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:

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

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

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

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

b. Each school district shall be required to report to the commissioner, on the first of July of each year:

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

(ii) the total number of completed waiver forms pursuant to subparagraph (ii) of paragraph a of this subdivision for the prior academic year;

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

LBD01528-03-3

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

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

c. Notwithstanding any provision of law to the contrary, the commissioner shall promulgate rules and regulations to require each school district with at least one high school to provide each eligible high school student and, if applicable, his or her parent or guardian any support or assistance necessary for compliance with the rules and regulations promulgated pursuant to paragraph a of this subdivision.

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

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

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