

# STATE OF NEW YORK

1164--B

2023-2024 Regular Sessions

## IN ASSEMBLY

January 13, 2023

Introduced by M. of A. JACOBSON, FAHY, DICKENS, AUBRY, EACHUS -- read once and referred to the Committee on Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to notice of post-secondary financial aid programs

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

1 Section 1. Article 14 of the education law is amended by adding a new  
2 part VI to read as follows:

### PART VI

#### UNIFORM FINANCIAL AID PRESENTATION

5 Section 694-c. Financial aid materials.

6 694-d. Financial aid presentation.

7 694-e. Affidavit.

8 694-f. Reporting.

9 694-g. State sponsored scholarships.

10 § 694-c. Financial aid materials. The corporation shall create a  
11 uniform presentation on the availability of post-secondary financial aid  
12 programs, including training on the free application for federal student  
13 aid (FAFSA) and application for aid available to individuals meeting the  
14 requirements of subparagraph (ii) of paragraph (a) of subdivision five  
15 of section six hundred sixty-one of this article. The corporation, in  
16 conjunction with the department, shall distribute the presentation mate-  
17 rials to all schools throughout the state which educate students through  
18 twelfth grade. Each school shall be required to use such materials when  
19 complying with the provisions of this part and shall not be permitted to  
20 create their own versions of such presentation materials.

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

LBD01528-08-3

1 § 694-d. Financial aid presentation. 1. Each school in this state  
2 which educates students through twelfth grade shall be required to  
3 conduct oral presentations on post-secondary financial aid programs,  
4 using the materials developed by the corporation under section six  
5 hundred ninety-four-c of this part, to high school seniors at least once  
6 during the school year. Presentations that include training on complet-  
7 ing the free application for federal student aid (FAFSA) and the appli-  
8 cation for aid available to individuals meeting the requirements of  
9 subparagraph (ii) of paragraph (a) of subdivision five of section six  
10 hundred sixty-one of this article, shall be given to all students in the  
11 same presentation or presentations and students shall not be separately  
12 presented to on the basis of the type of aid they may qualify for.

13 2. Each high school senior shall be required to complete an affidavit  
14 form, signed by both the student and student's parent or legal guardian,  
15 or, if the student is eighteen years of age or older or legally emanci-  
16 pated, signed solely by the student, certifying that the student  
17 attended the presentation described in subdivision one of this section  
18 or received a written copy of the materials from such presentation. Such  
19 affidavit shall declare that the student intends file a FAFSA or an  
20 application for individuals meeting the requirements of subparagraph  
21 (ii) of paragraph (a) of subdivision five of section six hundred sixty-  
22 one of this article, or neither type of aid. The affidavit shall couple  
23 together both the FAFSA application and the application for individuals  
24 meeting the requirements of subparagraph (ii) of paragraph (a) of subdi-  
25 vision five of section six hundred sixty-one of this article in the same  
26 grouping.

27 § 694-e. Affidavit. 1. The commissioner shall create a uniform affida-  
28 vit required under this part. Such affidavit form shall be made avail-  
29 able in the twelve most common non-English languages spoken by limited-  
30 English proficient individuals in the state, based on the data in the  
31 most recent American Community Survey published by the United States  
32 Census Bureau. The commissioner may, in their discretion, offer such  
33 form in up to four additional languages beyond the twelve most common  
34 languages. Such form shall be distributed in English and any additional  
35 languages requested by a school district to each school district in this  
36 state. Schools shall be required to use the uniform version of the affi-  
37 davit form described in this subdivision when complying with the  
38 provisions of this part and shall not be permitted to create their own  
39 versions of such form.

40 2. The commissioner shall distribute the affidavit form to all schools  
41 educating students through the twelfth grade. Each school shall be  
42 required to collect the affidavit from students and/or parents or legal  
43 guardians and transmit such forms to the commissioner for the data  
44 reporting purposes described in this part. Each school shall be required  
45 to report to the commissioner, on the first of July of each year: (a)  
46 the total number of completed affidavit forms; (b) the total number of  
47 twelfth grade students in the prior academic year; and (c) the antic-  
48 ipated number of twelfth grade students in the coming academic year. The  
49 commissioner shall then compile and submit such data to the corporation  
50 for the purposes of compiling the report described in section six  
51 hundred ninety-four-f of this part.

52 § 694-f. Reporting. 1. The higher education services corporation shall  
53 be required to produce an annual report containing:

54 (a) the total number of completed affidavit forms and total and antic-  
55 ipated number of students, per school and on an aggregated statewide  
56 basis, as provided in section six hundred ninety-four-e of this part;

1 (b) the total number of FAFSA applications filed in the prior academic  
2 year, and how such number compares to the number of applications filed  
3 in the previous five years;

4 (c) the total number of applications for aid available to individuals  
5 meeting the requirements of subparagraph (ii) of paragraph (a) of subdivi-  
6 vision five of section six hundred sixty-one of this article in the  
7 prior academic year, and how such number compares to the number of  
8 applications from the previous five years.

9 2. Such report shall describe the effect, if any, that the commission-  
10 er believes that the affidavit forms required under this part have had  
11 on the number of completed FAFSA applications or applications for aid  
12 available to individuals meeting the requirements of subparagraph (ii)  
13 of paragraph (a) of subdivision five of section six hundred sixty-one of  
14 this article.

15 3. The corporation shall send the annual report to the commissioner,  
16 the governor, the temporary president of the senate, the chair of the  
17 senate committee on education, the chair of the senate committee on  
18 higher education, the speaker of the assembly, the chair of the assembly  
19 committee on education, and the chair of the assembly committee on high-  
20 er education by the first of September of each year. The president of  
21 the corporation and the commissioner shall post the annual report on the  
22 corporation or department's website by the first of September of each  
23 year.

24 § 694-g. State sponsored scholarships. The commissioner, in consulta-  
25 tion with the higher education services corporation, shall create and  
26 distribute a uniform notice describing state-sponsored scholarships,  
27 financial aid, and assistance available to students attending college or  
28 post-secondary education, including FAFSA and awards available to  
29 students meeting the requirements of subparagraph (ii) of paragraph (a)  
30 of subdivision five of section six hundred sixty-one of this article,  
31 application deadlines for such scholarships and assistance, and informa-  
32 tion on general college application deadlines, to all schools educating  
33 students through twelfth grade. Such schools shall be required to  
34 distribute such notice to high school seniors no less than four times  
35 during the school year and to high school juniors no less than two times  
36 during the school year.

37 § 2. This act shall take effect on the first of July one year after  
38 the date on which it shall have become a law. Effective immediately, the  
39 commissioner of education and president of the higher education services  
40 corporation shall commence any regulatory action needed for the imple-  
41 mentation of this act.