§ 605. Academic performance awards. 1. Regents college scholarships. Regents college scholarships shall be awarded to students completing their high school programs for attendance in approved programs, on the basis of nationally established competitive examinations.

a. County allocation. Twenty-five thousand such scholarships shall be awarded each year and shall be allocated to each county in the state in the same ratio that the number of students residing in such county who were graduated from approved high schools in the state during the school year preceding the date of the examination for the award of such scholarships bears to the total number of students residing in the state who were graduated from approved high schools in the state during such school year; provided, that no county shall be allocated fewer than forty scholarships, except that Hamilton county shall be allocated no fewer than sixteen scholarships. In the event that a scholarship awarded pursuant to this paragraph is declined by a student or for any reason revoked by the commissioner or the president, its benefits shall lapse and there shall be no further payment or reawarding of such scholarship.

b. School allocation. If in any year the candidates who are graduates of a given approved high school in the state and who are awarded scholarships under paragraph a of this subdivision do not constitute at least one person for every forty persons who were graduated from such school during the school year preceding the date of the examination for the award of such scholarships, then additional scholarships shall be awarded in such year in the number required to provide such allocation of scholarship awards for each such school, and such additional scholarships shall be awarded directly to candidates from each such school in accordance with the provisions of section six hundred two of this chapter. In the event that a scholarship awarded pursuant to this paragraph is declined by a student or for any reason revoked by the commissioner or the president, its benefits shall lapse and there shall be no further payment or reawarding of such scholarship.

2. Regents professional education in nursing scholarships. Regents professional education in nursing scholarships shall be awarded on the same basis as regents college scholarships to students completing their

high school programs for attendance in programs for the training of registered professional nurses at colleges or schools approved by the regents. Eight hundred such scholarships shall be awarded each year. Such scholarships shall be allocated to each county in the state in the same ratio that the number of students residing in such county who were graduated from approved high schools in the state during the school year preceding the date of the examination for the award of such scholarships bears to the total number of students residing in the state who were graduated from approved high schools in the state during such school year, provided, that no county shall be allocated fewer than four scholarships, except that Fulton and Hamilton counties shall each be allocated no fewer than two scholarships; provided, however, that no county shall be allocated fewer scholarships than such county received during the year nineteen hundred seventy-two--nineteen hundred seventy-three.

3. Regents professional education in medicine or dentistry scholarships. Regents professional education in medicine or dentistry scholarships shall be awarded annually, on a competitive basis, to students beginning professional study in medicine or dentistry. One hundred such scholarships shall be awarded annually, and shall be classified and allocated in accordance with regents rules. The provisions of this subdivision shall only apply to any recipient who receives his or her first award payment prior to the nineteen hundred eighty-five--nineteen hundred eighty-six academic year.

3-a. Regents professional education in optometry scholarships. Regents professional education in optometry scholarships shall be awarded annually, on a competitive basis, to students beginning professional study in optometry. Five such scholarships shall be awarded annually in optometry, and shall be classified and allocated in accordance with regents rules. The provisions of this subdivision shall only apply to any recipient who receives his or her first award payment prior to the nineteen hundred eighty-five--nineteen hundred eighty-six academic year.

3-b. Regents professional education in veterinary medicine scholarships. Regents professional education in veterinary medicine

scholarships shall be awarded annually, on a competitive basis, to students beginning professional study in veterinary medicine. Ten such scholarships shall be awarded annually in veterinary medicine, and shall be classified and allocated in accordance with regents rules. The provisions of this subdivision shall only apply to any recipient who receives his or her first award payment prior to the nineteen hundred eighty-five--nineteen hundred eighty-six academic year.

