

**MASSACHUSETTS NATIONAL GUARD
Policy 23-02**

Personnel General

**MASSACHUSETTS
NATIONAL GUARD
FAMILY
EDUCATION
PROGRAM
(NGFEP)**

**Joint Force Headquarters
Departments of the Army and the Air Force
Massachusetts National Guard
Hanscom AFB, MA
13 December 2022**

Summary of Change

MANG Policy 23-02

MASSACHUSETTS NATIONAL GUARD FAMILY EDUCATION PROGRAM (NGFEP)

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**MASSACHUSETTS NATIONAL GUARD FAMILY EDUCATION
PROGRAM (NGFEP)**

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History. This printing is a new Massachusetts National Guard (MANG) policy. This publication has been organized to make it compatible with an electronic publishing format.

Supersession. Not applicable.

Summary This policy establishes procedures, provides

guidance, and explains the responsibilities for implementation and administration of the Massachusetts National Guard Family Education Program (NGFEP). This policy implements the provisions of Massachusetts General Law (MGL) Chapter 33, Section 137. These provisions authorize current National Guard members to transfer State tuition and fee waivers to eligible dependents. The NGFEP will go into effect on 1 January 2023.

Applicability. This policy applies to all Massachusetts Army National Guard (MANG) Soldiers and Massachusetts Air National Guard Airmen who meet and maintain the eligibility criteria as defined by this policy. Soldiers and Airmen throughout this document are referred to as Service Members (SM).

Proponent and exception to policy. The proponent and exception authority of this regulation is the Deputy Chief of Staff, Personnel (G1).

Supplementation. Supplements to this publication are not authorized. Without written consent of the proponent.

Suggested Improvements. Users of this publication are invited to send comments and suggested improvements on a DA Form 2028, (Recommended Changes to Publications and Blank Forms) or in memorandum format direct to the Deputy Chief of Staff, Personnel (G1), at JFHQ, Hanscom AFB, MA 01731.

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CHAPTER 1 Introduction

1-1. Purpose.

This policy establishes procedures, provides guidance, and explains the responsibilities for implementation and administration of the Massachusetts (MA) National Guard Family Education Program (NGFEP). This policy implements the provisions of Massachusetts General Law (MGL) Chapter 33, Section 137. These provisions authorize current National Guard members to transfer State tuition and fee waivers (STFW) to eligible dependents. The NGFEP will go into effect on 1 January 2023.

1-2. References.

- a. National Guard Tuition and Fee Waiver Program Policy dated 15 March 2022
- b. The Commonwealth of Massachusetts Senate Bill No. 3075 filed 28 July 2022.
- c. MGL CHAPTER 33, Section 137

1-3. Explanation of Abbreviations and Terms

The following terms and abbreviations apply to this regulation unless the context clearly indicates otherwise:

a. **Service Members (SM).** All Massachusetts Army National Guard Soldiers and all Massachusetts Air National Guard Airmen, excluding inactive members assigned to the Inactive National Guard (ING).

b. The Massachusetts Military Division (MILDIV), a Commonwealth Agency that provides and administers the Massachusetts National Guard State and Tuition Fee Waiver (STFW) Program and performs oversight of the National Guard Family Education Program.

c. **Approved Program of Education.** A degree-granting or certificate-granting curriculum, course of study or training required for entrance into a specific career to be pursued on a full-time or part-time basis or its equivalent as determined by the agency, at an approved educational institution.

d. **Approved Institution of Higher Learning.** An educational institution offering a postsecondary program of education located in the Commonwealth of Massachusetts and approved by the Military Division.

e. **NGFEP Benefit.** The National Guard Family Education Program benefit assigned to an eligible family member of an eligible member who has complied with all the requirements provided in this policy.

f. **Certificate of Eligibility.** A document that certifies the member's or family member's eligibility to receive the benefit.

g. **Member and/or NGFEP Eligible Member.** A member of the Massachusetts National Guard who has completed an initial contractual service obligation in the Massachusetts National Guard and is eligible to reenlist in the Massachusetts National Guard for a period of six (6) years or, if a Commissioned Officer, is eligible to serve in the Massachusetts National Guard for an additional six (6) years; and who meets criteria specified in this policy.

h. **Dependent or Family Member.** A dependent of an eligible member who is enrolled in the United States Department of Defense's Defense Enrollment Eligibility Reporting System (DEERS) or would be eligible to enroll in DEERS, if the eligible member had not been discharged from the Massachusetts National Guard.

i. **Full-Time Student.** An eligible member or family member enrolled in an approved institution of higher learning pursuing an approved program of education equal to or greater than twelve (12) credit hours per semester or its equivalent that is recognized by the agency as a full-time course of study.

j. **Part-time Student.** An eligible member or family member in an approved institution of higher learning pursuing an approved program of education of less than twelve (12) credit hours per semester or its equivalent that is recognized by the agency as a part-time course of study.

k. **Member in Good Standing and Satisfactory Participant.** Eligible members (Soldiers and Airmen) must be in good standing and a satisfactory participant prior to the start of a semester, course of study or training program to maintain eligibility and receive benefits, which includes the following criteria:

(1) **Massachusetts Army National Guard:**

- Active member in drilling status, not in any stage of Adverse Action or is not being processed for separation (i.e., Positive urinalysis, absent without leave (AWOL) for nine (9) UTAs during a twelve (12) month period, etc.).

