STATE OF NEW YORK

1350

2017-2018 Regular Sessions

IN SENATE

January 9, 2017

Introduced by Sen. ALCANTARA -- 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 scholarship opportunities for certain students of the state university of New York, the city university of New York and community colleges

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Paragraph h of subdivision 2 of section 355 of the education law is amended by adding a new subparagraph 10 to read as follows:

(10) Such regulations shall further provide that any student who is without lawful immigration status or is an undocumented person may have the payment of tuition and other fees and charges reduced by state-aided programs, scholarships or other financial assistance awarded under the provisions of articles thirteen, thirteen-A, fourteen and fourteen-A of this chapter, if such student:

(i) is otherwise eligible to receive such award; and

(ii) attended an approved New York high school for two or more years, graduated from an approved New York high school and applied for attendance at an institution or educational unit of the state university within five years of receiving a New York state high school diploma; or

(iii) attended an approved New York state program for general equivalency diploma exam preparation, received a general equivalency diploma issued within New York state and applied for attendance at an institution or educational unit of the state university within five years of receiving a general equivalency diploma issued within New York state; or

(iv) was enrolled in an institution or educational unit of the state university in the fall semester or quarter of the two thousand seventeen--two thousand eighteen academic year and was authorized by such institution or educational unit to pay tuition at the rate or charge imposed for students who are residents of the state.

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

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A student without lawful immigration status shall also be required to file an affidavit with such institution or educational unit stating that the student has filed an application to legalize his or her immigration status, or will file such an application as soon as he or she is eligible to do so.

§ 2. Subdivision 7 of section 6206 of the education law is amended by adding a new paragraph (d) to read as follows:

(d) The trustees shall further provide that any student who is without lawful immigration status or is an undocumented person may have the payment of tuition and other fees and charges reduced by state-aided programs, scholarships or other financial assistance awarded under the provisions of articles thirteen, thirteen-A, fourteen and fourteen-A of this chapter, if such student:

(i) is otherwise eligible to receive such award; and

(ii) attended an approved New York high school for two or more years, graduated from an approved New York high school and applied for attendance at an institution or educational unit of the state university within five years of receiving a New York state high school diploma; or

(iii) attended an approved New York state program for general equivalency diploma exam preparation, received a general equivalency diploma issued within New York state and applied for attendance at an institution or educational unit of the state university within five years of receiving a general equivalency diploma issued within New York state; or

(iv) was enrolled in an institution or educational unit of the state university in the fall semester or quarter of the two thousand seventeen--two thousand eighteen academic year and was authorized by such institution or educational unit to pay tuition at the rate or charge imposed for students who are residents of the state.

A student without lawful immigration status shall also be required to file an affidavit with such institution or educational unit stating that the student has filed an application to legalize his or her immigration status, or will file such an application as soon as he or she is eligible to do so.

§ 3. Section 6305 of the education law is amended by adding a new subdivision 8-a to read as follows:

8-a. The payment of tuition and other fees and charges of a student who is attending a community college and who is without lawful immigration status or is an undocumented person may be reduced by state-aided programs, scholarships and other financial assistance awarded under the provisions of articles thirteen, thirteen-A, fourteen and fourteen-A of this chapter, if such student:

(i) is otherwise eligible to receive such award; and

(ii) attended an approved New York high school for two or more years, graduated from an approved New York high school and applied for attendance at an institution or educational unit of the state university within five years of receiving a New York state high school diploma; or

(iii) attended an approved New York state program for general equivalency diploma exam preparation, received a general equivalency diploma issued within New York state and applied for attendance at an institution or educational unit of the state university within five years of receiving a general equivalency diploma issued within New York state; or

(iv) was enrolled in an institution or educational unit of the state university in the fall semester or quarter of the two thousand seventeen--two thousand eighteen academic year and was authorized by such institution or educational unit to pay tuition at the rate or charge imposed for students who are residents of the state.

A student without lawful immigration status shall also be required to file an affidavit with such institution or educational unit stating that the student has filed an application to legalize his or her immigration status, or will file such an application as soon as he or she is eligible to do so.

§ 4. This act shall take effect July 1, 2018.