

5647

2011-2012 Regular Sessions

I N S E N A T E

June 8, 2011

Introduced by Sen. FLANAGAN -- (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 continuing early college high schools in the state

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

1 Section 1. Legislative intent. The Legislature hereby finds and
2 declares it necessary to preserve and continue early college high
3 schools in the State that provide various students, including those
4 traditionally underrepresented in post-secondary education, with the
5 opportunity to access college-level courses and college degree credits
6 at the high school level with the combined support of high school and
7 college staff and resources. The early college high school program not
8 only increases these students' access to higher education, but also
9 reduces potential costs for these students in completing college degrees
10 by allowing them to either complete a degree upon graduation from high
11 school or to apply their earned college credits towards a
12 Baccalaureate's degree. This innovative program provides incentives to
13 high school students to proceed to college and to earn a college degree
14 by accelerating their overall completion of such a degree. It also
15 better prepares them for college-level coursework, which, will in turn,
16 increase their academic performance. Ultimately, this program increases
17 graduation rates both at the high school and college levels.

18 The Legislature hereby finds and declares it necessary to provide
19 funding for these schools to ensure that they continue in operation and
20 continue to provide students with these valuable services. Although
21 early college high schools are public high schools, the cost of provid-
22 ing college-level courses, including the costs of instruction at a part-
23 nering college and college-level books and materials, exceeds the costs
24 of a traditional public school. At the same time, the Legislature

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

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1 recognizes that accelerating the completion of a student's college
2 degree at the high school level will result in a student requiring less
3 tuition assistance funds (TAP) to complete their degree at the post-sec-
4 ondary level. Therefore, these schools ultimately result in significant
5 cost-savings to TAP funds. Furthermore, given these students' increased
6 preparedness for post-secondary education, which should, in turn, equate
7 to enhanced academic performance in school, they are a great investment
8 of TAP funds.

9 S 2. The education law is amended by adding a new section 667-d to
10 read as follows:

11 S 667-D. SUPPLEMENTAL TUITION ASSISTANCE AWARDS FOR EARLY COLLEGE HIGH
12 SCHOOL PROGRAMS.

13 1. NOTWITHSTANDING ANY RULE, REGULATION, OR LAW TO THE CONTRARY, THE
14 PRESIDENT SHALL BE AUTHORIZED TO MAKE ANNUAL TUITION ASSISTANCE PROGRAM
15 AWARDS TO APPROVED EARLY COLLEGE HIGH SCHOOLS IN THE STATE THAT OPERATE
16 APPROVED EARLY COLLEGE HIGH SCHOOL PROGRAMS ON BEHALF OF ELIGIBLE
17 STUDENTS ENROLLED IN SUCH PROGRAMS.

18 2. FOR PURPOSES OF THIS SECTION:

19 A. "APPROVED EARLY COLLEGE HIGH SCHOOL PROGRAM" MEANS AN EARLY COLLEGE
20 HIGH SCHOOL PROGRAM, APPROVED BY THE COMMISSIONER IN ACCORDANCE WITH THE
21 REGULATIONS OF THE COMMISSIONER, WHICH PROVIDES ELIGIBLE STUDENTS
22 ENROLLED AT SUCH PROGRAM WITH HIGH SCHOOL COURSES LEADING TO THE GRANT-
23 ING OF A HIGH SCHOOL DIPLOMA AND COLLEGE-LEVEL COURSES LEADING TO THE
24 GRANTING OF A POST-SECONDARY DEGREE OR DIPLOMA AT A PARTNERING COLLEGE
25 APPROVED BY THE DEPARTMENT; AND

26 B. "APPROVED EARLY COLLEGE HIGH SCHOOL" MEANS A PUBLIC HIGH SCHOOL
27 THAT OPERATES AN APPROVED EARLY COLLEGE HIGH SCHOOL PROGRAM;

28 C. "ELIGIBLE STUDENT" MEANS A STUDENT WHO:

29 (I) IS A RESIDENT OF THE SCHOOL DISTRICT IN WHICH THE SCHOOL IS
30 LOCATED AND IS ENROLLED IN SUCH SCHOOL DISTRICT;

31 (II) IS REGISTERED TO ATTEND THE ELEVENTH OR TWELFTH GRADE AT SUCH
32 HIGH SCHOOL FOR THE ACADEMIC YEAR IN WHICH THE TUITION ASSISTANCE AWARD
33 IS BEING SOUGHT BY SUCH SCHOOL;

34 (III) WAS ELIGIBLE TO RECEIVE FREE OR REDUCED PRICE LUNCH IN ONE OF
35 THE TWO PRECEDING SCHOOL YEARS; AND

36 (IV) IS EITHER MATRICULATED IN AN APPROVED PROGRAM LEADING TO THE
37 GRANTING OF A POST-SECONDARY DEGREE OR DIPLOMA, OR WHO HAS DEMONSTRATED
38 TO THE SATISFACTION OF THE COMMISSIONER THE ABILITY TO COMPLETE
39 COLLEGE-LEVEL COURSE WORK IN ACCORDANCE WITH SUBDIVISION THREE OF THIS
40 SECTION.

