

STATE OF NEW YORK

6517

2021-2022 Regular Sessions

IN SENATE

May 4, 2021

Introduced by Sen. STAVISKY -- (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 enhancing supports and services for students with disabilities for postsecondary success

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 6457
2 to read as follows:

3 § 6457. Enhancing supports and services for students with disabilities
4 for postsecondary success. 1. For the purposes of this section,
5 "students with disabilities" shall mean individuals with a disability
6 who have a physical or mental impairment that substantially limits one
7 or more major life activity or activities, a record of such impairment,
8 or being regarded as having such impairment and who are enrolled in a
9 degree-granting institution in New York.

10 2. Subject to an appropriation, the commissioner shall allocate funds
11 available for enhancing supports and services for students with disabili-
12 ties in New York State degree granting colleges and universities so
13 they can succeed in their education. Such funds shall be awarded through
14 grants to institutions of the state university and institutions of the
15 city university of New York, and the commissioner shall enter into
16 contracts with degree-granting institutions in New York that are
17 currently funded under the tuition assistance program under article
18 fourteen of this chapter for the purpose of providing additional
19 services and supports to expand opportunities for students with disabil-
20 ities.

21 3. (a) Funds appropriated in the two thousand twenty-one--two thousand
22 twenty-two academic year and thereafter for the purpose of this initi-
23 ative shall be allocated proportionally for each student with a disabil-
24 ity enrolled in an institution of higher education that successfully

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

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1 applies for funding pursuant to subdivision six of this section based
2 upon the total number of students with disabilities that are enrolled in
3 all institutions of higher education that successfully apply for funding
4 pursuant to subdivision six of this section. The number of students with
5 disabilities used for this calculation shall be based on data submitted
6 annually by the institution to the commissioner through a process
7 required for this purpose by the commissioner.

8 (b) Funds shall be awarded to each institution of higher education
9 that successfully applies for funding pursuant to subdivision six of
10 this section directly and not through entities who do not directly
11 enroll students.

12 4. Funds shall be awarded through a formula in equal amounts per iden-
13 tified student with a disability to each institution of higher education
14 that successfully applies for funding pursuant to subdivision six of
15 this section. The number of students with disabilities at each institu-
16 tion shall be determined based upon the data submitted annually by the
17 institution to the commissioner through a process required for this
18 purpose by the commissioner.

19 5. Moneys made available to institutions under this section shall be
20 spent for the following purposes:

21 (a) to supplement funding for supports and accommodations of students
22 with disabilities to expand supports and services provided at the state
23 university, the city university of New York, and other degree-granting
24 higher education institutions;

25 (b) to support college preparation programs to assist students with
26 disabilities in transitioning to college, and prepare them to navigate
27 campus facilities and systems;

28 (c) to provide full and part-time faculty and staff at the state
29 university, the city university of New York, and other degree-granting
30 higher education institutions with disability training; and

31 (d) to improve the identification process of students with disabili-
32 ties and enhance data collection capabilities at the state university,
33 the city university of New York, and other degree-granting higher educa-
34 tion institutions.

35 6. Eligible institutions shall file an application for approval by the
36 commissioner no later than the first of May each year demonstrating a
37 need for such funding, including how the funding would be used and how
38 many students with disabilities would be assisted with such funding. The
39 commissioner shall review all applications for compliance with all
40 eligibility criteria and other requirements set forth in regulations of
41 the commissioner. Successful applicants will be funded as provided in
42 subdivision four of this section.

43 7. No funds pursuant to this section shall be made available to
44 support the regular academic programs of any institution participating
45 in this program.

46 § 2. This act shall take effect immediately.