

**RULES
OF
THE TENNESSEE DEPARTMENT OF MILITARY**

**CHAPTER 0930-02-01
RULES FOR IMPLEMENTATION OF THE “TENNESSEE SUPPORT, TRAINING AND RENEWING
OPPORTUNITY FOR NATIONAL GUARDSMAN (STRONG) ACT OF 2017”**

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0930-02-01-.01 PURPOSE AND SCOPE.

To establish the Rules to be used for administering the “Tennessee Support, Training and Renewing Opportunity for National Guardsman (STRONG) Act of 2017”, hereinafter referred to as the “Program.” The Program is administered and managed under the authority and guidance of the Adjutant General. The purpose of the Program is to aid in the recruitment and retention of service members of the Tennessee National Guard.

Authority: Chapter 447 of the Public Acts of 2004, Chapter 229 of the Public Acts of 2017, and T.C.A. §§ 49-4-1001, et seq., and 58-1-101, et seq. **Administrative History:** Original rule filed July 29, 2004; effective November 26, 2004. Amendments filed July 13, 2017; effective October 11, 2017.

0930-02-01-.02 DEFINITIONS.

- (1) The terms that follow shall have the following meanings, as set forth in this Rule:
- (a) Educational institution: Any public university, college, community college, college of applied technology, or any private college or university that is regionally accredited and has its primary campus located within the state of Tennessee.
 - (b) Federal Tuition Assistance (FTA): The FTA is distinct from and should not be confused with other tuition assistance programs that are federally funded, such as Montgomery GI Bill benefits and Post-9/11 GI Bill benefits. The FTA is a military tuition assistance program for which certain members of the National Guard are eligible, according to applicable federal regulation.
 - (c) Tennessee Support, Training and Renewing Opportunity for National Guardsman Advisory Board (TN STRONG AB): The Program Advisory Board, also referenced herein as the “Board,” is an advisory board to which the Adjutant General appoints Board members, and to whom the Adjutant General delegates the authority to review, approve or decline applications for STRONG Act tuition reimbursement, as set forth in this Rule and in accordance with Departmental guidelines.
 - (d) Joint Force Headquarters Army National Guard G-1 (JFHQ G-1)/Joint Force Headquarters Air National Guard A-1 (JFHQ A-1): The JFHQ G-1/JFHQ A-1, or such office as named by the Adjutant General, is the office the Adjutant General has authorized to have primary responsibility for day-to-day operations for the Program, for the Tennessee Army National Guard and the Tennessee Air National Guard service members, respectively.

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- (e) Tuition: The total semester, quarter, or classroom hour cost of instruction delineated in the catalog of an educational institution, including all mandatory fees.
- (f) Semester hour: Semester hour means the credit hour used by an educational institution, if the institution is on a semester system, or its equivalent if the institution is on a system other than a semester system, and includes each semester hour attempted, whether remedial or for credit toward a degree, but does not include any semester hour attempted before graduating from high school or earning a high school equivalency diploma.
- (g) Attempted semester hour: Semester hour(s) for a course dropped prior to the add/drop date for that course will not be counted as attempted semester hours toward the maximum number of reimbursable semester hours permitted for the type of program (certificate or diploma, bachelor's, or master's) for which the service member is seeking reimbursement.
- (h) Credit hour: Includes but is not limited to a clock hour for programs that utilize clock hours instead of credit hours, using the conversion formula utilized by the U.S. Department of Education for federal Title IV student aid purposes under applicable federal regulation.
- (i) Officer-producing program: A reserve officer training corps program offered through a college or university.
- (j) Good standing: A service member of the Tennessee National Guard is considered to be in good standing for the purposes of this Program:
 - 1. If he or she, at the time the JFHQ G-1/JFHQ A-1 time/date stamps the application for STRONG Act reimbursement as received:
 - (i) Has not accumulated nine (9) or more unexcused absences from unit training assemblies, nor failed to attend a scheduled annual training, within a twelve (12) month period prior to the time/date stamped receipt of the service member's application, unless the service member produces documentation, showing that the service member had obtained proper permission from his or her unit commander excusing the absence; and
 - (ii) Has not missed a ship date to complete basic military training before the first day of class for the semester, trimester, quarter, or academic term for which the service member has submitted an application for STRONG Act tuition reimbursement, unless the service member produces documentation, showing that the service member had obtained proper permission from his or her unit commander excusing the absence; and
 - 2. For members seeking reimbursement for studies toward a first bachelor's degree,
 - (i) Have filed a course/degree plan with the JFHQ G-1/JFHQ A-1 after the completion of nine (9) credit semester hours, which course/degree plan will detail all required courses needed to fulfill degree requirements; and
 - (ii) After earning twelve (12) semester credit hours, the service member must have declared a major. If the service member has completed twelve (12)