4. Regents physician shortage scholarships. At least thirty percent of the regents professional education in medicine or dentistry scholarships awarded each year shall be awarded to students beginning or engaged in the professional study in medicine who agree to practice medicine upon completion of their professional training in an area in New York state designated as having a shortage of physicians, provided, however, that to the extent that regents physician shortage scholarships are not awarded, such scholarships shall be awarded as regents professional education in medicine and dentistry scholarships. The provisions of this subdivision shall only apply to any recipient who receives his or her first award payment prior to the nineteen hundred eighty-five--nineteen hundred eighty-six academic year.

a. In selecting and certifying scholarship recipients under this section, priority shall be accorded to applicants in the following order:

(1) first, to any applicant who (1) has a family income of six thousand dollars or less and (2) resides in an area designated as having a shortage of physicians pursuant to paragraph c of this subdivision;

(2) second, to any applicant who has a family income of six thousand dollars or less;

(3) third, to any applicant who (1) has a family income of ten thousand dollars or less and (2) resides in an area designated as having a shortage of physicians pursuant to paragraph c of this subdivision;

(4) fourth, to any applicant who has a family income of ten thousand dollars or less;

(5) fifth, to any other applicant.

b. With respect to recipients who have received award payments prior

to the nineteen hundred eighty-two--nineteen hundred eighty-three academic year, with such time as the commissioner shall by regulation provide, a recipient of an award shall have practiced medicine in an area designated as having a shortage of physicians pursuant to paragraph d of this subdivision for that number of months calculated by multiplying by nine the number of annual awards he received. If a recipient fails to comply fully with such condition, the president shall be entitled to recover from such recipient an amount which bears the same ratio to (a) the aggregate of the amount of the awards received as (b) the number of months the recipient failed to comply with this condition bears to the number of months he was obligated to comply with this condition, together with interest at seven percent per annum computed from the date on which he completed his professional training and/or active military service. A recipient shall not be required to comply with the provisions of this paragraph unless he shall have received a medical degree and any obligation to comply with such provisions shall be cancelled upon his death. The regents shall make regulations to provide for the waiver or suspension of any financial obligation where compliance would involve extreme hardship.

c. The requirements of this paragraph shall apply to any recipient who receives his or her first award payment commencing with the nineteen hundred eighty-two--nineteen hundred eighty-three academic year or subsequently, and the requirements of paragraph (b) of this subdivision shall not apply to such recipients. Within such time as the commissioner shall by regulation provide, a recipient of an award shall have practiced medicine in an area designated as having a shortage of physicians pursuant to paragraph (d) of this subdivision for that number of months calculated by multiplying by nine the number of annual awards received by the recipient. If a recipient fails to comply fully with such condition, the president shall be entitled to recover from such recipient an amount determined by the formula:

$$A = \frac{2B\,(t-s)}{t}$$

in which "A" is the amount the president is entitled to recover; "B" is the sum of all awards paid to the recipient and the interest on such amount which would be payable if at the times such awards were paid they

were loans bearing interest at the maximum prevailing rate; "t" is the total number of months in the recipient's period of obligated services; and "s" is the number of months of service actually rendered by the recipient. Any amount which the president is entitled to recover under this paragraph shall be paid within the one year period beginning on the date that the recipient failed to comply with this condition. A recipient shall not be required to comply with the provisions of this paragraph unless he or she shall have received a medical degree and until he or she shall have completed his or her professional training, or active military service, or both. Any obligation to comply with such provisions shall be cancelled upon the death of the recipient. The commissioner shall make regulations to provide for the waiver or suspension of any financial obligation where compliance would involve extreme hardship.

d. The regents, after consultation with the commissioner of health, shall designate those areas of New York state which have a shortage of physicians for the purposes of this subdivision and, should it be necessary in selecting among the applicants, may establish relative rankings of those areas.

e. A recipient of an award shall report annually to the New York state higher education services corporation, on forms prescribed by it, as to the performance of the required services or the recipient's current status, commencing the calendar year following graduation from medical school and continuing until the recipient shall have completed, or it is determined he or she shall not be obligated to complete, the required services. The corporation may also require recipient to file a report on his or her current status prior to graduation during any calendar year in which an application for an additional award is not filed. If the recipient shall fail to file any report required hereunder within thirty days of written notice to the recipient, mailed to the address shown on the last application for an award or last report filed, whichever is later, the president of the corporation may impose a fine of up to one thousand dollars. The president shall have the discretion to waive the filing of a report, excuse a delay in filing, or a failure to file a report, or waive or reduce any fine imposed for good cause shown.

