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SYNOPSIS:

Under existing law, certain members of the National Guard may receive tuition reimbursement through the National Guard Educational Assistance Program when seeking a college degree or certain other certifications.

This bill would authorize tuition assistance for workforce development programs, in addition to tuition assistance, through the National Guard Educational Assistance Program.

This bill would authorize the use of tuition assistance for additional educational expenses, such as on-campus living expenses and meal plans.

Under existing law, guard members who achieve a certain grade point average requirement are authorized to receive academic excellence benefits in addition to educational reimbursement through the program.

This bill would authorize the State Military Department and the Alabama Commission on Higher Education to jointly administer the program.

This bill would remove any reference to academic excellence benefits and revise the requirements to qualify for tuition assistance.

This bill would repeal a section that provides certain qualifications for the National Guard



29 Educational Assistance Program.

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A BILL

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TO BE ENTITLED

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AN ACT

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Relating to the National Guard; to amend Sections

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31-10-2, 31-10-3, and 31-10-4, Code of Alabama 1975; to

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authorize tuition assistance for workforce development

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programs through the National Guard Educational Assistance

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Program; to authorize assistance payments through the program

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earlier in the academic term; to authorize the State Military

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Department and Alabama Commission on Higher Education to

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jointly administer the program; and to repeal Section

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31-10-4.1, Code of Alabama 1975, relating to qualifications

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for the National Guard Educational Assistance Program.

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BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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Section 1. Sections 31-10-2, 31-10-3, and 31-10-4, Code

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of Alabama 1975, are amended to read as follows:

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"§31-10-2

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The following words used in this article have the

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following meanings:

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~~(1) ACADEMIC EXCELLENCE BENEFITS. Additional funds for~~

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~~guard members who are enrolled undergraduate students who~~

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~~graduated from high school with a cumulative GPA greater than~~

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~~3.5 and, while enrolled in an institution of higher education~~



57 ~~in this state, have maintained a 3.0 collegiate cumulative~~
58 ~~GPA. These funds may be used for tuition, fees, or ancillary~~
59 ~~costs.~~

60 ~~(2)~~ (1) ACTIVE MEMBER. A member of a federally
61 recognized unit of the Alabama National Guard meeting the
62 minimum requirements for satisfactory membership as defined in
63 the Department of the Army and Department of the Air Force
64 regulations.

65 ~~(3)~~ (2) ALABAMA NATIONAL GUARD. Federally recognized
66 units of the Alabama National Guard.

67 ~~(4)~~ (3) ANCILLARY COSTS. Expenses incurred outside of
68 tuition related to educational costs, including textbooks,
69 additional course fees, differential tuition, or other ~~course~~
70 ~~related~~ course-related or training program costs.

71 (4) EDUCATIONAL EXPENSES. The per term cost of required
72 on-campus living expenses, such as the cost of living in a
73 residence hall or dormitory, and per term cost of required
74 on-campus meal plans.

75 (5) DIFFERENTIAL TUITION. The amount, in addition to
76 regular tuition, which is charged to students to support
77 services and programming at institutions of higher education.

78 (6) INSTITUTION OF HIGHER EDUCATION. A public or
79 private two-year or four-year college or university, community
80 college, or junior college located within the state.

81 ~~(5)~~ (7) QUALIFYING ACADEMIC PATHWAY. A postsecondary
82 program at an institution of higher education in the state
83 that is one of the following:

84 a. A program that has been identified as a Pell Grant



85 eligible program for which the student earns credits required
86 for a postsecondary degree at the undergraduate level.

87 b. A graduate program that is the individual's first
88 degree sought at that level.

89 c. A workforce development program.

90 ~~(6)~~ (8) TUITION. The per term cost of instruction and
91 mandatory instructional fees to the public or private
92 postsecondary student not to exceed the median cost of tuition
93 per term, such as quarter or semester, of all public four-year
94 institutions of higher education in this state as reported to
95 the Alabama Commission on Higher Education by state-supported
96 institutions of higher education and appearing on the tuition
97 plus required fees report of the commission, for classes or
98 courses that count ~~towards~~ toward the individual's degree or
99 certificate plan ~~as designed and approved by the college or~~
100 ~~institution attended for the individual's declared program of~~
101 ~~study. Differential tuition is not included.~~

102 (9) WORKFORCE DEVELOPMENT PROGRAM. A professional or
103 workforce development program that includes accredited and
104 nonaccredited certification or stand-alone training that leads
105 to an industry-recognized credential and is approved pursuant
106 to Section 31-10-3(c)."

107 "§31-10-3

108 (a) Subject to the annual appropriation to the Alabama
109 National Guard Educational Assistance Program in the annual
110 Education Trust Fund Appropriation Act, ~~provided the annual~~
111 ~~appropriations shall not exceed ten million dollars~~
112 ~~(\$10,000,000),~~ the Alabama Commission on Higher Education may



113 pay or reimburse the qualifying tuition for any active member
114 of the Alabama National Guard who is one of the following:

115 (1) A student dually or concurrently enrolled in high
116 school and an institution of higher education.

