

5900--A

2015-2016 Regular Sessions

I N A S S E M B L Y

March 6, 2015

Introduced by M. of A. BARRON, ORTIZ, MOSLEY, BLAKE, PICHARDO, COOK, GOTTFRIED, WALKER, PERRY, ARROYO -- Multi-Sponsored by -- M. of A. DAVILA, HOOPER, SIMON, STECK -- read once and referred to the Committee on Higher Education -- recommitted to the Committee on Higher Education in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to establishing an appeals process for students denied the state resident tuition rate at a public college or university

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

1 Section 1. Section 355 of the education law is amended by adding a new
2 subdivision 20 to read as follows:
3 20. THE STATE UNIVERSITY TRUSTEES SHALL REQUIRE THAT EACH INSTITUTION
4 OF THE STATE UNIVERSITY ESTABLISH AN APPEALS PROCESS FOR ANY STUDENT,
5 REGARDLESS OF HIS OR HER IMMIGRATION STATUS, WHO HAS BEEN DENIED THE
6 STATE RESIDENT TUITION RATE FOR ATTENDING SUCH INSTITUTION. EACH INSTI-
7 TUTION SHALL ESTABLISH A REASONABLE TIME PERIOD FOR THE FILING OF AN
8 APPEAL AFTER A PROSPECTIVE STUDENT HAS RECEIVED WRITTEN NOTIFICATION OF
9 A DENIAL OF THE STATE RESIDENT TUITION RATE AND A REASONABLE TIME PERIOD
10 FOR THE INSTITUTION TO RESPOND TO SUCH AN APPEAL. INFORMATION ON THE
11 RIGHT TO SUCH APPEAL AND SUCH APPEALS PROCESS SHALL BE POSTED ON THE
12 INSTITUTION'S WEBSITE.
13 S 2. Section 6206 of the education law is amended by adding a new
14 subdivision 19 to read as follows:
15 19. THE BOARD OF TRUSTEES SHALL REQUIRE THAT EACH INSTITUTION OF THE
16 CITY UNIVERSITY ESTABLISH AN APPEALS PROCESS FOR ANY STUDENT, REGARDLESS
17 OF HIS OR HER IMMIGRATION STATUS, WHO HAS BEEN DENIED THE STATE RESIDENT
18 TUITION RATE FOR ATTENDING SUCH INSTITUTION. EACH INSTITUTION SHALL
19 ESTABLISH A REASONABLE TIME PERIOD FOR THE FILING OF AN APPEAL AFTER A

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

LBD03986-03-6

1 PROSPECTIVE STUDENT HAS RECEIVED WRITTEN NOTIFICATION OF A DENIAL OF THE
2 STATE RESIDENT TUITION RATE AND A REASONABLE TIME PERIOD FOR THE INSTI-
3 TUTION TO RESPOND TO SUCH AN APPEAL. INFORMATION ON THE RIGHT TO SUCH
4 APPEAL AND SUCH APPEALS PROCESS SHALL BE POSTED ON THE INSTITUTION'S
5 WEBSITE.

6 S 3. Section 6306 of the education law is amended by adding a new
7 subdivision 11 to read as follows:

8 11. THE BOARD OF TRUSTEES OF EACH COMMUNITY COLLEGE SHALL ESTABLISH AN
9 APPEALS PROCESS FOR ANY STUDENT, REGARDLESS OF HIS OR HER IMMIGRATION
10 STATUS, WHO HAS BEEN DENIED THE STATE RESIDENT TUITION RATE FOR ATTEND-
11 ING SUCH COMMUNITY COLLEGE. THE BOARD OF TRUSTEES OF EACH COMMUNITY
12 COLLEGE SHALL ESTABLISH A REASONABLE TIME PERIOD FOR THE FILING OF AN
13 APPEAL AFTER A PROSPECTIVE STUDENT HAS RECEIVED WRITTEN NOTIFICATION OF
14 A DENIAL OF THE STATE RESIDENT TUITION RATE AND A REASONABLE TIME PERIOD
15 FOR THE COMMUNITY COLLEGE TO RESPOND TO SUCH AN APPEAL. INFORMATION ON
16 THE RIGHT TO SUCH APPEAL AND SUCH APPEALS PROCESS SHALL BE POSTED ON THE
17 COMMUNITY COLLEGE'S WEBSITE.

18 S 4. This act shall take effect on the sixtieth day after it shall
19 have become a law.