5. Regents scholarships for war veterans. Regents scholarships for war veterans shall be awarded on a competitive basis, for study beginning with the college year nineteen hundred seventy-five--nineteen hundred seventy-six. Six hundred such scholarships shall be awarded in such year to veterans of the armed forces of the United States who have served on active duty (other than for training) between October one, nineteen hundred sixty-one and March twenty-nine, nineteen hundred seventy-three, and who on the date by which applications are required to be submitted (a) have been released from such active duty on conditions not other than honorable, or (b) have a qualifying condition, as defined in section one of the veterans' services law, and have received a discharge other than bad conduct or dishonorable from such service, or (c) are discharged LGBT veterans, as defined in section one of the veterans' services law, and have received a discharge other than bad conduct or dishonorable from such service. Such scholarships shall be allocated to each county in the state in the same ratio that the number of legal residents in such county, as determined by the most recent federal census, bears to the total number of residents in the state; provided, however, that no county shall be allocated fewer scholarships than such county received during the year nineteen hundred sixty-eight--sixty-nine.

6. Regents scholarships in Cornell University. a. Number. Cornell University shall grant, on a competitive basis, tuition reducing scholarships, to be known as regents scholarships in Cornell University, in the total amount of at least thirty thousand dollars each year for new freshman awards. At least one such scholarship shall be awarded annually for each senate district of the state.

b. Amount. Each such scholarship shall entitle the recipient to a credit against tuition in any of the tuition paying divisions of Cornell University for four years or five years, depending on the number of years required for the baccalaureate. The tuition credit for each such scholarship shall be determined by Cornell University on the basis of the financial status of the scholarship holder as related to the cost of education at such university. No such scholarship shall reduce the

tuition by less than one hundred dollars nor by more than one thousand dollars.

c. Eligible list. Such scholarships shall be awarded annually by Cornell University in the order of merit to candidates who meet the requirements for admission to Cornell University and whose names appear on lists established as the result of competitive examinations prepared under the direction of the commissioner of education. In the award of such scholarships, preference shall be given, where other qualifications are equal, to the children of those who have died in the military service of the United States.

d. Statewide list. If a scholarship belonging to a senate district shall not be claimed by a resident thereof or if there be no resident of such senate district entitled to such a scholarship, any sum available for a scholarship or scholarships for residents of such senate district, together with any unexpended balance of the total amount of thirty thousand dollars, shall be used to make awards to additional candidates in order of merit from a statewide list.

e. Report. A complete list of the names and addresses of the scholarship recipients, and the amount of tuition credit granted to them, shall be filed by Cornell University with the commissioner and the president not later than October first of each year.

7. Empire state challenger scholarships for teachers. Empire state challenger scholarships for prospective elementary and secondary school teachers of mathematics or science or other fields of teacher shortage as identified by the commissioner on or after January first, nineteen hundred eighty-six, shall be awarded on a competitive basis as determined by the commissioner, for study beginning with the college year nineteen hundred eighty-four--eighty-five or thereafter. a. Twenty-six such scholarships shall be awarded annually to residents of each judicial district as defined in section one hundred forty of the judiciary law, who enroll in a registered program for the preparation of teachers in such teacher shortage fields at any New York institution of higher education. The commissioner shall to the extent practicable

ensure that recipients of such scholarships include individuals who are unrepresented or underrepresented in the respective disciplines.