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credit semester hours at the time that the application for tuition reimbursement is time/date stamped as received, the service member must include his or her declared major in the service member's application for tuition reimbursement. If a service member's major has changed, the new major must be reflected on subsequent applications for tuition reimbursement and course/degree plans;

3. For members seeking reimbursement for studies toward a first master's degree, notice of the specific degree sought and a course/degree plan detailing all required courses needed to fulfill degree requirements must be filed with the member's first application seeking reimbursement; and
 4. For members seeking reimbursement for studies toward a certificate or diploma in a vocational or technical program, notice of the specific certificate sought and a course plan detailing all required courses needed to obtain the certificate must be filed with the member's first application seeking reimbursement; and
 5. The Board must have deemed the service member to be in good standing, after having reviewed relevant information obtained through the application process, at the direction and under the authority and guidance of the Adjutant General.
- (k) Currently active: A service member of the Tennessee National Guard is considered to be currently active for the purposes of this program if he or she is an active member in the Tennessee Army National Guard or the Tennessee Air National Guard at the time his or her application for STRONG Act tuition reimbursement is time/date stamped as received by the JFHQ G-1/JFHQ A-1.

Authority: Chapter 447 of the Public Acts of 2004, Chapter 229 of the Public Acts of 2017, Chapter 216 of the Public Acts of 2021, and T.C.A. §§ 49-4-1001, et seq., and 58-1-101, et seq. **Administrative History:** Original rule filed July 29, 2004; effective November 26, 2004. Amendments filed July 13, 2017; effective October 11, 2017. Emergency rules filed July 22, 2021; effective through January 18, 2022.

0930-02-01-.03 STRONG ACT TUITION REIMBURSEMENT IS SUBJECT TO FUNDING AVAILABILITY.

- (1) Meeting the eligibility criteria as outlined in Rule 0930-02-01-.06 does not obligate the Tennessee Military Department to award STRONG Act tuition reimbursement. The approval and award of STRONG Act tuition reimbursement is subject to funding availability.
- (2) If funding becomes limited, distribution of STRONG Act tuition reimbursement will be executed in accordance with Departmental guidelines.

Authority: Chapter 447 of the Public Acts of 2004, Chapter 229 of the Public Acts of 2017, Chapter 216 of the Public Acts of 2021, and T.C.A. §§ 49-4-1001, et seq., and 58-1-101, et seq. **Administrative History:** Original rule filed July 29, 2004; effective November 26, 2004. Amendments filed July 13, 2017; effective October 11, 2017. Emergency rules filed July 22, 2021; effective through January 18, 2022.

0930-02-01-.04 SCOPE OF STRONG ACT TUITION REIMBURSEMENT.

- (1) Payments of STRONG Act tuition reimbursement must be paid directly to an educational institution and not to the Tennessee National Guard member.
- (2) When the Board approves an eligible service member's application for STRONG Act tuition reimbursement, and the service member is attending a public educational institution, the

(Rule 0930-02-01-.04, continued)

Department of Military shall pay the educational institution an amount equal to one hundred percent (100%) of the maximum resident in-state tuition charged by the institution for the type of program (certificate or diploma, bachelor's, or master's) attended, less all other state or federal financial assistance as described in T.C.A. § 49-4-1005. Such financial assistance must be credited first to the service member's tuition, subject to T.C.A. § 49-4-1005.

