

# STATE OF NEW YORK

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5131--A

2017-2018 Regular Sessions

## IN SENATE

March 9, 2017

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Introduced by Sens. ROBACH, AVELLA, FUNKE, HELMING, SANDERS, SEWARD --  
read twice and ordered printed, and when printed to be committed to  
the Committee on Education -- committee discharged, bill amended,  
ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to admission into insti-  
tutions of higher education for pupils receiving home instruction

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 312-a  
2 to read as follows:

3 § 312-a. Fair practices for home school applicants. 1. The commission-  
4 er shall not require a pupil who has completed the requirements of a  
5 home instruction education or a non-public school program, and who has  
6 submitted test scores and other admissions material used by post-secon-  
7 dary institutions that qualify the pupil for admission to an institution  
8 of higher education or an institution regulated by the bureau of propri-  
9 etary school supervision, to obtain or submit proof of having obtained a  
10 general education development certificate or any accredited diploma.

11 2. A pupil who has completed the requirements of a home instruction  
12 education or non-public program shall be required to present a notarized  
13 transcript, which demonstrates completion of a high school education in  
14 a home instruction or non-public school setting, for admission to an  
15 institution of higher education or an institution regulated by the  
16 bureau of proprietary school supervision and such transcript shall be  
17 accepted and the pupil admitted on an equal basis with all other appli-  
18 cants, regardless of educational background.

19 3. The home instruction or non-public program graduate shall be eligi-  
20 ble to receive their earned post-secondary degree, diploma or certifi-  
21 cate when they have fulfilled the requirements of the post-secondary  
22 degree or program requirements and such degree or certificate cannot be  
23 withheld.

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

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1     4. For the purposes of this section "institution of higher education"  
2     shall mean any institution of higher education recognized and approved  
3     by the regents, the university of the state of New York or regulated by  
4     the bureau of proprietary school supervision which provides a course of  
5     study leading to the granting of a post-secondary degree or diploma or  
6     certificate.

7     § 2. This act shall take effect on the first of September next  
8     succeeding the date on which it shall have become a law and shall apply  
9     to undergraduate admissions to an institution of higher education for a  
10    term or semester that begins on or after such date.