

Governor's Budget Recommendation Conforming Bill
Florida National Guard Educational Dollars for Duty

1 A bill to be entitled
2 An act relating to Educational Dollars for Duty; amending
3 section 250.10; authorizing the use of funds to cover
4 educational costs for spouses and dependents of members of
5 the Florida National Guard; providing an effective date.
6

7 Be It Enacted by the Legislature of the State of Florida:
8

9 Section 1. Subsections (7) and (8) of section 250.10,
10 Florida Statutes, is amended to read:

11 250.10 - Appointment and duties of the Adjutant General.—

12 (7) The Adjutant General shall develop an education
13 assistance program for members in good standing of the Florida
14 National Guard or the member's designee who enroll in an
15 authorized course of study at a public or nonpublic
16 postsecondary institution or technical center in the state which
17 has been accredited by an accrediting body recognized by the
18 United States Department of Education or licensed by the
19 Commission for Independent Education. Education assistance also
20 may be used for training to obtain industry certifications
21 approved by the Department of Education pursuant to s. 1008.44
22 and continuing education to maintain license certifications. The
23 education assistance program shall be known as the Educational
24 Dollars for Duty program (EDD).

25 (a) The program shall establish member application
26 requirements, including, but not limited to, requirements that
27 the member ~~applicant~~:

28 1. Be 17 years of age or older.

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29 2. Be presently domiciled in the state.

30 3. Be an active drilling member and in good standing in the
31 Florida National Guard at the beginning of and throughout the
32 entire academic term for which benefits are received.

33 4. Maintain continuous satisfactory participation in the
34 Florida National Guard for the school term for which benefits
35 are received.

36 5. Upon enrollment in the program, complete a memorandum of
37 agreement to:

38 a. Comply with the rules of the program.

39 b. Serve in the Florida National Guard for the period
40 specified in the member's enlistment or reenlistment contract.

41 c. Authorize the release of information pursuant to
42 subparagraph (d)6. by the postsecondary institution or technical
43 center to the education service office of the Department of
44 Military Affairs, subject to applicable federal and state law.

45 (b) A member is authorized to apply for a transfer of EDD
46 program benefits from the member to either a spouse or a
47 dependent, age 17 years or older. To qualify, the member must
48 meet all requirements of the EDD program application
49 requirements pursuant to section 250.10(7)(a), Florida Statutes,
50 and has not participated in the benefit. Each member is limited
51 to the transfer of benefits to one designee over the term of the
52 member's participation in the Florida National Guard. The
53 program shall establish member designee application
54 requirements, including but not limited to, requirements that
55 the designee:

56 1. Be 17 years of age or older.

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57 2. A legal spouse or dependent of the member.

58 3. Upon enrollment in the program, complete a memorandum of
59 agreement to:

60 a. Comply with the rules of the program.

61 b. Authorize the release of information pursuant to
62 subparagraph (e)6. by the postsecondary institution or technical
63 center to the education service office of the Department of
64 Military Affairs, subject to applicable federal and state laws.

65 (c) ~~(b)~~ The program shall define those members of the
66 Florida National Guard or their designee who are ineligible to
67 participate in the program and those courses of study which are
68 not authorized for the program.

69 1. Ineligible members include, but are not limited to, a
70 member, commissioned officer, warrant officer, or enlisted
71 person who has obtained a master's degree using the program.

72 2. Inactive members of the Florida National Guard and
73 members of the Individual Ready Reserve are not eligible to
74 participate in the program.

75 3. Ineligible member designees include, but are not limited
76 to, a member designee who has obtained a master's degree using
77 the program.

78 ~~4.3.~~ Courses not authorized include noncredit courses,
79 courses that do not meet degree requirements, courses that do
80 not meet requirements for completion of career training, or
81 other courses as determined by program definitions.

82 ~~5.4.~~ The program may not pay repeat course fees.

83 (d) ~~(e)~~ The program may include, but is not limited to:

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84 1. Courses at a public or nonpublic postsecondary
85 institution or technical center in the state which is accredited
86 by an accrediting body recognized by the United States
87 Department of Education or licensed by the Commission for
88 Independent Education.

