



General Assembly

February Session, 2002

***Raised Bill No. 5088***

LCO No. 180

Referred to Committee on Judiciary

Introduced by:  
(JUD)

***AN ACT CONCERNING EDUCATIONAL SUPPORT ORDERS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2002*) (a) For purposes of this  
2 section, an educational support order is an order entered by a court  
3 requiring a parent to provide support for a child or children to attend  
4 an institution of higher education or a private occupational school for  
5 the purpose of attaining a bachelor's degree, other undergraduate  
6 degree or other appropriate vocational instruction.

7 (b) On motion or petition of a parent, the court may enter an  
8 educational support order at the time of entering an order pursuant to  
9 section 46b-84 or 46b-171 of the general statutes, or pursuant to a  
10 similar support provision, or at any time thereafter. Such order may be  
11 entered with respect to any child who has not attained twenty-three  
12 years of age and shall terminate not later than the date on which the  
13 child attains twenty-three years of age or, if such date occurs during  
14 the child's academic year, not later than the end of that academic year.

15 (c) In determining whether to enter an educational support order,  
16 the court shall consider all relevant circumstances, including: (1) The

17 parents income, assets and other obligations; (2) the child's need for  
18 support to attend an institution of higher education or private  
19 occupational school considering the child's assets and the child's  
20 ability to earn income; (3) the availability of financial aid from other  
21 sources, including grants and loans; (4) the reasonableness of the  
22 higher education to be funded considering the child's academic record  
23 and the financial resources available; (5) the likelihood that the parents  
24 would have provided support to the child for higher education if the  
25 family were intact; and (6) the child's preparation for, aptitude for and  
26 commitment to higher education.

27 (d) To qualify for payments due under an educational support  
28 order, the child must (1) enroll in an accredited institution of higher  
29 education or private occupational school, as defined in section 10a-22a  
30 of the general statutes, (2) actively pursue a course of study  
31 commensurate with the child's vocational goals that constitutes at least  
32 one-half the course load determined by that institution or school to  
33 constitute full-time enrollment, (3) maintain good academic standing  
34 in accordance with the rules of the institution or school, and (4) make  
35 available all academic records to both parents during the term of the  
36 order. The order shall be suspended after any academic period during  
37 which the child fails to comply with these conditions.

38 (e) The educational support order may include support for any  
39 necessary educational expense, including room, board, dues, tuition,  
40 books, fees, registration and application costs, medical expenses  
41 including medical insurance and dental expenses and living expenses.

42 (f) The court may direct that payments under an educational  
43 support order be made (1) to a parent to be forwarded to the  
44 institution of higher education or private occupational school, (2)  
45 directly to the institution or school, (3) in the case of living expenses, to  
46 the child, or (4) otherwise as the court determines to be appropriate.

47 (g) On motion or petition of a parent, an educational support order  
48 may be modified or enforced in the same manner as a support order

49 entered pursuant to section 46b-84 or 46b-171 of the general statutes.

50 (h) This section does not create a right of action by a child for  
51 parental support for higher education.

52 (i) An educational support order under this section does not include  
53 support for graduate or post-graduate education beyond a bachelor's  
54 degree.

55 (j) For purposes of this section, "court" includes a family support  
56 magistrate.

57 (k) The provisions of this section shall apply only in cases when the  
58 initial order for parental support of the child is entered on or after the  
59 effective date of this act.

This act shall take effect as follows:	
Section 1	October 1, 2002

**Statement of Purpose:**

To help children of divorced parents afford higher education.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*