

# STATE OF NEW YORK

7791

## IN SENATE

February 20, 2020

Introduced by Sens. MAYER, STAVISKY -- 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 tuition assistance  
program awards for dual or concurrent enrollment coursework

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 article 13-C  
2 to read as follows:

### ARTICLE 13-C

#### TUITION ASSISTANCE PROGRAM AWARDS FOR DUAL ENROLLMENT

#### COURSEWORK

3  
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5  
6 Section 640. Tuition assistance program awards for dual or concurrent  
7 enrollment coursework.

8 § 640. Tuition assistance program awards for dual or concurrent  
9 enrollment coursework. 1. Legislative intent. The Legislature hereby  
10 finds and declares it necessary to promote on time and early graduation  
11 through supporting access to college-level courses and college degree  
12 credits at the secondary level with innovative partnerships among  
13 secondary and post-secondary schools, staff and resources. The Legisla-  
14 ture also values early college high school programs, P-TECH programs,  
15 and other dual or concurrent enrollment programs which not only increase  
16 students' access to higher education, but also reduce potential costs  
17 for students in completing college degrees by allowing them to either  
18 complete a degree upon graduation from high school or to apply their  
19 earned college credits toward a Baccalaureate degree. This legislation  
20 provides incentives for high school students to proceed to college and  
21 to earn a college degree by accelerating their overall completion of  
22 such a degree. It also better prepares high school students for  
23 college-level coursework, which will in turn, increase their academic  
24 performance. Ultimately, dual or concurrent enrollment programs increase  
25 graduation rates both at the high school and college levels.

26 The Legislature hereby finds and declares it necessary to provide  
27 funding for dual or concurrent enrollment programs to ensure access to  
28 high quality programming that continues to innovate and continues to

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

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1 grow through performance based results. Students will require less  
2 tuition assistance funds (TAP) to complete their degree at the post-sec-  
3 ondary level and potentially avoid new debt.

4 2. Establishment of dual or concurrent enrollment tuition assistance  
5 program awards. Notwithstanding any rule, regulation, or law to the  
6 contrary, the president is hereby authorized to award dual or concurrent  
7 enrollment program awards for payment annually, beginning with the two  
8 thousand twenty-one--two thousand twenty-two academic year and in each  
9 academic year thereafter, through the department, to school districts in  
10 which dual or concurrent enrollment programs are located, upon applica-  
11 tion by such school districts, in such amounts as are authorized to be  
12 paid by subdivision five of this section, and upon certification by the  
13 higher education services corporation pursuant to subdivision one of  
14 section six hundred sixty-nine-e of this title.

15 3. Definitions. For purposes of this section:

16 a. "dual or concurrent enrollment program" means a program of study  
17 that provides post-secondary coursework outside of a post-secondary  
18 setting for eligible students enrolled in programs with high school  
19 courses leading to the granting of a high school diploma and college-  
20 level credit leading to the granting of a post-secondary degree, diploma  
21 or certificate at a post-secondary institution. Such dual or concurrent  
22 enrollment program shall have a written agreement between the partic-  
23 ipating high school and an institution of higher education located with-  
24 in New York state outlining policies for the academic program including,  
25 but not limited to, the type of degree and credits awarded.

26 b. "eligible student" means a student who:

27 (i) has graduated from a dual or concurrent enrollment program in the  
28 two thousand twenty--two thousand twenty-one academic year or thereaft-  
29 er;

30 (ii) is matriculated in an approved program leading to the granting of  
31 a post-secondary degree at a post-secondary institution eligible to  
32 participate in the tuition assistance program;

33 (iii) meets the eligibility criteria for a general award pursuant to  
34 section six hundred sixty-one of this title;

35 (iv) is eligible for a tuition assistance program award pursuant to  
36 section six hundred sixty-seven of this title; and

37 (v) has received degree granting credit from a post-secondary institu-  
38 tion eligible to participate in the tuition assistance program for the  
39 coursework undertaken in the approved dual or concurrent enrollment  
40 program.

41 4. Part-time study. A student who otherwise satisfies the eligibility  
42 requirements set forth in paragraph b of subdivision three of this  
43 section and is enrolled at least half-time at a post-secondary institu-  
44 tion eligible to participate in the tuition assistance program, shall  
45 also be deemed an eligible student.

46 5. Amount. The commissioner shall make an award to the school district  
47 in which the dual or concurrent enrollment program is located for each  
48 eligible student in an amount certified by the president.

49 § 2. The education law is amended by adding a new section 669-i to  
50 read as follows:

51 § 669-i. Dual or concurrent enrollment award program. 1. Certif-  
52 ication. For each student identified by the post-secondary institution,  
53 which shall be eligible to participate in the tuition assistance  
54 program, shall certify to the president: (i) whether such student is  
55 eligible for a tuition assistance program award pursuant to section six  
56 hundred sixty-seven of this subpart; (ii) whether such student meets the

1 eligibility criteria for a general award pursuant to section six hundred  
2 sixty-one of this part; (iii) whether such student satisfies the  
3 requirement set forth in subdivision four of section six hundred forty  
4 of this title; (iv) the number of degree granting credits such student  
5 received from the post-secondary institution for the coursework under-  
6 taken in the dual or concurrent enrollment program; and (v) such other  
7 information as the commissioner and/or the president deem necessary to  
8 administer the program. The president shall certify this information and  
9 the amount of the award calculated in accordance with subdivision two of  
10 this section to the commissioner.

11 2. Calculation of award amounts. The president shall be responsible  
12 for calculating the dollar amount of each award in an amount equal to  
13 the product of: the number of degree granting credits accepted by the  
14 eligible student's post-secondary institution for coursework undertaken  
15 in the dual or concurrent enrollment program for such eligible student  
16 and the dollar amount established for one credit for such eligible  
17 student. For an eligible student enrolled full-time at a post-secondary  
18 institution eligible to participate in the tuition assistance program,  
19 the dollar amount for one credit shall be established as the quotient  
20 of: the eligible student's tuition assistance program award pursuant to  
21 section six hundred sixty-seven of this subpart; and the minimum number  
22 of credits required for full-time study as defined by the commissioner.  
23 For an eligible student enrolled part-time at a post-secondary institu-  
24 tion eligible to participate in the tuition assistance program, the  
25 dollar amount for one credit shall be established as the quotient of:  
26 the average tuition assistance program award paid to all part-time  
27 tuition assistance program recipients, pursuant to section six hundred  
28 sixty-six of this subpart, from the academic year two years prior to the  
29 academic year in which the award is to be made; and the average number  
30 of credits taken by such recipients.

31 3. Award disbursement. Annual award disbursements shall be the respon-  
32 sibility of the commissioner through a joint agreement with the presi-  
33 dent and shall be made directly to the school district in which the dual  
34 or concurrent enrollment program is located using funds appropriated to  
35 the tuition assistance program.

36 § 3. This act shall take effect immediately, provided that if this act  
37 shall have become a law on or after July 1, 2020, it shall be deemed to  
38 have been in full force and effect on and after July 1, 2020.