

1 SB340
2 184337-1
3 By Senator Brewbaker
4 RFD: Education and Youth Affairs
5 First Read: 04-APR-17

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8 SYNOPSIS: Under existing law, the National Guard
9 Educational Assistance Act authorizes the Alabama
10 Commission on Higher Education to pay or reimburse
11 the tuition of any eligible active member of the
12 Alabama National Guard enrolled in an accredited
13 institution of higher education, technical college,
14 or junior college within the state and supplemental
15 educational assistance benefits are provided to
16 eligible active members of the Alabama National
17 Guard through the Alabama Commission on Higher
18 Education.

19 This bill would clarify that the tuition
20 assistance under the National Guard Educational
21 Assistance Act is available to the National Guard
22 Member regardless of whether he or she is enrolled
23 in and attending a public institution of higher
24 education, an accredited private institution of
25 higher education, or a partnership formed between
26 or among public and accredited private institutions
27 of higher education.

1 This bill would also provide that the
2 supplemental educational assistance benefits are
3 available to the National Guard Member regardless
4 of whether he or she is enrolled in and attending a
5 public or accredited private community or junior
6 college, a public or accredited private institution
7 of higher education, or a partnership formed
8 between or among public and accredited private
9 community or junior colleges or institutions of
10 higher education.

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12 A BILL
13 TO BE ENTITLED
14 AN ACT

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16 To amend Sections 31-10-3, 31-10-21, and 31-10-25,
17 Code of Alabama 1975, relating to the National Guard
18 Educational Assistance Act and supplemental educational
19 assistance benefits for eligible active members of the Alabama
20 National Guard; to clarify and provide that the tuition
21 assistance is available for members who are enrolled in and
22 attending a public institution of higher education, an
23 accredited private institution of higher education, or a
24 partnership between or among any of them; and to provide that
25 the supplemental educational assistance benefits are available
26 for members who are enrolled in and attending a public or
27 accredited private community or junior college, a public or

1 accredited private institution of higher education, or a
2 partnership between or among any of them.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. Sections 31-10-3, 31-10-21, and 31-10-25
5 of the Code of Alabama 1975, are amended to read as follows:

6 "§31-10-3.

7 "The Alabama Commission on Higher Education is
8 hereby authorized to pay or reimburse the tuition for any
9 active member of the Alabama National Guard who is enrolled in
10 a program leading to the associate, baccalaureate, masters, or
11 doctorate degree in ~~an~~ a public or private accredited
12 institution of higher learning, technical college, or junior
13 college within the State of Alabama, or a partnership formed
14 between or among any of them. To be eligible for ~~such~~
15 benefits, the individual, at the time of his or her enrollment
16 ~~must~~ shall be a member of the Alabama National Guard in good
17 standing and a member of a federally recognized unit of the
18 Alabama National Guard. The member ~~must~~ shall be at least 17
19 years of age and ~~must~~ shall be a resident of the State of
20 Alabama. The tuition grant authorized under this article may
21 be used for undergraduate or graduate studies. In no event
22 ~~will~~ shall any individual be eligible to receive more than 100
23 percent of covered expenses when combined with similar federal
24 veterans' educational benefits available to members of the
25 National Guard. All applicants for a tuition grant shall
26 complete a Free Application for Student Financial Aid (FAFSA).
27 No person shall be eligible for a tuition grant for more than

1 12 years after the date of the first tuition payment to him or
2 her under this article. For degrees above the baccalaureate,
3 only 10 percent of the total funds of the benefit program are
4 to be utilized. The Alabama Commission on Higher Education
5 shall set up minimum standards for performance that ~~must~~ shall
6 be met in order to maintain eligibility for the continuation
7 of the receipt of tuition grants under this article.

8 "§31-10-21.

9 "(a) Any active member of the Alabama National Guard
10 who has successfully completed advanced individual training or
11 commissioning shall be entitled to the tuition benefits
12 provided by this article upon his or her enrollment in a
13 degree objective in any accredited private junior or technical
14 college or community or junior college that is under the
15 authority of the ~~State Board of Education~~ Alabama Community
16 College System, or enrollment in pursuit of his or her first
17 undergraduate degree objective in any public or accredited
18 private college or university within the state, or any
19 partnership formed between or among any of them. Certification
20 and eligibility for the tuition benefits provided by this
21 article shall be determined by the State Education Services
22 Office of the Alabama National Guard which shall promulgate
23 and implement administrative rules and procedures that it
24 deems necessary to carry out and monitor the tuition benefits
25 provided by this article.

26 "(b) Any active member of the Alabama National Guard
27 who enrolls utilizing the tuition benefits provided by this

1 article shall complete the requirements for an undergraduate
2 degree no later than 10 years from the date of initial
3 enrollment or the active member shall be responsible for all
4 costs of any further studies required to attain his or her
5 degree. ~~Active~~ The active member ~~must~~ shall currently have and
6 maintain an overall C average, or the grade point equivalent
7 thereof, at the end of each term. Failure to do so shall
8 result in the termination of the tuition benefits provided by
9 this article. If a student withdraws, declares academic
10 bankruptcy, or is granted a grade waiver through a forgiveness
11 program, he or she is responsible for paying back that portion
12 of tuition and fees the state paid on his or her behalf.

13 "(c) Each educational institution that enrolls an
14 active member of the Alabama National Guard who is eligible
15 for the tuition benefits provided by this article shall take
16 necessary action to insure that the active member is aware of
17 all benefits that he or she may be entitled to under the
18 Montgomery G.I. Bill, any other VA educational benefits, any
19 student grant or scholarship, the Active Duty Tuition
20 Assistance Program, and the Alabama National Guard Education
21 Assistance Program. In order to receive the tuition benefits
22 provided by this article, the active member of the Alabama
23 National Guard shall take the necessary steps to utilize all
24 of the above benefits.

25 "§31-10-25.

26 "The Alabama Commission on Higher Education shall
27 serve as fiscal agent. Each institution shall submit to the

1 Alabama Commission on Higher Education a copy of the guard
2 member's completed application which shall serve as a basis of
3 payment. Neither ACHE nor the public or private institutions
4 shall pay nor be held responsible for tuition benefits to
5 otherwise eligible students in the Alabama National Guard
6 Education Assistance Program which are in excess of available
7 appropriations. The tuition benefits of this program shall be
8 mandated only to the extent that funds are appropriated by the
9 Legislature for the program."

10 Section 2. This act shall become effective on the
11 first day of the third month following its passage and
12 approval by the Governor, or its otherwise becoming law.