

4008

2013-2014 Regular Sessions

I N S E N A T E

March 4, 2013

Introduced by Sen. FLANAGAN -- (at request of the State Education Department) -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education

AN ACT to amend the education law, in relation to continuing early college high school programs in the state

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Legislative intent. The legislature hereby finds and
2 declares it necessary to preserve and continue early college high school
3 programs in the state that provide various students, including those
4 traditionally underrepresented in post-secondary education, with the
5 opportunity to access college-level courses and college degree credits
6 at the high school level with the combined support of high school and
7 college staff and resources. The early college high school program not
8 only increases these students' access to higher education, but also
9 reduces potential costs for these students in completing college degrees
10 by allowing them to either complete a degree upon graduation from high
11 school or to apply their earned college credits towards an Associate's
12 or Baccalaureate's degree. This innovative program provides incentives
13 to high school students to proceed to college and to earn a college
14 degree by accelerating their overall completion of such a degree. It
15 also better prepares them for college-level coursework, which, will in
16 turn, increase their academic performance. Ultimately, this program
17 increases graduation rates both at the high school and college levels.
18 The legislature hereby finds and declares it necessary to provide
19 funding for these schools to ensure that they continue in operation and
20 continue to provide students with these valuable services. Although
21 early college high schools are public high schools, the cost of provid-
22 ing college-level courses, including the costs of instruction at a part-
23 nering college and college-level books and materials, exceeds the costs
24 of a traditional public school. At the same time, the legislature recog-

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets
[] is old law to be omitted.

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nizes that accelerating the completion of a student's college degree at the high school level will result in a student requiring less tuition assistance funds (TAP) to complete their degree at the post-secondary level. Therefore, these schools ultimately result in significant cost-savings to TAP funds. Furthermore, given these students' increased preparedness for post-secondary education, which should, in turn, equate to enhanced academic performance in school, they are a great investment of TAP funds.

S 2. The education law is amended by adding a new section 667-d to read as follows:

S 667-D. SUPPLEMENTAL TUITION ASSISTANCE AWARDS FOR EARLY COLLEGE HIGH SCHOOL PROGRAMS. 1. NOTWITHSTANDING ANY RULE, REGULATION, OR LAW TO THE CONTRARY, THE PRESIDENT SHALL BE AUTHORIZED TO MAKE ANNUAL TUITION ASSISTANCE PROGRAM AWARDS TO APPROVED EARLY COLLEGE HIGH SCHOOL PROGRAMS IN THE STATE THAT OPERATE APPROVED EARLY COLLEGE HIGH SCHOOL PROGRAMS ON BEHALF OF ELIGIBLE STUDENTS ENROLLED IN SUCH PROGRAMS.

2. FOR PURPOSES OF THIS SECTION:

(A) "APPROVED EARLY COLLEGE HIGH SCHOOL PROGRAMS" MEANS AN EARLY COLLEGE HIGH SCHOOL PROGRAM, APPROVED BY THE COMMISSIONER IN ACCORDANCE WITH THE REGULATIONS OF THE COMMISSIONER, WHICH PROVIDES ELIGIBLE STUDENTS ENROLLED IN SUCH PROGRAM WITH HIGH SCHOOL COURSES LEADING TO THE GRANTING OF A HIGH SCHOOL DIPLOMA AND COLLEGE-LEVEL COURSES LEADING TO THE GRANTING OF A POST-SECONDARY DEGREE OR DIPLOMA AT A PARTNERING COLLEGE APPROVED BY THE DEPARTMENT;

(B) "EARLY COLLEGE HIGH SCHOOL" MEANS A PUBLIC HIGH SCHOOL THAT OFFERS AN APPROVED EARLY COLLEGE HIGH SCHOOL PROGRAM TO ITS STUDENTS; AND

(C) "ELIGIBLE STUDENT" MEANS A STUDENT WHO:

(I) IS A RESIDENT OF THE SCHOOL DISTRICT IN WHICH THE EARLY COLLEGE HIGH SCHOOL IS LOCATED AND IS ENROLLED IN SUCH SCHOOL DISTRICT;

(II) IS REGISTERED TO ATTEND THE ELEVENTH OR TWELFTH GRADE AT SUCH HIGH SCHOOL FOR THE ACADEMIC YEAR IN WHICH THE TUITION ASSISTANCE AWARD IS BEING SOUGHT;

