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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) For courses at either campus of the Northern Vermont University (NVU), the Vermont Technical College (VTC), the University of Vermont and

1 State Agricultural College (UVM), or at the Community College of Vermont
2 (CCV), the benefit shall be the in-state residence tuition rate for the relevant
3 institution.

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

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

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

1 in whole or in part, if the member fails to complete the period of Vermont
2 National Guard service required in subsection (d) of this section, or if the
3 member's benefit is terminated pursuant to subdivision (e)(1) of this section.

4 (c) Eligibility.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

14 (2)(A) To be eligible to pursue a second undergraduate baccalaureate
15 degree under the Program, an individual, whether a resident or nonresident,
16 shall satisfy all of the following requirements:

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

20 (ii) pursue a second undergraduate baccalaureate degree that
21 qualifies the individual for a critical occupation career, which are any of

1 practical nursing, child care, nursing, mental health counseling programs,
2 bookkeeping, accounting, information technology services, production
3 technician, graphic design, software and web development, electrical,
4 plumbing, dental hygiene, small business management, radiologic science, and
5 respiratory therapy.

6 (B) VSAC shall match baccalaureate degrees to the critical
7 occupation career list as updated from time to time by the General Assembly to
8 ensure compliance with this section.

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

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

18 (d) Service commitment.

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

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

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

11 (e) Termination of tuition benefit.

12 (1) The Office of the Vermont Adjutant and Inspector General may
13 terminate the tuition benefit provided an individual under the Program if:

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

18 (B) the individual is dismissed from the educational institution in
19 which the individual is enrolled under the Program for academic or
20 disciplinary reasons; ~~or~~

1 (C) the individual withdraws without good cause from the
2 educational institution in which the individual is enrolled under the Program;

3 or

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

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

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

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

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

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

13 (g) Reports.

14 (1) On or before November 1 of each year, the President, Chancellor, or
15 equivalent position of each educational institution that participated in the
16 Program during the immediately preceding school year shall report to the
17 Vermont National Guard and VSAC regarding the number of members
18 enrolled at its institution during that school year who received tuition benefits
19 under the Program and, to the extent available, the courses or program in
20 which the members were enrolled.

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

9 Sec. 2. EFFECTIVE DATE

10 This act shall take effect on passage.