Date: September 15, 1982
From: Vice Chancellor for Finance and Business
and University Counsel and Vice Chancellor
for Legal Affairs
Subject: Resident Tuition Rates for Members of the
United States Armed Forces on Full-Time
Active Duty in New York State

As a result of recently enacted legislation amending the
Education Law, State University's tuition and fee schedules for
State-operated campuses will be revised to provide resident
tuition rates to all students who are members of the United
States Armed Forces on full-time active duty and stationed in
New York (L. 1982, ch. 864, copy attached). We believe that
implementing action will be taken by the Board of Trustees
pursuant to this legislation at the October 27, 1982 meeting,
effective with respect to the 1982-83 academic year.

In anticipation of such action, we recommend that appro-
priate steps be taken to establish a procedure for eligi-
bility determination and that preparations be made to adjust the tui-
tion rates for students meeting the eligibility requirements.
To facilitate consistent application of the revised regulation,
it is suggested that the term "stationed" be defined as "assign-
ed by military order" and that an individual on "full-time
active duty" be considered as a person whose primary job is
military service and who comes on a full tour of duty on a
regular if not daily basis. Periods of leave should be con-
sidered as a part of the period of full-time active duty only
when such leave is granted for educational purposes.

Please note that the legislation affects the tuition rate
applicable to members of the U.S. Armed Forces on full-time
active duty and stationed in New York State. Tuition rates for
their spouses and dependents should continue to be determined in
accordance with University regulations on residency generally
applicable to all students.
Should you have any specific inquiries, please contact Acting University Administrator for Business Services Randy Symanski (518-473-4276) or Assistant Counsel Gerianne J. Dias (518-473-7591) for assistance.

Harry Y. Spindler
Sanford H. Levine

Attachment
cc: Chief Business Officers

This Memorandum Addressed to:

Presidents, State-operated Campuses

Copies for Information Only:

Presidents, Community Colleges
Deans, Statutory Colleges
President Coll
Vice Provost Spencer
AN ACT to amend the education law, in relation to tuition charges for members of the armed forces attending parts of the state university in certain cases.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The opening paragraph of paragraph 1 of subdivision two of section three hundred fifty-five of the education law, as amended by chapter seven hundred thirty of the laws of nineteen hundred seventy-six, is amended to read as follows:

To regulate the admission of students, prescribe the qualifications for their continued attendance, regulate tuition charges where no provision is otherwise made therefor by law, and regulate other fees and charges, curricula and all other matters pertaining to the operation and administration of each state-operated institution in the state university; notwithstanding the provisions of any other general, special or local law, rule or regulation, such regulations may permit persons sixty years of age or over to audit courses given therein without tuition, examination, grading or credit therefor upon a space available basis, as determined by the president of each such institution, provided that such audit attendance does not deny course attendance at a state-operated institution by an individual who is otherwise qualified under the regulations promulgated pursuant to this section. In such regulations the state university trustees shall provide that upon request by a student who is an eligible veteran the payment of tuition and other fees and charges, less the amounts payable for such purposes from scholarships or other financial assistance awarded, said veteran pursuant to article thirteen of this chapter, article one hundred thirty of this chapter or

EXPLANATION—Matter in italics (underscored) is new; matter in brackets [ ] is old law to be omitted.
any other state or federal aid program, shall be deferred in such
amounts and until such times as the several payments of veterans' bene-
fits under the Veterans' Readjustment Benefit Act of 1966, as amended,
are received by the veteran, provided that the veteran has filed a claim
for such benefits and presents to the state university proof of eligi-
ability, extent of entitlement to benefits and the need for deferral un-
til the receipt of such benefits. Such trustees shall further provide
that the payment of tuition and fees by any student in any state-
owned institution of the state university who is a member of the
armed forces of the United States on full-time active duty and stationed
in this state, whether or not a resident of the state, shall be paid at
a rate or charge no greater than that imposed for students thereof who
are residents of this state.
§ 2. This act shall take effect immediately.