

9213--A

I N A S S E M B L Y

February 4, 2016

Introduced by M. of A. SEPULVEDA, HARRIS, MOSLEY, RUSSELL, CLARK, CERET-  
TO, SIMON, CROUCH, MONTESANO, GOTTFRIED, COLTON, LUPINACCI, McDONOUGH,  
BLAKE, WOZNIAK -- Multi-Sponsored by -- M. of A. THIELE -- 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  
Barbara Clark leaders of tomorrow scholarship

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

- 1 Section 1. The education law is amended by adding a new section 669-h  
2 to read as follows:  
3 S 669-H. THE BARBARA CLARK LEADERS OF TOMORROW SCHOLARSHIP. 1. DEFI-  
4 NITIONS. THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:  
5 A. "GOOD ACADEMIC STANDING" SHALL BE COMPRISED OF TWO NECESSARY COMPO-  
6 NENTS: PURSUIT OF PROGRAM AND SATISFACTORY ACADEMIC PROGRESS;  
7 B. "PURSUIT OF PROGRAM" SHALL MEAN EARNING A PASSING OR FAILING LETTER  
8 GRADE ON A SLIDING SCALE IN A CERTAIN PERCENTAGE OF FULL-TIME MINIMUM  
9 COURSE LOAD, SUCH SLIDING SCALE SHALL EXIST AS FOLLOWS:  
10 (I) FIFTY PERCENT FOR THE FIRST ACADEMIC YEAR;  
11 (II) SEVENTY-FIVE PERCENT FOR THE SECOND ACADEMIC YEAR; AND  
12 (III) ONE HUNDRED PERCENT FOR THE THIRD AND FOURTH ACADEMIC YEARS; AND  
13 C. "SATISFACTORY ACADEMIC PROGRESS" SHALL MEAN EARNING AND MAINTAINING  
14 AT LEAST A B-AVERAGE (3.0 OR HIGHER ON A 4.0 GRADING SCALE) IN THE MINI-  
15 MUM NUMBER OF SEMESTER HOURS REQUIRED PER YEAR.  
16 2. PURPOSE. THE BARBARA CLARK LEADERS OF TOMORROW SCHOLARSHIP IS HERE-  
17 BY ESTABLISHED FOR THE PURPOSE OF GRANTING SCHOLARSHIP AWARDS TO NEW  
18 YORK STATE HIGH SCHOOL GRADUATES WHO HAVE DEMONSTRATED A STRONG ACADEMIC  
19 ABILITY, PARTICIPATED IN EXTRACURRICULAR ACTIVITIES, AND DISPLAYED A  
20 COMMITMENT TO COMMUNITY SERVICE.  
21 3. ELIGIBILITY. SCHOLARSHIPS SHALL BE AWARDED TO ONE ELIGIBLE SENIOR  
22 FROM EACH PARTICIPATING PUBLIC AND PRIVATE HIGH SCHOOL IN NEW YORK  
23 STATE. A. TO BE ELIGIBLE FOR SUCH AWARD, AN APPLICANT MUST:  
24 (I) BE A UNITED STATES CITIZEN OR ELIGIBLE NONCITIZEN;

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

LBD13884-04-6

1 (II) BE A LEGAL RESIDENT OF NEW YORK STATE;

2 (III) HAVE GRADUATED FROM A NEW YORK STATE HIGH SCHOOL IN JUNE OF THE  
3 ACADEMIC YEAR FOR WHICH THE SCHOLARSHIP IS AWARDED;

4 (IV) BEGIN STUDY AT AN APPROVED POST-SECONDARY INSTITUTION IN NEW YORK  
5 STATE IN THE ACADEMIC YEAR FOR WHICH SUCH SCHOLARSHIP IS INITIALLY  
6 AWARDED;

7 (V) MAINTAIN A CUMULATIVE GRADE POINT AVERAGE OF 3.0 OR HIGHER;

8 (VI) BE ENROLLED AS A FULL-TIME STUDENT TAKING TWELVE OR MORE CREDITS  
9 PER SEMESTER;

10 (VII) BE MATRICULATED IN AN APPROVED PROGRAM OF STUDY AND BE IN GOOD  
11 ACADEMIC STANDING; AND

12 (VIII) NOT BE IN DEFAULT ON A STUDENT LOAN GUARANTEED BY THE NEW YORK  
13 STATE HIGHER EDUCATION SERVICES CORPORATION.

14 B. IF TWO OR MORE SENIORS FROM A PARTICIPATING SCHOOL QUALIFY UNDER  
15 PARAGRAPH A OF THIS SUBDIVISION, FINANCIAL NEED MAY BE CONSIDERED TO  
16 MAKE A FINAL DETERMINATION.

