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

6763

I N S E N A T E

February 18, 2016

Introduced by Sen. SANDERS -- 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 admission opportunities for a city university or state university of New York

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 article 122 to read as follows:

ARTICLE 122
ADMISSION OPPORTUNITIES

SECTION 6020. DEFINITIONS.
6021. UNIFORM ADMISSION SYSTEM.
6022. AUTOMATIC ADMISSION; ALL INSTITUTIONS.
6023. ADDITIONAL AUTOMATIC ADMISSIONS; SELECTED INSTITUTIONS.
6024. OTHER ADMISSIONS.
6025. REPORT TO BOARD OF REGENTS.
6026. RULEMAKING.
6027. APPLICATION OF ADMISSION CRITERIA TO OTHER PROGRAMS.
6028. SCHOLARSHIP AND FELLOWSHIP AWARDS.

S 6020. DEFINITIONS. 1. "CITY UNIVERSITY" SHALL MEAN THE CITY UNIVERSITY OF NEW YORK, INCLUDING EACH SENIOR COLLEGE AND EACH COMMUNITY COLLEGE.

2. "STATE UNIVERSITY" SHALL MEAN THE STATE UNIVERSITY OF NEW YORK, AS CREATED BY ARTICLE EIGHT OF THIS CHAPTER.

3. "GOVERNING BOARD" MEANS ANY BODY CHARGED WITH POLICY DIRECTION OF ANY CITY UNIVERSITY OR STATE UNIVERSITY, INCLUDING BUT NOT LIMITED TO THE BOARD OF REGENTS, BOARDS OF DIRECTORS AND BOARDS OF TRUSTEES.

S 6021. UNIFORM ADMISSION SYSTEM. THE CITY UNIVERSITY AND STATE UNIVERSITY SHALL ADMIT FIRST-TIME FRESHMAN STUDENTS FOR EACH SEMESTER UNDER THE PROVISIONS OF THIS ARTICLE.

S 6022. AUTOMATIC ADMISSIONS; ALL INSTITUTIONS. 1. A CITY UNIVERSITY AND STATE UNIVERSITY SHALL ADMIT AN APPLICANT FOR ADMISSION TO SUCH INSTITUTION AS AN UNDERGRADUATE STUDENT IF THE APPLICANT GRADUATED IN

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

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ONE OF THE TWO SCHOOL YEARS PRECEDING THE ACADEMIC YEAR FOR WHICH THE APPLICANT IS APPLYING FOR ADMISSION FROM A PUBLIC OR PRIVATE HIGH SCHOOL IN THIS STATE ACCREDITED BY A GENERALLY RECOGNIZED ACCREDITING ORGANIZATION WITH A GRADE POINT AVERAGE IN THE TOP TEN PERCENT OF THE STUDENT'S HIGH SCHOOL GRADUATING CLASS. TO QUALIFY FOR ADMISSION UNDER THIS SECTION, AN APPLICANT MUST SUBMIT AN APPLICATION BEFORE THE EXPIRATION OF ANY APPLICATION FILING DEADLINE ESTABLISHED BY THE INSTITUTION.

2. AFTER ADMITTING AN APPLICANT UNDER THIS SECTION, THE INSTITUTION SHALL REVIEW THE APPLICANT'S RECORD AND ANY OTHER FACTOR THE INSTITUTION CONSIDERS APPROPRIATE TO DETERMINE WHETHER THE APPLICANT MAY REQUIRE ADDITIONAL PREPARATION FOR COLLEGE-LEVEL WORK OR WOULD BENEFIT FROM INCLUSION IN A RETENTION PROGRAM. THE INSTITUTION MAY REQUIRE A STUDENT SO IDENTIFIED TO ENROLL DURING THE SUMMER IMMEDIATELY AFTER THE STUDENT IS ADMITTED UNDER THIS SECTION TO PARTICIPATE IN APPROPRIATE ENRICHMENT COURSES AND ORIENTATION PROGRAMS. THIS SECTION DOES NOT PROHIBIT A STUDENT WHO IS NOT DETERMINED TO NEED ADDITIONAL PREPARATION FOR COLLEGE-LEVEL WORK FROM ENROLLING, IF THE STUDENT CHOOSES, DURING THE SUMMER IMMEDIATELY AFTER THE STUDENT IS ADMITTED UNDER THIS SECTION.

