

STATE OF OKLAHOMA

2nd Session of the 43rd Legislature (1992)

SENATE BILL NO. 744

BY: HOBSON

AS INTRODUCED

AN ACT RELATING TO SCHOOLS; ENACTING THE OKLAHOMA

NATIONAL GUARD EDUCATIONAL ASSISTANCE ACT;

PROVIDING SHORT TITLE; PROVIDING FOR CERTAIN

WAIVERS OF FEES AND TUITION FOR MEMBERS OF OKLAHOMA

NATIONAL GUARD AND SURVIVING SPOUSES AND CHILDREN;

PROVIDING FOR CERTAIN AGREEMENTS; ESTABLISHING

CERTAIN REQUIREMENTS FOR ELIGIBILITY AND RETENTION

OF ELIGIBILITY; PROVIDING FOR RETENTION OF CERTAIN

POWERS BY MILITARY DEPARTMENT; PROVIDING FOR

CODIFICATION; PROVIDING AN EFFECTIVE DATE; AND

DECLARING AN EMERGENCY.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2280 of Title 70, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Oklahoma National Guard Educational Assistance Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2280.1 of Title 70, unless there is created a duplication in numbering, reads as follows:

Subject to the provisions of this act, the general enrollment fees of any member of the Oklahoma National Guard who enrolls in an institution of The Oklahoma State System of Higher Education or the tuition of any Oklahoma National Guard member who enrolls in a public postsecondary vocational-technical program shall be waived.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2280.2 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. The tuition assistance program prescribed in this act shall not be available to:

1. Members who have a baccalaureate degree; or
2. Members entitled to any equivalent federal educational benefits earned by membership in the Oklahoma National Guard, except that this paragraph shall not apply to members receiving assistance from the federal Education Assistance Program for Members of the Selected Reserve.

B. The tuition assistance program prescribed in this act shall be available to members of the Oklahoma National Guard for a period of ten (10) years from the date of initial membership.

C. Fee and tuition waivers allowed by this act shall not be allowed for courses or units repeated or taken in excess of the requirements for completion of a baccalaureate program or a vocational certificate program. Eligible guard members enrolled in cooperative programs pursuant to agreements between area vocational-technical schools and institutions of The Oklahoma State System of Higher Education shall receive waivers for both vocational-technical and college work in which enrolled pursuant to such cooperative program.

D. All non-prior-service members shall have completed basic military training, military occupational specialty training, or skill-level training prior to being eligible for general enrollment fee or tuition waivers.

E. Any member who receives a waiver of general enrollment fees or tuition under this act shall agree in writing to serve in the Oklahoma National Guard for three (3) years after completion of the courses for which the waiver was granted. Any member who receives a fee or tuition waiver may be asked to reimburse the State of Oklahoma if the member leaves the Oklahoma National Guard during the three-year period.

F. The Military Department shall retain the responsibility and authority to establish any limitations and controls it deems necessary to ensure maximum fiscal efficiency and productivity of the fee and tuition waiver program prescribed in this act.

G. It shall be the responsibility of the guard member to obtain a certificate from his or her commanding officer attesting as to his or her satisfactory guard performance and to present the certificate to the educational institution in order to obtain a fee or tuition waiver. The certificate shall be presented at the time of enrollment for the courses for which a fee or tuition waiver is requested. The certificate shall include a signed agreement by the member to serve in the Oklahoma National Guard for a minimum of three (3) years from the date of completion of the courses for which the waiver is granted.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2280.3 of Title 70, unless there is created a duplication in numbering, reads as follows:

Subject to the provisions of this act, the spouse and children of any member of the Oklahoma National Guard who dies while serving in the active service of the state shall be entitled to a waiver of general enrollment fees at any institution in The Oklahoma State System of Higher Education or a waiver of tuition at any area vocational-technical school.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2280.4 of Title 70, unless there is created a duplication in numbering, reads as follows:

The general enrollment fee and tuition waivers provided in this act for spouses and children of deceased guard members shall be subject to the following conditions:

1. A spouse or child who holds a baccalaureate degree is not eligible for the waivers;

2. Fee and tuition waivers for spouses and children shall not be allowed for courses or units repeated or taken in excess of the requirements for completion of a baccalaureate program or a vocational certificate program. Eligible spouses and children enrolled in cooperative programs pursuant to agreements between area vocational-technical schools and institutions of The Oklahoma State System of Higher Education shall receive such waivers for both vocational-technical and college work in which enrolled pursuant to such cooperative program;

3. Fee and tuition waivers shall not be granted to a spouse after the tenth anniversary of the member's death or to a child after the child's twenty-fifth birthday; and

4. A spouse or child eligible for a fee or tuition waiver under this act shall be responsible for obtaining a certificate of eligibility from the Adjutant General of the Oklahoma National Guard. The certificate shall be presented to the educational institution at the time of enrollment in the courses for which the waiver is sought.

SECTION 6. This act shall become effective July 1, 1992.

SECTION 7. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