b. Within such time as the commissioner by regulations provide, the recipient of an award shall have taught in the field or fields for which the scholarship was awarded in an elementary or secondary school in New York state for that number of months calculated by multiplying by five the number of annual awards granted to the recipient except that a recipient who as of July first, nineteen hundred ninety-three has received fewer than three annual awards shall be exempt from such conditions. If a recipient fails to comply fully with such condition, the president shall be entitled to recover from such recipient an amount which bears the same ratio to (i) the aggregate of the amount of the awards received as (ii) the number of months the recipient failed to comply with this condition bears to the number of months the recipient was obligated to comply with this condition, together with interest at ten percent per annum computed from the date on which the recipient completed professional training. Such recovery may be made over such period of time as is prescribed by the president. Any obligation to comply with such provisions shall be cancelled upon the recipient's death. The commissioner shall adopt regulations to provide for the waiver or suspension of any financial obligation in whole or in part where compliance would involve severe hardship. In determining whether to grant such waiver or suspension, the commissioner may consider whether the recipient failed to complete the registered program for the preparation of teachers or completed such program under financial hardship by reason of the discontinuance of funding for the award of scholarships pursuant to this subdivision.

7-a. New York state math and science teaching incentive program awards pursuant to section six hundred sixty-nine-d of this title.

8. Empire state challenger fellowships for teachers. a. Six hundred fifty Empire state challenger fellowships shall be awarded annually in accordance with paragraphs b, c and d of this subdivision on a competitive basis as determined by the commissioner to individuals enrolled in a registered graduate program in any New York institution of

higher education which leads to permanent certification as a teacher of mathematics or science or other fields of teacher shortage as identified by the commissioner on or after January first, nineteen hundred eighty-six. The commissioner shall to the extent practicable ensure that recipients of such fellowships include individuals who are unrepresented or underrepresented in the respective disciplines.

b. A maximum of twenty-five fellowships for full-time study shall be reserved for teachers whose positions have been abolished within two years preceding the date of application for a fellowship because of a decline in student enrollment and who are qualified to pursue graduate study to obtain certification to teach mathematics or science or other fields of teacher shortage as identified by the commissioner on or after January first, nineteen hundred eighty-six.

c. A maximum of four hundred twenty-five fellowships for full-time study shall be reserved for individuals who have earned baccalaureate degrees in mathematics, the physical sciences, the biological sciences, engineering or other disciplines related to fields of teacher shortage as identified by the commissioner on or after January first, nineteen hundred eighty-six but are not eligible for provisional or permanent certification, and who are qualified to pursue graduate study in a program leading to the degree of master of arts in teaching, or the equivalent as determined by the commissioner.

d. Not less than two hundred fellowships for part-time study shall be made available to persons not receiving a fellowship reserved in paragraphs b and c of this subdivision. In the event that there are full-time fellowships reserved under such paragraphs b and c that have not been awarded after awards have been made for all qualified applicants, such excess number of fellowships shall be available for award as part-time fellowships pursuant to this paragraph.

e. Within such time as the commissioner shall by regulation provide, a recipient of an award shall have taught in the field or fields for which the fellowship was awarded in an elementary or secondary school in New York state for ten months for a full-time award or for that number of

months calculated by multiplying by five the number of part-time awards granted to the recipient. If a recipient fails to comply fully with such condition, the president shall be entitled to recover from such recipient an amount which bears the same ratio to (i) the aggregate of the amount of the awards received as (ii) the number of months the recipient failed to comply with this condition bears to the number of months the recipient was obligated to comply with this condition, together with interest at ten percent per annum computed from the date on which the recipient completed professional training. Such recovery may be made over such period of time as is prescribed by the president. Any obligation to comply with such provisions shall be cancelled upon the recipient's death. The commissioner shall have regulations to provide for the waiver or suspension of any financial obligation in whole or part under this subdivision where compliance would involve extreme hardship. In determining whether to grant such waiver or suspension, the commissioner may consider whether the recipient failed to complete the registered graduate program leading to permanent certification as a teacher or completed such program under financial hardship by reason of the discontinuance of funding for the award of fellowships pursuant to this subdivision.

