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H.517

Introduced by Representative Fagan of Rutland City

Referred to Committee on

Date:

Subject: Education; Vermont National Guard Tuition Benefit Program

Statement of purpose of bill as introduced: This bill proposes to extend the Vermont National Guard Tuition Benefit Program to a member seeking a master's degree or a second baccalaureate degree, provided that the member satisfies eligibility criteria.

An act relating to the Vermont National Guard Tuition Benefit Program

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

~~Sec. 1. 16 V.S.A. § 2857 is amended to read:~~

~~§ 2857. VERMONT NATIONAL GUARD TUITION BENEFIT PROGRAM~~

~~(a) Program creation. The Vermont National Guard Tuition Benefit Program (Program) is created, under which a member of the Vermont National Guard (member) who meets the eligibility requirements in subsection (c) of this section is entitled to the following tuition benefit for up to full time attendance.~~

1 ~~(1) For courses at either campus of the Northern Vermont University~~  
2 ~~(NVU), the Vermont Technical College (VTC), the University of Vermont and~~  
3 ~~State Agricultural College (UVM), or at the Community College of Vermont~~  
4 ~~(CCV), the benefit shall be the in-state residence tuition rate for the relevant~~  
5 ~~institution.~~

6 ~~(2) For courses at a Vermont State College, other than NVU, VTC, or~~  
7 ~~CCV, or at any eligible Vermont private postsecondary institution, the benefit~~  
8 ~~shall be the in-state tuition rate charged by NVU.~~

9 ~~(3) For courses at an eligible training institution offering nondegree,~~  
10 ~~certificate training, or continuing education programs, the benefit shall be the~~  
11 ~~lower of the institution's standard tuition or the in-state tuition rate charged by~~  
12 ~~NVU.~~

13 ~~(b) Tuition benefit. The tuition benefit provided under the Program shall~~  
14 ~~be paid on behalf of the member by the Vermont Student Assistance~~  
15 ~~Corporation (VSAC), subject to the appropriation of funds by the General~~  
16 ~~Assembly specifically for this purpose. An eligible Vermont postsecondary~~  
17 ~~institution that accepts or receives the tuition benefit on behalf of a member~~  
18 ~~shall charge the member the tuition rate for an in-state student. The amount of~~  
19 ~~tuition for a member who attends an educational institution under the Program~~  
20 ~~on less than a full-time basis shall be reduced to reflect the member's course~~  
21 ~~load in a manner determined by VSAC under subdivision (f)(1) of this section.~~

1 ~~The tuition benefit shall be conditioned upon the member's executing a~~  
2 ~~promissory note obligating the member to repay the member's tuition benefit,~~  
3 ~~in whole or in part, if the member fails to complete the period of Vermont~~  
4 ~~National Guard service required in subsection (d) of this section, or if the~~  
5 ~~member's benefit is terminated pursuant to subdivision (e)(1) of this section.~~

6 (c) Eligibility.

7 (1) To be eligible for the Program, an individual, whether a resident or  
8 nonresident, shall satisfy all of the following requirements:

9 ~~(1)(A)~~ be an active member of the Vermont National Guard;

10 ~~(2)(B)~~ have successfully completed basic training;

11 ~~(3)(C)~~ be enrolled at UVM, a Vermont State College, or any other  
12 college or university located in Vermont in a program that leads to an  
13 undergraduate certificate ~~or a baccalaureate degree, or a graduate degree,~~ or at  
14 an eligible training institution in a program that leads to a certificate or other  
15 credential recognized by VSAC;

16 ~~(4)~~ have not previously earned an undergraduate bachelor's degree;

17 ~~(5)(D)~~ continually demonstrate satisfactory academic progress as  
18 determined by criteria established by the Vermont National Guard and VSAC,  
19 in consultation with the educational institution at which the individual is  
20 ~~enrolled under the Program,~~

1 ~~(6)(E) have used available post-September 11, 2001 tuition benefits and~~

2 other federally funded military tuition assistance; provided, however, that this  
3 subdivision shall not apply to:

4 ~~(A)(i)~~ tuition benefits and other federally funded military tuition  
5 assistance for which the individual has not yet earned the full amount of the  
6 benefit or tuition;

7 ~~(B)(ii)~~ Montgomery GI Bill benefits;

8 ~~(C)(iii)~~ post-September 11, 2001 educational program housing  
9 allowances;

10 ~~(D)(iv)~~ federal educational entitlements;

11 ~~(E)(v)~~ National Guard scholarship grants;

12 ~~(F)(vi)~~ loans under section 2856 of this title; and

13 ~~(G)(vii)~~ other nontuition benefits; and

14 ~~(7)(F)~~ have submitted a statement of good standing to VSAC signed by  
15 the individual's commanding officer within 30 days prior to the beginning of  
16 each semester.

