S T A T E O F N E W Y O R K

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2011-2012 Regular Sessions

I N A S S E M B L Y

January 18, 2011

Introduced by M. of A. CLARK, P. RIVERA, SCARBOROUGH, HOYT -- Multi-Sponsored by -- M. of A. PEOPLES-STOKES, PHEFFER, J. RIVERA, SPANO, WEISENBERG -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to establishing a pilot program for overage, under-credit students to prepare these students for post secondary education or training and providing for the repeal of such provisions upon expiration thereof

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

Section 1. Legislative intent. The legislature hereby finds and declares it necessary to increase the graduation rate in this state, particularly New York City, Yonkers, Buffalo, Rochester, and Syracuse, where the drop-out rate is exceptionally high particularly with minority and limited English proficient students. To do so, the legislature finds it necessary to create a research-based pilot program to assist overage, under-credit students, who are typically at risk of not graduating, obtain a high school diploma or general equivalency diploma (GED), and to prepare these students for post-secondary education or training. The legislature recognizes that a variety of individual, familial, and community-based factors may contribute to a student's failure to graduate, including, but not limited to, the student's poor academic performance or attendance, parents' academic history, alcohol and/or substance abuse in the home, upbringing in a single parent household or teen parent household, neglect and/or abuse in the home, insufficient parental interest or involvement in students' academic performance, or otherwise, limited English proficiency in the home, limited access to health care, or limited economic means, poverty or parental unemployment.

The pilot program will examine the relationship between the aforementioned risk factors and the students' academic progress as well as the influence of the program's academic and after school support services on

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

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the student's academic progress, post-secondary education or training, and employability. The pilot program is expected to engage one thousand two hundred eligible students in academic and after-school services. The pilot program will provide assistance and support to selected students to assist them to obtain a high school diploma or GED and to prepare them for post-secondary education or training. The program will further provide assistance and support to the students for two years after the students' attainment of such a diploma. This research-based pilot program will provide a comprehensive look at the needs of and adverse influences on overage, under-credit students and provide a fundamental plan for remediation.

S 2. The education law is amended by adding a new article 100 to read as follows:

ARTICLE 100

OVERAGE AND UNDER-CREDIT STUDENTS

SECTION 4950. DEFINITIONS.
4951. PILOT PROGRAM FOR OVERAGE, UNDER-CREDIT STUDENTS; ESTABLISHED.
4952. STUDENT ELIGIBILITY.
4953. PURPOSE OF PROGRAM.
4954. REPORTS AND EVALUATION OF THE PILOT PROGRAM.
4955. PROGRAM COSTS.

S 4950. DEFINITIONS. THE FOLLOWING TERM SHALL HAVE THE FOLLOWING MEANING WHEN USED IN THIS ARTICLE: "OVERAGE, UNDER-CREDIT STUDENT" SHALL MEAN A STUDENT WHO IS AT LEAST TWO YEARS BEHIND STANDARD PROGRESS RELATIVE TO THE EXPECTED AGE AND CREDIT ACCUMULATION FOR EARNING A DIPLOMA.

S 4951. PILOT PROGRAM FOR OVERAGE, UNDER-CREDIT STUDENTS; ESTABLISHED. 1. THERE IS HEREBY ESTABLISHED UNDER THE EXERCISE OF AUTHORITY AND CONTROL OF THE COMMISSIONER A RESEARCH-BASED PILOT PROGRAM NAMED AND REFERRED TO AS THE PILOT PROGRAM FOR OVERAGE, UNDER-CREDIT STUDENTS. THIS RESEARCH-BASED PILOT PROGRAM SHALL SERVE ONE THOUSAND TWO HUNDRED STUDENTS WHO ARE ELIGIBLE FOR THE PROGRAM UNDER SECTION FORTY-NINE HUNDRED FIFTY-TWO OF THIS ARTICLE. SIX HUNDRED OF THESE STUDENTS SHALL BE ENROLLED IN THE NEW YORK CITY SCHOOL DISTRICT AND ONE HUNDRED FIFTY STUDENTS SHALL BE ENROLLED IN EACH OF THE FOLLOWING SCHOOL DISTRICTS: YONKERS, BUFFALO, ROCHESTER, AND SYRACUSE.

2. THE PURPOSE OF THE PILOT PROGRAM SHALL BE TO ASSIST OVERAGE, UNDER-CREDIT STUDENTS ATTAIN A HIGH SCHOOL DIPLOMA OR GENERAL EQUIVALENCY DIPLOMA (GED), EFFECTIVELY PREPARE FOR AND TRANSITION INTO POST-SECONDARY EDUCATION OR TRAINING, AND/OR OBTAIN EMPLOYMENT OR OTHER SUCH MEANINGFUL POST-SECONDARY OPPORTUNITIES. THE PILOT PROGRAM SHALL PROVIDE ASSISTANCE AND SUPPORT TO SUCH STUDENTS FOR TWO YEARS SUCCEEDING EACH STUDENT'S ATTAINMENT OF SUCH A DIPLOMA.

