

By Senator Pizzo

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1 A bill to be entitled
2 An act relating to the Educational Dollars for Duty
3 program; amending s. 250.10, F.S.; revising the
4 Educational Dollars for Duty program; revising the
5 ineligibility criteria for members of the Florida
6 National Guard; providing that guard members who have
7 earned certain college degrees before becoming a guard
8 member are eligible for the program; limiting the
9 tuition and fees that the program may cover for
10 doctoral and professional degree programs; providing
11 an effective date.

12
13 Be It Enacted by the Legislature of the State of Florida:

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15 Section 1. Paragraphs (b), (c), and (d) of subsection (7)
16 and subsection (8) of section 250.10, Florida Statutes, are
17 amended to read:

18 250.10 Appointment and duties of the Adjutant General.—

19 (7) The Adjutant General shall develop an education
20 assistance program for members in good standing of the Florida
21 National Guard who enroll in an authorized course of study at a
22 public or nonpublic postsecondary institution or technical
23 center in the state which has been accredited by an accrediting
24 body recognized by the United States Department of Education or
25 licensed by the Commission for Independent Education. Education
26 assistance also may be used for training to obtain industry
27 certifications approved by the Department of Education pursuant
28 to s. 1008.44 and continuing education to maintain license
29 certifications. The education assistance program shall be known

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30 as the Educational Dollars for Duty program (EDD).

31 (b) The program shall define those members of the Florida
32 National Guard who are ineligible to participate in the program
33 and those courses of study which are not authorized for the
34 program.

35 1. Ineligible members include, but are not limited to, a
36 member, commissioned officer, warrant officer, or enlisted
37 person who has obtained a doctoral or professional ~~master's~~
38 degree using the program.

39 2. Inactive members of the Florida National Guard and
40 members of the Individual Ready Reserve are not eligible to
41 participate in the program.

42 3. Courses not authorized include noncredit courses,
43 courses that do not meet degree requirements, courses that do
44 not meet requirements for completion of career training, or
45 other courses as determined by program definitions.

46 4. The program may not pay repeat course fees.

47 (c) The program may include, but is not limited to:

48 1. Courses at a public or nonpublic postsecondary
49 institution or technical center in the state which is accredited
50 by an accrediting body recognized by the United States
51 Department of Education or licensed by the Commission for
52 Independent Education.

53 2. Training to obtain industry certifications, limited to
54 certifications approved by the Department of Education under s.
55 1008.44.

56 3. Continuing education to maintain a license or
57 certification. Notwithstanding subparagraph (b)1., members who
58 have obtained a doctoral or professional ~~master's~~ degree using

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59 the program are eligible for funding under this subparagraph.

60 4. Licensing and industry certification examination fees.
61 Notwithstanding subparagraph (b)1., members who have obtained a
62 doctoral or professional ~~master's~~ degree using the program are
63 eligible for funding under this subparagraph.

64 5. Notwithstanding subparagraph (b)3., developmental
65 educational courses.

66 (d) The Adjutant General shall adopt rules for the overall
67 policy, guidance, administration, implementation, and proper use
68 of the program. Such rules must include, but need not be limited
69 to:

70 1. Guidelines for certification by the Adjutant General of
71 a guard member's eligibility. Such guidelines must specify that
72 a guard member who has earned an associate, bachelor's, or
73 master's degree through the program or before becoming a member
74 of the Florida National Guard is still eligible to participate
75 in the program.

76 2. Procedures for notification to a postsecondary
77 institution or technical center of a guard member's termination
78 of eligibility.

79 3. Guidelines for approving courses of study that are
80 authorized for the program, including online courses, industry
81 certification training, doctoral and professional courses for
82 such programs, and continuing education to maintain license
83 certifications.

84 4. Guidelines for approving the use of program funds for
85 licensing and industry certification examination fees.

86 5. Procedures for restitution when a guard member fails to
87 comply with the penalties described in this section.

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88 6. Procedures that require a public or nonpublic
89 postsecondary institution or technical center that receives
90 funding from the program to provide information regarding course
91 enrollment, course withdrawal, course cancellation, course
92 completion, course failure, and grade verification of enrolled
93 members to the education service office of the Department of
94 Military Affairs.

95 7. Guidelines for the payment of tuition and fees, not to
96 exceed the highest in-state tuition rate charged by a public
97 postsecondary institution in the state.

98 (8) Subject to appropriations, the Department of Military
99 Affairs may pay the full cost of tuition and fees for required
100 courses for current members of the Florida National Guard.
101 However, the department may only pay the tuition and fees for up
102 to 50 percent of the required courses for a doctoral or
103 professional degree program for current members of the Florida
104 National Guard. Members are eligible to use the program upon
105 enlistment in the Florida National Guard. If a member is
106 enrolled in a nonpublic postsecondary education institution or a
107 nonpublic vocational-technical program, the Department of
108 Military Affairs shall pay an amount that may not exceed the
109 rate of the highest in-state tuition and fees at a public
110 postsecondary education institution or public vocational-
111 technical program.

112 (a) The Adjutant General shall give preference and priority
113 to eligible members who have deployed on federal military orders
114 while a member of the Florida National Guard.

115 (b) The Department of Military Affairs may reimburse a
116 member for student textbook and instructional material costs in

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117 accordance with limits set each fiscal year based on funding
118 availability and regardless of the source of tuition funding,
119 but only after tuition and fees for all eligible members are
120 paid for that fiscal year.

121 (c) Penalties for noncompliance with program requirements
122 include, but are not limited to, the following:

123 1. If a member of the Florida National Guard receives
124 payment of tuition and fees for an academic term and fails to
125 maintain satisfactory participation in the Florida National
126 Guard during that academic term, the member shall reimburse the
127 Department of Military Affairs all tuition charges and student
128 fees for the academic term for which the member received
129 payment.

130 2. If a member of the Florida National Guard leaves the
131 Florida National Guard during the period specified in the
132 member's enlistment or reenlistment contract, the member shall
133 reimburse the Department of Military Affairs all tuition charges
134 and student fees for which the member received payments,
135 regardless of whether the obligation to reimburse the department
136 was incurred before, on, or after July 1, 2009, unless the
137 Adjutant General finds that there are justifiable extenuating
138 circumstances.

139 3. If the service of a member of the Florida National Guard
140 is terminated or the member is placed on scholastic probation
141 while receiving payments, the member shall reimburse the
142 Department of Military Affairs all tuition charges and student
143 fees for the academic term for which the member received
144 payment.

145 4. If a member defaults on any reimbursement made under

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146 this paragraph, the department may charge the member the maximum
147 interest rate authorized by law.

148 Section 2. This act shall take effect July 1, 2019.