

Senate File 361 - Introduced

SENATE FILE 361
BY BOUSSELOT

A BILL FOR

- 1 An Act establishing the armed forces reserve component
- 2 scholarship program within the college student aid commission.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. NEW SECTION. **256.211A Armed forces reserve**
2 **component scholarship program.**

3 1. As used in this section:

4 a. "Active duty" means "active duty" as defined in 10 U.S.C.
5 §101(d)(1), except that the term does not include active duty for
6 training or attendance at a service school.

7 b. "Commission" means the college student aid commission.

8 c. "Eligible institution" means a community college as
9 defined in section 260C.2, an institution of higher learning
10 under the control of the state board of regents, or an accredited
11 private institution as defined in section 256.183.

12 d. "Eligible student" means an Iowa resident who meets all of
13 the following requirements:

14 (1) Is a member of a reserve component of the army, navy, air
15 force, marine corps, coast guard, or space force of the United
16 States, located in this state, while receiving scholarship award
17 payments issued pursuant to this section.

18 (2) Satisfactorily completed required initial active duty
19 training.

20 (3) Maintains satisfactory performance of duty upon return
21 from initial active duty training.

22 (4) Is enrolled as a full-time student in an eligible
23 institution, and maintains satisfactory academic progress toward
24 any of the following:

25 (a) An associate degree.

26 (b) A baccalaureate degree.

27 (c) A postsecondary certificate, diploma, or degree,
28 conferring no more than an associate degree, that is awarded
29 by an eligible institution and earned in a program of study
30 that leads to a high-demand job designated by the workforce
31 development board or a community college pursuant to section
32 84A.1B, subsection 14, and that is authorized for federal student
33 aid under Tit. IV of the federal Higher Education Act of 1965, as
34 amended.

35 (5) Completes and submits application forms required by the

1 commission, including the free application for federal student
2 aid, and applies for all nonrepayable state and federal financial
3 aid for which the individual is eligible.

4 (6) Is certified by the United States army reserve command,
5 or another military reserve component command, as meeting the
6 requirements of this section.

7 e. "*Financial need*" means the difference between the
8 student's financial resources available, including any
9 nonrepayable financial aid under any other state or federal
10 program, and the student's anticipated expenses while attending
11 an eligible institution.

12 f. "*Full-time*" means enrollment in at least twelve semester
13 hours or the equivalent.

14 2. The armed forces reserve component scholarship program is
15 established to be administered by the commission for members of
16 the reserve forces of the United States armed forces who are
17 enrolled as full-time students in an eligible institution.

18 3. a. A qualified student who is enrolled as a full-time
19 student in an eligible institution may receive a scholarship
20 under this section for not more than the equivalent of eight
21 semesters of study.

22 b. Scholarships awarded pursuant to this section shall not
23 exceed the following amounts:

24 (1) If the eligible student is enrolled in a community
25 college as defined in section 260C.2, the lesser of the eligible
26 student's financial need or one hundred percent of the resident
27 tuition and mandatory fees charged by the community college.

28 (2) If the eligible student is enrolled in an institution of
29 higher learning under the control of the state board of regents,
30 or an accredited private institution as defined in section
31 256.183, the lesser of the eligible student's financial need or
32 one hundred percent of the average resident tuition and mandatory
33 fees for undergraduate study charged by the institutions of
34 higher learning.

35 4. If the amount appropriated in a fiscal year for purposes

1 of this section is insufficient to provide scholarships to all
2 who apply for the armed forces reserve component scholarship
3 program and who are determined to be eligible for the program,
4 the commission shall determine the distribution of scholarships.
5 Eligibility and scholarship award determination shall not be
6 based upon an eligible student's unit or the location at which
7 drills are attended.

8 5. If an eligible student discontinues attendance before
9 the end of any semester, or the equivalent, after receiving
10 scholarship payments, the entire amount of any refund due to
11 that eligible student, up to the full amount of all of the
12 annual scholarship payments made, shall be paid by the eligible
13 institution to the commission. This subsection shall not apply
14 to an eligible student who discontinues attendance due to the
15 eligible student being ordered to active duty.

16 6. The eligibility of applicants shall be certified by the
17 United States army reserve command or another military reserve
18 component command. Scholarship awards under this section shall
19 be paid to the eligible institution by the commission upon
20 receipt of certification by the eligible institution as to the
21 accuracy of charges made and as to the attendance and academic
22 progress of the eligible student at the eligible institution.
23 The commission shall maintain an annual record of the number of
24 participants in the armed forces reserve component scholarship
25 program and the dollar value of the scholarship awards issued.

26 7. A member of a reserve component of the army, navy, air
27 force, marine corps, coast guard, or space force of the United
28 States, located in this state, is ineligible for a scholarship
29 award under this section if any of the following apply:

30 a. The member has met the educational requirements for a
31 baccalaureate degree.