17 4. MAINTAINING ELIGIBILITY. ELIGIBLE STUDENTS MUST MAINTAIN GOOD  
18 ACADEMIC STANDING, STUDENTS WHO FAIL TO MAINTAIN SUCH STANDING WILL  
19 CEASE TO BE ELIGIBLE FOR PAYMENT UNTIL THEY ARE RESTORED TO GOOD ACADEM-  
20 IC STANDING BY RAISING THEIR GRADE POINT AVERAGE TO THE REQUIRED MINIMUM  
21 B-AVERAGE OR REQUESTED AND OBTAINED A B-AVERAGE WAIVER.

22 5. WAIVER. A. AN ELIGIBLE STUDENT MAY REQUEST AND OBTAIN A WAIVER FOR  
23 THEIR FAILURE TO MAINTAIN THE REQUIRED CUMULATIVE B-AVERAGE AS A RESULT  
24 OF UNDUE HARDSHIP, BASED ON:

25 (I) THE DEATH OF A STUDENT'S RELATIVE;

26 (II) THE STUDENT'S PERSONAL ILLNESS OR INJURY; OR

27 (III) OTHER EXTENUATING CIRCUMSTANCES.

28 B. SUCH WAIVER MUST BE DOCUMENTED AND MUST RELATE TO THE CIRCUMSTANCES  
29 THAT HAVE AFFECTED THE STUDENT'S ABILITY TO ACHIEVE A CUMULATIVE B-AVER-  
30 AGE AS OF THE END OF A PARTICULAR SEMESTER OR TERM.

31 C. SUCH WAIVER MAY BE GRANTED MORE THAN ONCE IF CIRCUMSTANCES WARRANT.

32 D. SCHOOLS MUST MAINTAIN DOCUMENTATION OF WHY WAIVERS ARE GRANTED BUT  
33 DO NOT HAVE TO REPORT THE WAIVER IN THE CERTIFICATION PROCESS.

34 6. LOSS/REINSTATEMENT OF GOOD ACADEMIC STANDING. A. STUDENTS WHO LOSE  
35 GOOD ACADEMIC STANDING IN A SEMESTER OR TERM WHEN THEY RECEIVED THIS  
36 SCHOLARSHIP ARE NOT ELIGIBLE FOR SUCH SCHOLARSHIP FOR THE NEXT TERM.

37 B. SUCH GOOD ACADEMIC STANDING MAY BE RESTORED IN ONE OF THE FOLLOWING  
38 WAYS:

39 (I) MAKE UP PAST DEFICIENCIES BY COMPLETING ONE OR MORE TERMS OR  
40 SEMESTERS OF STUDY WITHOUT RECEIVING ANY STATE GRANTS OR SCHOLARSHIPS;

41 (II) BE READMITTED TO SCHOOL AFTER AN ABSENCE OF AT LEAST ONE YEAR; OR

42 (III) TRANSFER TO ANOTHER QUALIFIED INSTITUTION.

43 C. ADDITIONALLY, STUDENTS HAVE ONE OPPORTUNITY TO OBTAIN A WAIVER FROM  
44 THE DEPARTMENT FOR EXTENUATING CIRCUMSTANCES. THE STUDENT'S INSTITUTION  
45 IS REQUIRED TO PUBLISH AND ADHERE TO CRITERIA, SET FORTH BY THE INSTITU-  
46 TION, UNDER WHICH IT WILL GRANT THE WAIVER. BEFORE GRANTING SUCH WAIVER,  
47 INSTITUTIONAL PERSONNEL SHALL DISCUSS THE DECISION WITH THE STUDENT.  
48 SUCH WAIVER IS NOT AUTOMATIC AND MUST BE DONE IN ACCORDANCE WITH THE  
49 INSTITUTIONS PUBLISHED CRITERIA. IN ORDER TO THEN BE ELIGIBLE FOR THE  
50 SCHOLARSHIP UNDER THIS SECTION, THE STUDENT MUST SUCCESSFULLY RAISE  
51 THEIR GRADE POINT AVERAGE TO THE REQUIRED B-AVERAGE MINIMUM.

52 7. PAYMENT. RECIPIENTS SHALL RECEIVE A FIVE THOUSAND DOLLAR SCHOLAR-  
53 SHIP TO BE DISTRIBUTED IN THE AMOUNT OF ONE THOUSAND TWO HUNDRED FIFTY  
54 DOLLARS PER YEAR.

1 8. SOURCE OF FUNDS. ALL FUNDS FOR THIS SCHOLARSHIP SHALL BE DISTRIB-  
2 UTED BY THE NEW YORK STATE LOTTERY ESTABLISHED UNDER ARTICLE THIRTY-FOUR  
3 OF THE TAX LAW.  
4 S 2. This act shall take effect on the one hundred twentieth day after  
5 it shall have become a law.