

H. 480

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VSAC comments and proposed revisions, 04.17.2025.

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*** Vermont National Guard Tuition Benefit Program ***

12 Sec. 11. 16 V.S.A. § 2857 is amended to read:

13 § 2857. VERMONT NATIONAL GUARD TUITION BENEFIT PROGRAM

14 (a) Program creation. The Vermont National Guard Tuition Benefit

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

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

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

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

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

Commented [TL1]: See comment to subsection c on page 3.

11 (b) Tuition benefit.

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

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

11 (c) Eligibility.

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

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

15 (B) have successfully completed basic training;

16 (C) be enrolled

Commented [TL2]: This is the language the Guard has requested to be deleted. Here is the text of Dep. Adj. Gen. Harder's April 15 email message to Senators Ram Hinsdale and Weeks (also shared with Will Slattery on April 17):

We do not believe that a Vermont National Guard member should be mandated to either live in Vermont or being looking for a job in Vermont to take advantage of pursuing a graduate degree through this program. A significant number of our drill status (part-time) members live and work outside of Vermont. We benefit greatly from the participation of these members in the Vermont National Guard. We do not want to exclude them from the opportunity to pursue a graduate degree just because they live and work outside of Vermont.

Commented [TL3]: This list of enrollment options omits an option expressly authorized in subdivision (a)(4), above, which states that a qualified Guard member may take courses "at a non-Vermont approved postsecondary education institution approved for federal Title IV funding where the degree program is not available in Vermont, the benefit shall be the in-state tuition rate charged by UVM." In a typical year, some Guard members in this program, sometimes those who are residents of another state, use the program to attend college in a state outside Vermont, where VSAC has determined that the degree program is not available in Vermont. This is consistent with how VSAC administers its state grant programs. VSAC, and the Guard, request that subsection (c) be revised to conform subsection (c) with subdivision (a)(4).

17 (i) at UVM, a Vermont State College, or any other college or
18 university located in Vermont in a program that leads to an undergraduate
19 certificate or, an undergraduate degree, or a graduate degree, provided, however, that an
eligible member may be enrolled at a non-Vermont approved postsecondary education
8 institution approved for federal Title IV funding where the degree program is
9 not available in Vermont and where the benefit shall be the in-state tuition rate charged
10 by UVM; or

20 (ii) at an eligible training institution in a program that leads to a
21 certificate or other credential recognized by VSAC;

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

2 [Repealed.]

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

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

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

13 (ii) Montgomery GI Bill benefits;

14 (iii) post-September 11, 2001 educational program housing
15 allowances;

16 (iv) federal educational entitlements;

17 (v) National Guard scholarship grants;

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

19 (vii) other nontuition benefits; and

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

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

10 (d) Service commitment.

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

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

20 (3) For members participating in the Program on a less than full-time
21 basis, the member's service commitment shall be at the rate of one month of

(Draft No. 5.1 – H.480) Page 17 of 21

4/11/2025 - BSJ - 08:44 PM

VT LEG #382407 v.5

1 Vermont National Guard service commitment for each credit hour, not to
2 exceed 12 months of service commitment for a single semester.

3 (e) Termination of tuition benefit.

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

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

10 (B) the individual is dismissed from the educational institution in
11 which the individual is enrolled under the Program for academic or
12 disciplinary reasons; or

13 (C) the individual withdraws without good cause from the
14 educational institution in which the individual is enrolled under the Program;
15 or

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

19 (2) If an individual's tuition benefit is terminated pursuant to
20 subdivision (1) of this subsection, the individual shall reimburse VSAC for the
21 tuition paid under the Program, pursuant to the terms of an interest-free

(Draft No. 5.1 – H.480) Page 18 of 21

4/11/2025 - BSJ - 08:44 PM

VT LEG #382407 v.5

1 reimbursement promissory note signed by the individual at the time of entering
2 the Program; shall be responsible on a pro rata basis for the remaining tuition

3 cost for the current semester or any courses in which the individual is currently
4 enrolled; and shall be ineligible to receive future tuition benefits under the
5 Program.

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

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

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

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

(Draft No. 5.1 – H.480) Page 19 of 21

4/11/2025 - BSJ - 08:44 PM

VT LEG #382407 v.5

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

3 (g) Reports.

4 (1) On or before November 1 of each year, the President, Chancellor, or
5 equivalent position of each educational institution that participated in the

6 Program during the immediately preceding school year shall report to the
7 Vermont National Guard and VSAC regarding the number of members
8 enrolled at its institution during that school year who received tuition benefits
9 under the Program and, to the extent available, the courses or program in
10 which the members were enrolled.

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