32 b. The member was discharged from any branch of the armed
33 forces under other than honorable conditions.

34 8. Scholarships awarded under this section may be used by the
35 recipient for the recipient's cost of attendance as defined in

1 Tit. IV, part B, of the federal Higher Education Act of 1965, as
2 amended.

3 9. If an eligible student is ordered to active duty during
4 the time in which the eligible student is enrolled in an eligible
5 institution and receiving scholarship awards under this section,
6 the commission may waive or modify any statutory or regulatory
7 provision applicable to the armed forces reserve component
8 scholarship program to ensure that, with regard to the eligible
9 student, all of the following occur:

10 a. The eligible student is able to utilize any scholarships
11 awarded to the eligible student under this section within five
12 years after the eligible student's enlistment obligation in a
13 reserve component of the armed forces ends.

14 b. Administrative requirements placed on the eligible student
15 are minimized, to the extent possible, without impairing the
16 integrity of the armed forces reserve component scholarship
17 program, to ease the burden on the eligible student and to avoid
18 inadvertent technical violations or defaults.

19 10. Notwithstanding section 8.33, moneys appropriated for
20 purposes of this section which remain unencumbered or unobligated
21 at the close of the fiscal year for which the funds were
22 appropriated shall not revert but shall be available for
23 expenditure for the following fiscal year for purposes of this
24 section.

25 11. The commission shall adopt rules pursuant to chapter 17A
26 to administer this section.

27 Sec. 2. CODE EDITOR DIRECTIVE. The Code editor shall
28 designate section 256.211A, as enacted in this Act, as a new
29 section within chapter 256, subchapter VII, part 4, subpart
30 G, and may redesignate the preexisting subpart and correct
31 internal references as necessary, including references to subpart
32 headnotes.

33 EXPLANATION

34 The inclusion of this explanation does not constitute agreement with
35 the explanation's substance by the members of the general assembly.

1 This bill establishes the armed forces reserve component
2 scholarship program within the college student aid commission
3 for members of the reserve forces of the United States armed
4 forces who are enrolled as full-time students in an eligible
5 institution. The bill provides that a qualified student who
6 is enrolled as a full-time student in an eligible institution
7 may receive a scholarship under the program for not more than
8 the equivalent of eight semesters of study. If the eligible
9 student is enrolled in a community college, the amount of the
10 eligible student's scholarship shall not exceed the lesser of the
11 eligible student's financial need or 100 percent of the resident
12 tuition and mandatory fees charged by the community college. If
13 the eligible student is enrolled in an institution of higher
14 learning under the control of the state board of regents, or
15 an accredited private institution, the amount of the eligible
16 student's scholarship shall not exceed the lesser of the eligible
17 student's financial need or 100 percent of the average resident
18 tuition and mandatory fees for undergraduate study charged by the
19 institutions of higher learning.

20 The bill provides that if the amount appropriated in a fiscal
21 year is insufficient to provide scholarships to all who apply
22 for the program and who are determined to be eligible for
23 the program, the commission shall determine the distribution of
24 scholarships.

25 The bill provides that if an eligible student discontinues
26 attendance before the end of any semester, or the equivalent,
27 after receiving scholarship payments, the entire amount of any
28 refund due to that eligible student, up to the full amount of
29 all of the annual scholarship payments made, shall be paid by the
30 eligible institution to the commission. This provision does not
31 apply to an eligible student who discontinues attendance due to
32 the eligible student being ordered to active duty.

33 Scholarship awards under the program are required to be paid
34 to the eligible institution by the commission upon receipt of
35 certification by the eligible institution as to the accuracy

1 of charges made and as to the attendance and academic progress
2 of the eligible student at the eligible institution. The bill
3 requires the commission to maintain an annual record of the
4 number of participants in the program and the dollar value of the
5 scholarship awards issued.

6 The bill provides that a member of a reserve component of
7 the army, navy, air force, marine corps, coast guard, or space
8 force of the United States, located in this state, is ineligible
9 for a scholarship award under the program if the member has met
10 the educational requirements for a baccalaureate degree or if the
11 member was discharged from any branch of the armed forces under
12 other than honorable conditions.

13 If an eligible student is ordered to active duty during the
14 time in which the eligible student is enrolled in an eligible
15 institution and receiving scholarship awards under the program,
16 the commission is authorized to waive or modify any statutory
17 or regulatory provision applicable to the program to ensure
18 that the eligible student is able to utilize any scholarships
19 awarded to the eligible student under the program within five
20 years after the eligible student's enlistment obligation in a
21 reserve component of the armed forces ends, and to ensure that
22 administrative requirements placed on the eligible student are
23 minimized, to the extent possible.

24 The bill requires the commission to adopt rules to administer
25 the program.

26 The bill defines "active duty", "commission", "eligible
27 institution", "eligible student", "financial need", and
28 "full-time".