



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 or other undergraduate degree, or
6 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; (6) the child's preparation for, aptitude for and
26 commitment to higher education; and (7) evidence, if any, of the
27 institution of higher education or private occupational school the child
28 would attend.

29 (d) At the appropriate time, both parents shall participate in, and
30 agree upon, the decision as to which institution of higher education or
31 private occupational school the child will attend. The court may make
32 an order resolving the matter if the parents fail to reach an agreement.

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

44 (f) The educational support order may include support for any
45 necessary educational expense, including room, board, dues, tuition,
46 books, fees, registration and application costs and medical expenses,
47 including medical insurance and dental expenses.

48 (g) The court may direct that payments under an educational
49 support order be made (1) to a parent to be forwarded to the
50 institution of higher education or private occupational school, (2)
51 directly to the institution or school, or (3) otherwise as the court
52 determines to be appropriate.

53 (h) On motion or petition of a parent, an educational support order
54 may be modified or enforced in the same manner as a support order
55 entered pursuant to section 46b-84 or 46b-171 of the general statutes.

56 (i) This section does not create a right of action by a child for
57 parental support for higher education.

58 (j) An educational support order under this section does not include
59 support for graduate or post-graduate education beyond a bachelor's
60 degree.

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

This act shall take effect as follows:	
Section 1	<i>October 1, 2002</i>

JUD *Joint Favorable Subst.*