

# STATE OF NEW YORK

4892

2023-2024 Regular Sessions

## IN ASSEMBLY

February 24, 2023

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

AN ACT to amend the education law, in relation to establishing the  
COVID-19 children scholarship

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

1 Section 1. The education law is amended by adding a new section 608-b  
2 to read as follows:

3 § 608-b. COVID-19 children scholarships. 1. Notwithstanding subdivi-  
4 sion five of section six hundred sixty-one of this title, children whose  
5 parent, primary caretaker or sibling died or was disabled as a result of  
6 contracting COVID-19, shall be eligible to receive a scholarship in an  
7 annual amount determined pursuant to subdivision two of section six  
8 hundred sixty-eight-h of this title.

9 2. Awards under this section shall be payable for each of not more  
10 than four academic years of undergraduate study or five academic years  
11 if a program normally requires five years, as defined by the commission-  
12 er pursuant to this article.

13 § 2. The education law is amended by adding a new section 668-h to  
14 read as follows:

15 § 668-h. COVID-19 children scholarships. 1. Eligible groups. Notwith-  
16 standing subdivision five of section six hundred sixty-one of this part,  
17 children whose parent, primary caretaker or sibling died or was disabled  
18 as a result of contracting COVID-19, shall be eligible to receive a  
19 scholarship.

20 2. Amount. (a) The president shall grant annual scholarships in the  
21 following amounts:

22 (1) If the recipient attends an institution of the city university of  
23 New York or an institution of the state university of New York other  
24 than the statutory colleges at Cornell, the college of environmental  
25 science and forestry at Syracuse and the college of ceramics at Alfred,

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

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1 the annual award shall be an amount equal to: the tuition charged at  
2 such institution provided that, notwithstanding any provision of law to  
3 the contrary, the tuition charged to award recipients shall not exceed  
4 that charged to state resident students attending such institution; the  
5 mandatory fees charged at such institution; and the non-tuition cost of  
6 attendance at such institution or college, provided that the scholarship  
7 shall not exceed an amount that is equal to the total cost of attendance  
8 determined for federal Title IV student financial aid purposes, less all  
9 other scholarships and grants provided by New York state, other states,  
10 the federal government, or other governments, and the amount of educa-  
11 tional benefits paid under any program that would duplicate the purposes  
12 of this program, provided that any scholarships or grants provided to a  
13 recipient by the institution which are intended to fund any portion of  
14 the difference between the annual state award and the actual costs of  
15 attendance at any such institution shall not be considered to duplicate  
16 the purposes of this program; or

17 (2) If the recipient attends any other two- or four-year institution  
18 within New York state, the annual award shall be based upon an amount  
19 equal to: the tuition charged to state resident students attending a  
20 four-year college of the state university of New York; the average  
21 mandatory fees charged at four-year colleges of the state university of  
22 New York, or the actual tuition and fees charged to the recipient,  
23 whichever is less; and the average non-tuition cost of attendance, as  
24 determined by the president and as approved by the director of the budg-  
25 et, for a student at the state university of New York or actual non-tui-  
26 tion cost of attendance at such institution, whichever is less, provided  
27 that the scholarship shall be at least two thousand five hundred dollars  
28 per year, and provided that the scholarship shall not exceed an amount  
29 that is equal to the total cost of attendance determined for federal  
30 Title IV student financial aid purposes, less all other scholarships and  
31 grants provided by New York state, other states, the federal government,  
32 or other governments, and the amount of educational benefits paid under  
33 any program that would duplicate the purposes of this program, provided  
34 that any scholarships or grants provided to a recipient by the institu-  
35 tion which are intended to fund any portion of the difference between  
36 the annual state award and the actual costs of attendance at any such  
37 institution shall not be considered to duplicate the purposes of this  
38 program.

39 (3) "Non-tuition cost of attendance", as used in this subdivision,  
40 shall mean: (i) the actual amount charged by the institution for room  
41 and board, and (ii) an allowance for transportation, books and supplies  
42 as determined by the president and as approved by the director of the  
43 budget, provided that such determination shall be made no later than  
44 December first of each year for use in the succeeding academic year. In  
45 the event a student does not incur room or board charges at the institu-  
46 tion, "non-tuition cost of attendance" shall mean an allowance for room  
47 and board as determined by the president and approved by the director of  
48 the budget. In determining allowances pursuant to this subparagraph, the  
49 president may take into consideration the allowances provided for in the  
50 Pell grant program.

51 (b) In no event shall the combination of all student financial aid  
52 received by a student exceed a recipient's total cost of attendance at  
53 the institution being attended.

54 3. Duration. Awards under this section shall be payable for each of  
55 not more than four academic years of undergraduate study or five academ-

1 ic years if a program normally requires five years, as defined by the  
2 commissioner pursuant to article thirteen of this title.

3 § 3. Section 604 of the education law is amended by adding a new  
4 subdivision 13 to read as follows:

5 13. COVID-19 children scholarships.

6 § 4. This act shall take effect immediately.