

# STATE OF NEW YORK

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5542

2025-2026 Regular Sessions

## IN ASSEMBLY

February 14, 2025

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Introduced by M. of A. HYNDMAN -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to including underrepresented ethnic groups in the admission criteria for the science and technology entry program and collegiate science and technology entry program

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

1 Section 1. Legislative findings. Representation in the workforce is  
2 critical, especially in New York's healthcare workforce. A 2017 study  
3 published in the Journal of General Internal Medicine found that Black  
4 and Hispanic patients were more likely to report feeling comfortable  
5 discussing sensitive topics with a provider of the same race or ethnicity.  
6 A 2019 study published in the Journal of Health Care Administration  
7 found that culturally competent care was associated with improved  
8 patient satisfaction, adherence to treatment, and health outcomes.  
9 Further a 2020 report by the National Academies of Sciences, Engineering,  
10 and Medicine found that a diverse healthcare workforce can improve  
11 access to care for underserved populations. These benefits are not  
12 limited to healthcare. A 2017 study published in Nature and a 2019 study  
13 in the Harvard Business Review found that diverse teams outperform  
14 homogenous teams in terms of creativity and problem-solving. This means  
15 that the health and economic future of our state is dependent on the  
16 diversity of our workforce.

17 The Science and Technology Entry Program (STEP) and Collegiate Science  
18 and Technology Entry Program (CSTEP) have a successful history of bringing  
19 underrepresented students into science, technology, engineering, and  
20 math (STEM), licensed professions and health professions fields. These  
21 programs create academic opportunities for students who have faced  
22 disadvantages and discrimination. To ensure that these programs can  
23 continue to fulfill their mission of delivering opportunity and equity

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

LBD07779-01-5

1 to students, the programs' admissions criteria must be updated to be in  
2 line with recent legal findings.

3 The STEP and CSTEP admissions criteria must allow for admission of any  
4 student from any group underrepresented in a STEM, licensed profession  
5 field or health profession field. This will require that the New York  
6 State Board of Regents identify underrepresentation in eligible career  
7 fields prior to the periodic release of RFPs for STEP and CSTEP. Under-  
8 representation shall be determined using available workforce statistics  
9 and defined in rules. This determination will provide "focused and meas-  
10 urable objectives" (as required by the U.S. Supreme Court) while also  
11 having a definable endpoint: the correction of underrepresentation in a  
12 specific professional field reviewed on a regular basis (the contractual  
13 period defined by an individual RFP).

14 Every ethnic or racial group is underrepresented in various workforce  
15 fields in New York. STEP and CSTEP will help rectify that issue and  
16 ultimately root out the pernicious impact of underrepresentation in  
17 various professions.

18 § 2. Subdivisions 1 and 5 of section 6454 of the education law, as  
19 added by chapter 31 of the laws of 1985, subparagraph 4 of paragraph a  
20 of subdivision 5 as amended by chapter 439 of the laws of 1988, are  
21 amended and a new subdivision 9 is added to read as follows:

22 1. As used in this section:

23 a. ~~["Council" means the council on professional career opportunity~~  
24 ~~created pursuant to article forty-four of the executive law;~~

25 ~~b.]~~ "Eligible students" shall mean secondary school students inter-  
26 ested in pursuing a career in an eligible profession as defined in para-  
27 graph c of this subdivision, who are either economically disadvantaged  
28 or ~~[minorities historically]~~ a member of an ethnic group that is under-  
29 represented in the ~~[scientific, technical, health, and health-related~~  
30 ~~professions as defined by the regents after consultation with the coun-~~  
31 ~~cil; and]~~ eligible profession they are interested in pursuing.

32 ~~[c.]~~ b. "Eligible applicant" shall mean an institution of postsecon-  
33 dary education or a consortia of such institutions.

34 c. "Eligible profession" shall mean a scientific, technical, health,  
35 health-related profession or any profession licensed pursuant to title  
36 eight of this chapter.

