

# STATE OF NEW YORK

7044--A

2023-2024 Regular Sessions

## IN SENATE

May 17, 2023

Introduced by Sens. WEBB, SALAZAR -- 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 -- 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 or the city university of New York. For the mental health higher educa-

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

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1 tional opportunity program, a participating college or university shall  
2 be defined as a non-public college or university incorporated by the  
3 regents.

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

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

- 15 a. Definition of eligibility,
- 16 b. Procedures for the selection of students from among the eligibles,
- 17 c. Description of the contents of such proposed program including  
18 counseling, tutoring and skill development,
- 19 d. Estimated costs,
- 20 e. Objectives,
- 21 f. Extent of other funds and resources to be utilized in support of  
22 the program,
- 23 g. Procedures for the evaluation of student progress, and
- 24 h. Periodic reports.

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

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

- 31 (i) Special testing, counseling and guidance services in the course of  
32 screening potential students,
- 33 (ii) Remedial courses, developmental and compensatory courses and  
34 summer classes for such students,
- 35 (iii) Special tutoring, counseling and guidance services for enrolled  
36 students,
- 37 (iv) Central services including evaluation and administrative costs,  
38 and
- 39 (v) Any necessary supplemental financial assistance, which may include  
40 the cost of books and necessary maintenance for such students, including  
41 students without lawful immigration status provided that the student  
42 meets the requirements set forth in subparagraph (ii) of paragraph a or  
43 subparagraph (ii) of paragraph b of subdivision five of section six  
44 hundred sixty-one of this chapter, as applicable; provided, however,  
45 that such supplemental financial assistance shall be furnished pursuant  
46 to criteria promulgated by the commissioner and approved by the regents  
47 and the director of the budget.

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

53 7. A participating college or university shall furnish to the commis-  
54 sioner, the regents, the director of the budget, the chair of the senate  
55 finance committee and the chair of the assembly ways and means commit-  
56 tee, at least annually, a report in such form, at such time and contain-

1 ing such information as the regents and the director of the budget may  
2 require, of the operations of such program. The report shall include:

3 a. A statement of the objectives of the program,

4 b. A description of the program,

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

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

11 e. The progress of students, and

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

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

16 § 2. This act shall take effect immediately.