

Kansas National Guard Assistance Act; HB 2541

HB 2541 amends the Kansas National Guard Educational Assistance Act. Specifically, the bill amends the definition of “eligible guard member” to require the member not be under a suspension of favorable action flag or currently on the unit unfavorable information file. Within that definition, the bill replaces “newly enlisted or reenlisted member” with “current member.” The bill also removes language stating the term “eligible guard member” does not include any member of the Kansas National Guard who is entitled to federal educational benefits earned by membership in the Kansas National Guard, except financial assistance under the federal Education Assistance Program for members of the selected reserve.

The bill provides that every eligible guard member enrolled at a Kansas educational institution and participating in the educational assistance program shall receive assistance each semester in an amount equal to the tuition and required fees for not more than 15 credit hours. The aggregate number of credit hours for which assistance may be provided under the program cannot exceed 150 percent of the total credit hours required for the eligible guard member to complete such member’s educational program.

The eligible guard member must have at least one year remaining on such member’s enlistment contract at the beginning of any semester for which the member receives assistance under the program and must agree to serve actively in good standing with the Kansas National Guard for not less than 24 months upon completion of the last semester for which the member receives assistance under the program. Prior law required three additional months of service for each semester, or part thereof, of assistance received. Further, prior to becoming eligible for participation in the program, each eligible guard member must submit the Free Application for Federal Student Aid (commonly referred to as the FAFSA) and apply for any other federal tuition assistance that such member also may be eligible to receive. To remain eligible, a member must maintain a grade point average of not less than 2.0. Upon completion of each semester, each eligible guard member receiving assistance under the program must submit a transcript of the credit hours earned, including the grades for credit hours, to such member’s unit of assignment.

If a member fails to satisfy the agreement to continue service in the Kansas National Guard, such person must pay an amount to the State calculated by determining the total amount of assistance paid to the member under the program, dividing that amount by 24, and multiplying the resulting amount by the number of months such member did not serve as required. Prior law required payment of the total amount received. Any eligible guard member who received payments under the program but has failed to satisfy the agreement to continue service in the Kansas National Guard by reason of extenuating circumstances or extreme hardship may request a waiver from recoupment in writing through such member’s chain of command to the Kansas National Guard Education Services Office. The chief of staff of the Kansas Army National Guard or the director of staff for the Kansas Air National Guard will review all requests for a waiver from recoupment, and the decision to issue such waiver will be made by either officer as such officer deems appropriate.