117 (2) A postsecondary student who is enrolled in an
118 institution of higher education.

119 (3) A postsecondary student who is dually or
120 concurrently enrolled in more than one institution of higher
121 education and is enrolled in a program leading to a qualifying
122 academic pathway, including a ~~short certificate or long~~
123 ~~certificate, or~~ workforce development program, associate
124 degree, ~~baccalaureate~~ bachelor's degree, ~~masters~~ master's
125 degree, or doctorate degree in an accredited institution of
126 higher learning, including a community or technical college or
127 an approved nonaccredited course or certificate program within
128 this state.

129 (b) The annual appropriation to the National Guard
130 Educational Assistance Program shall not exceed ten million
131 dollars (\$10,000,000).

132 (c) (1) The Adjutant General and the Executive Director
133 of the Alabama Commission on Higher Education shall mutually
134 determine to which workforce development programs tuition
135 assistance may be applied. Any entity program seeking to be a
136 workforce development program shall be registered as a vendor
137 with this state.

138 (2) The Adjutant General and the Executive Director of
139 the Alabama Commission on Higher Education shall mutually
140 determine how assistance may be applied to each workforce



141 development program.

142 ~~(b)~~ (d) (1) The payments or ~~reimbursements~~assistance
143 shall be: (i) made ~~timely at the end~~ within 90 days after the
144 beginning of the academic period of each academic quarter or
145 semester for all tuition ~~reimbursements~~assistance payments
146 depending on the availability of funding, ~~and shall be;~~ (ii)
147 made on the basis of certified ~~invoices~~institutional roster or
148 other documentation approved by the Alabama Commission on
149 Higher Education verifying enrollment, eligibility, and
150 allowable charges for each participating member submitted by
151 the institution to the Alabama Commission on Higher
152 Education, ~~;~~ and ~~shall be~~ (iii) supported by names of the
153 students receiving the ~~benefits~~assistance, together with the
154 amounts claimed for each student. The tuition
155 ~~reimbursement~~assistance authorized under this article may be
156 used for undergraduate or graduate studies.

157 (2) In no event shall payments ~~of the~~toward tuition and
158 fees, ~~reimbursement~~ ancillary costs, or educational expenses
159 under the Alabama National Guard Educational Assistance
160 Program amount to more than ~~100 percent of qualified tuition~~
161 ~~and fees~~the median cost of tuition per term of all public
162 four-year institutions of higher education in this state as
163 reported to the Alabama Commission on Higher Education. ~~An~~
164 ~~undergraduate student that qualifies for the Academic~~
165 ~~Excellence Benefit shall receive an amount equivalent to 100~~
166 ~~percent of qualified tuition and fees. Undergraduate students~~
167 ~~with this benefit may use these funds for tuition and fee~~
168 ~~reimbursement or ancillary costs.~~



169 (3) No ~~guard~~active member shall be eligible for tuition
170 ~~reimbursement or academic excellence benefits~~and fees,
171 educational expenses, or ancillary cost assistance for more
172 than 12 years after the date of the first tuition payment to
173 ~~him or her~~the active member under this article.

174 (4) ~~In the event that~~If requests for tuition
175 ~~reimbursements~~assistance provided for in this article from the
176 institutions for educational benefits in any fiscal year
177 exceed the appropriated amount, then the
178 ~~reimbursements~~payments shall be prorated equally among the
179 institutions on a percentage basis of the total
180 ~~invoices~~certified institutional rosters received by the
181 Alabama Commission on Higher Education and paid accordingly.
182 The ~~reimbursement~~assistance payments shall be made promptly ~~at~~
183 ~~the end of each academic quarter or semester~~upon receipt for
184 all certified ~~invoices~~institutional rosters or other
185 documentation approved by the Alabama Commission on Higher
186 Education.

187 (e) (1) The assistance under this article shall be
188 claimed for no more than a total of 120 academic hours or
189 until receipt of the first bachelor's degree, whichever occurs
190 first. The 120 academic hours shall not include more than 72
191 academic hours earned at a community college.

192 (2) An active member who has already obtained a
193 bachelor's degree is not eligible to receive assistance from
194 this program leading to a second bachelor's degree.

195 (3) If the benefits were not used by an active member
196 for a bachelor's degree, the program benefits for graduate



197 students under this article shall be claimed for no more than
198 a total of 60 academic hours or until the receipt of the first
199 graduate degree.

200 (4) An active member who has already obtained a
201 graduate degree is not eligible to receive assistance from
202 this program leading to a second graduate degree.

203 (f) To the extent permitted by law, the assistance
204 provided for under this article shall be applied in a
205 last-dollar manner to maximize all of the active member's
206 educational benefits to include educational expenses and
207 ancillary costs.