(III) WAS ELIGIBLE TO RECEIVE FREE OR REDUCED PRICE LUNCH IN ONE OF THE TWO PRECEDING SCHOOL YEARS; AND

(IV) IS EITHER MATRICULATED IN AN APPROVED PROGRAM LEADING TO THE GRANTING OF A POST-SECONDARY DEGREE OR DIPLOMA, OR WHO HAS DEMONSTRATED TO THE SATISFACTION OF THE COMMISSIONER THE ABILITY TO COMPLETE COLLEGE-LEVEL COURSEWORK IN ACCORDANCE WITH SUBDIVISION FOUR OF THIS SECTION;

(D) "EXCESS COST PER STUDENT" MEANS THE ADDITIONAL COST OF PROVIDING AN ELIGIBLE STUDENT WITH COLLEGE-LEVEL COURSE WORK, AS DETERMINED BY THE COMMISSIONER IN ACCORDANCE WITH A METHODOLOGY PRESCRIBED BY THE COMMISSIONER.

3. THE PRESIDENT SHALL MAKE TUITION ASSISTANCE PROGRAM AWARDS TO APPROVED EARLY COLLEGE HIGH SCHOOL PROGRAMS IN THE FOLLOWING MANNER: COMMENCING WITH THE TWO THOUSAND THIRTEEN--TWO THOUSAND FOURTEEN ACADEMIC YEAR, AN APPROVED EARLY COLLEGE HIGH SCHOOL PROGRAM MAY APPLY TO THE CORPORATION FOR AN ANNUAL TUITION ASSISTANCE PROGRAM AWARD IN AN AMOUNT NOT TO EXCEED THE PRODUCT OF:

THE TOTAL NUMBER OF ELIGIBLE STUDENTS ENROLLED IN THE APPROVED EARLY COLLEGE HIGH SCHOOL PROGRAM AND

THE EXCESS COST PER STUDENT.

4. A STUDENT SHALL BE CONSIDERED A STUDENT WITH THE ABILITY TO COMPLETE COLLEGE-LEVEL COURSEWORK IF HE OR SHE MEETS AT LEAST TWO REQUIREMENTS PRESCRIBED BY THE COMMISSIONER IN THE REGULATIONS OF THE

1 COMMISSIONER, WHICH SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, THE
2 FOLLOWING:

3 (A) THE STUDENT HAS SUCCESSFULLY COMPLETED A SPECIFIED NUMBER OF HOURS
4 OF COLLEGE-LEVEL INSTRUCTION AT AN APPROVED PARTNERING COLLEGE, AS
5 DETERMINED BY THE COMMISSIONER;

6 (B) THE STUDENT HAS OBTAINED A TEST SCORE OF AT LEAST THE EIGHTIETH
7 PERCENTILE ON ALL REGENTS EXAMINATIONS ADMINISTERED TO SUCH STUDENT IN
8 THE NINTH AND TENTH GRADES; AND

9 (C) THE STUDENT HAS DEMONSTRATED THE ABILITY TO COMPLETE COLLEGE-LEVEL
10 COURSEWORK THROUGH HIGH SCHOOL LEVEL COURSEWORK IN MATHEMATICS, ENGLISH
11 AND SCIENCE, INCLUDING TESTS, HOMEWORK, AND LAB WORK.

12 5. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, RULE OR REGULATION TO
13 THE CONTRARY, THE PAYMENT OF A TUITION ASSISTANCE AWARD PURSUANT TO THIS
14 SECTION ON BEHALF OF AN ELIGIBLE STUDENT SHALL NOT BE CONSTRUED TO LIMIT
15 THE AMOUNT OR DURATION OF A TUITION ASSISTANCE PROGRAM AWARD AVAILABLE
16 TO ANY SUCH STUDENT.

17 6. AN APPROVED EARLY COLLEGE HIGH SCHOOL PROGRAM SHALL NOT OTHERWISE
18 BE SUBJECT TO THE REQUIREMENTS FOR RECEIVING PAYMENT ON A TUITION
19 ASSISTANCE PROGRAM AWARD PURSUANT TO THIS ARTICLE.

20 S 3. This act shall take effect immediately, provided that if this act
21 shall have become a law on or after July 1, 2013, it shall be deemed to
22 have been in full force and effect on and after July 1, 2013.