



**House
Legislative
Analysis
Section**

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NAT'L GUARD SCHOLARSHIPS

House Bill 5303

Sponsor: Rep. Robert DeMars

Committee: Military & Veterans Affairs

Complete to 11-8-91

A SUMMARY OF HOUSE BILL 5303 AS INTRODUCED 10-29-91

The bill would create the Michigan National Guard Scholarship Act to offer free tuition and fees to attend a state public college or university to a resident of the state who was an active member of the Michigan National Guard (of a rank not higher than captain), or the surviving spouse or child of a member who died as a result of serving in the guard, who met certain requirements. The Michigan Higher Education Assistance Authority (MHEAA) would administer the program by determining the eligibility of applicants, and would have to pay to a Michigan college or university on behalf of a grant recipient the difference between his or her tuition and the amount he or she received, or the amount the college or university received on his or her behalf, from other state or federal financial aid sources (except from student loans). A grant could be obtained under the bill to attend an independent state college or university, but its amount would be tied to the prevailing average full-time tuition cost of the state's public universities or the grant recipient's actual tuition, whichever was less. Grant payments would be made only for classes that were taken for credit and that applied toward the requirements for a degree or certificate.

Eligibility. A person could receive a first-year grant scholarship under the bill if the authority determined that he or she:

- * had lived continuously in the state for the immediately preceding 12 months and was not considered a resident of any other state;
- * was not imprisoned in a corrections institution;
- * was a U.S. citizen or permanent resident;
- * was not enrolled in a program leading to a degree in theology, divinity or religious education;
- * was not in default on a loan guaranteed by the authority;
- * had complied with the bill's provisions and rules promulgated under it;
- * was admitted to and enrolled in a Michigan college or university; and
- * applied at the appropriate time for other financial aid that was available from the state or federal government or from the college or university in the form of a grant or scholarship, and accepted the aid. (The person, however, would not have to apply or accept an educational loan.)

The authority would also have to determine that a grant applicant had submitted to it a certificate of eligibility issued by the Michigan National Guard which certified that he or she 1) was currently an active member of the guard whose rank was not higher than captain, who had committed to remain a member for at least six years and who had served for at least one year as of the scholarship application date or 2) was the surviving spouse or child of a guard member who died due to a traumatic injury or of a disease caused by

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or resulting from an injury incurred while performing an act which he or she was obligated to perform while serving under a lawful order of the governor. The adjutant general of the Michigan National Guard or his or her designee would have to issue certificates of eligibility to individuals whom it determined had met the bill's requirements.

Renewal of Eligibility. A person could renew a scholarship received under the bill if the authority determined that he or she continued to meet the eligibility requirements set forth in the bill and if he or she maintained satisfactory academic progress in school, as defined by the school attended, and satisfactory performance with the guard. The time period during which a grant could be renewed would depend on whether a grantee was a qualifying active member guardsperson or the spouse or child of such a person. A qualifying active guardsperson could renew a grant for ten years from when he or she first received it; a qualified surviving spouse could renew for ten years from when the guardsperson died, but not after a bachelor's degree was obtained; and a qualified surviving child could renew until his or her 25th birthday but, again, not after a bachelor's degree was earned.

Reimbursement for Becoming Ineligible. If a guard member who received a grant voluntarily withdrew from a course for which he or she received a grant and the authority did not receive a refund from the college or university, the member would have to reimburse the authority for the amount of the grant used for that course. If a grant recipient failed to complete his or her term of enlistment for a reason other than death or disability, he or she would have to reimburse the authority for the amount of the grants already received. A grantee who became obligated to repay the authority under either of these circumstances would have to repay the grants received as a loan repayable to the authority at the same interest rate and on the same terms and conditions as a loan guaranteed by it under its enabling act. MHEAA would have to enforce repayment of the loan just as it is required to under its enabling act, and would have to promulgate rules to administer the bill's requirements as provided under the Administrative Procedures Act.