

# STATE OF NEW YORK

5616--A

2023-2024 Regular Sessions

## IN SENATE

March 8, 2023

Introduced by Sens. MAYER, ADDABBO, CHU, JACKSON, LIU, MANNION, STAVISKY  
-- read twice and ordered printed, and when printed to be committed to  
the Committee on Higher Education -- recommitted to the Committee on  
Higher Education in accordance with Senate Rule 6, sec. 8 -- reported  
favorably from said committee and committed to the Committee on  
Finance -- committee discharged, bill amended, ordered reprinted as  
amended and recommitted to said committee

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:

Section 1. The education law is amended by adding a new article 13-D  
to read as follows:

### ARTICLE 13-D

#### TUITION ASSISTANCE PROGRAM AWARDS FOR DUAL ENROLLMENT

##### COURSEWORK

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

§ 645. Tuition assistance program awards for dual or concurrent  
enrollment coursework. 1. Legislative intent. The legislature hereby  
finds and declares it necessary to promote on time and early graduation  
through supporting access to college-level courses and college degree  
credits at the secondary level with innovative partnerships among  
secondary and post-secondary schools, staff and resources. The legisla-  
ture also values early college high school programs, P-TECH programs,  
and other dual or concurrent enrollment programs which not only increase  
students' access to higher education, but also reduce potential costs  
for students in completing college degrees by allowing them to either  
complete a degree upon graduation from high school or to apply their  
earned college credits toward a Baccalaureate degree. This legislation  
provides incentives for high school students to proceed to college and

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

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1 to earn a college degree by accelerating their overall completion of  
2 such a degree. It also better prepares high school students for  
3 college-level coursework, which will in turn, increase their academic  
4 performance. Ultimately, dual or concurrent enrollment programs increase  
5 graduation rates both at the high school and college levels.

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

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

21 3. Definitions. For purposes of this section:

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

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

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

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

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

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

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

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

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

55 § 2. The education law is amended by adding a new section 669-i to  
56 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 subdi-  
16 vision 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.