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:

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

ARTICLE 13-C

TUITION ASSISTANCE PROGRAM AWARDS FOR DUAL ENROLLMENT COURSEWORK

Section 640. Tuition assistance program awards for dual or concurrent enrollment coursework.

§ 640. Tuition assistance program awards for dual or concurrent enrollment coursework. 1. Legislative intent. The Legislature hereby finds and declares it necessary to promote on time and early graduation through supporting access to college-level courses and college degree credits at the secondary level with innovative partnerships among secondary and post-secondary schools, staff and resources. The Legislature also values early college high school programs, P-TECH programs, and other dual or concurrent enrollment programs which not only increase students' access to higher education, but also reduce potential costs for students in completing college degrees by allowing them to either complete a degree upon graduation from high school or to apply their earned college credits toward a Baccalaureate degree. This legislation 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.

LBD02620-02-2

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

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

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

3. Definitions. For purposes of this section:

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

b. "eligible student" means a student who:

(i) has graduated from a dual or concurrent enrollment program in the two thousand twenty-one--two thousand twenty-two academic year or thereafter;

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

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

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

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

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

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

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

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

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

3. Award disbursement. Annual award disbursements shall be the responsibility of the commissioner through a joint agreement with the president and shall be made directly to the school district in which the dual or concurrent enrollment program is located using funds appropriated to the tuition assistance program.

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