

# STATE OF NEW YORK

552--A

2021-2022 Regular Sessions

## IN SENATE

(Prefiled)

January 6, 2021

Introduced by Sens. MAYER, STAVISKY, GAUGHRAN, LIU, MANNION -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education -- recommitted to the Committee on Higher Education in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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 Assembly, do enact as follows:

1 Section 1. The education law is amended by adding a new article 13-C  
2 to read as follows:

3 ARTICLE 13-C

4 TUITION ASSISTANCE PROGRAM AWARDS FOR DUAL ENROLLMENT  
5 COURSEWORK

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

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

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1 to earn a college degree by accelerating their overall completion of  
2 such a degree. It also better prepares high school students for  
3 college-level coursework, which will in turn, increase their academic  
4 performance. Ultimately, dual or concurrent enrollment programs increase  
5 graduation rates both at the high school and college levels.

6 The Legislature hereby finds and declares it necessary to provide  
7 funding for dual or concurrent enrollment programs to ensure access to  
8 high quality programming that continues to innovate and continues to  
9 grow through performance based results. Students will require less  
10 tuition assistance funds (TAP) to complete their degree at the post-sec-  
11 ondary level and potentially avoid new debt.

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

23 3. Definitions. For purposes of this section:

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

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

35 (i) has graduated from a dual or concurrent enrollment program in the  
36 two thousand twenty-one--two thousand twenty-two academic year or there-  
37 after;

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

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

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

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

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

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

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

3 § 669-i. Dual or concurrent enrollment award program. 1. Certifi-  
4 ication. For each student identified by the post-secondary institution,  
5 which shall be eligible to participate in the tuition assistance  
6 program, shall certify to the president: (i) whether such student is  
7 eligible for a tuition assistance program award pursuant to section six  
8 hundred sixty-seven of this subpart; (ii) whether such student meets the  
9 eligibility criteria for a general award pursuant to section six hundred  
10 sixty-one of this part; (iii) whether such student satisfies the  
11 requirement set forth in subdivision four of section six hundred forty  
12 of this title; (iv) the number of degree granting credits such student  
13 received from the post-secondary institution for the coursework under-  
14 taken in the dual or concurrent enrollment program; and (v) such other  
15 information as the commissioner and/or the president deem necessary to  
16 administer the program. The president shall certify this information and  
17 the amount of the award calculated in accordance with subdivision two of  
18 this section to the commissioner.

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

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

44 § 3. This act shall take effect on the first of July next succeeding  
45 the date on which it shall have become a law. Effective immediately the  
46 addition, amendment and/or repeal of any rule or regulation necessary  
47 for implementation of this act on its effective date are authorized to  
48 be made on or before such date.