

Hanson, Ch
Grundberg
Wamstadt

HSB 215

EDUCATION

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SENATE/HOUSE FILE _____
BY (PROPOSED GOVERNOR'S BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to educational assistance for members of the
2 national guard.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. 261.86 NATIONAL GUARD
2 EDUCATIONAL ASSISTANCE PROGRAM.

3 1. A national guard educational assistance program is
4 established to be administered by the college student aid
5 commission for members of the Iowa national guard who are
6 enrolled as undergraduate students in a community college, an
7 institution of higher learning under the state board of
8 regents, or an accredited private institution. The college
9 student aid commission shall adopt rules pursuant to chapter
10 17A to administer this section. An individual is eligible for
11 the national guard educational assistance program if the
12 individual meets all of the following conditions:

13 a. Is a resident of the state and a member of an Iowa army
14 or air national guard unit while receiving educational
15 assistance pursuant to this section.

16 b. Satisfactorily completed required initial active duty
17 training.

18 c. Maintains satisfactory performance of duty upon return
19 from initial active duty training, including attending a
20 minimum ninety percent of scheduled drill dates and attending
21 annual training.

22 d. Is enrolled as an undergraduate student in a community
23 college as defined in section 260C.2, an institution of higher
24 learning under the control of the board of regents, or an
25 accredited private institution as defined in section 261.9,
26 and is maintaining satisfactory academic progress.

27 e. Provides proper notice of national guard status to the
28 community college or institution at the time of registration
29 for the term in which tuition benefits are sought.

30 f. Submits an application to the adjutant general of Iowa,
31 on forms prescribed by the adjutant general, who shall
32 determine eligibility and whose decision is final.

33 2. The amount of educational assistance received by a
34 national guard member pursuant to this section shall be
35 determined by the adjutant general and shall not exceed the

1 resident tuition rate established for institutions of higher
 2 learning under the control of the state board of regents. If
 3 the amount appropriated in a fiscal year for purposes of this
 4 section is insufficient to provide educational assistance to
 5 all national guard members who apply for the program and who
 6 are determined by the adjutant general to be eligible for the
 7 program, the adjutant general shall determine the amount of
 8 educational assistance each eligible guard member shall
 9 receive. However, educational assistance paid to an eligible
 10 national guard member shall not be less than an amount equal
 11 to fifty percent of the resident tuition rate established for
 12 institutions of higher learning under the control of the state
 13 board of regents. The adjutant general shall not determine
 14 educational assistance amounts based upon a national guard
 15 member's unit, the location at which drills are attended, or
 16 whether the eligible individual is a member of the Iowa army
 17 or air national guard.

18 3. An eligible member of the national guard, attending an
 19 institution as provided in subsection 1, paragraph "d", as a
 20 full-time student, shall not receive educational assistance
 21 under this section for more than eight semesters, or if
 22 attending as a part-time student for not more than sixteen
 23 semesters, of undergraduate study, or the trimester or quarter
 24 equivalent. A national guard member who has met the
 25 educational requirements for a baccalaureate degree is
 26 ineligible for educational assistance under this section.

27 4. The eligibility of applicants and amounts of
 28 educational assistance to be paid shall be certified by the
 29 adjutant general of Iowa to the college student aid
 30 commission, and all amounts that are or become due to a
 31 community college, accredited private institution, or
 32 institution of higher learning under the control of the state
 33 board of regents under this section shall be paid to the
 34 college or institution by the college student aid commission
 35 upon receipt of certification by the president or governing

1 board of the educational institution as to accuracy of charges
2 made, and as to the attendance and academic progress of the
3 individual at the educational institution. The college
4 student aid commission shall maintain an annual record of the
5 number of participants and the dollar value of the educational
6 assistance provided.

7 5. For purposes of this section, unless otherwise
8 required, "educational assistance" means the same as "cost of
9 attendance" as defined in Title IV, part B, of the federal
10 Higher Education Act of 1965 as amended.

11 Sec. 2. Section 261.21, Code 1999, is repealed.

12 EXPLANATION

13 This bill repeals the national guard tuition aid program,
14 and creates the national guard education assistance program
15 under the administration of the college student aid
16 commission.

17 The main difference between the program repealed under the
18 bill and the newly created program, is that the new program
19 provides an eligible national guard member with a maximum
20 level of educational assistance equal to up to 100 percent,
21 rather than up to 50 percent, of the resident tuition rate at
22 regents universities. As with the tuition aid program, the
23 eligible member may use the educational assistance for
24 undergraduate studies at any community college, regents
25 university, or accredited private institution.

26 Another difference between the old and new program is the
27 change from "tuition aid" to "educational assistance".
28 "Educational assistance", as defined by the bill, is the cost
29 of attendance as defined by the federal Higher Education Act
30 of 1965, as amended. Under the federal Act, "cost of
31 attendance" includes but is not limited to tuition and fees,
32 including the rental or purchase of equipment; room and board;
33 books, materials, supplies, transportation, and miscellaneous
34 personal expenses; dependent care during the time the person
35 is in class; costs associated with employment in a cooperative

1 program; and loan origination fees.

2 As with the tuition aid program, under the educational
3 assistance program, an individual is eligible for the program
4 if the individual is a resident of the state and a member of
5 an Iowa army or air national guard unit, satisfactorily
6 completed required initial active duty training, maintains
7 satisfactory performance of duty upon return from initial
8 active duty training, is maintaining satisfactory academic
9 progress, provides proper notice of national guard status to
10 the community college or institution at the time of
11 registration for the term in which tuition benefits are
12 sought, and submits an application to the adjutant general of
13 Iowa, who determines eligibility and whose decision is final.

14 If the amount appropriated for the program is insufficient
15 to provide educational assistance to all eligible national
16 guard members, the adjutant general is authorized to determine
17 the amount of educational assistance each eligible guard
18 member receives. However, that amount shall not be less than
19 50 percent of the resident tuition rate established for
20 regents universities. The adjutant general is prohibited from
21 determining educational assistance amounts based upon a
22 national guard member's unit, the location at which drills are
23 attended, or whether the eligible individual is a member of
24 the Iowa army or air national guard.

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MAR 8 1999

EDUCATION

HOUSE FILE

554

BY SCHRADER, COHOON, MERTZ, CHIODO,
WHITEAD, WEIGEL, LARKIN, BUKTA,
WARNSTADT, PARMENTER, TAYLOR,
MASCHER, KUHN, BELL, O'BRIEN,
OSTERHAUS, JOCHUM, MAY, MUNDIE,
HUSER, WISE, RICHARDSON, FREVERT,
MURPHY, BURNETT, REYNOLDS, FALCK,
DOTZLER, CONNORS, FOEGE, MYERS,
CHAPMAN, STEVENS, and SCHERRMAN

Formerly HSB 215

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