

# STATE OF NEW YORK

4779

2023-2024 Regular Sessions

## IN SENATE

February 14, 2023

Introduced by Sen. SANDERS -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education

AN ACT to amend the education law, in relation to admission opportunities for a city university or state university of New York

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 122 to  
2 read as follows:

### ARTICLE 122

#### ADMISSION OPPORTUNITIES

##### Section 6020. Definitions.

6 6021. Uniform admission system.

7 6022. Automatic admission; all institutions.

8 6023. Additional automatic admissions; selected institutions.

9 6024. Other admissions.

10 6025. Report to board of regents.

11 6026. Rulemaking.

12 6027. Application of admission criteria to other programs.

13 6028. Scholarship and fellowship awards.

14 § 6020. Definitions. 1. "City university" shall mean the city univer-  
15 sity of New York, including each senior college and each community  
16 college.

17 2. "State university" shall mean the state university of New York, as  
18 created by article eight of this chapter.

19 3. "Governing board" means any body charged with policy direction of  
20 any city university or state university, including but not limited to  
21 the board of regents, boards of directors and boards of trustees.

22 § 6021. Uniform admission system. The city university and state  
23 university shall admit first-time freshman students for each semester  
24 under the provisions of this article.

25 § 6022. Automatic admissions; all institutions. 1. A city university  
26 and state university shall admit an applicant for admission to such  
27 institution as an undergraduate student if the applicant graduated in

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

LBD01732-01-3

1 one of the two school years preceding the academic year for which the  
2 applicant is applying for admission from a public or private high school  
3 in this state accredited by a generally recognized accrediting organiza-  
4 tion with a grade point average in the top ten percent of the student's  
5 high school graduating class. To qualify for admission under this  
6 section, an applicant must submit an application before the expiration  
7 of any application filing deadline established by the institution.

8 2. After admitting an applicant under this section, the institution  
9 shall review the applicant's record and any other factor the institution  
10 considers appropriate to determine whether the applicant may require  
11 additional preparation for college-level work or would benefit from  
12 inclusion in a retention program. The institution may require a student  
13 so identified to enroll during the summer immediately after the student  
14 is admitted under this section to participate in appropriate enrichment  
15 courses and orientation programs. This section does not prohibit a  
16 student who is not determined to need additional preparation for  
17 college-level work from enrolling, if the student chooses, during the  
18 summer immediately after the student is admitted under this section.

19 § 6023. Additional automatic admissions; selected institutions. For  
20 each academic year, the governing board of a city university and state  
21 university shall determine whether to adopt an admissions policy under  
22 which an applicant to the institution as a first-time freshman student,  
23 other than an applicant eligible for admission under section six thou-  
24 sand twenty-two of this article, shall be admitted to the institution if  
25 the applicant graduated from a public or private high school in this  
26 state accredited by a generally recognized accrediting organization with  
27 a grade point average in the top twenty-five percent of the applicant's  
28 high school graduating class.

29 § 6024. Other admissions. 1. A graduating student who does not qualify  
30 for admission under sections six thousand twenty-two or six thousand  
31 twenty-three of this article may apply to any general academic teaching  
32 institution.

33 2. A city university or state university, after admitting students  
34 under sections six thousand twenty-two or six thousand twenty-three of  
35 this article shall admit other applicants for admission as undergraduate  
36 students. As a result of changing demographic trends, diversity, and  
37 population increases in the state, the city university and state univer-  
38 sity shall also consider all of, any of, or a combination of the follow-  
39 ing socioeconomic indicators or factors in making first-time freshman  
40 admissions decisions:

41 (a) the applicant's academic record;

42 (b) the socioeconomic background of the applicant, including the  
43 percentage by which the applicant's family is above or below any recog-  
44 nized measure of poverty, the applicant's household income, and the  
45 applicant's parents' level of education;

46 (c) whether the applicant would be the first generation of the appli-  
47 cant's family to attend or graduate from an institution of higher educa-  
48 tion;

49 (d) whether the applicant has bilingual proficiency;

50 (e) the financial status of the applicant's school district;

51 (f) the performance level of the applicant's school;

52 (g) the applicant's responsibilities while attending school, including  
53 whether the applicant has been employed, whether the applicant has  
54 helped to raise children, or other similar factors;

55 (h) the applicant's region of residence;

1 (i) whether the applicant is a resident of a rural or urban area or a  
2 resident of a central city or suburban area in the state;

3 (j) the applicant's performance on standardized tests;

4 (k) the applicant's performance on standardized tests in comparison  
5 with that of other students from similar socioeconomic backgrounds;

6 (l) whether the applicant attended any school while the school was  
7 under a court-ordered desegregation plan;

8 (m) the applicant's involvement in community activities;

9 (n) the applicant's extracurricular activities;

10 (o) the applicant's commitment to a particular field of study;

11 (p) the applicant's personal interview;

12 (q) the applicant's admission to a comparable accredited out-of-state  
13 institution; and

14 (r) any other consideration the institution considers necessary to  
15 accomplish the institution's stated mission.

16 3. A city university or state university may review other factors in  
17 making an admissions decision.

18 4. Not later than one year before the date that applications for  
19 admission are first considered under this section, each city university  
20 and state university shall publish in each institution's catalog a  
21 description of the factors considered by such institution in making  
22 admission decisions and shall make the information available to the  
23 public.

24 5. This section does not apply to an institution that has an open  
25 enrollment policy.

26 § 6025. Report to board of regents. Each city university and state  
27 university shall provide a report annually to the board of regents  
28 describing the composition of the entering class of students admitted  
29 under this article. The report shall include a demographic breakdown,  
30 including a breakdown by race, ethnicity, and economic status, of the  
31 students admitted under sections six thousand twenty-two, six thousand  
32 twenty-three and six thousand twenty-four of this article.

33 § 6026. Rulemaking. The board of regents may adopt rules relating to  
34 the operation of admissions programs under this article, including rules  
35 relating to the identification of eligible students and the reporting  
36 requirements of section six thousand twenty-five of this article.

37 § 6027. Application of admission criteria to other programs. 1. Each  
38 city university or state university that offers admissions to undergrad-  
39 uate transfer students or admissions to a graduate, postgraduate, or  
40 professional program shall also adopt a written admission policy appli-  
41 cable to those programs.

42 2. The policy shall be published in the institution's catalog and made  
43 available to the public.

44 § 6028. Scholarship and fellowship awards. 1. A city university or  
45 state university that offers competitive scholarship or fellowship  
46 awards shall adopt a written policy describing the factors to be used by  
47 the institution in making an award.

48 2. A policy adopted under this section shall be published in the  
49 institution's catalog and shall be made available to the public in  
50 advance of any deadline for the submission of an application for a  
51 competitive scholarship or fellowship to which the policy applies.

52 § 2. This act shall take effect on the first of January next succeed-  
53 ing the date on which it shall have become a law.