

1 S.130

2 Introduced by Senators Ram Hinsdale and Weeks

3 Referred to Committee on

4 Date:

5 Subject: Education; grants, scholarships, education loan programs; National

6 Guard Tuition Benefit Program

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

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

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

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

14 § 2857. VERMONT NATIONAL GUARD TUITION BENEFIT PROGRAM

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

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

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

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

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

14 (b) Tuition benefit.

15 (1) The tuition benefit provided under the Program shall be paid on
16 behalf of the member by the Vermont Student Assistance Corporation
17 (VSAC), subject to the appropriation of funds by the General Assembly
18 specifically for this purpose. An eligible Vermont postsecondary institution
19 that accepts or receives the tuition benefit on behalf of a member shall charge
20 the member the tuition rate for an in-state student. The amount of tuition for a
21 member who attends an educational institution under the Program on less than

1 a full-time basis shall be reduced to reflect the member's course load in a
2 manner determined by VSAC under subdivision (f)(1) of this section.

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

13 (c) Eligibility.

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

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

17 (B) have successfully completed basic training;

18 (C) be enrolled at UVM, a Vermont State College, or any other
19 college or university located in Vermont in a program that leads to an
20 undergraduate certificate ~~or~~, a baccalaureate degree, or a graduate degree, or at

1 an eligible training institution in a program that leads to a certificate or other
2 credential recognized by VSAC;

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

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

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

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

16 (ii) Montgomery GI Bill benefits;

17 (iii) post-September 11, 2001 educational program housing
18 allowances;

19 (iv) federal educational entitlements;

20 (v) National Guard scholarship grants;

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

1 (vii) other nontuition benefits; and

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

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

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

13 (d) Service commitment.

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

17 (2) If a member's service with the Vermont National Guard terminates
18 before the member fulfills this two-year service commitment, other than for
19 good cause as determined by the Vermont National Guard, the individual shall
20 reimburse VSAC a pro rata portion of the tuition paid under the Program

1 pursuant to the terms of an interest-free reimbursement promissory note signed
2 by the individual at the time of entering the Program.

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

7 (e) Termination of tuition benefit.

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

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

14 (B) the individual is dismissed from the educational institution in
15 which the individual is enrolled under the Program for academic or
16 disciplinary reasons; ~~or~~

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

19 or

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

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

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

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

18 (1) VSAC, in consultation with the Office of the Adjutant and Inspector
19 General, shall adopt policies, procedures, and guidelines necessary to
20 implement the provisions of this section, which shall include eligibility,
21 application, and acceptance requirements; proration of service requirements

1 for academic semesters or attendance periods shorter than one year; data
2 sharing guidelines; and the criteria for determining “good cause” as used in
3 subdivisions (d)(2) and (e)(1)(C) of this section.

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

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

8 (g) Reports.

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

16 (2) On or before January 15 of each year, the Vermont National Guard
17 and VSAC shall report these data and other relevant performance factors,
18 including information pertaining to the achievement of the goals of this
19 entitlement program and the costs of the Program to date, to the Governor, the
20 House and Senate Committees on Education, and the House Committees on
21 Appropriations and on General, Housing, and Military Affairs. The provisions

1 of 2 V.S.A. § 20(d), expiration of reports, shall not apply to the reports to be
2 made under this subsection.

3 Sec. 2. EFFECTIVE DATE

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