(2) **Massachusetts Air National Guard:**

- Active member in drilling status not in any stage of Adverse Action or is not being processed for separation (i.e., Positive urinalysis, absent without leave (AWOL) for nine (9) RSDs during a twelve (12) month period, etc.).

CHAPTER 2

NGFEP Eligibility

2-1. General.

Massachusetts National Guard SMs are eligible for the MA NGFEP if they are an active member in good standing and have completed 6 years of creditable time while assigned to the MA National Guard or a combination of time with other components (Active duty and Reserves) and agree to extend or reenlist for an additional 6 years. Commissioned officers must also complete 6 years of creditable service and agree to remain a member of the MA National Guard for 6 additional years. To retain eligibility, all SM must remain in good standing and be a satisfactory participant in the MANG for the duration of the obligation.

2-2. Dependents.

a. Dependents are defined as those who meet criteria IAW Defense Enrollment Eligibility Reporting System (DEERS). SMs may transfer the benefit upon completion of their initial 6-year obligation and submission of a reenlistment / extension contract of 6-years. Dependents may begin using NGFEP upon transfer approval and receipt of the signed Statement of Understanding by the SM.

b. SMs may designate more than one dependent to receive the benefit, not to exceed 130 credit hours combined. They can also delete or add dependents designated to receive benefits while in an active status. SMs may change credit hours allotted to each dependent at any time while an active SM and after separation.

c. SM's spouse may use the benefits immediately upon approval and the benefit will expire 10 years after the SM separates from the Massachusetts National Guard.

d. SM may transfer the benefit to their dependent children before their 26th birthday. Once transferred, dependents shall use their specified credit allotment within 10 years of member separation from service or by the age of 26, whichever date is later.

e. NGFEP benefits may be transferred to dependents who are currently serving in the MANG. These dependents are entitled to combine the NGFEP and their own STFW benefits which may exceed 130 credit hours.

f. SMs in the Inactive National Guard (ING) or Individual Ready Reserve (IRR) may not transfer their benefits while in an inactive status.

2-3. Service Obligations.

a. Enlisted. SMs are eligible for the NGFEP if they have completed at least 6 years of creditable service while assigned to the MANG or a combination of time with other components (Active duty and Reserves) and agree to extend or reenlist for an additional 6 years regardless of total years served. In the event a SM has completed their initial 6-year obligation but is unable to extend or reenlist due to a current contract, the Statement of Understanding will detail the required service obligation for eligibility. The SM must extend as soon as they enter their extension eligibility window for a period of no less than the required NGFEP service remaining obligation captured on their SOU. Failure to do so will subject the SM to recoupment of NGFEP.

b. Officers (Warrant Officers and Commissioned Officers) must complete an initial 6-year obligation and agree to serve another 6 years. Officers will sign a Statement of Understanding (SOU) reflecting their obligation to serve 6 additional years.

c. SMs who have served over 14 years of credible service are eligible to receive the benefit and may elect to retire at 20 years of service before completing the 6-year obligation. For example, a SM who has served 16 years, may transfer benefits and may elect to retire upon attaining 20 years of creditable service. In this scenario an SOU reflecting a 4-year commitment is required.

d. SMs who attained 20 creditable years of service are exempt. These SMs may use or transfer their benefit without incurring a service remaining obligation. SM must be a member in good standing.

e. Soldiers selected for non-retention through an involuntary board (i.e., ASMB, SRB, QRB, and medical separations.) before completing their service remaining obligation may retain their benefit without recoupment.

CHAPTER 3

Responsibilities

3-1. Military Division (MilDiv)

a. The Military Division shall be responsible for maintaining a log of all eligible National Guard members and providing a written report detailing the number of certificates issued.

b. Maintain a record of tuition and fee credit totals of each member, including semester hours per member.

3-2. Education Services Office (ESO) / Wing Retention Offices

- a. Verify transfer eligibility to dependents and generate Statement of Understanding for SMs.
- b. Verify State Tuition and Fee Waiver eligibility to generate Certificate of Eligibility (COE).
- c. Coordinate with MilDiv on policy questions.
- d. Serve as the primary liaison for the veteran service offices of eligible institutions.
- e. Obtain monthly reports from the G1 or A1 of SMs assigned to the Inactive National Guard (ING) or Inactive Ready Reserve (IRR).

3-3. Recruiting and Retention

- a. Recruiting and Retention leadership must provide information on the NGFEP to both new enlistments.
- b. Retention NCOs must ensure that SMs who are nearing their enlistment window are provided and fully understand the retention incentives and benefits associated with the NGEP.
- c. Promote awareness of the NGFEP for marketing and retention purposes.