9. Regents physician loan forgiveness program. Regents physician loan forgiveness awards shall be awarded annually to physicians who agree to practice medicine in an area of New York state designated by the regents as having a shortage of physicians. Such awards shall be classified and allocated in accordance with regents rules.

a. Eligibility. (1) The applicant must be a resident of New York state and licensed to practice medicine.

(2) The applicant must have completed a professional residency program within the five years immediately preceding the period for which the first award would be granted, or be within two years of completion of an accredited residency program in a primary care specialty designated in short supply by the board of regents.

(3) The applicant must agree to practice medicine in an area in New York state designated as having a shortage of physicians. The regents, after consultation with the commissioners of health, corrections and

community supervision, mental health and developmental disabilities, shall designate those regions and facilities of New York state which have a shortage of physicians for the purposes of this section and establish relative rankings thereof.

b. Selection. The commissioner, in consultation with the commissioner of health, shall establish criteria for the selection of participants in the program. An applicant must satisfy at least one of the criteria established. A priority shall be accorded to any applicant who is completing the second year of the service requirement and is reapplying for a new award. The criteria shall include but not be limited to the following:

(i) reapplication for a new award by a person who is completing the second year of a service requirement;

(ii) receipt of specific training in a primary care specialty or obstetrics, determined by the regents to be in short supply;

(iii) receipt of specific training or experience in serving a shortage area;

(iv) receipt of specific training or experience matching a specific medical need existing in a shortage area; and

(v) agreement pursuant to subdivision (d) of this section to practice in an area determined by the regents to have a severe shortage of primary care physician services.

c. Notification. (1) The commissioner shall then forward approved applications to the president and shall notify unsuccessful applicants;

(2) The president shall verify the approved applicants':

(i) eligibility; and

(ii) total undergraduate and medical school student expense;

(3) The president shall notify applicants of their award entitlement.

d. Service requirement. Within such time as the commissioner shall by regulation provide, a recipient of an award shall have agreed to practice medicine in a specific area designated as having a shortage of physicians for a period of twelve months for each annual payment to be received by the recipient. Physicians in training who receive an award shall not receive credit toward their required service for time spent in

a training program. In no case shall the total number of months of service required be less than twenty-four. The president shall, in consultation with the commissioner, develop and secure from each award recipient, a written agreement to:

(i) practice medicine in the designated shortage area;

(ii) to accept Medicare and Medicaid payments; and

(iii) to provide thirty-five hours per week of direct patient care in the designated shortage area being served, or to the designated population being served.

If a recipient fails to comply fully with such conditions, the president shall be entitled to receive from such recipient an amount to be determined by the formula:

$$A = 2B \frac{(t-s)}{t}$$

in which "A" is the amount the president is entitled to recover; "B" is the sum of all payments made to the recipient and the interest on such amount which would be payable if at the times such awards were paid they were loans bearing interest at the maximum prevailing rate; "t" is the total number of months in the recipient's period of obligated services; and "s" is the number of months of service actually rendered by the recipient. Any amount which the president is entitled to recover under this paragraph shall be paid within the five-year period beginning on the date that the recipient failed to comply with this service condition. Nothing in the written agreement shall affect the terms of employment of the individual who shall negotiate, separate and apart from the program, his or her salary and other forms of employment with an agency, institution or a program in which he or she shall be employed.

Any obligation to comply with such provisions as outlined in this section shall be cancelled upon the death of the recipient. The commissioner shall make regulations to provide for the waiver or suspension of any financial obligation which would involve extreme hardship.

e. Reporting. A recipient of an award shall report annually to the New

York state higher education services corporation, and the department of health on forms prescribed by the president, as to the performance of the required services, commencing with the calendar year in which the recipient begins to practice medicine in a shortage area and continuing until the recipient shall have completed, or it is determined that he or she shall not be obligated to complete, the required services. If the recipient shall fail to file any report required hereunder within thirty days of written notice to the recipient, mailed to the address shown on the last application for an award or last report filed, whichever is later, the president of the corporation may impose a fine of up to one thousand dollars. The president shall have the discretion to waive the filing of a report, excuse a delay in filing or a failure to file a report, or waive or reduce any fine imposed for good cause shown.

f. Other awards. Award recipients shall be eligible to apply for one additional award.

