STATE OF NEW YORK

7591--B

2023-2024 Regular Sessions

IN ASSEMBLY

May 25, 2023

Introduced by M. of A. KELLES -- read once and referred to the Committee on Higher Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Higher Education in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to establishing the mental health educational opportunity program and the mental health higher educational opportunity program

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 section 6457 to read as follows:

§ 6457. Mental health educational opportunity program and mental health higher educational opportunity program. 1. To provide additional educational opportunities for students to enroll in academic programs that lead to a degree or degrees required for licensure in any of the mental health professions pursuant to articles one hundred fifty-three, one hundred fifty-four and one hundred sixty-three of this chapter, a participating college or university shall provide special programs for the screening, testing, counseling and tutoring of, and assistance to, residents of the state, (i) who are 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, (ii) who have potential for the successful completion of a post-secondary program that leads to a degree or degrees required for licensure in any mental health profession, and (iii) who are economically and educationally disadvantaged.

2. For the purposes of this section, for the mental health educational opportunity program, a participating college or university shall be defined as any college or university of the state university of New York

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

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or the city university of New York. For the mental health higher educational opportunity program, a participating college or university shall be defined as a non-public college or university incorporated by the regents.

3. A non-public college or university that participates in the mental health higher educational opportunity program shall contract with the commissioner to provide the services in this section pursuant to a process promulgated by the commissioner for such purpose.

4. The commissioner, in consultation with the state university of New York, the city university of New York, and non-public colleges and universities chosen by the commissioner, shall formulate a general plan for the organization, development, coordination and operation of the mental health educational opportunity program and the mental health higher educational opportunity program within the amounts made available therefor by law. Such a plan shall include:

a. Definition of eligibility,

b. Procedures for the selection of students from among the eligibles,

c. Description of the contents of such proposed program including counseling, tutoring and skill development,

d. Estimated costs,

e. Objectives,

f. Extent of other funds and resources to be utilized in support of the program,

g. Procedures for the evaluation of student progress, and

h. Periodic reports.

5. The general plan shall be transmitted to the board of regents at such time as the regents shall by rule require. Such plan shall be reviewed by the regents and shall guide and determine the operation of such program.

6. a. State appropriations made available for this program shall be spent only for the following purposes:

(i) Special testing, counseling and guidance services in the course of screening potential students,

(ii) Remedial courses, developmental and compensatory courses and summer classes for such students,

(iii) Special tutoring, counseling and guidance services for enrolled students,

(iv) Central services including evaluation and administrative costs, and

(v) Any necessary supplemental financial assistance, which may include the cost of books and necessary maintenance for such students, including students without lawful immigration status provided that the student meets the requirements set forth in subparagraph (ii) of paragraph a or subparagraph (ii) of paragraph b of subdivision five of section six hundred sixty-one of this chapter, as applicable; provided, however, that such supplemental financial assistance shall be furnished pursuant to criteria promulgated by the commissioner and approved by the regents and the director of the budget.

b. No funds pursuant to this section shall be made available to support the regular academic programs of any college or university participating in this program, nor shall funds be provided for programs which are incompatible with the regents plan for the expansion and development of higher education in the state.

7. A participating college or university shall furnish to the commissioner, the regents, the director of the budget, the chair of the senate finance committee and the chair of the assembly ways and means commit-

tee, at least annually, a report in such form, at such time and containing such information as the regents and the director of the budget may require, of the operations of such program. The report shall include:

a. A statement of the objectives of the program,

b. A description of the program,

c. The budgetary expenditures for such program, separately stating academic credit instructional costs, other instructional costs, tutoring costs, remediation, counseling, supplemental financial assistance and central services, including evaluation and administrative costs,

d. The extent of other funds and resources used in support of such program and their sources,

e. The progress of students, and

f. The extent and nature of the responsibility exercised over such program by such trustees.

8. Contracts made pursuant to this section shall be subject to the approval of the director of the budget.

§ 2. This act shall take effect immediately.