- (3) Notwithstanding 0930-02-01-.04(2), for service members attending a private two-year college, the amount of STRONG Act tuition reimbursement paid is the average cost of tuition at the public two-year postsecondary institutions, as determined by the Tennessee Higher Education Commission and Tennessee Student Assistance Corporation, less all other financial assistance received by the service member. For service members attending a private four-year college or university the amount paid is the average cost of tuition at the public four-year universities, as determined by the Tennessee Higher Education Commission and Tennessee Student Assistance Corporation, less all other financial assistance received by the service member. Such financial assistance must be credited first to the amount of the average tuition, subject to T.C.A. § 49-4-1005.
- (4) Notwithstanding 0930-02-01-.04(2) and (3), for service members enrolled in a vocational or technical program at a public or private educational institution for the purpose of attaining a certificate or diploma, the amount of reimbursement shall not exceed one hundred percent (100%) of the tuition, as defined in 0930-02-01-.02(e), for the specific program for which the member is seeking reimbursement, at a public educational institution, less all other financial assistance received by the service member.
- (5) STRONG Act tuition reimbursement amounts which a service member may be eligible to receive under this part must be offset and reduced by the aggregate amount of state and federal education financial assistance received by the service member during the semester or educational term for which STRONG Act tuition reimbursement is sought, unless federal law or regulation requires otherwise, in which case federal priority controls. Examples of such federal and state tuition assistance include, but are not limited to, the Tennessee Promise scholarship, the Tennessee Reconnect grant, the Tennessee HOPE scholarship, and similar state assistance, as such assistance programs or grants may be amended, as well as Tennessee student assistance awards, the federal Pell grant, Montgomery GI Bill benefits, Post-9/11 GI Bill benefits, and federal tuition assistance program benefits.
- (6) Service members who are eligible for FTA as defined herein must apply for and use any tuition awarded through FTA.
- (7) The above provisions apply to any STRONG Act tuition reimbursement paid to both public and private educational institutions.

Authority: Chapter 447 of the Public Acts of 2004, Chapter 229 of the Public Acts of 2017, Chapter 216 of the Public Acts of 2021, and T.C.A. §§ 49-4-1001, et seq., and 58-1-101, et seq. **Administrative History:** Original rule filed July 29, 2004; effective November 26, 2004. Amendments filed July 13, 2017; effective October 11, 2017. Emergency rules filed July 22, 2021; effective through January 18, 2022.

0930-02-01-.05 PROGRAM ADMINISTRATION.

The Program will be administered by the JFHQ G-1/JFHQ A-1 at the direction and under the authority of the Adjutant General.

Authority: Chapter 447 of the Public Acts of 2004, Chapter 229 of the Public Acts of 2017, and T.C.A. §§ 49-4-1001, et seq., and 58-1-101, et seq. **Administrative History:** Original rule filed July 29, 2004; effective November 26, 2004. Amendments filed July 13, 2017; effective October 11, 2017.

0930-02-01-.06 ELIGIBILITY.

To qualify for STRONG Act tuition reimbursement pursuant to T.C.A. § 49-04-1005, the Tennessee National Guard member must satisfy all of the following conditions:

- (1) The service member must be in good standing as defined in this Rule.
- (2) The service member must be currently active in the Tennessee National Guard as defined in this Rule.
- (3) The service member must have served in the Tennessee National Guard during the applicable academic term for which the application for STRONG Act tuition reimbursement is submitted.
- (4) For members seeking a first bachelor's degree or first master's degree, the service member must have maintained satisfactory academic progress and received a minimum grade point average of 2.0 for members seeking a first bachelor's degree or 3.0 for members seeking a first master's degree, as determined by the educational institution attended for the academic term for which STRONG Act tuition reimbursement is sought.
- (5) For members seeking a certificate or diploma from a vocational or technical program at a public or private educational institution, satisfactory academic progress and either a minimum grade point average of 2.0, or academic good standing, as determined by the institution, if grade point averages are not utilized by the institution, are required to be eligible for reimbursement. For such programs, an institutional review of a student's satisfactory academic progress standing need not coincide with the end of each academic term, but timely notification from either the member or the vocational or technical program of the member's grades and academic progress is still required to determine eligibility for reimbursement.
- (6) The service member must be pursuing either postsecondary semester hours toward a first bachelor's degree; postbaccalaureate semester hours toward a first master's degree; or semester hours or the equivalent toward a certificate or diploma from a vocational or technical program.
- (7) The service member's STRONG Act tuition reimbursement application must be time/date stamped as received by the JFHQ G-1/JFHQ A-1 within forty-five (45) days of the last day of instruction for the academic term, as determined by the service member's educational institution, for which the service member is seeking STRONG Act tuition reimbursement.

