

# STATE OF NEW YORK

7892

## IN SENATE

February 28, 2020

Introduced by Sen. 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 the criteria for which a student can qualify for educational opportunity through the Arthur O. Eve opportunity for higher education program

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

Section 1. Subdivisions 1, 3 and 4 of section 6451 of the education law, subdivisions 1 and 4 as amended by chapter 917 of the laws of 1970, subdivision 3 as amended by chapter 494 of the laws of 2016 and paragraph d of subdivision 3 as amended by chapter 26 of the laws of 2019, are amended to read as follows:

1. To advance the cause of educational opportunity in higher education, the commissioner may contract with non-public institutions of higher education for the support of special programs for the screening, testing, counseling, tutoring of, and, assistance to, residents of the state who are, (1) graduates of an approved high school or individuals who have attained a New York state high school equivalency diploma or its equivalent, as determined by the commissioner, (2) who have the intellectual potential for the successful completion of a post secondary program but not the academic preparedness for the institution in which they are applying, and (3) [~~are economically and educationally disadvantaged~~] demonstrate a family history of high economical need, as defined by the regents.

3. Moneys made available to institutions through contracts shall be spent only for the following purposes:

a. Special testing, counseling and guidance services in the course of screening potential enrollees;

b. Remedial courses, developmental or compensatory courses and summer classes for such students;

c. Special tutoring, counseling and guidance services for such enrolled students;

d. Any necessary supplemental financial assistance, which may include the cost of books and necessary maintenance for such enrolled students,

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

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1 including students without lawful immigration status provided that the  
2 student meets the requirements set forth in subparagraph (ii) of para-  
3 graph a or subparagraph (ii) of paragraph b of subdivision five of  
4 section six hundred sixty-one of this chapter, as applicable; provided,  
5 however, that such supplemental financial assistance shall be furnished  
6 pursuant to criteria promulgated by the commissioner with the approval  
7 of the director of the budget;

8 e. Partial reimbursement for tuition for regular academic courses  
9 pursuant to criteria promulgated by the commissioner;

10 f. Student travel for academic activities or conferences;

11 g. Expenses related to helping students apply for and prepare for  
12 graduate or professional school; and

13 h. The hiring of enrolled students participating in an Arthur O. Eve  
14 opportunity for higher education work-study program.

15 4. The commissioner shall promulgate regulations requiring the  
16 submission ~~[to him]~~ by any institution intending to contract with the  
17 state for assistance pursuant to this section of reports in such form  
18 and containing such information as ~~[he]~~ the commissioner shall require,  
19 concerning, but not limited to, such matters as a description of the  
20 proposed program, estimated costs, objectives, the extent of the insti-  
21 tution's support of such program and similar programs and the progress  
22 of students in such programs, and the commissioner shall take such  
23 factors into account in determining whether to enter into a contract  
24 with such institution and the terms and conditions thereof.

25 § 2. Subdivision 1 of section 6452 of the education law, as added by  
26 chapter 917 of the laws of 1970, is amended to read as follows:

27 1. To provide additional educational opportunity at the state univer-  
28 sity of New York and the city university of New York, such institutions  
29 shall provide special programs for the screening, testing, counseling,  
30 and tutoring of, and assistance to, residents of the state who are, (1)  
31 graduates of an approved high school or individuals who have attained a  
32 New York state high school equivalency diploma or its equivalent, as  
33 determined by the commissioner, (2) who have the intellectual potential  
34 for the successful completion of a post secondary program but not the  
35 academic preparedness for the institution in which they are applying,  
36 and (3) ~~[are economically and educationally disadvantaged]~~ demonstrate a  
37 family history of high economical need.

38 § 3. The education law is amended by adding a new section 6457 to read  
39 as follows:

40 § 6457. Updating outdated references. The commissioner shall review  
41 and revise existing rules and regulations relating to the Arthur O. Eve  
42 opportunity for higher education program to remove references to  
43 students as economically or educationally disadvantaged. Such terms  
44 shall be replaced with "demonstrates a family history of high economical  
45 need" and "educationally underserved" as appropriate. All changes shall  
46 be made in compliance with existing law contained in this article.

47 § 4. This act shall take effect immediately.