§ 679-h. New York state child welfare worker incentive scholarship program. 1. Purpose. The president shall grant scholarship awards for the purpose of enhancing the proficiency of current child welfare workers in New York state. Such awards shall be made on a competitive basis to applicants who are currently employed at a voluntary not-for-profit child welfare agency in New York state licensed by the office of children and family services, or employed within such state agency as a child welfare worker, with at least two years' experience and are enrolling in an approved program to obtain a degree that will enhance their ability to work in such agency.

2. Eligibility. To be eligible for an award pursuant to this section, applicants shall: a. be currently employed at a voluntary not-for-profit child welfare agency in New York state licensed by the office of children and family services, with at least two years of qualified experience;

b. be matriculated in an undergraduate or graduate degree program at an institution of higher education located within New York state in a program of study that would enhance their ability to work in such agency as determined by the president;

c. agree to work in a voluntary not-for-profit child welfare agency in New York state licensed by the office of children and family services as a child welfare worker on a full time basis for a period of no less than five continuous years upon completion of such degree program within a reasonable period of time and maintain residency in New York state for such period of employment; and

d. comply with subdivisions three and five of section six hundred sixty-one of this part.

3. Award conditions and requirements. a. Within amounts appropriated therefore and based on availability of funds, scholarships shall be granted beginning with the two thousand seventeen -- two thousand eighteen academic year and thereafter on a competitive basis to applicants whom the corporation has certified are eligible to receive

such awards; and who agree to work in a voluntary not-for-profit child welfare agency in New York state licensed by the office of children and family services as a child welfare worker on a full time basis for a period of no less than five continuous years upon completion of such degree within a reasonable period of time and maintain residency in New York state for such period of employment.

b. An applicant must make every reasonable effort to obtain employment in a voluntary not-for-profit child welfare agency in New York state licensed by the office of children and family services as a child welfare worker upon graduation.

4. Amount. The corporation shall grant such awards within the amounts appropriated for such purpose and based on availability of funds according to a schedule to be determined by the corporation in an amount:

a. equal to the tuition charged to state resident students attending an undergraduate or graduate degree program, as applicable, at the state university of New York; the average mandatory fees charged at the state university of New York, or the actual tuition and fees charged to the recipient, whichever is less; and the average non-tuition cost of attendance, as determined by the corporation and as approved by the director of the budget, for a student at the state university of New York or actual non-tuition cost of attendance at such institution, whichever is less provided that the scholarship shall not exceed an amount that is equal to the total cost of attendance determined for federal Title IV student financial aid purposes, less all other scholarships and grants provided by New York state, other states, the federal government, or other governments, and the amount of educational benefits paid under any program that would duplicate the purposes of this program, provided that any scholarships or grants provided to a recipient by the institution which are intended to fund any portion of the difference between the annual state award and the actual costs of attendance at any such institution shall not be considered to duplicate the purposes of this program.

b. not to exceed twenty thousand dollars for a master's degree program at a private institution; the average mandatory fees charged at the private institution, or the actual tuition and fees charged to the recipient, whichever is less; and the average non-tuition cost of attendance, as determined by the corporation and as approved by the director of the budget, for a student at such private institution or actual non-tuition cost of attendance at such institution, whichever is less, provided that the scholarship shall not exceed an amount that is equal to the total cost of attendance determined for federal Title IV student financial aid purposes, less all other scholarships and grants provided by New York state, other states, the federal government, or other governments, and the amount of educational benefits paid under any program that would duplicate the purposes of this program, provided that any scholarships or grants provided to a recipient by the institution which are intended to fund any portion of the difference between the annual state award and the actual costs of attendance at any such institution shall not be considered to duplicate the purposes of this program.

5. Other awards. Award recipients shall be eligible to apply for other awards.

6. Duration. An award shall entitle the recipient to annual payments for either an associate's degree, bachelor's degree, or graduate degree. An eligible recipient enrolled in an eligible two year program of study shall not receive an award for more than two academic years. An eligible recipient enrolled in an eligible undergraduate program of study shall not receive an award for more than four academic years of undergraduate study or five academic years if the program of study normally requires five years. An eligible recipient enrolled in a graduate program of study shall not receive an award for more than two academic years. Notwithstanding, such duration may be extended for an allowable interruption of study as determined by the corporation.

7. Penalties for noncompliance. a. The corporation may collect the full amount of the award given pursuant to this section, plus interest, according to a schedule to be determined by the corporation, if: (i) the

recipient fails to complete their degree program within a reasonable time as determined by the corporation; or (ii) one year after the completion of the degree program it is found that a recipient did not begin full-time employment at a voluntary not-for-profit child welfare agency in New York state licensed by the office of children and family services as a child welfare worker; or (iii) the recipient fails to complete five continuous years of full-time employment at a voluntary not-for-profit child welfare agency in the state licensed by the office of children and family services as a child welfare worker or maintain residency in New York state for such period of employment; or (iv) the recipient fails to respond to requests by the corporation for the status of his or her academic or professional progress. The terms and conditions of this subdivision shall be deferred for any interruption in an undergraduate or graduate study or employment as established by the rules and regulations of the corporation. Any obligation to comply with such provisions as outlined in this section shall be cancelled upon the death of the recipient. Notwithstanding any provisions of this subdivision to the contrary, the corporation is authorized to promulgate rules and regulations necessary for the waiver of suspension of any financial obligation which would involve extreme hardship.

8. Recipient selection. The president may establish:

a. an application deadline; and

b. a method of selecting recipients if in any given year there are insufficient funds to cover the needs of all applicants and returning recipients.

9. Rules and regulations. The corporation is authorized to promulgate rules and regulations, and may promulgate emergency regulations, necessary for the implementation of the provisions of this section including, but not limited to, the criteria to distributing the awards, which may include a lottery or other form of random selection, and the rate of interest charges for repayment of the student loan.