

# STATE OF NEW YORK

1164--A

2023-2024 Regular Sessions

## IN ASSEMBLY

January 13, 2023

Introduced by M. of A. JACOBSON, FAHY, DICKENS, AUBRY, EACHUS -- read once and referred to the Committee on Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to high school diploma requirements

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 305 of the education law is amended by adding a new  
2 subdivision 60 to read as follows:

3 60. a. Notwithstanding any provision of law to the contrary, the  
4 commissioner shall promulgate rules and regulations to require as a  
5 condition of awarding a high school diploma to a student, the parent or  
6 guardian of such student or, if the student is eighteen years of age or  
7 older or legally emancipated, such student, to comply with one of the  
8 following:

9 (i) complete and submit the free application for federal student aid  
10 (FAFSA) for such student; or

11 (ii) complete a waiver form, created by the department, to be filed  
12 with the student's school district indicating that the parent or guardi-  
13 an or, if the student is eighteen years of age or older or legally eman-  
14 cipated, the student, understands what the FAFSA is and has chosen not  
15 to file an application pursuant to the provisions of subparagraph (i) of  
16 this paragraph.

17 b. Each school district shall be required to report to the commission-  
18 er, on the first of July of each year:

19 (i) the total number of completed FAFSAs pursuant to subparagraph (i)  
20 of paragraph a of this subdivision for the prior academic year;

21 (ii) the total number of completed waiver forms pursuant to subpara-  
22 graph (ii) of paragraph a of this subdivision for the prior academic  
23 year;

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

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1 (iii) the total number of senior year students in the prior academic  
2 year; and

3 (iv) the anticipated number of senior year students in the coming  
4 academic year.

5 c. Notwithstanding any provision of law to the contrary, the commis-  
6 sioner shall promulgate rules and regulations to require each school  
7 district with at least one high school to provide each eligible high  
8 school student and, if applicable, his or her parent or guardian any  
9 support or assistance necessary for compliance with the rules and regu-  
10 lations promulgated pursuant to paragraph a of this subdivision.

11 d. The commissioner shall be required to create a uniform waiver form  
12 described in subparagraph (ii) of paragraph a of this subdivision. Such  
13 form shall be made available in the twelve most common non-English  
14 languages spoken by limited-English proficient individuals in the state,  
15 based on the data in the most recent American Community Survey published  
16 by the United States Census Bureau. The commissioner may, in his or her  
17 discretion, offer such form in up to four additional languages beyond  
18 the twelve most common languages. Such form shall be distributed in  
19 English and any additional languages requested by a school district to  
20 each school district in this state. School districts shall be required  
21 to use the waiver form described in this paragraph when complying with  
22 the provisions of this subdivision and shall not be permitted to create  
23 their own versions of such form.

24 e. The commissioner shall promulgate rules and regulations requiring  
25 each high school to give notice, no less than four times during each  
26 school year for high school seniors and no less than two times during  
27 each school year for high school juniors, with an explanation to each  
28 senior or junior year student of the state-sponsored scholarships,  
29 financial aid and assistance available to students attending college or  
30 post-secondary education.

31 § 2. This act shall take effect on the first of July, two years after  
32 the date on which it shall have become a law. Effective immediately, the  
33 addition, amendment and/or repeal of any rule or regulation necessary  
34 for the implementation of this act on its effective date are authorized  
35 to be made and completed on or before such effective date.