

1 H.68

2 Introduced by Representatives Hango of Berkshire, Birong of Vergennes,  
3 Bartley of Fairfax, Boyden of Cambridge, Branagan of Georgia,  
4 Christie of Hartford, Coffin of Cavendish, Demar of Enosburgh,  
5 Galfetti of Barre Town, Goslant of Northfield, Gregoire of  
6 Fairfield, Higley of Lowell, Kascenska of Burke, Keyser of  
7 Rutland City, Laroche of Franklin, Luneau of St. Albans City,  
8 McFaun of Barre Town, Morgan, L. of Milton, Morgan, M. of  
9 Milton, North of Ferrisburgh, Noyes of Wolcott, Page of  
10 Newport City, Pinsonault of Dorset, Southworth of Walden,  
11 Stone of Burlington, and Tagliavia of Corinth

12 Referred to Committee on

13 Date:

14 Subject: Education; grants, scholarships, education loan programs; National  
15 Guard Tuition Benefit Program

16 Statement of purpose of bill as introduced: This bill proposes to extend the  
17 Vermont National Guard Tuition Benefit Program to a member seeking a  
18 graduate degree or a second baccalaureate degree, provided the member  
19 satisfies eligibility criteria.

20 An act relating to expanding the National Guard Tuition Benefit Program

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

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

3 § 2857. VERMONT NATIONAL GUARD TUITION BENEFIT PROGRAM

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

9 (1) For courses at any Vermont State College institution or the  
10 University of Vermont and State Agricultural College (UVM), the benefit shall  
11 be the in-state residence tuition rate for the relevant institution.

12 (2) For courses at any eligible Vermont private postsecondary  
13 institution, the benefit shall be the in-state tuition rate charged by UVM.

14 (3) For courses at an eligible training institution offering nondegree,  
15 certificate training, or continuing education programs, the benefit shall be the  
16 lower of the institution's standard tuition or the in-state tuition rate charged by  
17 UVM.

18 (4) For courses at a non-Vermont approved postsecondary education  
19 institution approved for federal Title IV funding where the degree program is  
20 not available in Vermont, the benefit shall be the in-state tuition rate charged  
21 by UVM.

1 (b) Tuition benefit.

2 (1) The tuition benefit provided under the Program shall be paid on  
3 behalf of the member by the Vermont Student Assistance Corporation  
4 (VSAC), subject to the appropriation of funds by the General Assembly  
5 specifically for this purpose. An eligible Vermont postsecondary institution  
6 that accepts or receives the tuition benefit on behalf of a member shall charge  
7 the member the tuition rate for an in-state student. The amount of tuition for a  
8 member who attends an educational institution under the Program on less than  
9 a full-time basis shall be reduced to reflect the member's course load in a  
10 manner determined by VSAC under subdivision (f)(1) of this section.

11 (2) The tuition benefit shall be conditioned upon the member's  
12 executing a promissory note obligating the member to repay the member's  
13 tuition benefit, in whole or in part, if the member fails to complete the period  
14 of Vermont National Guard service required in subsection (d) of this section,  
15 or if the member's benefit is terminated pursuant to subdivision (e)(1) of this  
16 section. If the member is pursuing a graduate degree under the Program, the  
17 member shall agree in the promissory note to, upon receipt of the graduate  
18 degree and until the individual's service commitment under subsection (d) of  
19 this section is satisfied, be employed full time in Vermont or, if unemployed,  
20 be actively seeking full-time employment in Vermont.

1 (c) Eligibility.

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

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

5 (B) have successfully completed basic training;

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

11 (D) have not previously earned an undergraduate bachelor's degree  
12 that was funded under the Program or any other State funding source  
13 designated exclusively for members of the Vermont National Guard;

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

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

1 (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 (ii) Montgomery GI Bill benefits;

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

7 (iv) federal educational entitlements;

8 (v) National Guard scholarship grants;

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

10 (vii) other nontuition benefits; and

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

19 (3) Notwithstanding subdivision (c)(1)(D) of this section, an individual  
20 may pursue a graduate degree under the Program even if the individual has  
21 received an undergraduate baccalaureate degree under the Program.

1 (d) Service commitment.

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

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

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

15 (e) Termination of tuition benefit.

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

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

1           (B) the individual is dismissed from the educational institution in  
2           which the individual is enrolled under the Program for academic or  
3           disciplinary reasons; ~~or~~

4           (C) the individual withdraws without good cause from the  
5           educational institution in which the individual is enrolled under the Program;  
6           or

7           (D) the individual has earned a graduate degree under the Program  
8           and fails to satisfy the work requirement contained in subdivision (b)(2) of this  
9           section.

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

18           (3) If an individual is dismissed for academic or disciplinary reasons  
19           from any postsecondary educational institution before receiving tuition  
20           benefits under the Program, the Office of the Adjutant and Inspector General

1 may make a determination regarding the individual's eligibility to receive  
2 tuition benefits under the Program.

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

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

11 (2) Each educational institution participating in the Program shall adopt  
12 policies and procedures for the enrollment of members under the Program.

13 These policies and procedures shall be consistent with the policies, procedures,  
14 and guidelines adopted by VSAC under subdivision (1) of this subsection.

15 (g) Reports.

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

1 under the Program and, to the extent available, the courses or program in  
2 which the members were enrolled.

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

11 Sec. 2. EFFECTIVE DATE

12 This act shall take effect on July 1, 2025.