

SHORT TITLE: Schools; enacting the Oklahoma National Guard Educational Assistance Act; effective date; emergency.

STATE OF OKLAHOMA

1st Session of the 45th Legislature (1995)

SENATE BILL NO. 412

By: Hobson of the Senate

and

Wells of the House

AS INTRODUCED

An Act relating to schools; enacting the Oklahoma National Guard Educational Assistance Act; providing short title; providing for reimbursement of certain tuition and fees for members of Oklahoma National Guard; requiring Military Department to establish certain procedures; establishing certain requirements for eligibility and retention of eligibility; providing for certain agreements; 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:

There is hereby created the Oklahoma National Guard Educational Assistance Program. Subject to the provisions of this act, the

tuition and general enrollment fees of any member of the Oklahoma National Guard, shall be reimbursed by the Military Department of the State of Oklahoma upon successful completion of courses or programs taken at an institution of The Oklahoma State System of Higher Education, a private higher education institution accredited pursuant to Section 4103 of Title 70 of the Oklahoma Statutes, or a public postsecondary vocational-technical program.

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 Military Department will establish procedures to administer the Oklahoma National Guard Educational Assistance Program which will include the following:

1. A mechanism to ensure distribution of funds for tuition and fee reimbursement throughout the Oklahoma National Guard organization;

2. A working relationship with The Oklahoma State System of Higher Education and the Oklahoma Department of Vocational and Technical Education to ensure efficient operation of the program;

3. A system of accountability for all disbursements under the act and provide written reports as prescribed; and

4. A procedure to ensure initial and on-going eligibility of all program participants.

B. The Military Department shall adopt rules to implement this act.

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:

A. The educational benefits prescribed in this act shall not be available to:

1. Members who have a baccalaureate degree;

2. Members who do not possess a standard high school diploma or General Education Diploma (GED); and

3. Members entitled to any equivalent federal educational benefits earned by membership in the Oklahoma National Guard, except that this paragraph shall not operate to prevent members who are receiving assistance from the federal Education Assistance Program for Members of the Selected Reserve from receiving benefits under this act.

B. The educational benefits 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. Subject to the availability of funds, guard members participating in the program shall be reimbursed tuition and general enrollment fees for courses or programs successfully completed. Reimbursement shall be on a sliding scale based on the final grade achieved in the course or program:

1. Reimbursement for courses taken at an institution of The Oklahoma State System of Higher Education or a private higher education institution accredited pursuant to Section 4103 of Title 70 of the Oklahoma Statutes shall be as follows:

- a. 4.0 on a 4.0 scale - one hundred percent (100%),
- b. 3.0 on a 4.0 scale - seventy-five percent (75%),
- c. 2.0 on a 4.0 scale - fifty percent (50%), and
- d. less than a 2.0 on a 4.0 scale - no reimbursement.

2. Reimbursement for full-time programs taken at a public post-secondary vocational-technical school shall be as follows:

- a. highly satisfactory - one hundred percent (100%),
- b. satisfactory - seventy-five percent (75%), and
- c. not satisfactory - no reimbursement.

D. Fee and tuition reimbursements 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. Eligible

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 reimbursements for both vocational-technical and college work in which enrolled pursuant to such cooperative program.

E. A member who does not have prior military service shall not be eligible for benefits pursuant to the Oklahoma National Guard Educational Assistance Program until the member completes basic military training.

F. To remain eligible for the program, the member must maintain progress toward degree completion or toward certificate completion as defined by the institution in which the member is enrolled.

G. Any member who receives a reimbursement for tuition or general enrollment fees 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 tuition or fee reimbursement may be asked to reimburse the State of Oklahoma if the member leaves the Oklahoma National Guard during the three-year period.

H. It shall be the responsibility of the guard member to obtain a certificate from the commanding officer attesting to the member's satisfactory guard performance and to present the certificate to the Military Department in order to obtain a tuition or fee reimbursement. The certificate shall be presented at the time of requested reimbursement for the completed courses. 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 reimbursement is granted.

SECTION 5. This act shall become effective July 1, 1995.

SECTION 6. 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.

45-1-0119

DM