41 D. "EXCESS COST PER STUDENT" MEANS THE ADDITIONAL COST OF PROVIDING AN
42 ELIGIBLE STUDENT WITH COLLEGE-LEVEL COURSE WORK, AS DETERMINED BY THE
43 COMMISSIONER IN ACCORDANCE WITH A METHODOLOGY PRESCRIBED BY THE COMMIS-
44 SIONER.

45 3. THE PRESIDENT SHALL MAKE TUITION ASSISTANCE PROGRAM AWARDS TO
46 APPROVED EARLY COLLEGE HIGH SCHOOLS IN THE FOLLOWING MANNER:

47 A. COMMENCING WITH THE TWO THOUSAND TWELVE--TWO THOUSAND THIRTEEN
48 ACADEMIC YEAR, AN APPROVED EARLY COLLEGE HIGH SCHOOL MAY APPLY TO THE
49 CORPORATION FOR AN ANNUAL TUITION ASSISTANCE PROGRAM AWARD IN AN AMOUNT
50 NOT TO EXCEED THE PRODUCT OF: (I) THE TOTAL NUMBER OF ELIGIBLE STUDENTS
51 ENROLLED IN AN APPROVED EARLY COLLEGE HIGH SCHOOL PROGRAM IN SUCH SCHOOL
52 AND (II) EITHER FIVE THOUSAND DOLLARS OR THE EXCESS COST PER STUDENT,
53 WHICHEVER IS LESS.

54 4. A STUDENT SHALL BE CONSIDERED A STUDENT WITH THE ABILITY TO
55 COMPLETE COLLEGE-LEVEL COURSE WORK IF HE OR SHE MEETS AT LEAST TWO
56 REQUIREMENTS PRESCRIBED BY THE COMMISSIONER IN THE REGULATIONS OF THE

1 COMMISSIONER, WHICH SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, THE
2 FOLLOWING:

3 A. THE STUDENT HAS SUCCESSFULLY COMPLETED A SPECIFIED NUMBER OF HOURS
4 OF COLLEGE-LEVEL INSTRUCTION AT AN APPROVED PARTNERING COLLEGE, AS
5 DETERMINED BY THE COMMISSIONER;

6 B. THE STUDENT HAS OBTAINED A TEST SCORE OF AT LEAST THE EIGHTIETH
7 PERCENTILE ON ALL REGENTS EXAMINATIONS ADMINISTERED TO SUCH STUDENT IN
8 THE NINTH AND TENTH GRADES; AND

9 C. THE STUDENT HAS DEMONSTRATED THE ABILITY TO COMPLETE COLLEGE-LEVEL
10 COURSE WORK THROUGH HIGH SCHOOL LEVEL COURSE WORK IN MATHEMATICS,
11 ENGLISH AND SCIENCE, INCLUDING TESTS, HOMEWORK, AND LAB WORK.

12 5. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, RULE OR REGULATION TO
13 THE CONTRARY, THE PAYMENT OF A TUITION ASSISTANCE AWARD PURSUANT TO THIS
14 SECTION ON BEHALF OF AN ELIGIBLE STUDENT SHALL NOT BE CONSTRUED TO LIMIT
15 THE AMOUNT OR DURATION OF A TUITION ASSISTANCE PROGRAM AWARD AVAILABLE
16 TO ANY SUCH STUDENT.

17 6. AN EARLY COLLEGE HIGH SCHOOL SHALL NOT OTHERWISE BE SUBJECT TO THE
18 REQUIREMENTS FOR RECEIVING PAYMENT ON A TUITION ASSISTANCE PROGRAM AWARD
19 PURSUANT TO THIS ARTICLE.

20 S 3. This act shall take effect immediately, provided that if this act
21 shall have become a law on or after July 1, 2012, it shall be deemed to
22 have been in full force and effect on and after July 1, 2012.