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MEMORANDUM

To: Chairman Aurand
Members of the House Committee on Education

From: Jason B. Long, Senior Assistant Revisor

Date: February 8, 2018

Subject: HB 2541 – KS National Guard Educational Assistance Act amendments.

House Bill No. 2541 (HB 2541) amends the Kansas National Guard Educational Assistance Act, which provides financial assistance to national guard members enrolled in a Kansas college or university. The bill amends provisions of the Act regarding eligibility for the financial assistance, limits on financial assistance provided under the Act, and repayment provisions if the requirements of the program are not met.

HB 2514 amends the definition of "eligible member" by striking the 20-year limit on service, and adding the requirement that the member not be under suspension of favorable action flag or on the unit unfavorable information file. The bill also strikes the reference to the Federal Education Assistance Program (FEAP), but requires the member to submit a free application for federal student aid (FAFSA) prior to becoming eligible under the Act.

Under current law, the Act provides financial assistance in the amount of tuition and fees necessary for the member to complete their education program. HB 2541 strikes this provision, and adds language that more specifically authorizes financial assistance in the amount of up to 15 credit hours each semester, with an aggregate maximum assistance amount of 150% of the credit hours required to complete the education program.

Current law also requires a member participating in the program to serve in the Kansas National Guard for three months for each semester the member receives financial assistance. HB 2541 strikes the three-month requirement and replaces it with the requirement that the member have at least one year remaining on their enlistment contract prior to participation in the program and serve at least 24 months in the Kansas National Guard upon completion of their last semester under the program. Additionally, HB 2541 requires a member participating in the program to

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maintain at least a 2.0 GPA, and submit transcripts at the end of each semester to the member's unit.

Finally, HB 2541 requires that if a member fails to serve the full 24 months of service, then the member must pay a pro rata portion of the financial assistance the member received back to the State. The amount of recoupment is determined by dividing the total financial assistance the member received by 24, and then multiplying that monthly proportion by the number of months the member did not serve. HB 2541 also provides that a member may request a waiver from recoupment if the member's failure to serve is due to extenuating circumstances or extreme hardship. The chief of staff of the Kansas Army National Guard or the director of staff for the Kansas Air National Guard are delegated the duty to review and grant or deny waiver requests.

If enacted, HB 2541 would become effective on July 1, 2018.