STATE OF NEW YORK

8354

2019-2020 Regular Sessions

IN ASSEMBLY

June 15, 2019

Introduced by M. of A. EPSTEIN -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to establishing the office of student assistance and relief

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 14-B to read as follows:

ARTICLE 14-B

OFFICE OF STUDENT ASSISTANCE AND RELIEF

Section 696. Office of student assistance and relief.
697. Director and staff employees; qualifications.
698. Duties.
699. Provided services for students who have attended an institution which is closing.
700. Reporting.

§ 696. Office of student assistance and relief. 1. There is hereby created an office of student assistance and relief. The office shall be responsible for advancing and promoting the rights of prospective students, current students, or past students of private post-secondary education institutions.

2. For purposes of this section, "post-secondary education institution" or "institution" shall mean any institution providing education at a level higher than high school or high school equivalent.

§ 697. Director and staff employees; qualifications. 1. The head of the office of student assistance and relief shall be a director, who shall be appointed by the commissioner.

2. Notwithstanding any other provision of law, the director shall have the authority to fill staff positions within the office by new hire or by promotion open to state employees who possess the minimum qualifications for such staff positions.

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

LBD13205-01-9

3. The director, and each staff employee of the office, shall have experience and expertise, commensurate with his or her position, advocating on behalf of students and shall have knowledge of any applicable federal and state laws which govern student protection, student financial aid and loan programs and the policies and practices of private post-secondary educational institutions.

§ 698. Duties. The office of student assistance and relief shall be tasked with the following duties:

1. To conduct outreach and provide information and assistance to students who have been affected by the unlawful activities or closure of an institution regarding their rights under state and federal law, including information about how and where to file a complaint, and to ensure that those students are able to successfully access available state and federal relief programs.

2. To serve as a primary point of contact to address the needs of private post-secondary education students and work in conjunction with state and federal agencies, including, but not limited to, the department, the state university of New York, the city university of New York, the department of financial services, the division of veterans' affairs, the federal consumer financial protection bureau and the United States department of education.

3. To provide post-secondary education students and prospective students with information on:

(a) making informed decisions in selecting post-secondary education institutions;

(b) student's rights regarding school performance disclosures, enrollment agreements, and cancellation and refund policies;

(c) contact information for students to contact the office for assistance with any questions a student may have;

(d) student loans and assistance; and

(e) free non-profit community based resources available to students or prospective students.

4. To conduct data and information research relating to industry trends and enforcement actions from various educational sources, including, but not limited to, annual reports issued by the United States department of education and state and private accrediting agencies, to help determine such trends and potential violations of student rights. The office shall provide an annual report advising the commissioner of its findings.

§ 699. Provided services for students who have attended an institution which is closing. The office of student assistance and relief shall provide individualized assistance to post-secondary education students to relieve or mitigate the economic and educational opportunity loss incurred by such students who attended an institution that is closing. The office shall provide specifically the following services:

1. outreach to post-secondary education students who have been affected indicating what assistance shall be available through the office;

2. screening requests for assistance received by the office; and

3. individualized assistance to help post-secondary education students:

(a) determine a student's relief eligibility;

(b) identify and obtain necessary documents for relief eligibility;

(c) complete and submit applications for relief; and

(d) gain access to any other additional services as necessary.

§ 700. Reporting. 1. The office of student assistance and relief shall provide a quarterly report on the office's website which details the following:

(a) a summary of the outreach and education activities conducted by the office pursuant to the requirements of section six hundred ninety-nine of this article and the number of students served by institutions which are closing; and

(b) a summary of the total service provided to post-secondary education students and prospective students, with respect to the following:

(i) the number of students or prospective students assisted with submitting federal loan forgiveness claims, and of the claims submitted, the number of such claims which are pending, on appeal, or have been approved or denied. For the claims that have been approved, the office shall report the estimated total amount in student loans which have been cancelled or forgiven and the total amount of funds refunded to students;

(ii) the number of students assisted with private student loan relief and a summary of assistance and the number of relief outcomes obtained; and

(iii) the number of students assisted with obtaining income-dependent repayment plans on such students' federal loans, and of those students who have been assisted, the number of students assisted with gaining relief from default of such federal loans through consolidation or rehabilitation.

2. The office shall provide the legislature with a summarized final report consisting of a consolidation of the required annual reports pursuant to this section annually, by the first of January.

§ 2. This act shall take effect immediately.