

THE CITY UNIVERSITY OF NEW YORK

Office of the General Counsel and Vice Chancellor for Legal Affairs

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**STUDENT ADVISORY
MEMORANDUM NO. 7**

May 8, 1991

To: College Presidents

From: Vice Chancellor Robert E. Diaz 

Re: Special Provisions for Students in the Military

I have reviewed the Board of Trustees policies on the treatment of students who leave CUNY to fulfill military obligations. These policies establish the following rules.

I. Students called up to the reserves or drafted before the end of the semester.

A. Grades. In order to obtain a grade, a student must attend 13 weeks (five weeks for summer session).

B. Refunds. A student called up to the reserves or drafted who does not attend for a sufficient time to qualify for a grade, is entitled to a 100% refund of tuition and all other fees except application fees.

II. Students who volunteer (enlist) for the military.

A. Grades. Same provision as for students called up to the reserves. In order to obtain a grade, a student must attend 13 weeks (five weeks for summer session).

B. Refunds. The amount of the refund depends upon whether the withdrawal is before the 5th week of classes.

1. Withdrawal before beginning of the 5th calendar week (3rd calendar week for summer session): 100% refund of tuition and all other fees except application fees.

2. Withdrawal thereafter: 50% refund.

A proportionate number of weeks may be used for LaGuardia Community College for each of the above provisions.

The above provisions are contained in a Board policy last amended on May 25, 1970, Cal. No. 11, which may still be administered consistent with the CUNY Tuition and Fee Manual ("Fee Manual") adopted by the Board on June 25, 1990, Cal. No. 4. The Fee Manual states, in pertinent part, that students are entitled to a "reduction of their tuition liability" because of:

Withdrawal due to formal notification of military obligation during the semester that a refund is requested, providing that the student does not qualify to receive an earned grade. (Fee Manual, p. 5)

Although the 1970 Board policy, which provides 100% refunds regardless of time of withdrawal, refers specifically to students who are drafted, I believe it may appropriately be applied to students called up to the reserves because such service is similarly involuntary in nature.

III. Other Provisions for Military Service:

A. Resident Tuition Rates. These lower rates are applicable to all members of the armed services, their spouses and their dependent children pursuant to a Board policy adopted June 29, 1987, Cal. No. 42.

B. Re-enrollment of Veterans. Veterans who are returning students are given preferred treatment pursuant to a Board policy of April 21, 1952, Cal. No. 13, in the following ways:

1. Veterans who were former students with unsatisfactory scholastic records, may be readmitted with a probationary program.
2. Veterans may register even after normal registration periods, without late fees.
3. Granting of college credit for military service and armed forces instructional courses.
4. Veterans returning too late to register may audit classes without charge.

C. Late Admissions. Veterans with no previous college experience are permitted to file applications up to the date of registration, and are allowed to begin classes pending completion of their application and provision of supporting documents pursuant to a Board policy adopted January 27, 1975, Cal. No. 2.B.

D. Veterans Tuition Referrals. Veterans are entitled to defer the payment of tuition pending receipt of veterans' benefits pursuant to Education Law Section 6223 and the Fee Manual.

c: Legal Affairs Designees
Registrars

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