Authority: Chapter 447 of the Public Acts of 2004, Chapter 229 of the Public Acts of 2017, Chapter 216 of the Public Acts of 2021, and T.C.A. §§ 49-4-1001, et seq., and 58-1-101, et seq. **Administrative History:** Original rule filed July 29, 2004; effective November 26, 2004. Amendments filed July 13, 2017; effective October 11, 2017. Emergency rules filed July 22, 2021; effective through January 18, 2022.

0930-02-01-.07 APPLICATION PROCESS FOR STRONG ACT TUITION REIMBURSEMENT.

- (1) Members of the Tennessee National Guard who meet the requirements of Rule 0930-02-01-.06 may apply for STRONG Act tuition reimbursement using the application process as set forth by this Rule and Departmental guidelines, and in accordance with guidance from the Adjutant General.
- (2) Service members must apply for tuition reimbursement through this Program within forty-five (45) days of the last day of instruction for the academic term, as determined by the service

(Rule 0930-02-01-.07, continued)

- member's educational institution, for which the service member is seeking STRONG Act tuition reimbursement.
- (3) Service members shall be required to submit a release to their educational institution that explicitly allows their educational institutions to lawfully release student records or other information requested by the JFHQ G-1/JFHQ A-1 during the application process.
 - (4) Service members must submit completed and signed STRONG Act tuition reimbursement applications to the JFHQ G-1/JFHQ A-1 in a timely manner. Upon receipt, the JFHQ G-1/JFHQ A-1 will time/date stamp the applications as received, conduct an initial review of the applications for eligibility, accuracy, completeness, and process the applications accordingly. Incomplete or invalid applications may be returned without action by the JFHQ G-1/JFHQ A-1 for necessary corrections that would render the application complete and valid.
 - (5) The JFHQ G-1/JFHQ A-1 shall submit a form to the service member's unit commander, or his or her designee, which requires the commander, or his or her designee, to report any disciplinary action(s) pending against the service member and document whether he or she would recommend the service member as a candidate for approval of STRONG Act tuition reimbursement.
 - (6) The Adjutant General has ultimate authority to approve or deny applications for STRONG Act tuition reimbursement through this Program. At his or her discretion, the Adjutant General may delegate this authority to the TN STRONG AB, under his or her direction and guidance, in accordance with this Rule and Departmental guidelines.
 - (7) The JFHQ G-1/JFHQ A-1 must submit a complete application to the TN STRONG AB for review and approval, in accordance with this Rule and with Departmental guidelines. For the purposes of this Program, a complete application will include all of the following:
 - (a) The Tennessee National Guard member's timely-submitted application for STRONG Act tuition reimbursement;
 - (b) The form referenced in 0930-02-01-.07(5), completed by the service member's unit commander or designee, to include his or her formal recommendation as to whether or not to approve the service member's application for STRONG Act tuition reimbursement; and
 - (c) The JFHQ G-1/JFHQ A-1's formal recommendation as to whether or not to approve the service member's application for STRONG Act tuition reimbursement.
 - (8) The TN STRONG AB, acting under the authority and instruction of the Adjutant General, may consider the complete, timely application to make a determination as to whether the service member is in good standing and currently active in the Tennessee National Guard for the purposes of this Program. When a service member is deemed to be currently active and in good standing, the Board will consider the application for approval in accordance with these Rules and Departmental guidelines. The Board, in its discretion, may consider all information obtained during the application process, in accordance with these Rules and Departmental guidelines, when making a determination of whether or not to approve a service member's application for STRONG Act tuition reimbursement through this Program. However, neither the aforementioned recommendations nor any other factor(s) taken into consideration are inherently determinative with regard to the ultimate determination to approve or decline to approve a service member's application for STRONG Act tuition reimbursement through this Program.