17 (2)(A) To be eligible to pursue a second undergraduate baccalaureate  
18 degree under the Program, an individual, whether a resident or nonresident,  
19 shall satisfy all of the following requirements.

1 ~~(i) have received a first undergraduate baccalaureate degree that~~  
2 ~~was not funded under the Program or any other State funding source designed~~  
3 ~~exclusively for members of the Vermont National Guard; and~~

4 ~~(ii) pursue a second undergraduate baccalaureate degree that~~  
5 ~~qualifies the individual for a critical occupation career, which are any of~~  
6 ~~practical nursing, child care, nursing, mental health counseling programs,~~  
7 ~~bookkeeping, accounting, information technology services, production~~  
8 ~~technician, graphic design, software and web development, electrical,~~  
9 ~~plumbing, dental hygiene, small business management, radiologic science, and~~  
10 ~~respiratory therapy.~~

11 ~~(B) VSAC shall match baccalaureate degrees to the critical~~  
12 ~~occupation career list as updated from time to time by the General Assembly~~  
13 ~~to ensure compliance with this section.~~

14 ~~(3)(A) To be eligible to pursue a graduate degree under the Program, an~~  
15 ~~individual, whether a resident or nonresident, shall agree in the promissory~~  
16 ~~note under subsection (b) of this section to, upon receipt of the graduate~~  
17 ~~degree, be employed full time in Vermont or, if unemployed, be actively~~  
18 ~~seeking full-time employment in Vermont until the individual's service~~  
19 ~~commitment under subsection (d) of this section is satisfied.~~

1 ~~(B) An individual may pursue a graduate degree under the Program~~  
2 ~~even if the individual has received an undergraduate baccalaureate degree~~  
3 ~~under the Program.~~

4 (d) Service commitment.

5 (1) For each full academic year of attendance under the Program, a  
6 member shall be required to serve two years in the Vermont National Guard in  
7 order to receive the full tuition benefit under the Program.

8 (2) If a member's service with the Vermont National Guard terminates  
9 before the member fulfills this two-year service commitment, other than for  
10 good cause as determined by the Vermont National Guard, the individual shall  
11 reimburse VSAC a pro rata portion of the tuition paid under the Program  
12 pursuant to the terms of an interest-free reimbursement promissory note signed  
13 by the individual at the time of entering the Program.

14 (3) For members participating in the Program on a less than full-time  
15 basis, the member's service commitment shall be at the rate of one month of  
16 Vermont National Guard service commitment for each credit hour, not to  
17 exceed 12 months of service commitment for a single semester.

18 (e) Termination of tuition benefit.

19 (1) The Office of the Vermont Adjutant and Inspector General may  
20 ~~terminate the tuition benefit provided an individual under the Program if.~~

1           (A) the individual's commanding officer revokes the statement of  
2 good standing submitted pursuant to subdivision (c)(7) of this section as a  
3 result of an investigation or disciplinary action that occurred after the  
4 statement of good standing was issued;

5           (B) the individual is dismissed from the educational institution in  
6 which the individual is enrolled under the Program for academic or  
7 disciplinary reasons; or

8           (C) the individual withdraws without good cause from the  
9 educational institution in which the individual is enrolled under the Program;  
10 or

11           (D) for an individual who has earned a graduate degree under the  
12 Program, for failure to satisfy the work requirement under subdivision  
13 (c)(3)(A) of this section.

14           (2) If an individual's tuition benefit is terminated pursuant to  
15 subdivision (1) of this subsection, the individual shall reimburse VSAC for the  
16 tuition paid under the Program, pursuant to the terms of an interest-free  
17 reimbursement promissory note signed by the individual at the time of entering  
18 the Program; shall be responsible on a pro rata basis for the remaining tuition  
19 cost for the current semester or any courses in which the individual is currently  
20 enrolled; and shall be ineligible to receive future tuition benefits under the  
21 Program.

1       ~~(2) If an individual is dismissed for academic or disciplinary reasons~~  
2 from any postsecondary educational institution before receiving tuition  
3 benefits under the Program, the Office of the Adjutant and Inspector General  
4 may make a determination regarding the individual's eligibility to receive  
5 tuition benefits under the Program.

6       (f) Adoption of policies, procedures, and guidelines.

7       (1) VSAC, in consultation with the Office of the Adjutant and Inspector  
8 General, shall adopt policies, procedures, and guidelines necessary to  
9 implement the provisions of this section, which shall include eligibility,  
10 application, and acceptance requirements, proration of service requirements for  
11 academic semesters or attendance periods shorter than one year, data sharing  
12 guidelines, and the criteria for determining "good cause" as used in  
13 subdivisions (d)(2) and (e)(1)(C) of this section.