89 2. Training to obtain industry certifications, limited to
90 certifications approved by the Department of Education under s.
91 1008.44.

92 3. Continuing education to maintain a license or
93 certification. Notwithstanding subparagraph (b)1., members or
94 member designee who have obtained a master's degree using the
95 program are eligible for funding under this subparagraph.

96 4. Licensing and industry certification examination fees.
97 Notwithstanding subparagraph (b)1., members or member designee
98 who have obtained a master's degree using the program are
99 eligible for funding under this subparagraph.

100 5. Notwithstanding subparagraph (b)3., developmental
101 educational courses.

102 (e) ~~(d)~~ The Adjutant General shall adopt rules for the
103 overall policy, guidance, administration, implementation, and
104 proper use of the program. Such rules must include, but need not
105 be limited to:

106 1. Guidelines for certification by the Adjutant General of
107 a ~~guard~~ member's or member designee's eligibility.

108 2. Procedures for notification to a postsecondary
109 institution or technical center of a ~~guard~~ member's or member
110 designee's termination of eligibility.

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111 3. Guidelines for approving courses of study that are
112 authorized for the program, including online courses, industry
113 certification training, and continuing education to maintain
114 license certifications.

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

117 5. Procedures for restitution when a ~~guard-member~~ or member
118 designee fails to comply with the penalties described in this
119 section.

120 6. Procedures that require a public or nonpublic
121 postsecondary institution or technical center that receives
122 funding from the program to provide information regarding course
123 enrollment, course withdrawal, course cancellation, course
124 completion, course failure, and grade verification of enrolled
125 members to the education service office of the Department of
126 Military Affairs.

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

130 (8) Subject to appropriations, the Department of Military
131 Affairs may pay the full cost of tuition and fees for required
132 courses for current members of the Florida National Guard or
133 their designee. Members are eligible to use or transfer the
134 program benefits upon enlistment in the Florida National Guard.
135 If a member or member designee is enrolled in a nonpublic
136 postsecondary education institution or a nonpublic vocational-
137 technical program, the Department of Military Affairs shall pay
138 an amount that may not exceed the rate of the highest in-state

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139 tuition and fees at a public postsecondary education institution
140 or public vocational-technical program.

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

144 (b) The Department of Military Affairs may reimburse a
145 member or member designee for student textbook and instructional
146 material costs in accordance with limits set each fiscal year
147 based on funding availability and regardless of the source of
148 tuition funding, but only after tuition and fees for all
149 eligible members or member designees are paid for that fiscal
150 year.

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

153 1. If a member of the Florida National Guard or member's
154 designee receives payment of tuition and fees for an academic
155 term and the member fails to maintain satisfactory participation
156 in the Florida National Guard during that academic term, the
157 benefiting member or member designee shall reimburse the
158 Department of Military Affairs all tuition charges and student
159 fees for the academic term for which the benefiting member or
160 member designee received payment.

161 2. If a member of the Florida National Guard leaves the
162 Florida National Guard during the period specified in the
163 member's enlistment or reenlistment contract, the member shall
164 reimburse the Department of Military Affairs all tuition charges
165 and student fees for which the benefiting member or member
166 designee received payments, regardless of whether the obligation

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167 to reimburse the department was incurred before, on, or after
168 July 1, 2009, unless the Adjutant General finds that there are
169 justifiable extenuating circumstances.

170 3. If the service of a member of the Florida National Guard
171 is terminated or the member or member designee is placed on
172 scholastic probation while receiving payments, the benefiting
173 member or member designee shall reimburse the Department of
174 Military Affairs all tuition charges and student fees for the
175 academic term for which the member or member designee received
176 payment.

177 4. If a member or member designee defaults on any
178 reimbursement made under this paragraph, the department may
179 charge the member or member designee the maximum interest rate
180 authorized by law.

181 Section 2. This act shall take effect July 1, 2023.