3. THE PILOT PROGRAM SHALL EXAMINE THE NEEDS OF OVERAGE, UNDER-CREDIT STUDENTS AND ANALYZE THE FACTORS WHICH CAUSE OR CONTRIBUTE TO THE STUDENTS' FAILURE TO GRADUATE OR WHICH ADVERSELY INFLUENCE THEIR ACADEMIC PROGRESS. THE PILOT PROGRAM SHALL FURTHER ANALYZE THE EFFECT OF THE PILOT PROGRAM ON THE STUDENT'S ACADEMIC PROGRESS, COMPLETION OF POST-SECONDARY COURSES OR TRAINING, AND THE STUDENTS' EMPLOYABILITY.

S 4952. STUDENT ELIGIBILITY. 1. STUDENTS MAY BE ELIGIBLE FOR THE PILOT PROGRAM ESTABLISHED IN SECTION FORTY-NINE HUNDRED FIFTY-ONE OF THIS ARTICLE IF THEY ARE (A) ENROLLED IN A PUBLIC SCHOOL WITHIN AN ELIGIBLE SCHOOL DISTRICT, (B) OF THE AGE OF TWELVE TO TWENTY-ONE YEARS, (C) ENROLLED IN ANY OF THE GRADES SEVEN THROUGH TWELVE, OR IF ENROLLED IN THE SCHOOL DISTRICT OF THE CITY OF NEW YORK, ENROLLED IN ANY OF THE GRADES NINE THROUGH TWELVE, AND (D) IDENTIFIED WITH AT LEAST ONE OF THE

FOLLOWING RISK FACTORS, INCLUDING, BUT NEED NOT BE LIMITED TO, POOR ACADEMIC PERFORMANCE OR ATTENDANCE, PARENT'S POOR ACADEMIC HISTORY, ALCOHOL AND/OR SUBSTANCE ABUSE IN THE HOME, SINGLE PARENT HOUSEHOLD OR TEEN PARENT HOUSEHOLD, NEGLECT AND/OR ABUSE IN THE HOME, INSUFFICIENT PARENTAL INTEREST OR INVOLVEMENT IN STUDENT'S ACADEMIC PERFORMANCE, OR OTHERWISE, LIMITED ENGLISH PROFICIENCY IN THE HOME, LIMITED ACCESS OR NO ACCESS TO HEALTH CARE, LIMITED ECONOMIC MEANS, POVERTY OR PARENTAL UNEMPLOYMENT.

2. AN ELIGIBLE SCHOOL DISTRICT SHALL APPLY TO THE DEPARTMENT FOR A GRANT AWARD UNDER THE PILOT PROGRAM ON AN APPLICATION PRESCRIBED BY THE COMMISSIONER, WHICH SHALL INCLUDE THE SCHOOL DISTRICT'S COMPREHENSIVE PLAN FOR IMPLEMENTATION OF THE PILOT PROGRAM, WHICH MAY INCLUDE, BUT NEED NOT BE LIMITED TO, THE FOLLOWING ASPECTS:

(A) LIST OF COMMUNITY-BASED ORGANIZATIONS TO FACILITATE EFFECTIVE PARENT-CHILD RELATIONSHIPS OR PARENT-TEACHER RELATIONSHIPS, SUCH AS PARENTING CLASSES OR ANGER MANAGEMENT CLASSES;

(B) LIST OF PUBLIC ASSISTANCE OFFICES OR ORGANIZATIONS THROUGH WHICH TO OBTAIN PUBLIC ASSISTANCE BENEFITS, INCLUDING CASH ASSISTANCE, FOOD STAMPS, MEDICAID OR CHILD HEALTH INSURANCE, OR EARNED-INCOME TAX CREDITS, OR WHICH TO FACILITATE PARENTAL SELF-SUFFICIENCY AND STABILITY;

(C) ADULT EDUCATIONAL PROGRAMS, INCLUDING THOSE FOR LITERACY OR INSTRUCTION IN THE ENGLISH LANGUAGE OR FOR FINANCIAL SELF-SUFFICIENCY OR STABILITY;

(D) POST-SECONDARY EDUCATION AND TRAINING RESOURCES AND CONTACTS, INCLUDING BUSINESSES OR UNIONS;

(E) WORKFORCE OR LABOR TRAINING PROGRAMS AND CAREER COUNSELING SERVICES;

(F) OTHER LOCAL ORGANIZATIONS USED TO ENCOURAGE, FACILITATE, AND DEVELOP RELATIONSHIPS BETWEEN THE PILOT PROGRAM AND THE STUDENT AND STUDENT'S FAMILY.

