

## SENATE COMMITTEE SUBSTITUTE

FOR

SENATE BILL NO. 1322

AN ACT

To repeal section 173.239, RSMo, and to enact in lieu thereof one new section relating to educational assistance for members of the Missouri National Guard.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 173.239, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 173.239, to read as follows:

173.239. 1. Any member of the Missouri National Guard who possesses the qualifications set forth in this section may, while he or she is a member of the Missouri National Guard, be awarded [an] educational assistance in the form of:

(1) A tuition and fee waiver for undergraduate courses at a postsecondary institution of higher education located in this state that directly receives funds appropriated by the general assembly. This tuition and fee waiver shall not be implemented prior to the 2025-2026 academic year. The tuition and fee waiver shall only be for tuition and fees that remain after the application of all payments from a tuition assistance program of the National Guard, the United States Army, or the United States Air Force; additional federal military tuition assistance; GI Bill educational entitlements; awarded external scholarships; and federal financial grants, including the federal Pell grant, that are available to the member in the current semester.

(2) A grant to an [approved public institution or an approved private] eligible institution[, as those terms are defined in either section 173.205 or section 173.778,] of his or her choice [while he or she is a member of the

Missouri National Guard. Funding for educational assistance pursuant to this section may be requested annually in the budget of the Missouri National Guard. Educational assistance provided pursuant to this section shall not exceed funds appropriated for that purpose]. For purposes of this subdivision, the term "eligible institution" shall mean:

(a) An approved public institution or an approved private institution, as those terms are defined in section 173.1102; or

(b) Any institution of postsecondary education that is required by law to be, and currently is, certified to operate by the coordinating board for higher education; that is institutionally accredited by an accrediting commission recognized by the United States Department of Education; that has operated continuously in this state for five or more years; that has no more than fifty percent of its students in correspondence programs; and that offers a one-year or two-year certificate, associate or baccalaureate degree programs, or graduate or professional degree programs.

2. (1) Educational assistance provided under this section shall not exceed the [least] lesser of the following:

[(1)] (a) The actual tuition, as defined in section 173.260, charged at an approved institution where the [individual] member is enrolled or accepted for enrollment; or

[(2)] (b) The [amount] product of the number of credit hours taken multiplied by the average tuition cost per credit hour charged to a Missouri resident at the University of Missouri for attendance[;], with such average cost determined by the Missouri National Guard.

[(3)] (2) The grants provided under this section may be prorated subject to appropriations in an amount no less

than fifty percent of the limits set forth in this [section] subsection.

3. (1) For either type of educational assistance described in this section, a member of the Missouri National Guard [seeking educational assistance pursuant to this section] may apply to the appropriate office of the Missouri National Guard before each semester. The member shall:

(a) Provide a certificate of satisfactory service of his or her Missouri National Guard duties from his or her commanding officer [and shall];

(b) Possess all other necessary entrance requirements of the school of his or her choice [and shall maintain];

(c) Provide proof of maintaining a cumulative grade point average (GPA) of at least two point five on a [four point] four-point scale, or the equivalent on another scale approved by the program administrator, while attending the approved public or private institution;

(e) Have not yet earned a baccalaureate degree; and

(d) Have completed and submitted a Free Application for Federal Student Aid (FAFSA) for the academic term for which educational assistance is requested.

(2) For the tuition and fee waiver, the waiver shall be awarded if the member applies and is otherwise eligible pursuant to this section and shall be awarded only after the Missouri National Guard has distributed any moneys available for the member through the state tuition assistance program.

4. If the grade point average of a member who is receiving educational assistance pursuant to this section falls below two point five on a [four point] four-point scale, or the equivalent on another scale, such member shall retain the educational assistance and shall be placed on probation under the educational assistance program. Failure to achieve a current grade point average of at least two

point five on a [four point] four-point scale or the equivalent on another scale for future semesters or equivalent academic terms shall result in termination of the [scholarship] educational assistance effective as of the next academic term. The member shall be removed from probation status upon achieving a cumulative grade point average of two point five on a [four point] four-point scale or the equivalent on another scale.

5. For the tuition and fee waiver, an applicant shall cease to be eligible if his or her total completed credit hours exceeds one hundred twenty credit hours. This limitation applies to credit hours earned either with the educational assistance described in this section or credit earned outside of the educational assistance described in this section.

6. The tuition and fee waiver shall not be available in fiscal years in which the percentage of the total program costs covered by the state appropriation for the educational assistance pursuant to this section has decreased compared to the previous fiscal year.

7. If a recipient of either type of educational assistance pursuant to this section ceases to maintain their active military affiliation while enrolled in an academic semester or term for any reason except death, disability, or medical disqualification the educational assistance shall be terminated and the recipient shall repay any amounts awarded or waived for the academic semester or term.

[6. Applicants for educational assistance pursuant to this section shall meet the qualifications established by section 173.215, except the provisions of subdivisions (2) and (4) of subsection 1 of section 173.215, and shall be qualified, full-time or part-time students.]

7.] 8. The educational assistance program established pursuant to this section shall be administered by the office of the adjutant general of the Missouri National Guard. The Missouri National Guard shall establish guidelines for equitable administrative distribution of educational assistance.

9. For purposes of this section, the terms "fee" and "fees" mean any mandatory fees charged by an institution to all full-time students as a condition of enrollment.