

STATE OF NEW YORK

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IN ASSEMBLY

January 12, 2017

Introduced by M. of A. SEPULVEDA, VANEL, HARRIS, MOSLEY, JENNE, SIMON, GOODELL, MONTESANO, GOTTFRIED, COLTON, LUPINACCI, McDONOUGH, BLAKE, COOK, BRABENEC, WRIGHT, PICHARDO, ARROYO, SOLAGES, BICHOTTE, ABINANTI, LAVINE, McDONALD, BUTLER, ROZIC, CRESPO, DE LA ROSA, GANTT, DAVILA, RAIA, KEARNS, THIELE, CUSICK, PEOPLES-STOKES, RA, LUPARDO, DILAN, RIVERA, ENGLEBRIGHT, PRETLOW, ORTIZ, AUBRY, STIRPE, PAULIN, MAGEE, BENEDETTO, JEAN-PIERRE, M. G. MILLER, HIKIND, SIMANOWITZ, MAYER, FAHY, WEPRIN, DenDEKKER, BRAUNSTEIN, HEVESI, LENTOL, LIFTON, BRONSON, BARRON, JOYNER, LOPEZ, HUNTER, STECK, RICHARDSON, KIM, WALKER, HYNDMAN, DiPIETRO, HOOPER, ROSENTHAL -- Multi-Sponsored by -- M. of A. FITZPATRICK, GARBARINO, McKEVITT, MOYA, PERRY, RAMOS, RODRIGUEZ, SKARTADOS, TITUS -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to establishing the Barbara Clark leaders of tomorrow scholarship

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The education law is amended by adding a new section 669-h
2 to read as follows:

3 § 669-h. The Barbara Clark leaders of tomorrow scholarship. 1. Defi-
4 nitions. The following terms shall have the following meanings:

5 a. "Good academic standing" shall be comprised of two necessary compo-
6 nents: pursuit of program and satisfactory academic progress;

7 b. "Pursuit of program" shall mean earning a passing or failing letter
8 grade on a sliding scale in a certain percentage of full-time minimum
9 course load, such sliding scale shall exist as follows:

10 (i) fifty percent for the first academic year;

11 (ii) seventy-five percent for the second academic year; and

12 (iii) one hundred percent for the third and fourth academic years; and

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

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1 c. "Satisfactory academic progress" shall mean earning and maintaining
2 at least a B-average (3.0 or higher on a 4.0 grading scale) in the mini-
3 imum number of semester hours required per year.

4 2. Purpose. The Barbara Clark leaders of tomorrow scholarship is here-
5 by established for the purpose of granting scholarship awards to New
6 York state high school graduates who have demonstrated a strong academic
7 ability, participated in extracurricular activities, and displayed a
8 commitment to community service.

9 3. Eligibility. Scholarships shall be awarded to one eligible senior
10 from each participating public and private high school in New York
11 state. a. To be eligible for such award, an applicant must:

12 (i) be a resident of New York state;

13 (ii) have graduated from a New York state high school in June of the
14 academic year for which the scholarship is awarded;

15 (iii) begin study at an approved post-secondary institution in New
16 York state in the academic year for which such scholarship is initially
17 awarded;

18 (iv) maintain a cumulative grade point average of 3.0 or higher;

19 (v) be enrolled as a full-time student taking twelve or more credits
20 per semester;

21 (vi) be matriculated in an approved program of study and be in good
22 academic standing; and

23 (vii) not be in default on a student loan guaranteed by the New York
24 state higher education services corporation.

25 b. If two or more seniors from a participating school qualify under
26 paragraph a of this subdivision, financial need may be considered to
27 make a final determination.

28 4. Maintaining eligibility. Eligible students must maintain good
29 academic standing, students who fail to maintain such standing will
30 cease to be eligible for payment until they are restored to good academ-
31 ic standing by raising their grade point average to the required minimum
32 B-average or requested and obtained a B-average waiver.

33 5. Waiver. a. An eligible student may request and obtain a waiver for
34 their failure to maintain the required cumulative B-average as a result
35 of undue hardship, based on:

36 (i) the death of a student's relative;

37 (ii) the student's personal illness or injury; or

38 (iii) other extenuating circumstances.

39 b. Such waiver must be documented and must relate to the circumstances
40 that have affected the student's ability to achieve a cumulative B-aver-
41 age as of the end of a particular semester or term.

42 c. Such waiver may be granted more than once if circumstances warrant.

43 d. Schools must maintain documentation of why waivers are granted but
44 do not have to report the waiver in the certification process.

45 6. Loss/reinstatement of good academic standing. a. Students who lose
46 good academic standing in a semester or term when they received this
47 scholarship are not eligible for such scholarship for the next term.

48 b. Such good academic standing may be restored in one of the following
49 ways:

50 (i) make up past deficiencies by completing one or more terms or
51 semesters of study without receiving any state grants or scholarships;

52 (ii) be readmitted to school after an absence of at least one year; or

53 (iii) transfer to another qualified institution.

54 c. Additionally, students have one opportunity to obtain a waiver from
55 the department for extenuating circumstances. The student's institution
56 is required to publish and adhere to criteria, set forth by the institu-

1 tion, under which it will grant the waiver. Before granting such waiver,
2 institutional personnel shall discuss the decision with the student.
3 Such waiver is not automatic and must be done in accordance with the
4 institutions published criteria. In order to then be eligible for the
5 scholarship under this section, the student must successfully raise
6 their grade point average to the required B-average minimum.

7 7. Payment. Recipients shall receive a five thousand dollar scholar-
8 ship to be distributed in the amount of one thousand two hundred fifty
9 dollars per year.

10 8. Source of funds. All funds for this scholarship shall be distrib-
11 uted by the New York state lottery established under article thirty-four
12 of the tax law.

13 § 2. This act shall take effect on the one hundred twentieth day after
14 it shall have become a law.