* 10. Regents health care professional opportunity scholarships. Regents health care professional opportunity scholarships shall be awarded annually to students who are beginning or engaged in an approved program in medicine or dentistry and who are economically disadvantaged and/or members of an underrepresented minority group, provided, however, that to the extent that regents health care professional opportunity scholarships are not awarded, such scholarships shall be awarded as regents professional opportunity scholarships. These scholarships shall be classified and allocated in accordance with regents rules.

a. In selecting and certifying scholarship recipients under this subdivision, priority shall be accorded to applicants in the following order:

(1) First, to any applicant who is economically disadvantaged as defined by the regents and a minority historically underrepresented in the profession as determined by the regents after consultation with the council on professional career opportunity created by section nine hundred forty-one of the executive law;

(2) Second, to any applicant who is a minority underrepresented in the profession as determined by the regents after consultation with the council on professional career opportunity created by section nine

hundred forty-one of the executive law;

(3) Third, to any applicant who is a graduate of the state-sponsored opportunity program pursuant to section sixty-four hundred fifty-one or sixty-four hundred fifty-two of this chapter.

In the event that there are more applicants who have the same priority than there are remaining scholarships, the commissioner shall distribute the remaining number of such scholarships by means of a lottery or other form of random selection.

b. The commissioner shall then forward approved applications to the president and shall notify unsuccessful applicants.

c. The president shall notify applicants of their award entitlement.

d. The president shall, in consultation with the commissioner, develop and secure from each successful applicant a written agreement to practice medicine or dentistry, as appropriate, in a designated shortage area. Within such time as the commissioner shall by regulation provide, a recipient of an award shall have practiced medicine or dentistry in an area designated as having a shortage of physicians or dentists, as appropriate, for that number of months calculated by multiplying by twelve the number of annual payments received by the recipient. In no case shall the total number of months of service required be less than twenty-four. If a recipient fails to comply fully with such conditions, the president shall be entitled to receive from such recipient an amount to be determined by the formula:

$$A = \frac{2B\,(t-s)}{t}$$

in which "A" is the amount the president is entitled to recover; "B" is the sum of all payments made to the recipient and the interest on such amount which would be payable if at the times such awards were paid they were loans bearing interest at the maximum prevailing rate; "t" is the total number of months in the recipient's period of obligated services; and "s" is the number of months of service actually rendered by the recipient. Any amount which the president is entitled to recover under

this paragraph shall be paid within the five-year period beginning on the date that the recipient failed to comply with this service condition. Nothing in the written agreement shall affect the terms of employment of the individual who shall negotiate, separate and apart from the program, his or her salary and other forms of employment with an agency, institution or a program in which he or she shall be employed.

Any obligation to comply with such provisions as outlined in this section shall be cancelled upon the death of the recipient. The commissioner shall make regulations to provide for the waiver or suspension of any financial obligation which would involve extreme hardship.

e. A recipient of an award shall report annually to the New York state higher education services corporation, on forms prescribed by it, as to the performance of the required services, commencing with the calendar year in which the recipient begins to practice medicine or dentistry in a shortage area and continuing until the recipient shall have completed, or it is determined that he or she shall not be obligated to complete, the required services. If the recipient shall fail to file any report required hereunder within thirty days of written notice to the recipient, mailed to the address shown on the last application for an award or last report filed, whichever is later, the president of the corporation may impose a fine of up to one thousand dollars. The president shall have the discretion to waive the filing of a report, excuse a delay in filing or a failure to file a report, or waive or reduce any fine imposed for good cause shown.