S 4953. PURPOSE OF PROGRAM. THE PILOT PROGRAM SHALL PROVIDE THE FOLLOWING SERVICES TO ELIGIBLE OVERAGE, UNDER-CREDIT STUDENTS:

1. SUPPORT AND ADVOCACY SERVICES IN THE HOME, SCHOOL AND/OR WORK ENVIRONMENT WHICH SHALL BE PROVIDED BY ONE FULL-TIME ADVOCATE PER EVERY THIRTY ELIGIBLE STUDENTS;

2. REMEDIATION SERVICES, INCLUDING TUTORIAL SERVICES;

3. MENTORING SERVICES;

4. ACADEMIC SUPPORT SERVICES, WHICH SHALL BE AGE AND CULTURALLY APPROPRIATE;

5. WRAP-AROUND-SUPPORT SERVICES THROUGH PARTNERSHIP WITH COMMUNITY-BASED ORGANIZATIONS AND THE SCHOOL DISTRICT, INCLUDING YOUTH DEVELOPMENT, JOB READINESS TRAINING, CAREER EXPLORATION AND HEALTH AND MENTAL HEALTH SERVICES;

6. PART-TIME PAID, YEAR-ROUND EMPLOYMENT AND SCHOLARSHIPS AS INCENTIVES TO HELP STUDENTS SUCCEED IN SCHOOL AND PREPARE FOR THE WORKFORCE. SUCH INCENTIVES WOULD INCLUDE FUNDING FOR EMPLOYER INCENTIVES FOR BUSINESS AND ORGANIZATIONS WHICH DO NOT TRADITIONALLY HIRE YOUTH;

7. POST-SECONDARY EDUCATION AND CAREER COUNSELING SERVICES;

8. LABOR AND EMPLOYMENT PROGRAMS AND SERVICE LEARNING.

S 4954. REPORTS AND EVALUATION OF THE PILOT PROGRAM. UPON THE COMPLETION OF TWO YEARS OF OPERATION, AND ON AN ANNUAL BASIS THEREAFTER, THE COMMISSIONER SHALL EVALUATE AND ASSESS THE RESULTS OF THE PILOT PROGRAM TAKING INTO CONSIDERATION THE FOLLOWING FACTORS:

1. THE GRADUATION RATE AND PERCENTAGE OF STUDENTS WHO ATTAIN A DIPLOMA, INCLUDING A REGENTS DIPLOMA OR A GENERAL EQUIVALENCY DIPLOMA (GED);

2. RATE OF ADMISSION TO POST-SECONDARY EDUCATION OR TRAINING PROGRAMS;

3. ACADEMIC PROGRESS IN COMPLETING POST-SECONDARY EDUCATION OR TRAINING;

4. EMPLOYABILITY OF STUDENTS;

5. RATE OF EMPLOYMENT, AND RATE OF EMPLOYMENT OF STUDENTS IN NEW YORK STATE;

6. REDUCTION IN TURNOVER COSTS FOR EMPLOYERS PARTICIPATING IN THE PROGRAM;

7. PERCENTAGE OF STUDENTS INCARCERATED DURING OR AFTER PARTICIPATION IN THE PROGRAM;

8. LEVEL OF PARENTAL PARTICIPATION IN THE PROGRAM AND INVOLVEMENT IN STUDENT'S ACADEMIC PERFORMANCE OR POST-SECONDARY OPPORTUNITIES;

9. PARENTAL LITERACY OR ENGLISH LANGUAGE PROFICIENCY;

10. PARENTAL IMPROVEMENT, INCLUDING EDUCATION, EMPLOYMENT, ACCESS TO HEALTH CARE, AND RECEIPT OF PUBLIC ASSISTANCE BENEFITS.

S 4955. PROGRAM COSTS. TWENTY-FIVE HUNDRED DOLLARS PER PUPIL PER YEAR SHALL BE ALLOCATED FOR ADVOCACY, SCHOLARSHIPS, WORK EXPERIENCE AND MENTORING PROGRAMS OR SERVICES. THIRTY-FIVE HUNDRED DOLLARS PER PUPIL PER YEAR SHALL BE ALLOCATED FOR WRAP-AROUND SUPPORT SERVICES, ACADEMIC SUPPORT, AND FAMILY ENGAGEMENT. AID IN AN AMOUNT EQUAL TO SEVEN HUNDRED DOLLARS PER PARENT OF EACH PUPIL SHALL BE ALLOCATED, ANNUALLY, FOR EDUCATION PROGRAMS FOR PARENTS TO ASSIST PARENTS TO ACHIEVE FINANCIAL STABILIZATION, WHICH SHALL INCLUDE SERVICES TO FACILITATE AND/OR PROVIDE ACCESS TO A FULL RANGE OF BENEFITS AS SPECIFIED IN THIS ARTICLE. EMPLOYMENT PREPARATION EDUCATION STATE AID MUST BE GENERATED FOR ELIGIBLE PARENTS AGE TWENTY-ONE AND OVER AND USED AS A MATCH. PRIORITY SHALL BE GIVEN TO LEVERAGING MULTIPLE SERVICES AND FUNDING STREAMS. FIVE HUNDRED THOUSAND DOLLARS SHALL BE SPENT FOR OUTCOME EVALUATION BY AN INDEPENDENT RESEARCHER.

S 3. This act shall take effect immediately and shall expire and be deemed repealed 5 years after such effective date.