(Rule 0930-02-01-.07, continued)

- (9) Approved applications will be time/date stamped and returned to the JFHQ G-1/JFHQ A-1 for processing STRONG Act tuition reimbursement, in accordance with this Rule and Departmental guidelines. Applications that are declined by the Board will be time/date stamped as declined and returned to the service member, who will have thirty (30) days from the date of the Board's determination to submit an appeal to the Adjutant General for his or her consideration of the Board's decision, in accordance with this Rule and Departmental guidelines.

Authority: Chapter 447 of the Public Acts of 2004, Chapter 229 of the Public Acts of 2017, Chapter 216 of the Public Acts of 2021, and T.C.A. §§ 49-4-1001, et seq., and 58-1-101, et seq. **Administrative History:** Original rule filed July 29, 2004; effective November 26, 2004. Amendments filed July 13, 2017; effective October 11, 2017. Emergency rules filed July 22, 2021; effective through January 18, 2022.

0930-02-01-.08 CESSATION OF ELIGIBILITY FOR STRONG ACT TUITION REIMBURSEMENT.

- (1) Eligibility of members to seek tuition reimbursement through this program extends to each eligible member for the full semester-hour limit of each type of program (certificate or diploma, bachelor's, and master's), meaning members may utilize the STRONG Act for multiple degrees and certificates upon demonstration of continued eligibility, subject to availability of funding and Department guidelines.
- (2) Eligibility for STRONG Act tuition reimbursement will permanently cease as to the individual program for which the member is seeking reimbursement upon the advent of any of the following conditions:
 - (a) For members seeking reimbursement for studies toward a first bachelor's degree:
 1. The service member has attempted one hundred twenty (120) credit semester hours, inclusive of any postsecondary credit hours earned prior to receipt of STRONG Act tuition reimbursement; or
 2. The service member has completed eight (8) full-time semesters, as defined in T.C.A. § 49-4-1003(b), or the equivalent of a semester if the educational institution is on a system other than a semester system, as defined in T.C.A. § 49-4-1003(c); or
 3. The service member has earned a first bachelor's degree.
 - (b) Notwithstanding subparagraph (a), for members seeking reimbursement for studies toward a first master's degree:
 1. The service member has attempted forty (40) semester hours, inclusive of any post-baccalaureate semester hours earned prior to receipt of STRONG Act tuition reimbursement; or
 2. The service member has earned a first master's degree.
 - (c) Notwithstanding subparagraphs (a) and (b), for members seeking reimbursement for studies toward a certificate or diploma from a vocational or technical program,
 1. The member has attempted twenty-four (24) semester hours, or the equivalent, toward a certificate or diploma from a vocational or technical program, inclusive of any semester hours earned in that same vocational or technical program prior to receipt of STRONG Act tuition reimbursement.

(Rule 0930-02-01-.08, continued)

2. It is not required that tuition reimbursement under this part apply toward a member's first certificate from a vocational or technical program.
- (d) Notwithstanding subparagraphs (a) and (b), a member who is enrolled in an officer-producing program at an educational institution is exempt from the semester and semester-hour limits for tuition reimbursement under this part for up to thirty (30) additional semester hours for the limited purpose of allowing the member to complete the courses required to accept a commission upon graduation with the member's first bachelor's or master's degree.
- (e) Eligibility will cease when a service member is not in good standing as defined in this Rule.
- (f) Eligibility will cease when a service member is not currently active as defined in this Rule.
- (g) All service members applying for tuition reimbursement through this Program are subject to the statutory limitations and conditions as provided in T.C.A. § 49-4-1005. Should a service member fail to maintain satisfactory academic progress and a minimum of a 2.0 grade point average for undergraduate programs, or a 3.0 grade point average for master's programs, or for vocational or technical programs, a minimum of a 2.0 grade point average, or academic good standing, as determined by the institution, if grade point averages are not utilized by the institution, he or she will become ineligible for tuition reimbursement. However, the service member may regain eligibility for tuition reimbursement at the end of any subsequent semester in which satisfactory academic progress and the required grade point average are established and the service member is deemed to meet all other requirements for STRONG Act reimbursement as determined by the Board.