208 (g) No public institution of higher education in the
209 state may impose a nonresident tuition rate or differential
210 out-of-state resident fee on an active member in good standing
211 who meets the requirements of Section 31-10-4."

212 "§31-10-4

213 (a) In order to be eligible to receive ~~tuition~~
214 ~~reimbursement~~assistance under this article, the ~~member~~student
215 must ~~meet the following minimum requirements:~~

216 (1) Be an active member of the Alabama National Guard
217 and must have completed basic training~~;~~;

218 (2) Be 17 years of age or older;

219 ~~(2)~~ (3) The member must beBe a member in good standing
220 with the Alabama National Guard as prescribed by regulations
221 promulgated by the Department of the Army~~;~~ and the Department
222 of the Air Force, and by rules adopted by the Military
223 Department of the State of Alabama, at the time of application
224 and ~~during the entire~~before the beginning of the course,



225 training, semester, or quarter for which benefits are
226 received-;

227 (4) Comply with the standards of Satisfactory Academic
228 Progress as required for Title IV benefits under the Higher
229 Education Act and as defined by that educational institution,
230 and maintain a 2.0 grade point average or the letter grade
231 equivalent. Students who are no longer eligible to receive
232 Title IV benefits due to a failure to meet Satisfactory
233 Academic Progress standards shall no longer be eligible to
234 receive benefits under this section until the student
235 sufficiently improves to meet the required standards;

236 (5) Complete a Free Application for Federal Student
237 Aid. This requirement is not applicable for any high school
238 students dually or concurrently enrolled in high school and an
239 institution of higher education; and

240 (6) Sign a promissory note or similar document with
241 provisions for the collection and repayment of assistance in
242 the event that the member is disqualified or otherwise becomes
243 ineligible to continue to receive benefits pursuant to this
244 article.

245 ~~(3)~~ (b) In the event the individual's service in the
246 Alabama National Guard is terminated or his or her service
247 becomes unsatisfactory while receiving assistance or for four
248 years after receiving the ~~benefits~~ assistance afforded by this
249 program, the ~~benefits will~~ assistance shall be terminated and
250 repaid by the individual on a pro rata basis. After
251 termination ~~for the above causes,~~ or after an individual ~~will~~
252 ~~be ineligible for any further benefits under this article. If~~



253 ~~for any reason an individual~~ is dismissed from any school for
254 academic or disciplinary reasons, ~~he is~~ the individual shall be
255 ineligible for further ~~benefits~~ assistance from this program.
256 ~~The~~ With consultation of the Alabama National Guard Education
257 Services Officer and the Adjutant General of the State of
258 Alabama, the Alabama Commission on Higher Education shall be
259 the final authority for making such determinations.

260 (c) Any member who is disqualified from serving in the
261 Alabama National Guard due solely to medical reasons with a
262 Veterans Administration disability rating of 40 percent or
263 greater shall be exempt from repaying any assistance received
264 under this section.

265 ~~(4)~~ (d) The Alabama Commission on Higher Education ~~of~~
266 ~~the State of Alabama~~ in collaboration with the State Military
267 Department shall adopt rules ~~be responsible for the~~
268 ~~promulgation of rules and regulations for the administration~~
269 ~~and implementation of~~ to administer, advise, and implement this
270 article. The Adjutant General shall be the final authority in
271 determining ~~including rules and regulations providing for~~ the
272 selection of ~~persons~~ individuals to receive ~~benefits~~ assistance
273 under this article. The Alabama Commission on Higher Education
274 ~~of the State of Alabama~~ shall be the final authority in
275 determining eligible ~~applicants~~ expenses to which assistance
276 may be applied.

277 ~~(5) The Adjutant General of the State of Alabama shall~~
278 ~~serve as an advisor to the Alabama Commission on Higher~~
279 ~~Education for the purpose of determining the eligibility of~~
280 ~~members of the Alabama National Guard to receive benefits~~



281 ~~under this article.~~

282 (e) Any member receiving academic excellence assistance
283 prior to August 1, 2026, shall continue to receive the same
284 amount of assistance until he or she completes the course or
285 workforce development program.

286 (f) (1) At the end of any fiscal year, any unexpended or
287 unencumbered monies contributed to or deposited in the fund
288 from any source, except appropriations from other state funds,
289 shall remain in the fund.

290 (2) The Alabama Commission on Higher Education may
291 adopt rules to use monies retained in the fund pursuant to
292 subdivision (1) to disburse assistance earlier in the academic
293 term than required under Section 31-10-3(d)."

294 Section 2. Section 31-10-4.1, Code of Alabama 1975,
295 providing qualifications for tuition reimbursement under the
296 National Guard Educational Assistance Program, is repealed.

297 Section 3. This act shall become effective on October
298 1, 2026.