37 5. a. Grants shall be awarded to eligible applicants based upon crite-  
38 ria established by the commissioner after consultation with the council,  
39 including, but not limited to, the following:

40 (1) an established record of conducting effective collaborative educa-  
41 tional programs with neighboring secondary schools;

42 (2) the ability and willingness to cooperate with other postsecondary  
43 institutions in operating a program funded pursuant to this section; and

44 (3) the capacity to secure or provide additional support in amounts  
45 equal to at least twenty-five percent of the grant sought under this  
46 section through private and other governmental sources and through  
47 in-kind services[~~;~~

48 ~~(4) a location within a school district with an enrollment comprised~~  
49 ~~of at least twenty percent minority group students or a location near~~  
50 ~~such a district that is accessible by public transportation].~~

51 ~~b. [The commissioner shall select the grant recipients after consulta-~~  
52 ~~tion with the council.]~~ To the fullest extent practicable the commis-  
53 sioner ~~[and the council]~~ shall ensure that grants are awarded to eligi-  
54 ble applicants in a diversity of regions of the state.

55 9. The department shall periodically review workforce data to deter-  
56 mine levels of ethnic representation in eligible professions.

§ 3. Subdivisions 1, 2 and 3 of section 6455 of the education law, as added by chapter 285 of the laws of 1986, paragraph (a) of subdivision 2 and paragraph (a) of subdivision 3 as amended by chapter 26 of the laws of 2019, and the opening paragraph of subparagraph (ii) of paragraph (a) of subdivision 2 and the opening paragraph of subparagraph (ii) of paragraph (a) of subdivision 3 as amended by chapter 669 of the laws of 2022, are amended to read as follows:

1. General requirements. The commissioner shall award grants to degree-granting institutions in New York or to consortia of such institutions to be used for the purpose of increasing access by ~~[minority]~~ underrepresented or disadvantaged students to academic programs that have been registered by the commissioner and that prepare students either for licensure in the professions or for employment in scientific and technical fields.

2. Undergraduate programs. (a) (i) Undergraduate science and technology entry program moneys may be used for tutoring, counseling, remedial and special summer courses, supplemental financial assistance, program administration, and other activities which the commissioner may deem appropriate. To be eligible for undergraduate collegiate science and technology entry program support, a student must be a resident of New York, or meet the requirements of subparagraph (ii) of this paragraph, and must be either economically disadvantaged or ~~[from a minority]~~ a member of an ethnic group [historically under-represented in the scientific, technical, health and health-related professions] that is under-represented in the eligible profession or field they are pursuing, as defined by the regents prior to the release of periodic applications for funding, and must demonstrate interest in and a potential for a professional career if provided special services. Eligible students must be in good academic standing, enrolled full time in an approved, undergraduate level program of study, as defined by the regents.

(ii) An applicant who is not a legal resident of New York state, but who is a United States citizen, a permanent lawful resident, an individual who is granted U or T non-immigrant status pursuant to the Victims of Trafficking and Violence Protection Act of 2000, a person granted temporary protected status pursuant to the Federal Immigration Act of 1990, an individual of a class of refugees paroled by the attorney general of the United States under ~~[his or her]~~ such attorney general's parole authority pertaining to the admission of noncitizens to the United States, or an applicant without lawful immigration status, shall be eligible for an award at the undergraduate level of study provided that the student:

(1) attended a registered New York state high school for two or more years, graduated from a registered New York state high school and applied for attendance at the institution of higher education for the undergraduate study for which an award is sought within five years of receiving a New York state high school diploma; or

(2) attended an approved New York state program for a state high school equivalency diploma, received a state high school equivalency diploma and applied for attendance at the institution of higher education for the undergraduate study for which an award is sought within five years of receiving a state high school equivalency diploma; or

(3) is otherwise eligible for the payment of tuition and fees at a rate no greater than that imposed for resident students of the state university of New York, the city university of New York or community colleges as prescribed in subparagraph eight of paragraph h of subdivi-

1 sion two of section three hundred fifty-five or paragraph (a) of subdi-  
2 vision seven of section sixty-two hundred six of this chapter.