S 6023. ADDITIONAL AUTOMATIC ADMISSIONS; SELECTED INSTITUTIONS. FOR EACH ACADEMIC YEAR, THE GOVERNING BOARD OF A CITY UNIVERSITY AND STATE UNIVERSITY SHALL DETERMINE WHETHER TO ADOPT AN ADMISSIONS POLICY UNDER WHICH AN APPLICANT TO THE INSTITUTION AS A FIRST-TIME FRESHMAN STUDENT, OTHER THAN AN APPLICANT ELIGIBLE FOR ADMISSION UNDER SECTION SIX THOUSAND TWENTY-TWO OF THIS ARTICLE, SHALL BE ADMITTED TO THE INSTITUTION IF THE APPLICANT GRADUATED FROM A PUBLIC OR PRIVATE HIGH SCHOOL IN THIS STATE ACCREDITED BY A GENERALLY RECOGNIZED ACCREDITING ORGANIZATION WITH A GRADE POINT AVERAGE IN THE TOP TWENTY-FIVE PERCENT OF THE APPLICANT'S HIGH SCHOOL GRADUATING CLASS.

S 6024. OTHER ADMISSIONS. 1. A GRADUATING STUDENT WHO DOES NOT QUALIFY FOR ADMISSION UNDER SECTIONS SIX THOUSAND TWENTY-TWO OR SIX THOUSAND TWENTY-THREE OF THIS ARTICLE MAY APPLY TO ANY GENERAL ACADEMIC TEACHING INSTITUTION.

2. A CITY UNIVERSITY OR STATE UNIVERSITY, AFTER ADMITTING STUDENTS UNDER SECTIONS SIX THOUSAND TWENTY-TWO OR SIX THOUSAND TWENTY-THREE OF THIS ARTICLE SHALL ADMIT OTHER APPLICANTS FOR ADMISSION AS UNDERGRADUATE STUDENTS. AS A RESULT OF CHANGING DEMOGRAPHIC TRENDS, DIVERSITY, AND POPULATION INCREASES IN THE STATE, THE CITY UNIVERSITY AND STATE UNIVERSITY SHALL ALSO CONSIDER ALL OF, ANY OF, OR A COMBINATION OF THE FOLLOWING SOCIOECONOMIC INDICATORS OR FACTORS IN MAKING FIRST-TIME FRESHMAN ADMISSIONS DECISIONS:

(A) THE APPLICANT'S ACADEMIC RECORD;

(B) THE SOCIOECONOMIC BACKGROUND OF THE APPLICANT, INCLUDING THE PERCENTAGE BY WHICH THE APPLICANT'S FAMILY IS ABOVE OR BELOW ANY RECOGNIZED MEASURE OF POVERTY, THE APPLICANT'S HOUSEHOLD INCOME, AND THE APPLICANT'S PARENTS' LEVEL OF EDUCATION;

(C) WHETHER THE APPLICANT WOULD BE THE FIRST GENERATION OF THE APPLICANT'S FAMILY TO ATTEND OR GRADUATE FROM AN INSTITUTION OF HIGHER EDUCATION;

(D) WHETHER THE APPLICANT HAS BILINGUAL PROFICIENCY;

(E) THE FINANCIAL STATUS OF THE APPLICANT'S SCHOOL DISTRICT;

(F) THE PERFORMANCE LEVEL OF THE APPLICANT'S SCHOOL;

(G) THE APPLICANT'S RESPONSIBILITIES WHILE ATTENDING SCHOOL, INCLUDING WHETHER THE APPLICANT HAS BEEN EMPLOYED, WHETHER THE APPLICANT HAS HELPED TO RAISE CHILDREN, OR OTHER SIMILAR FACTORS;

(H) THE APPLICANT'S REGION OF RESIDENCE;

