

1720

2015-2016 Regular Sessions

I N A S S E M B L Y

January 12, 2015

Introduced by M. of A. LENTOL -- read once and referred to the Committee
on Higher Education

AN ACT to amend the education law, in relation to providing tuition
awards to children of veterans who served in armed conflict

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

1 Section 1. Section 668 of the education law, as added by chapter 942
2 of the laws of 1974, subdivision 1 as amended by chapter 580 of the laws
3 of 1992, paragraphs (a) and (d) of subdivision 1 as amended by chapter
4 261 of the laws of 1995, paragraph (b) of subdivision 1 as amended by
5 chapter 616 of the laws of 1995, paragraphs (f) and (g) of subdivision 1
6 as added by chapter 435 of the laws of 2006, subdivision 2 as amended by
7 chapter 333 of the laws of 1993, the opening paragraph of subdivision 2
8 as amended by chapter 547 of the laws of 2004, and paragraphs (b) and
9 (c) of subdivision 2 as amended by chapter 390 of the laws of 1995, is
10 amended to read as follows:

11 S 668. Regents awards for children of deceased and disabled veterans;
12 TUITION AWARDS FOR CHILDREN OF VETERANS WHO SERVED IN ARMED CONFLICT.
13 IN ADDITION TO THE REGENTS AWARDS PROVIDED TO CHILDREN OF DECEASED AND
14 DISABLED VETERANS, THE PRESIDENT OF THE HIGHER EDUCATION SERVICES CORPO-
15 RATION SHALL MAKE AVAILABLE TO THE CHILDREN OF A LIVING OR DECEASED
16 VETERAN OF THE ARMED FORCES OF THE UNITED STATES WHO COMPLETED A PERIOD
17 OF MILITARY SERVICE AS DEFINED IN SUBDIVISION ONE OF THIS SECTION, A
18 TUITION AWARD THAT MAY BE APPLIED TO ANY COLLEGE OR COMMUNITY COLLEGE IN
19 THE STATE UNIVERSITY OF NEW YORK SYSTEM, ANY UNIVERSITY OF THE STATE OF
20 NEW YORK, OR THE UNIVERSITY OF THE CITY OF NEW YORK.

21 1. Period of military service. For a student to be eligible, the
22 parent, or step-parent where the student is the dependent of the step-
23 parent, (i) must have been a recipient of the armed forces expeditionary
24 medal, the navy expeditionary medal or the marine corps expeditionary
25 medal for participation in operations in Lebanon from June first, nine-

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

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(a) April sixth, nineteen hundred seventeen to November eleven, nineteen hundred eighteen.

(c) June twenty-seven, nineteen hundred fifty to January thirty-one, nineteen hundred fifty-five.

(e) August two, nineteen hundred ninety to the end of hostilities in the Persian Gulf conflict.

(g) From October sixteenth, two thousand two until the end of the United States military efforts in Iraq.

(a) was a legal resident of New York state at the time of his or her demise and who died or die while so serving, or as a result of injury or illness suffered or incurred during such military service; or

(b) is an honorably discharged veteran of the United States or member of the armed forces of the United States, who is a resident of the state of New York, and who, FOR PURPOSES OF THE GRANTING OF A REGENTS AWARD, has a current disability of forty percent or more as a result of an injury or illness which is incurred or was incurred during such military service; or

(c) is now deceased, who was a resident of this state at the time of his or her demise, and who, FOR PURPOSES OF THE GRANTING OF A REGENTS AWARD, at the time of his or her demise had a disability to a degree of forty percent or more as a result of an injury or illness which was incurred during such military service; or

(d) is classified as a former prisoner of war, or as missing in action, who has been so classified by the United States department of defense, and who is a resident of the state of New York if a former prisoner of war or was a resident of the state of New York when classified as missing in action.

3. Determinations of disability. Determinations concerning disability or death by the United States Administrator of Veterans Affairs or the separate branches of the armed forces of the United States shall be conclusive.

4. Amount and duration. (A) REGENTS AWARDS. Every recipient OF A REGENTS AWARD shall receive an annual award of four hundred fifty dollars for each of not more than four academic years, or five academic years if the recipient is enrolled in a program normally requiring five years, as defined by the commissioner, pursuant to article thirteen OF THIS TITLE.

(B) TUITION AWARDS. (I) A TUITION AWARD GRANTED UNDER THIS SECTION SHALL BE EQUAL TO THE COST OF UNDERGRADUATE TUITION, OFFSET BY ANY OTHER FINANCIAL ASSISTANCE OR AWARD RECEIVED. IF A TUITION ASSISTANCE PROGRAM (TAP) AWARD OR A REGENTS AWARD IS ALSO RECEIVED, THE COMBINED ACADEMIC YEAR AWARD SHALL NOT EXCEED TUITION.

(II) NO RECIPIENT OF A TUITION AWARD UNDER THIS SECTION SHALL RECEIVE A TUITION AWARD FOR MORE THAN EIGHT SEMESTERS OF FULL TIME UNDERGRADUATE STUDY, OR THE EQUIVALENT OF FOUR ACADEMIC YEARS, OR, IF AN UNDERGRADUATE PROGRAM NORMALLY REQUIRES FIVE ACADEMIC YEARS OF FULL TIME STUDY, FOR MORE THAN TEN SEMESTERS OF FULL TIME STUDY, OR THE EQUIVALENT OF FIVE ACADEMIC YEARS. "FULL TIME STUDY" SHALL MEAN ENROLLMENT FOR MORE THAN TWELVE SEMESTER HOURS PER SEMESTER, OR THE EQUIVALENT, IN AN APPROVED UNDERGRADUATE PROGRAM.

(III) NO RECIPIENT OF A TUITION AWARD UNDER THIS SECTION SHALL RECEIVE A TUITION AWARD FOR MORE THAN SIXTEEN SEMESTERS OF PART TIME UNDERGRADUATE STUDY, OR THE EQUIVALENT OF EIGHT ACADEMIC YEARS OF PART TIME STUDY, OR, IF AN UNDERGRADUATE PROGRAM NORMALLY REQUIRES FIVE ACADEMIC YEARS OF FULL TIME STUDY, FOR MORE THAN TWENTY SEMESTERS OF PART TIME STUDY, OR THE EQUIVALENT OF TEN ACADEMIC YEARS. "PART TIME STUDY" SHALL MEAN ENROLLMENT FOR AT LEAST THREE BUT LESS THAN TWELVE SEMESTER HOURS PER SEMESTER, OR THE EQUIVALENT, IN AN APPROVED UNDERGRADUATE PROGRAM.

5. APPLICABILITY OF TUITION AWARDS; NON-RESIDENT FEES. TUITION AWARDS 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 NON-RESIDENT FEES IF THE STUDENT IS A NON-RESIDENT.

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