* NB Scholarship terminated per ch. 31/85, as amended

* 11. Regents professional opportunity scholarships. a. Regents professional opportunity scholarships shall be awarded annually to students who are beginning or engaged in an approved program leading to a degree in a profession licensed by the regents or other field designated by the regents and who are economically disadvantaged and/or members of an underrepresented minority group. Such scholarships shall be classified and allocated in accordance with regents rules. In selecting and certifying scholarship recipients under this subdivision,

priority shall be accorded to applicants in the following order:

(1) First, to any applicant who is economically disadvantaged as defined by the regents and a minority historically underrepresented in the profession or field as determined by the regents after consultation with the council on professional career opportunity created by section nine hundred forty-one of the executive law;

(2) Second, to any applicant who is a minority underrepresented in the profession or field determined by the regents after consultation with the council on professional career opportunity created by section nine hundred forty-one of the executive law;

(3) Third, to any applicant who is enrolled in or is a graduate of the state-sponsored opportunity program pursuant to section sixty-four hundred fifty-one or sixty-four hundred fifty-two of this chapter.

In the event that there are more applicants who have the same priority than there are remaining scholarships, the commissioner shall distribute the remaining number of such scholarships by means of a lottery or other form of random selection.

b. The commissioner shall then forward approved applications to the president and shall notify unsuccessful applicants.

c. The president shall notify applicants of their award entitlement.

d. Within such time as the commissioner shall by regulation provide, a recipient of an award shall have resided and been employed in a profession or field designated by the regents in New York state for that number of months calculated by multiplying by twelve the number of annual awards received by the recipient. If a recipient fails to comply fully with such condition, the state shall be entitled to recover from such recipient an amount determined by the formula:

$$A = \frac{2B\,(t-s)}{t}$$

in which "A" is the amount the president is entitled to recover; "B" is the sum of all awards paid to the recipient and the interest on such amount which would be payable if at the times such awards were paid they

were loans bearing interest at the maximum prevailing rate; "t" is the total number of months in the recipient's period of obligated services; and "s" is the number of months of service actually rendered by the recipient. Any amount which the president is entitled to recover under this paragraph shall be paid within the five-year period beginning on the date that the recipient failed to comply with this service condition. Nothing in the written agreement shall affect the terms of employment of the individual who shall negotiate, separate and apart from the program, his or her salary and other forms of employment.

Any obligation to comply with such provisions as outlined in this section shall be cancelled upon the death of the recipient. The commissioner shall make regulations to provide for the waiver or suspension of any financial obligation which would involve extreme hardship.

e. A recipient of an award shall report annually to the New York state higher education services corporation, on forms prescribed by it, as to the performance of the required services, until the recipient shall have completed, or it is determined that he or she shall not be obligated to complete, the required services. If the recipient shall fail to file any report required hereunder within thirty days of written notice to the recipient, mailed to the address shown on the last application for an award or last report filed, whichever is later, the president of the corporation may impose a fine of up to one thousand dollars. The president shall have the discretion to waive the filing of a report, excuse a delay in filing or a failure to file a report, or waive or reduce any fine imposed for good cause shown.

* NB Scholarship terminated per ch. 31/85, as amended

12. Empire state scholarships of excellence. One thousand empire state scholarships of excellence shall be awarded each year, beginning with the nineteen hundred eighty-six--nineteen hundred eighty-seven academic year to students completing their high school programs who in each county receive the highest scores on the nationally established competitive examinations upon which the regents college scholarships are based. The awarded scholarships shall be allocated to each county in the

state in the same ratio that the number of students residing in such county who were graduated from approved high schools in the state during the school year preceding the date of the examination for the award of such scholarships bears to the total number of students residing in the state who were graduates from approved high schools in the state during such school year provided that no county shall be allocated less than two scholarships, except Hamilton county which shall be allocated no less than one scholarship. In the event that a scholarship awarded pursuant to this subdivision is declined by a student, or, for any reason, is revoked by the commissioner or the president, its benefits shall lapse and there shall be no further payment or reawarding of such scholarship.