3-4. Unit

- a. Promote awareness of the NGFEP, incorporate benefit language into all sponsorship programs and unit retention counseling.
- b. Assist members with the application and transfer process.
- c. Ensure SMs have a full understanding of additional service obligations and eligibility requirements for enrollment in the programs and use of benefits.
- d. Validate member is in good standing and a satisfactory participant prior to obtaining transfer of benefits approval.
- e. Notify ESO / Wing Retention offices if member is assigned to the Inactive National Guard (ING) or Inactive Ready Reserve (IRR).
- f. Notify ESO/WING retention offices if any adverse action is initiated against a SM or when a SM is separated from service.

3-5. Service Members (SM)

- a. For transferability of NGFEP members must contact appropriate Education Service Office or Wing Retention Office to initiate the transfer to eligible dependents.
- b. Sign Statement of Understanding (SOU) acknowledging the service obligation and eligibility requirements associated with the transfer of benefits.
- c. Once SOU is processed, it is the SMs responsibility to retain or transfer number of credits to each eligible dependent.
- d. Service Member will ensure that eligible dependents are properly enrolled in DEERS.
- e. Ensure that qualifying dependents apply for the NGFEP certificate of eligibility prior to the start of the semester in which applying.
- f. Maintain membership in the National Guard as a member in good standing and complete additional service obligation per the Statement of Understanding.

CHAPTER 4

Limitations and Extensions

4-1. Assignment of NGFEP Benefit.

- a. An eligible member may assign a portion or the entire benefit by the number of credit hours per semester or its equivalent, as determined by the agency, to one or more eligible dependents.
- b. A dependent child must use the assigned benefit before reaching 26 years of age.
- c. All other dependents shall complete their specified credit allotment within 10 years of member separation from service.
- d. An eligible dependent who is assigned NGFEP benefits and is also an eligible member of the Massachusetts National Guard, meeting eligibility requirements for STFW, may receive both STFW and NGFEP benefits.

4-2. Discharge for Disability.

- a. A SM discharged because of a medical disability after 1 January 2023 shall remain eligible to transfer NGFEP benefits to dependents, if the member meets the following criteria:
 - (1) SM met the criteria established in Chapter 2, accepted an obligation to serve in the Massachusetts National Guard and was qualified to fulfill the service obligation but medical disability resulted in discharge.
 - (2) The medical disability was incurred in the line of duty and was not the result of misconduct.

(3) The medical condition giving rise to the discharge did not exist prior to the eligible member entering service in the Massachusetts National Guard.

(4) The former eligible member received an Honorable or General, Under Honorable Conditions characterization of discharge for medical reasons; The SM is not eligible if he or she received an Other Than Honorable characterization of discharge.

b. SM may transfer the benefit to eligible dependents at any time within the 6-year service remaining obligation. If the SM is separated before completing the service requirement for medical reasons, the SM must transfer the benefit to eligible dependent(s) before separation.

4-3. Death of an Eligible Member.

An eligible dependent of a SM who died while serving the obligation required in Chapter 2 shall remain eligible to receive an NGFEP benefits if the deceased eligible member met the following criteria at the time of death:

a. Transfer of NGFEP benefits must have been completed while SM was in an active service

b. The deceased eligible member would have been otherwise eligible for an Honorable or General, Under Honorable Conditions characterization of service at discharge but for the eligible member's death.

CHAPTER 5

Recoupment of Payments

5-1. General Rule

a. If the SM is subject to adverse administrative action and separated from the service, the NGFEP transfer is void. If any portion of the NGFEP benefits were used, the SM is subject to recoupment.

b. An eligible member who fails to meet the six (6) year service obligation, or to meet other requirements established by The Adjutant General of Massachusetts (TAGMA) or the MANG, is liable to the Commonwealth for repayment of all or part of the payments received by dependents. The Adjutant General's designated representatives shall notify the Military Division if an eligible member fails to complete the service obligation and direct recoupment.

c. SM may be subject to recoupment if the recipient fails or drops a course.

5-2. Forgiveness of Recoupment.

a. Upon notification by TAGMA, the Military Division shall forgive recoupment of all or part of the dependent's NGFEP payments if TAGMA determines that the eligible member's failure to fulfill the six (6) year service obligation is a result of one of the following:

(1) The eligible member's death.

(2) The eligible member was discharged because of disability incurred in the line of duty.

(3) The eligible member was discharged because of disability which was outside the members control and is not due to the member's misconduct.

(4) The Adjutant General determined the existence of other compelling circumstances that warrant forgiveness.

(a) A member, former member, or family member subject to recoupment may apply for forgiveness by submitting a written request, detailing the facts and circumstances to justify forgiveness, through the MANG G1 / A1 ATTN: Education Service Officer, 2 RANDOLPH ROAD, HANSCOM AFB MA, 01731. Current service members must submit their request through their chain of command to the Education Service Officer.

Glossary

Section I

Abbreviations

DA

Department of the Army

MAKO

Massachusetts Knowledge Online

MANG

Massachusetts National Guard

Section II

Terms

DA Form

A form used throughout the Army; any form that is used by more than one Army command or agency; approved by the U.S. Army Publishing Directorate.

Section III

Special Abbreviations and Terms

This section contains no entries.