

Senate Study Bill 1208

Bill Text

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1 1 Section 1. NEW SECTION. 261.86 NATIONAL GUARD
1 2 EDUCATIONAL ASSISTANCE PROGRAM.
1 3 1. A national guard educational assistance program is
1 4 established to be administered by the college student aid
1 5 commission for members of the Iowa national guard who are
1 6 enrolled as undergraduate students in a community college, an
1 7 institution of higher learning under the state board of
1 8 regents, or an accredited private institution. The college
1 9 student aid commission shall adopt rules pursuant to chapter
1 10 17A to administer this section. An individual is eligible for
1 11 the national guard educational assistance program if the
1 12 individual meets all of the following conditions:
1 13 a. Is a resident of the state and a member of an Iowa army
1 14 or air national guard unit while receiving educational
1 15 assistance pursuant to this section.
1 16 b. Satisfactorily completed required initial active duty
1 17 training.
1 18 c. Maintains satisfactory performance of duty upon return
1 19 from initial active duty training, including attending a
1 20 minimum ninety percent of scheduled drill dates and attending
1 21 annual training.
1 22 d. Is enrolled as an undergraduate student in a community
1 23 college as defined in section 260C.2, an institution of higher
1 24 learning under the control of the board of regents, or an
1 25 accredited private institution as defined in section 261.9,
1 26 and is maintaining satisfactory academic progress.
1 27 e. Provides proper notice of national guard status to the
1 28 community college or institution at the time of registration
1 29 for the term in which tuition benefits are sought.
1 30 f. Submits an application to the adjutant general of Iowa,
1 31 on forms prescribed by the adjutant general, who shall
1 32 determine eligibility and whose decision is final.
1 33 2. The amount of educational assistance received by a
1 34 national guard member pursuant to this section shall be
1 35 determined by the adjutant general and shall not exceed the
2 1 resident tuition rate established for institutions of higher
2 2 learning under the control of the state board of regents. If
2 3 the amount appropriated in a fiscal year for purposes of this
2 4 section is insufficient to provide educational assistance to
2 5 all national guard members who apply for the program and who
2 6 are determined by the adjutant general to be eligible for the
2 7 program, the adjutant general shall determine the amount of
2 8 educational assistance each eligible guard member shall
2 9 receive. However, educational assistance paid to an eligible
2 10 national guard member shall not be less than an amount equal
2 11 to fifty percent of the resident tuition rate established for
2 12 institutions of higher learning under the control of the state
2 13 board of regents. The adjutant general shall not determine
2 14 educational assistance amounts based upon a national guard
2 15 member's unit, the location at which drills are attended, or
2 16 whether the eligible individual is a member of the Iowa army
2 17 or air national guard.
2 18 3. An eligible member of the national guard, attending an
2 19 institution as provided in subsection 1, paragraph "d", as a
2 20 full-time student, shall not receive educational assistance
2 21 under this section for more than eight semesters, or if

2 22 attending as a part-time student for not more than sixteen
2 23 semesters, of undergraduate study, or the trimester or quarter
2 24 equivalent. A national guard member who has met the
2 25 educational requirements for a baccalaureate degree is
2 26 ineligible for educational assistance under this section.

2 27 4. The eligibility of applicants and amounts of
2 28 educational assistance to be paid shall be certified by the
2 29 adjutant general of Iowa to the college student aid
2 30 commission, and all amounts that are or become due to a
2 31 community college, accredited private institution, or
2 32 institution of higher learning under the control of the state
2 33 board of regents under this section shall be paid to the
2 34 college or institution by the college student aid commission
2 35 upon receipt of certification by the president or governing
3 1 board of the educational institution as to accuracy of charges
3 2 made, and as to the attendance and academic progress of the
3 3 individual at the educational institution. The college
3 4 student aid commission shall maintain an annual record of the
3 5 number of participants and the dollar value of the educational
3 6 assistance provided.

3 7 5. For purposes of this section, unless otherwise
3 8 required, "educational assistance" means the same as "cost of
3 9 attendance" as defined in Title IV, part B, of the federal
3 10 Higher Education Act of 1965 as amended.

3 11 Sec. 2. Section [261.21](#), Code 1999, is repealed.

3 12 EXPLANATION

3 13 This bill repeals the national guard tuition aid program,
3 14 and creates the national guard education assistance program
3 15 under the administration of the college student aid
3 16 commission.

3 17 The main difference between the program repealed under the
3 18 bill and the newly created program, is that the new program
3 19 provides an eligible national guard member with a maximum
3 20 level of educational assistance equal to up to 100 percent,
3 21 rather than up to 50 percent, of the resident tuition rate at
3 22 regents universities. As with the tuition aid program, the
3 23 eligible member may use the educational assistance for
3 24 undergraduate studies at any community college, regents
3 25 university, or accredited private institution.

3 26 Another difference between the old and new program is the
3 27 change from "tuition aid" to "educational assistance".
3 28 "Educational assistance", as defined by the bill, is the cost
3 29 of attendance as defined by the federal Higher Education Act
3 30 of 1965, as amended. Under the federal Act, "cost of
3 31 attendance" includes but is not limited to tuition and fees,
3 32 including the rental or purchase of equipment; room and board;
3 33 books, materials, supplies, transportation, and miscellaneous
3 34 personal expenses; dependent care during the time the person
3 35 is in class; costs associated with employment in a cooperative
4 1 program; and loan origination fees.

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

4 14 If the amount appropriated for the program is insufficient
4 15 to provide educational assistance to all eligible national
4 16 guard members, the adjutant general is authorized to determine
4 17 the amount of educational assistance each eligible guard
4 18 member receives. However, that amount shall not be less than

4 19 50 percent of the resident tuition rate established for
4 20 regents universities. The adjutant general is prohibited from
4 21 determining educational assistance amounts based upon a
4 22 national guard member's unit, the location at which drills are
4 23 attended, or whether the eligible individual is a member of
4 24 the Iowa army or air national guard.
4 25 LSB 2432XC 78
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