



**THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234**

**TO:** Higher Education Committee

**FROM:** Joseph P. Frey

**SUBJECT:** Proposed Amendment of Part 162 of the Regulations of the Commissioner of Education Relating to the Veterans Tuition Awards Program

**DATE:** January 26, 2010

**STRATEGIC GOAL:** Goals 1 and 2

**AUTHORIZATION(S):**

### **SUMMARY**

#### **Issue for Decision (Consent Agenda)**

Should the Board of Regents amend Part 162 of the Regulations of the Commissioner relating to the veterans tuition awards program?

#### **Reason(s) for Consideration**

Required by State statute and review of policy.

#### **Proposed Handling**

The proposed amendment is being presented to the Higher Education Committee for permanent adoption at its February 2010 Regents meeting. Supporting materials for the proposed amendment are available upon request from the Secretary to the Board of Regents.

#### **Procedural History**

A Notice of Proposed Rule Making was published in the State Register on November 18, 2009.

## Background Information

Section 669-a of the Education Law establishes standards and approval requirements for eligible agencies seeking to obtain approval of vocational training programs for the purposes of tuition awards to certain eligible combat veterans. The purpose of the proposed amendment is to conform Part 162 of the Regulations of the Commissioner of Education to the provisions of Chapter 57 of the Laws of 2008, which amends section 669-a of the Education Law to allow Persian Gulf, Afghanistan and other Eligible Combat veterans to receive tuition awards (VTA) when enrolled in approved undergraduate or graduate programs at degree granting institutions or approved vocational training programs.

The proposed amendment also authorizes the Commissioner to approve vocational training programs for funding for veterans tuition awards when the curricula for such program is approved or developed by another state agency and the department determines that the curriculum meets the requirements of Part 162 of the Commissioner's regulations.

## Recommendation

VOTED: That Part 162 of the Regulations of the Commissioner of Education be amended, as submitted, effective March 3, 2010.

## Timetable for Implementation

If adopted at the February Regents meeting, the proposed amendment will become effective on March 3, 2010.

Attachment

AMENDMENT TO THE REGULATIONS OF THE  
COMMISSIONER OF EDUCATION

Pursuant to sections 207 and 669-a of the Education Law.

Part 162 of the Regulations of the Commissioner of  
Education is amended, effective March 3, 2010, as follows:

Part 162

Tuition Awards for Vietnam, Persian Gulf, Afghanistan and other  
Eligible Combat Veterans: Approval Requirements for Vocational  
Training Programs

§162.1 Scope of Part.

The purpose of this Part is to establish standards and  
approval requirements for eligible agencies seeking to obtain  
approval of vocational training programs for purposes of tuition  
awards to Vietnam, Persian Gulf, Afghanistan and other Eligible  
Combat veterans pursuant to section 669-a of the Education Law.

§162.2 . . . .

§162.3 Program Approval.

(a) . . . .

(b) . . .

(c) To qualify for tuition awards to Vietnam, Persian Gulf,  
Afghanistan and other Eligible Combat veterans, an eligible agency  
other than an institution of higher and professional education,  
registered business school or licensed trade school shall submit an

application, in a form prescribed by the commissioner, for each vocational training program for which approval is sought. The governing body of such eligible agency shall assure in its application for approval that:

(1) . . . .

(2) the program shall be a non-credit program which is at least three hundred twenty clock hours in length and conducted in accordance with:

(i) a curriculum approved or developed by the department, or

(ii) a curriculum approved or developed by another State agency and acceptable to the department as meeting the requirements of this Part;

(3) Vietnam, Gulf, Afghanistan and other Eligible Combat veterans who are enrolled in programs approved pursuant to this Part shall be provided the same instruction, materials and resources as are provided to other students enrolled in the program;

(4) . . . .

(5) . . . .

(6) . . . .

(7) . . . .

(8) . . . .

(9) . . . .

(10) . . . .

(11) . . . .

(12) . . . .

(d) . . . .

(e) . . . .

(f) . . . .

(g) . . . .

(h) . . . .