(I) WHETHER THE APPLICANT IS A RESIDENT OF A RURAL OR URBAN AREA OR A RESIDENT OF A CENTRAL CITY OR SUBURBAN AREA IN THE STATE;
(J) THE APPLICANT'S PERFORMANCE ON STANDARDIZED TESTS;
(K) THE APPLICANT'S PERFORMANCE ON STANDARDIZED TESTS IN COMPARISON WITH THAT OF OTHER STUDENTS FROM SIMILAR SOCIOECONOMIC BACKGROUNDS;
(L) WHETHER THE APPLICANT ATTENDED ANY SCHOOL WHILE THE SCHOOL WAS UNDER A COURT-ORDERED DESEGREGATION PLAN;
(M) THE APPLICANT'S INVOLVEMENT IN COMMUNITY ACTIVITIES;
(N) THE APPLICANT'S EXTRACURRICULAR ACTIVITIES;
(O) THE APPLICANT'S COMMITMENT TO A PARTICULAR FIELD OF STUDY;
(P) THE APPLICANT'S PERSONAL INTERVIEW;
(Q) THE APPLICANT'S ADMISSION TO A COMPARABLE ACCREDITED OUT-OF-STATE INSTITUTION; AND
(R) ANY OTHER CONSIDERATION THE INSTITUTION CONSIDERS NECESSARY TO ACCOMPLISH THE INSTITUTION'S STATED MISSION.
3. A CITY UNIVERSITY OR STATE UNIVERSITY MAY REVIEW OTHER FACTORS IN MAKING AN ADMISSIONS DECISION.
4. NOT LATER THAN ONE YEAR BEFORE THE DATE THAT APPLICATIONS FOR ADMISSION ARE FIRST CONSIDERED UNDER THIS SECTION, EACH CITY UNIVERSITY AND STATE UNIVERSITY SHALL PUBLISH IN EACH INSTITUTION'S CATALOG A DESCRIPTION OF THE FACTORS CONSIDERED BY SUCH INSTITUTION IN MAKING ADMISSION DECISIONS AND SHALL MAKE THE INFORMATION AVAILABLE TO THE PUBLIC.
5. THIS SECTION DOES NOT APPLY TO AN INSTITUTION THAT HAS AN OPEN ENROLLMENT POLICY.
S 6025. REPORT TO BOARD OF REGENTS. EACH CITY UNIVERSITY AND STATE UNIVERSITY SHALL PROVIDE A REPORT ANNUALLY TO THE BOARD OF REGENTS DESCRIBING THE COMPOSITION OF THE ENTERING CLASS OF STUDENTS ADMITTED UNDER THIS ARTICLE. THE REPORT SHALL INCLUDE A DEMOGRAPHIC BREAKDOWN, INCLUDING A BREAKDOWN BY RACE, ETHNICITY, AND ECONOMIC STATUS, OF THE STUDENTS ADMITTED UNDER SECTIONS SIX THOUSAND TWENTY-TWO, SIX THOUSAND TWENTY-THREE AND SIX THOUSAND TWENTY-FOUR OF THIS ARTICLE.
S 6026. RULEMAKING. THE BOARD OF REGENTS MAY ADOPT RULES RELATING TO THE OPERATION OF ADMISSIONS PROGRAMS UNDER THIS ARTICLE, INCLUDING RULES RELATING TO THE IDENTIFICATION OF ELIGIBLE STUDENTS AND THE REPORTING REQUIREMENTS OF SECTION SIX THOUSAND TWENTY-FIVE OF THIS ARTICLE.
S 6027. APPLICATION OF ADMISSION CRITERIA TO OTHER PROGRAMS. 1. EACH CITY UNIVERSITY OR STATE UNIVERSITY THAT OFFERS ADMISSIONS TO UNDERGRADUATE TRANSFER STUDENTS OR ADMISSIONS TO A GRADUATE, POSTGRADUATE, OR PROFESSIONAL PROGRAM SHALL ALSO ADOPT A WRITTEN ADMISSION POLICY APPLICABLE TO THOSE PROGRAMS.
2. THE POLICY SHALL BE PUBLISHED IN THE INSTITUTION'S CATALOG AND MADE AVAILABLE TO THE PUBLIC.
S 6028. SCHOLARSHIP AND FELLOWSHIP AWARDS. 1. A CITY UNIVERSITY OR STATE UNIVERSITY THAT OFFERS COMPETITIVE SCHOLARSHIP OR FELLOWSHIP AWARDS SHALL ADOPT A WRITTEN POLICY DESCRIBING THE FACTORS TO BE USED BY THE INSTITUTION IN MAKING AN AWARD.
2. A POLICY ADOPTED UNDER THIS SECTION SHALL BE PUBLISHED IN THE INSTITUTION'S CATALOG AND SHALL BE MADE AVAILABLE TO THE PUBLIC IN ADVANCE OF ANY DEADLINE FOR THE SUBMISSION OF AN APPLICATION FOR A COMPETITIVE SCHOLARSHIP OR FELLOWSHIP TO WHICH THE POLICY APPLIES.
S 2. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.