S T A T E O F N E W Y O R K

1055

2011-2012 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 5, 2011

Introduced by M. of A. ORTIZ, LENTOL -- Multi-Sponsored by -- M. of A. COLTON, COOK, FARRELL, HEASTIE, O'DONNELL, PHEFFER, J. RIVERA, ROBINSON, SWEENEY, TOWNS, WRIGHT -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to the state university of New York veteran fee waiver program

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The education law is amended by adding a new section 669-e to read as follows:

S 669-E. VETERAN FEE WAIVER PROGRAM. 1. ELIGIBLE STUDENTS. STUDENTS MUST MEET ALL THE REQUIREMENTS OF AT LEAST ONE OF THE FOLLOWING PLANS:

(A) PLAN A. THE STUDENT MUST BE THE SPOUSE, CHILD OR UNMARRIED SURVIVING SPOUSE OF A VETERAN WHO IS TOTALLY SERVICE CONNECTED DISABLED OR WHO DIED OF SERVICE RELATED CAUSES. THE CHILD MUST BE LESS THAN TWENTY-SEVEN YEARS OF AGE TO RECEIVE THE FEE WAIVER BUT MAY BE UP TO THIRTY YEARS OF AGE IF THE CHILD IS A VETERAN. A DEPENDENT MAY NOT RECEIVE ANY BENEFITS HEREUNDER IF OTHERWISE IN RECEIPT OF USDVA CHAPTER 35 BENEFITS.

(B) PLAN B. THE STUDENT MUST BE THE CHILD OF A VETERAN WHO HAS A SERVICE CONNECTED DISABILITY OR HAD A SERVICE CONNECTED DISABILITY AT TIME OF DEATH. A CHILD'S INCOME, INCLUDING STUDENT ADJUSTED GROSS INCOME PLUS THE VALUE OF SUPPORT PROVIDED BY THE PARENTS, CANNOT EXCEED THE NATIONAL POVERTY LEVEL AS CALCULATED BY THE UNITED STATES CENSUS BUREAU.

(C) PLAN C. ANY DEPENDENT, OR SURVIVING SPOUSE WHO HAS NOT REMARRIED, OF ANY MEMBER OF THE NEW YORK STATE NATIONAL GUARD, WHO, IN THE LINE OF DUTY AND WHILE IN ACTIVE SERVICE OF THE STATE, WAS KILLED.

2. APPLICABILITY. FEE WAIVERS PROVIDED UNDER THIS SECTION SHALL ONLY BE AVAILABLE WITHIN THE STATE OF NEW YORK UNIVERSITY SYSTEM; PROVIDED, HOWEVER, THAT NOTHING CONTAINED HEREIN SHALL PREVENT INSTITUTIONS FROM CHARGING NONRESIDENT FEES.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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3. APPLICATION. ELIGIBLE STUDENTS MUST FILE ON OR BEFORE MAY FIRST OF THE ACADEMIC YEAR FOR WHICH REQUESTING PAYMENT IN ORDER TO BE CONSIDERED FOR THE FEE WAIVER PROGRAM.

4. AMOUNT OF FEE WAIVER. (A) FOR FULL-TIME STUDY, AWARDS SHALL BE TWENTY-FIVE PERCENT OF TOTAL TUITION COSTS. FULL-TIME STUDY SHALL BE DEFINED AS TWELVE OR MORE CREDIT HOURS PER SEMESTER (OR THE EQUIVALENT THEREOF) AT A DEGREE GRANTING INSTITUTION WITHIN THE STATE UNIVERSITY OF NEW YORK SYSTEM, OR TWENTY-FOUR OR MORE HOURS PER WEEK IN A VOCATIONAL TRAINING PROGRAM.

(B) FOR PART-TIME STUDY, AWARDS SHALL BE TWENTY-FIVE PERCENT OF TOTAL TUITION COSTS. PART-TIME STUDY SHALL BE DEFINED AS BETWEEN THREE AND ELEVEN CREDIT HOURS PER SEMESTER (OR THE EQUIVALENT) AT A DEGREE GRANTING INSTITUTION WITHIN THE STATE UNIVERSITY OF NEW YORK SYSTEM, OR BETWEEN SIX AND TWENTY-THREE HOURS PER WEEK IN A VOCATIONAL TRAINING PROGRAM.

(C) IF A TUITION ASSISTANCE PROGRAM (TAP) AWARD IS ALSO RECEIVED, THE COMBINED ACADEMIC YEAR AWARD CANNOT EXCEED TUITION. IN SUCH INSTANCE THE TAP AWARD SHALL BE REDUCED ACCORDINGLY. THE TOTAL UNDERGRADUATE AND GRADUATE TUITION AWARDS RECEIVED CANNOT EXCEED TEN THOUSAND DOLLARS IN AN ACADEMIC YEAR.

S 2. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.