Authority: Chapter 447 of the Public Acts of 2004, Chapter 229 of the Public Acts of 2017, Chapter 216 of the Public Acts of 2021, and T.C.A. §§ 49-4-1001, et seq., and 58-1-101, et seq. **Administrative History:** Original rule filed July 29, 2004; effective November 26, 2004. Amendments filed July 13, 2017; effective October 11, 2017. Emergency rules filed July 22, 2021; effective through January 18, 2022.

0930-02-01-.09 OVERSIGHT.

Pursuant to §§ 49-4-1001, et seq., the Adjutant General is vested with the authority to implement rules to effectuate the purposes of this Program. The Adjutant General hereby provides the following oversight provisions, which may be changed at any time at the Adjutant General's discretion:

- (1) The Adjutant General delegates oversight of day-to-day operations of this Program, as directed by the Adjutant General, to the JFHQ G-1/ JFHQ A-1.
- (2) The Adjutant General may appoint Board members to the TN STRONG AB as necessary and vest them with the following authority:
 - (a) The Board members will have voting privileges for the purpose of conducting Board business, in accordance with this Rule and Departmental guidelines.
 - (b) The TN STRONG AB will meet as required by this Rule or Departmental guidelines; or at the request of the Adjutant General, operating upon the recommendation of JFHQ G-1/JFHQ A-1; or when otherwise directed by the Adjutant General or his or her designee.

(Rule 0930-02-01-.09, continued)

- (c) The TN STRONG AB has the authority to review completed applications that are submitted by JFHQ G-1/ JFHQ A-1 and determine the outcome of the application process, in accordance with this Rule and Departmental guidelines.
- (3) The Department of Military's Office of General Counsel may provide legal guidance to the JFHQ G-1/JFHQ A-1, the TN STRONG AB and to the Adjutant General as it relates to administration of the Program, as necessary.
- (4) The Adjutant General will have appellate authority and jurisdiction over the administration of this Program. He or she may delegate the procedural, legal, and/or administrative functions of the appellate process to the Department of Military's Office of General Counsel, in accordance with this Rule and Departmental guidelines and this Rule.
- (5) Any service member denied STRONG Act tuition reimbursement by the STRONG AB may submit a request for appellate consideration to the Adjutant General, in accordance with Departmental guidelines and this Rule.

Authority: Chapter 447 of the Public Acts of 2004, Chapter 229 of the Public Acts of 2017, Chapter 216 of the Public Acts of 2021, and T.C.A. §§ 49-4-1001, et seq., and 58-1-101, et seq. **Administrative History:** Original rule filed July 29, 2004; effective November 26, 2004. Amendments filed July 13, 2017; effective October 11, 2017. Emergency rules filed July 22, 2021; effective through January 18, 2022.

0930-02-01-.10 WAIVER OF RULE.

The Adjutant General may waive any Rule contained in 0930-02-01 not required by statute when it is in the best interest of the State of Tennessee and the Tennessee Military Department.

Authority: Chapter 447 of the Public Acts of 2004, Chapter 229 of the Public Acts of 2017, Chapter 216 of the Public Acts of 2021, and T.C.A. §§ 49-4-1001, et seq., and 58-1-101, et seq. **Administrative History:** Original rule filed July 29, 2004; effective November 26, 2004. Amendments filed July 13, 2017; effective October 11, 2017. Emergency rules filed July 22, 2021; effective through January 18, 2022.