington,
Morrissey of Bennington, Parent of St. Albans Town, Savage of
Swanton, Scheuermann of Stowe, Shaw of Pittsford, Sibia of
Dover, Smith of Derby, Strong of Albany, Terenzini of Rutland
Town, and Walz of Barre City

Referred to Committee on

Date:

Subject: Education; scholarships; Vermont National Guard

Statement of purpose of bill as introduced: This bill proposes to create the
Vermont National Guard Educational Assistance Program to enable members
of the Vermont National Guard to take courses tuition free at the University of
Vermont and State Agricultural College or a Vermont State College, and to
phase out the interest-free loan educational program currently available to
members of the Vermont National Guard.

1 An act relating to the Vermont National Guard Educational Assistance
2 Program

3 It is hereby enacted by the General Assembly of the State of Vermont:

4 Sec. 1. TITLE

5 This act shall be known as the Vermont National Guard Education
6 Assistance Act.

7 Sec. 2. 16 V.S.A. § 2857 is added to read:

8 § 2857. VERMONT NATIONAL GUARD EDUCATIONAL ASSISTANCE
9 PROGRAM

10 (a) A member of the Vermont National Guard who meets the eligibility
11 requirements in subsection (b) of this section may take courses tuition free at
12 the University of Vermont and State Agricultural College or a Vermont State
13 College. A member of the Vermont National Guard attending the University
14 of Vermont and State Agricultural College or a Vermont State College under
15 this section shall be charged the applicable resident tuition rate, regardless of
16 the residency status of the member, which shall be paid on behalf of the
17 member by the Corporation.

18 (b) To be eligible for the Vermont National Guard Educational Assistance
19 Program, an individual, whether resident or nonresident, shall satisfy all of the
20 following requirements:

21 (1) be an active member of the Vermont National Guard;

22 (2) have successfully completed basic training;

1 (3) be enrolled in a program at the University of Vermont and State
2 Agricultural College or a Vermont State College that leads to an undergraduate
3 certificate or degree;

4 (4) have exhausted any post-September 11, 2001 tuition benefits and
5 other federally funded military tuition assistance; provided that this subdivision
6 shall not apply to Montgomery GI Bill benefits, post-September 11, 2001
7 educational program housing allowances, federal educational entitlements,
8 National Guard scholarship grants, interest-free loans for financial assistance
9 to pay tuition and fees under section 2856 of this title, and other nontuition
10 benefits; and

11 (5) have submitted a statement of good standing to the Corporation or its
12 designee signed by the member's commanding officer within 30 days after the
13 beginning of each semester if the individual is enrolled as a full-time student,
14 or within 30 days after the beginning of each individual class if the individual
15 is not enrolled as a full-time student.

16 (c) For each full academic year of tuition-free attendance at the University
17 of Vermont and State Agricultural College or a Vermont State College under
18 this section, a member has a two-year service commitment with the Vermont
19 National Guard. If a member's service with the Vermont National Guard
20 terminates other than for cause, as determined by the Vermont National Guard,

1 before fulfilling this service commitment, the member shall reimburse the
2 Corporation a pro rata portion of the tuition paid under this section.

3 (d) A member of the Vermont National Guard who receives or has received
4 an interest-free loan for financial assistance to pay tuition and fees under
5 section 2856 of this title may take courses tuition free pursuant to this section
6 in accordance with policies, procedures, and guidelines established under
7 subsection (g) of this section.

8 (e)(1) The Office of the Adjutant and Inspector General may terminate the
9 educational assistance provided to a member of the Vermont National Guard
10 pursuant to this section if:

11 (A) the member's commanding officer revokes the statement of good
12 standing submitted pursuant to subdivision (b)(5) of this section as a result of
13 an investigation or disciplinary action that occurred after the statement of good
14 standing was issued;

15 (B) the member's service in the Vermont National Guard terminates
16 for cause, as determined by the Vermont National Guard;

17 (C) the member is dismissed from the University of Vermont and
18 State Agricultural College or a Vermont State College for academic or
19 disciplinary reasons; or

20 (D) the member withdraws from an academic course, following the
21 optional period, if any, to withdraw from the course, at the University of

1 Vermont and State Agricultural College or a Vermont State College for which
2 tuition is paid under this section without good cause, in which case the
3 educational assistance may be terminated for that course.

4 (2) If an individual's educational assistance is terminated pursuant to
5 subdivision (1) of this subsection, the individual shall be responsible on a
6 pro rata basis for the remaining tuition cost for the current semester or any
7 courses in which the individual is currently enrolled.

8 (3) An individual whose educational assistance has been terminated
9 pursuant to subdivision (1)(A), (B), or (C) of this subsection shall reimburse
10 the Corporation for the tuition paid under this section and shall be ineligible to
11 receive future educational assistance pursuant to this section.

12 (f) If a Vermont National Guard member is dismissed for academic or
13 disciplinary reasons from the University of Vermont and State Agricultural
14 College or a Vermont State College before receiving tuition benefits under this
15 section, or from any other school or educational institution, the Office of the
16 Adjutant and Inspector General may make a determination regarding the
17 member's eligibility to receive educational assistance pursuant to this section.

18 (g)(1) The Corporation, in consultation with the Office of the Adjutant and
19 Inspector General, shall adopt policies, procedures, and guidelines necessary to
20 implement the provisions of this section, which shall include eligibility
21 requirements, application requirements, acceptance requirements, criteria for

1 “good cause” as used in subdivision (e)(1)(D) of this section, and transitional
2 requirements for participants in the interest-free loan program established
3 under section 2856 of this title.

4 (2) The President of the University of Vermont and State Agricultural
5 College and the Chancellor of the Vermont State Colleges shall adopt policies
6 and procedures for the enrollment of Vermont National Guard members in
7 their institutions. These policies and procedures shall be consistent with the
8 policies, procedures, and guidelines adopted by the Corporation under
9 subdivision (g)(1) of this section.

10 (h) On or before November 1 of each year, the President of the University
11 of Vermont and State Agricultural College and the Chancellor of the Vermont
12 State Colleges shall report to the Governor and the House and Senate
13 Committees on Education regarding the number of Vermont National Guard
14 members enrolled at their institutions during the prior fiscal year who are
15 receiving educational assistance pursuant to this section and the courses or
16 program in which the members are enrolled. The provisions of 2 V.S.A.
17 § 20(d) (expiration of reports) shall not apply to the reports to be made under
18 this subsection.

19 Sec. 3. REPEAL

20 16 V.S.A. § 2856 (educational assistance; interest free loans) is repealed on
21 July 1, 2021.

1 Sec. 4. EFFECTIVE DATE

2 This act shall take effect on July 1, 2017.