

Minnesota National Guard Tuition Reimbursement Program: Extended Time for Using the Benefits

The 2005 Legislature extended the amount of time a Minnesota National Guard member or former member can use the Guard's tuition reimbursement benefits for postsecondary education. This information brief describes the changes to the law, codified in Minnesota Statutes, [section 192.501](#), subdivision 2.

The Minnesota National Guard will reimburse Guard members' tuition from eligible coursework completed at an accredited postsecondary institution. Prior to July 1, 2005, Minnesota's National Guard Tuition Reimbursement Program required that a Guard member must be "serving actively" in the Guard to be eligible for reimbursement (i.e., that he or she must be in either drill status or active military service). Thus, a Guard member would no longer be eligible for tuition reimbursement under this program once the person had completed the active portion of his or her contract period.

However, the legislature amended the law in 2005 so that any Minnesota National Guard member or former member who has served in federal active military service or federally funded state active military service at any time on or after Sept. 11, 2001, has additional time to use the benefits.¹

¹ For the definitions of types of military service, see Minnesota Statutes, section 190.05, or the House Research publication, *Types of Service for Military Personnel* (www.house.mn/hrd/issinfo/ssmilser.htm).

The amendment does not increase the number of months of benefits (36 months), but extends the time period during which such Guard members can use them. The tuition reimbursement benefits no longer terminate at the moment the person leaves active reserve status.

How much additional time is provided?

The law provides eligible Guard members and former members an additional two years, plus the total amount of time that the person has served in active military service at any time on or after Sept. 11, 2001. Here are three examples:

- Soldier A was ordered into active military service under U.S.C. Title 32 for 179 days immediately following Sept. 11, 2001, for airport security duty at the Twin Cities airport, and served that duty. Thus, this soldier's eligibility period for using the tuition reimbursement program benefits is extended by two years, plus the 179 days spent in active military service.
- Soldier B was ordered to active military service under U.S.C. Title 10 for 545 days (18 months) beginning November 15, 2003, and served both stateside and in Iraq for most of that time. The soldier returned home in April 2005 and was discharged from active military duty on April 14, 2005, after serving exactly 17 months of active military service. Thus, this soldier's eligibility period is extended by a total of three years and five months (i.e., two years, plus the 17 months spent in active military service).
- Soldier C served the U.S.C. Title 32 airport duty with Soldier A above, and also served with Soldier B for the entire 17-month mobilization for duty in Iraq under U.S.C. Title 10. Thus, Soldier C's time extension for using the National Guard tuition reimbursement benefits totals approximately three years and 11 months (i.e., two years, plus the 179 days, plus the 17 months, with the latter two time periods equal to the time spent in the two periods of active military service).

When does a person's time extension begin?

The time extension for an eligible current or former Minnesota National Guard member begins on the first day that the person is no longer serving actively in the Minnesota National Guard—that is, on the day following the person's separation or discharge from the Guard.²

² A person's first military enlistment typically involves an eight-year contract. For most Guard (and other Reserve) members, this enlistment is divided into a six-year period of active reserve or drill status, and a two-year period of individual ready reserve status (IRR). (However, as shown since Sept. 11, 2001, a Guard or Reserve member can also be ordered into federal active military duty at any time.) The six-year mark is referred to as the person's expiration-of-term-of-service (ETS) date. At that point, unless the person voluntarily extends or is held by a military stop-loss order, his or her period of active reserve or drill status ends, and the person enters the inactive ready reserve (IRR). Then, at the end of the eight-year contract period, the person receives a final discharge from the military.

For most eligible members who have not had their active reserve status extended (such as, through involuntary “stop loss” or voluntary extension or reenlistment), the time extension would begin at the end of the person’s sixth year of service—that is, on the person’s ETS date. However, for those who continue in active reserve status and do not separate until their final discharge date, the time extension begins the day following final discharge. And for eligible members who receive a medical discharge, eligibility begins the day following that discharge.

If a person’s time extension begins upon separation prior to final discharge, it remains unaffected by final discharge.

Whether the person is or is not attending a higher education institution at any time has no bearing on the time extension (unless the person has already exhausted his or her 144 credit hours of eligibility).

For eligible Guard members who were separated or discharged prior to the effective date of the enactment (June 4, 2005), the time extension commenced on that date.

Does the law provide additional tuition reimbursement benefits?

No, the law changes do not increase the benefits, but merely extend the time period for an eligible person to use the existing benefits of 144 semester credit hours of reimbursement, or the equivalent.

Is there any time extension for a National Guard member who has already used up all of his or her tuition reimbursement eligibility?

No, the maximum limit of 144 semester credit hours still applies. Thus, the time extension would not apply to a soldier who has already used up his or her reimbursement eligibility prior to being ordered into active military service. It would also not apply to a soldier who uses up all of his or her eligibility while still in active reserve status (i.e., drill status) subsequent to any deployment.

Is there any time extension for having provided state active service?

No, the time extension applies only for people who have served in federal active service ([U.S.C. Title 10](#)) or in federally funded state active service ([U.S.C. Title 32](#)). It does not apply to state active service, which occurs when the governor calls out the Guard for a natural disaster, a lost person search, or some other state purpose.

Does the time extension apply for all types of Title 32 active service?

No, the law specifically excludes federally funded state active service exclusively for training purposes, as well as for regular career positions known as active guard and reserve (AGR) and certain other full-time administrative positions in the Minnesota Department of Military Affairs.

Can a person use tuition reimbursement benefits after receiving a medical discharge from the Guard?

Yes, the law specifically provides a full eight-year time extension to use tuition reimbursement benefits to any person whose separation from the Minnesota National Guard is the direct result of a service-connected injury, disease, or disability. For such a person, there is no requirement that the person has ever served in any type of active military service.

Further Information:

- Minnesota National Guard, Minnesota State Tuition Reimbursement Program, State Education Benefits, www.minnesotanationalguard.org/education/
- House Research Department, *Military and Veterans Enactments by the 2005 Minnesota Legislature: New Benefits, Protections, and Other Laws*, www.house.mn/hrd/pubs/milvet05.pdf

For more information about Guard member issues, visit the military and veterans area of our web site, www.house.mn/hrd/issinfo/vetmil.htm.