

STATE OF NEW YORK

5616

2023-2024 Regular Sessions

IN SENATE

March 8, 2023

Introduced by Sens. MAYER, ADDABBO, JACKSON, LIU, MANNION, STAVISKY --
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 tuition assistance
program awards for dual or concurrent enrollment coursework

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 article 13-D
2 to read as follows:

ARTICLE 13-D

TUITION ASSISTANCE PROGRAM AWARDS FOR DUAL ENROLLMENT COURSEWORK

6 Section 645. Tuition assistance program awards for dual or concurrent
7 enrollment coursework.

8 § 645. Tuition assistance program awards for dual or concurrent
9 enrollment coursework. 1. Legislative intent. The legislature hereby
10 finds and declares it necessary to promote on time and early graduation
11 through supporting access to college-level courses and college degree
12 credits at the secondary level with innovative partnerships among
13 secondary and post-secondary schools, staff and resources. The legisla-
14 ture also values early college high school programs, P-TECH programs,
15 and other dual or concurrent enrollment programs which not only increase
16 students' access to higher education, but also reduce potential costs
17 for students in completing college degrees by allowing them to either
18 complete a degree upon graduation from high school or to apply their
19 earned college credits toward a Baccalaureate degree. This legislation
20 provides incentives for high school students to proceed to college and
21 to earn a college degree by accelerating their overall completion of
22 such a degree. It also better prepares high school students for
23 college-level coursework, which will in turn, increase their academic

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

LBD10124-01-3

1 performance. Ultimately, dual or concurrent enrollment programs increase
2 graduation rates both at the high school and college levels.

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

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

20 3. Definitions. For purposes of this section:

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

31 b. "eligible student" means a student who:

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

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

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

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

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

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

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

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

1 § 669-i. Dual or concurrent enrollment award program. 1. Certifi-
2 ication. For each student identified by the post-secondary institution,
3 which shall be eligible to participate in the tuition assistance
4 program, shall certify to the president: (i) whether such student is
5 eligible for a tuition assistance program award pursuant to section six
6 hundred sixty-seven of this subpart; (ii) whether such student meets the
7 eligibility criteria for a general award pursuant to section six hundred
8 sixty-one of this part; (iii) whether such student satisfies the
9 requirement set forth in subdivision four of section six hundred forty-
10 five of this title; (iv) the number of degree granting credits such
11 student received from the post-secondary institution for the coursework
12 undertaken in the dual or concurrent enrollment program; and (v) such
13 other information as the commissioner and/or the president deem neces-
14 sary to administer the program. The president shall certify this infor-
15 mation and the amount of the award calculated in accordance with subdivi-
16 sion two of this section to the commissioner.

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

37 3. Award disbursement. Annual award disbursements shall be the respon-
38 sibility of the commissioner through a joint agreement with the presi-
39 dent and shall be made directly to the school district in which the dual
40 or concurrent enrollment program is located using funds appropriated to
41 the tuition assistance program.

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