14       (2) Each educational institution participating in the Program shall adopt  
15 policies and procedures for the enrollment of members under the Program.  
16 These policies and procedures shall be consistent with the policies, procedures,  
17 and guidelines adopted by VSAC under subdivision (1) of this subsection.

18       (g) Reports.

19       (1) On or before November 1 of each year, the President, Chancellor, or  
20 equivalent position of each educational institution that participated in the  
21 Program during the immediately preceding school year shall report to the

1 ~~Vermont National Guard and VSAC regarding the number of members~~  
2 enrolled at its institution during that school year who received tuition benefits  
3 under the Program and, to the extent available, the courses or program in  
4 which the members were enrolled.

5 (2) On or before January 15 of each year, the Vermont National Guard  
6 and VSAC shall report these data and other relevant performance factors,  
7 including information pertaining to the achievement of the goals of this  
8 entitlement program and the costs of the Program to date, to the Governor, the  
9 House and Senate Committees on Education, and the House Committees on  
10 Appropriations and on General, Housing, and Military Affairs. The provisions  
11 of 2 V.S.A. § 20(d), expiration of reports, shall not apply to the reports to be  
12 made under this subsection.

13 Sec. 2. EFFECTIVE DATE

14 ~~This act shall take effect on passage.~~

*Sec. 1. 16 V.S.A. § 2857(c) is amended to read:*

*(c) Eligibility.*

*(1) To be eligible for the Program, an individual, whether a resident or nonresident, shall satisfy all of the following requirements:*

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

*(2)(B) have successfully completed basic training;*

~~(3)~~(C) be enrolled at UVM, a Vermont State College, or any other college or university located in Vermont in a program that leads to an undergraduate certificate or degree or at an eligible training institution in a program that leads to a certificate or other credential recognized by VSAC;

~~(4)~~(D) have not previously earned an undergraduate bachelor's degree;

~~(5)~~(E) continually demonstrate satisfactory academic progress as determined by criteria established by the Vermont National Guard and VSAC, in consultation with the educational institution at which the individual is enrolled under the Program;

~~(6)~~(F) have used available post-September 11, 2001 tuition benefits and other federally funded military tuition assistance; provided, however, that this subdivision shall not apply to:

~~(A)~~(i) tuition benefits and other federally funded military tuition assistance for which the individual has not yet earned the full amount of the benefit or tuition;

~~(B)~~(ii) Montgomery GI Bill benefits;

~~(C)~~(iii) post-September 11, 2001 educational program housing allowances;

~~(D)~~(iv) federal educational entitlements;

~~(E)~~(v) National Guard scholarship grants;

~~(F)~~(vi) loans under section 2856 of this title; and

~~(G)(vii)~~ other nontuition benefits; and

~~(7)(G)~~ have submitted a statement of good standing to VSAC signed by the individual's commanding officer within 30 days prior to the beginning of each semester.

~~(2) An individual may receive more than one undergraduate certificate or other credential recognized by VSAC under the Program, provided that the cost of all certificates and credentials received by the individual under the Program does not exceed the full-time in-state tuition rate charged by NVU for completion of an undergraduate baccalaureate degree.~~

Sec. 2. VERMONT NATIONAL GUARD TUITION BENEFIT

~~PROGRAM EXTENSION; MASTER'S DEGREE OR A SECOND  
BACCALAUREATE DEGREE; PILOT~~

~~(a) The provisions of this section shall apply notwithstanding 16 V.S.A. § 2857.~~

~~(b) A National Guard member shall be eligible to pursue a second undergraduate baccalaureate degree under the Vermont National Guard Tuition Benefit Program, whether a resident or nonresident, if the individual received a first undergraduate baccalaureate degree that was not funded under the Program or any other State funding source designed exclusively for members of the Vermont National Guard.~~

(c)(1) A National Guard member shall be eligible to pursue a graduate degree under the Program, whether a resident or nonresident, if the individual agrees in the promissory note under 16 V.S.A. § 2857(b) to, upon receipt of the graduate degree and until the individual's service commitment under 16 V.S.A. § 2857(d) is satisfied, be employed full time in Vermont or, if unemployed, be actively seeking full-time employment in Vermont.

(2) An individual may pursue a graduate degree under the Program even if the individual has received an undergraduate baccalaureate degree under the Program.

(3) The Office of the Vermont Adjutant and Inspector General may terminate the tuition benefit provided to an individual who has earned a graduate degree under the Program for failure to satisfy the work requirement under subdivision (1) this subsection.

*Sec. 3. REPEAL*

Sec. 2 of this act is repealed on July 1, 2025.

*Sec. 4. EFFECTIVE DATE*

This act shall take effect on July 1, 2022.