

# STATE OF NEW YORK

6937

2023-2024 Regular Sessions

## IN SENATE

May 16, 2023

Introduced by Sen. STAVISKY -- (at request of the State Education Department) -- 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 enhancing supports and services for students with disabilities for postsecondary success

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 section 6457  
2 to read as follows:

3 § 6457. Enhancing supports and services for students with disabilities  
4 for postsecondary success. 1. For the purposes of this section,  
5 "students with disabilities" shall mean individuals with a disability  
6 who have a physical or mental impairment that substantially limits one  
7 or more major life activity or activities, a record of such impairment,  
8 or being regarded as having such impairment and who are enrolled in a  
9 degree-granting institution in New York.

10 2. Subject to an appropriation, the commissioner shall allocate funds  
11 available for enhancing supports and services for students with disabili-  
12 ties in New York State degree granting colleges and universities so  
13 they can succeed in their education. Such funds shall be awarded through  
14 grants to institutions of the state university and institutions of the  
15 city university of New York, and the commissioner shall enter into  
16 contracts with degree-granting institutions in New York that are  
17 currently funded under the tuition assistance program under article  
18 fourteen of this chapter for the purpose of providing additional  
19 services and supports to expand opportunities for students with disabil-  
20 ities.

21 3. (a) Funds appropriated in the two thousand twenty-three--two thou-  
22 sand twenty-four academic year and thereafter for the purpose of this  
23 initiative shall be allocated proportionally for each student with a  
24 disability enrolled in an institution of higher education that success-

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

LBD03182-01-3

1 fully applies for funding pursuant to subdivision six of this section  
2 based upon the total number of students with disabilities that are  
3 enrolled in all institutions of higher education that successfully apply  
4 for funding pursuant to subdivision six of this section. The number of  
5 students with disabilities used for this calculation shall be based on  
6 data submitted annually by the institution to the commissioner through a  
7 process required for this purpose by the commissioner.

8 (b) Funds shall be awarded to each institution of higher education  
9 that successfully applies for funding pursuant to subdivision six of  
10 this section directly and not through entities who do not directly  
11 enroll students.

12 4. Funds shall be awarded through a formula in equal amounts per iden-  
13 tified student with a disability to each institution of higher education  
14 that successfully applies for funding pursuant to subdivision six of  
15 this section. The number of students with disabilities at each institu-  
16 tion shall be determined based upon the data submitted annually by the  
17 institution to the commissioner through a process required for this  
18 purpose by the commissioner.

19 5. Moneys made available to institutions under this section shall be  
20 spent for the following purposes:

21 (a) to supplement funding for supports and accommodations of students  
22 with disabilities to expand supports and services provided at the state  
23 university, the city university of New York, and other degree-granting  
24 higher education institutions;

25 (b) to support college preparation programs to assist students with  
26 disabilities in transitioning to college, and prepare them to navigate  
27 campus facilities and systems;

28 (c) to provide full and part-time faculty and staff at the state  
29 university, the city university of New York, and other degree-granting  
30 higher education institutions with disability training; and

31 (d) to improve the identification process of students with disabili-  
32 ties and enhance data collection capabilities at the state university,  
33 the city university of New York, and other degree-granting higher educa-  
34 tion institutions.

35 6. Eligible institutions shall file an application for approval by the  
36 commissioner no later than the first of May each year demonstrating a  
37 need for such funding, including how the funding would be used and how  
38 many students with disabilities would be assisted with such funding. The  
39 commissioner shall review all applications for compliance with all  
40 eligibility criteria and other requirements set forth in regulations of  
41 the commissioner. Successful applicants will be funded as provided in  
42 subdivision four of this section.

43 7. No funds pursuant to this section shall be made available to  
44 support the regular academic programs of any institution participating  
45 in this program.

46 § 2. This act shall take effect immediately.