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

6679

2013-2014 Regular Sessions

I N A S S E M B L Y

April 12, 2013

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

AN ACT to amend the education law, in relation to requiring the university of the state of New York to offer a fixed tuition rate plan to undergraduate students

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

Section 1. The education law is amended by adding a new section 361 to read as follows:

S 361. FIXED TUITION RATE OPTION FOR UNDERGRADUATE STUDENTS AT THE STATE UNIVERSITY OF NEW YORK. 1. FOR THE PURPOSES OF THIS SECTION THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:

A. "REGENTS" MEANS THE BOARD OF REGENTS OF THE UNIVERSITY OF THE STATE NEW YORK.

B. "UNIVERSITY" MEANS THE UNIVERSITY OF THE STATE OF NEW YORK.

2. NOTWITHSTANDING ANY OTHER PROVISION OF THIS CHAPTER AND EXCEPT AS OTHERWISE PROVIDED BY THIS SECTION, THE REGENTS OF THE UNIVERSITY SHALL OFFER EACH ENTERING UNDERGRADUATE STUDENT, INCLUDING EACH UNDERGRADUATE STUDENT WHO TRANSFERS TO THE UNIVERSITY REGARDLESS OF THE NUMBER OF SEMESTER CREDIT HOURS TRANSFERRED BY THE STUDENT, THE OPPORTUNITY TO PARTICIPATE IN A FIXED TUITION RATE PLAN.

3. A FIXED TUITION RATE PLAN OFFERED UNDER THIS SECTION MUST PROVIDE THAT:

A. DURING THE FORTY-EIGHT MONTHS IMMEDIATELY FOLLOWING THE DATE OF A STUDENT'S INITIAL ENROLLMENT AT THE UNIVERSITY, THE UNIVERSITY MAY NOT CHARGE TUITION TO THE STUDENT FOR A SEMESTER OR OTHER ACADEMIC TERM AT A RATE THAT EXCEEDS THE RATE THE UNIVERSITY WOULD HAVE CHARGED THE STUDENT FOR THE SAME COURSES DURING:

(1) THE FIRST ACADEMIC YEAR IN WHICH THE STUDENT ENROLLED AT THE UNIVERSITY, IF THE STUDENT INITIALLY ENROLLED FOR A FALL OR SPRING SEMESTER; OR

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

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(2) THE ACADEMIC YEAR IMMEDIATELY FOLLOWING THE SUMMER TERM IN WHICH THE STUDENT ENROLLED AT THE UNIVERSITY, IF THE STUDENT INITIALLY ENROLLED FOR A SUMMER TERM; AND

B. AFTER THE FOURTH ANNIVERSARY OF THE DATE THE STUDENT FIRST ENROLLS AT THE UNIVERSITY, REGARDLESS OF WHETHER THE STUDENT IS CONTINUOUSLY ENROLLED IN THE UNIVERSITY AFTER THAT INITIAL ENROLLMENT, THE UNIVERSITY MAY NOT CHARGE TUITION TO THE STUDENT FOR A SEMESTER OR OTHER ACADEMIC TERM AT A RATE THAT EXCEEDS THE RATE THE UNIVERSITY WOULD HAVE CHARGED THE STUDENT UNDER PARAGRAPH A OF THIS SUBDIVISION HAD THE STUDENT INITIALLY ENROLLED IN THE UNIVERSITY ONE YEAR AFTER THE STUDENT'S ACTUAL INITIAL ENROLLMENT.

4. A FIXED TUITION RATE CHARGED TO A STUDENT BY THE UNIVERSITY UNDER SUBDIVISION THREE OF THIS SECTION SHALL NOT APPLY TO THE STUDENT AFTER THE STUDENT HAS BEEN AWARDED A BACCALAUREATE DEGREE BY THE UNIVERSITY. A STUDENT WHO PREVIOUSLY COMPLETED A BACCALAUREATE DEGREE PROGRAM AT THE UNIVERSITY IS CONSIDERED TO BE AN ENTERING UNDERGRADUATE STUDENT FOR PURPOSES OF THIS SECTION IF THE STUDENT SUBSEQUENTLY ENROLLS IN ANOTHER UNDERGRADUATE DEGREE PROGRAM AT THE UNIVERSITY.

5. THE UNIVERSITY SHALL NOTIFY EACH ENTERING UNDERGRADUATE STUDENT, INCLUDING EACH UNDERGRADUATE STUDENT WHO TRANSFERS TO THE UNIVERSITY, OF THE FIXED TUITION RATE PLAN OFFERED UNDER THIS SECTION.

6. IN CONSULTATION WITH THE UNIVERSITY, THE REGENTS SHALL ADOPT ANY RULES THE REGENTS CONSIDERS APPROPRIATE FOR THE ADMINISTRATION OF THIS SECTION.

7. THIS SECTION SHALL NOT REQUIRE THE UNIVERSITY TO OFFER AN ALTERNATIVE TUITION PLAN TO UNDERGRADUATE STUDENTS ENROLLED IN THE UNIVERSITY.

8. THIS SECTION SHALL NOT APPLY TO THE TUITION CHARGED BY THE UNIVERSITY TO A STUDENT WHO ENTERS THE UNIVERSITY FOR THE FIRST TIME BEFORE THE TWO THOUSAND THIRTEEN FALL SEMESTER.

S 2. This act shall take effect immediately.