

STATE OF NEW YORK

7591--A

2023-2024 Regular Sessions

IN ASSEMBLY

May 25, 2023

Introduced by M. of A. KELLES -- read once and referred to the Committee on Higher Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to establishing the mental health educational opportunity program

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. Mental health educational opportunity program. 1. To provide
4 additional educational opportunities for students to enroll in academic
5 programs that lead to a degree or degrees required for licensure in any
6 of the mental health professions pursuant to articles one hundred
7 fifty-three, one hundred fifty-four and one hundred sixty-three of this
8 chapter, a participating college or university shall provide special
9 programs for the screening, testing, counseling and tutoring of, and
10 assistance to, residents of the state, (i) who are graduates of an
11 approved high school or individuals who have attained a New York state
12 high school equivalency diploma or its equivalent, as determined by the
13 commissioner, (ii) who have potential for the successful completion of a
14 post-secondary program that leads to a degree or degrees required for
15 licensure in any mental health profession, and (iii) who are econom-
16 ically and educationally disadvantaged.

17 2. For the purposes of this section a participating college or univer-
18 sity shall be defined as any college or university of the state univer-
19 sity of New York or the city university of New York, or a non-public
20 college or university incorporated by the regents.

21 3. A non-public college or university that participates in this
22 program shall contract with the commissioner to provide the services in
23 this section pursuant to a process promulgated by the commissioner for
24 such purpose.

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

LBD11389-02-3

1 4. The commissioner, in consultation with the state university of New
2 York, the city university of New York, and non-public colleges and
3 universities chosen by the commissioner, shall formulate a general plan
4 for the organization, development, coordination and operation of such a
5 program within the amounts made available therefor by law. Such a plan
6 shall include:

- 7 a. Definition of eligibility,
8 b. Procedures for the selection of students from among the eligibles,
9 c. Description of the contents of such proposed program including
10 counseling, tutoring and skill development,
11 d. Estimated costs,
12 e. Objectives,
13 f. Extent of other funds and resources to be utilized in support of
14 the program,
15 g. Procedures for the evaluation of student progress, and
16 h. Periodic reports.

17 5. The general plan shall be transmitted to the board of regents at
18 such time as the regents shall by rule require. Such plan shall be
19 reviewed by the regents and shall guide and determine the operation of
20 such program.

21 6. a. State appropriations made available for this program shall be
22 spent only for the following purposes:

23 (i) Special testing, counseling and guidance services in the course of
24 screening potential students,

25 (ii) Remedial courses, developmental and compensatory courses and
26 summer classes for such students,

27 (iii) Special tutoring, counseling and guidance services for enrolled
28 students,

29 (iv) Central services including evaluation and administrative costs,
30 and

31 (v) Any necessary supplemental financial assistance, which may include
32 the cost of books and necessary maintenance for such students, including
33 students without lawful immigration status provided that the student
34 meets the requirements set forth in subparagraph (ii) of paragraph a or
35 subparagraph (ii) of paragraph b of subdivision five of section six
36 hundred sixty-one of this chapter, as applicable; provided, however,
37 that such supplemental financial assistance shall be furnished pursuant
38 to criteria promulgated by the commissioner and approved by the regents
39 and the director of the budget.

40 b. No funds pursuant to this section shall be made available to
41 support the regular academic programs of any college or university
42 participating in this program, nor shall funds be provided for programs
43 which are incompatible with the regents plan for the expansion and
44 development of higher education in the state.

45 7. A participating college or university shall furnish to the commis-
46 sioner, the regents, the director of the budget, the chair of the senate
47 finance committee and the chair of the assembly ways and means commit-
48 tee, at least annually, a report in such form, at such time and contain-
49 ing such information as the regents and the director of the budget may
50 require, of the operations of such program. The report shall include:

51 a. A statement of the objectives of the program,

52 b. A description of the program,

53 c. The budgetary expenditures for such program, separately stating
54 academic credit instructional costs, other instructional costs, tutoring
55 costs, remediation, counseling, supplemental financial assistance and
56 central services, including evaluation and administrative costs,

1 d. The extent of other funds and resources used in support of such
2 program and their sources,

3 e. The progress of students, and

4 f. The extent and nature of the responsibility exercised over such
5 program by such trustees.

6 8. Contracts made pursuant to this section shall be subject to the
7 approval of the director of the budget.

8 § 2. This act shall take effect immediately.