3 Provided, further, that a student without lawful immigration status  
4 shall also be required to file an affidavit with such institution of  
5 higher education stating that the student has filed an application to  
6 legalize [~~his or her~~] such student's immigration status, or will file  
7 such an application as soon as [~~he or she~~] such student is eligible to  
8 do so.

9 (b) Applications for funding shall be submitted by eligible insti-  
10 tutions to the department in accordance with requirements established by  
11 the commissioner. Priority consideration shall be given to institutions  
12 which coordinate their efforts to increase [~~minority access~~] represen-  
13 tation of underrepresented ethnic groups with similar activities for  
14 programs at the secondary level in accordance with this section. Grants  
15 shall be awarded based on criteria established by the commissioner.

16 3. Graduate programs. (a) (i) Graduate science and technology entry  
17 program moneys may be used for recruitment, academic enrichment, career  
18 planning, supplemental financial assistance, review for licensing exam-  
19 inations, program administration, and other activities which the commis-  
20 sioner may deem appropriate. To be eligible for graduate collegiate  
21 science and technology entry program support, a student must be a resi-  
22 dent of New York, or meet the requirements of subparagraph (ii) of this  
23 paragraph, and must be either economically disadvantaged or [~~from~~] a  
24 [~~minority~~] member of an ethnic group [~~historically~~] that is underrepre-  
25 sented in the [~~scientific, technical and health-related professions~~]  
26 eligible profession or field they are pursuing as defined by the regents  
27 prior to the release of periodic applications for funding. Eligible  
28 students must be in good academic standing, enrolled full time in an  
29 approved graduate level program, as defined by the regents.

30 (ii) An applicant who is not a legal resident of New York state, but  
31 either is a United States citizen, a permanent lawful resident, an indi-  
32 vidual who is granted U or T non-immigrant status pursuant to the  
33 Victims of Trafficking and Violence Protection Act of 2000, a person  
34 granted temporary protected status pursuant to the Federal Immigration  
35 Act of 1990, an individual of a class of refugees paroled by the attor-  
36 ney general of the United States under [~~his or her~~] such attorney gener-  
37 al's parole authority pertaining to the admission of noncitizens to the  
38 United States, or an applicant without lawful immigration status shall  
39 be eligible for an award at the graduate level of study provided that  
40 the student:

41 (1) attended a registered approved New York state high school for two  
42 or more years, graduated from a registered New York state high school  
43 and applied for attendance at the institution of higher education for  
44 the graduate study for which an award is sought within ten years of  
45 receiving a New York state high school diploma; or

46 (2) attended an approved New York state program for a state high  
47 school equivalency diploma, received a state high school equivalency  
48 diploma and applied for attendance at the institution of higher educa-  
49 tion for the graduate study for which an award is sought within ten  
50 years of receiving a state high school equivalency diploma; or

51 (3) is otherwise eligible for the payment of tuition and fees at a  
52 rate no greater than that imposed for resident students of the state  
53 university of New York, the city university of New York or community  
54 colleges as prescribed in subparagraph eight of paragraph h of subdivi-  
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3 higher education stating that the student has filed an application to  
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5 such an application as soon as [~~he or she~~] such student is eligible to  
6 do so.

7 (b) Applications for funding shall be made by eligible institutions in  
8 accordance with requirements established by the commissioner. Grants  
9 shall be awarded based on criteria established by the commissioner.  
10 Priority consideration shall be given to institutions which coordinate  
11 their efforts to increase [~~minority access~~] representation of underrep-  
12 resented ethnic groups with similar activities at the undergraduate  
13 level.

14 § 4. This act shall take effect on the thirtieth day after it shall  
15 have become a law. Effective immediately, the addition, amendment and/or  
16 repeal of any rule or regulation necessary for the implementation of  
17 this act on its effective date are authorized to be made and completed  
18 on or before such effective date.