STATE OF NEW YORK

1164--B

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 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to notice of post-secondary financial aid programs

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

Section 1. Article 14 of the education law is amended by adding a new part VI to read as follows:

PART VI

UNIFORM FINANCIAL AID PRESENTATION

Section 694-c. Financial aid materials.
694-d. Financial aid presentation.
694-e. Affidavit.
694-f. Reporting.
694-g. State sponsored scholarships.

§ 694-c. Financial aid materials. The corporation shall create a uniform presentation on the availability of post-secondary financial aid programs, including training on the free application for federal student aid (FAFSA) and application for aid available to individuals meeting the requirements of subparagraph (ii) of paragraph (a) of subdivision five of section six hundred sixty-one of this article. The corporation, in conjunction with the department, shall distribute the presentation materials to all schools throughout the state which educate students through twelfth grade. Each school shall be required to use such materials when complying with the provisions of this part and shall not be permitted to create their own versions of such presentation materials.

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

LBD01528-08-3

§ 694-d. Financial aid presentation. 1. Each school in this state which educates students through twelfth grade shall be required to conduct oral presentations on post-secondary financial aid programs, using the materials developed by the corporation under section six hundred ninety-four-c of this part, to high school seniors at least once during the school year. Presentations that include training on completing the free application for federal student aid (FAFSA) and the application for aid available to individuals meeting the requirements of subparagraph (ii) of paragraph (a) of subdivision five of section six hundred sixty-one of this article, shall be given to all students in the same presentation or presentations and students shall not be separately presented to on the basis of the type of aid they may qualify for.

2. Each high school senior shall be required to complete an affidavit form, signed by both the student and student's parent or legal guardian, or, if the student is eighteen years of age or older or legally emancipated, signed solely by the student, certifying that the student attended the presentation described in subdivision one of this section or received a written copy of the materials from such presentation. Such affidavit shall declare that the student intends file a FAFSA or an application for individuals meeting the requirements of subparagraph (ii) of paragraph (a) of subdivision five of section six hundred sixty-one of this article, or neither type of aid. The affidavit shall couple together both the FAFSA application and the application for individuals meeting the requirements of subparagraph (ii) of paragraph (a) of subdivision five of section six hundred sixty-one of this article in the same grouping.

§ 694-e. Affidavit. 1. The commissioner shall create a uniform affidavit required under this part. Such affidavit 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 their 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. Schools shall be required to use the uniform version of the affidavit form described in this subdivision when complying with the provisions of this part and shall not be permitted to create their own versions of such form.

2. The commissioner shall distribute the affidavit form to all schools educating students through the twelfth grade. Each school shall be required to collect the affidavit from students and/or parents or legal guardians and transmit such forms to the commissioner for the data reporting purposes described in this part. Each school shall be required to report to the commissioner, on the first of July of each year: (a) the total number of completed affidavit forms; (b) the total number of twelfth grade students in the prior academic year; and (c) the anticipated number of twelfth grade students in the coming academic year. The commissioner shall then compile and submit such data to the corporation for the purposes of compiling the report described in section six hundred ninety-four-f of this part.

§ 694-f. Reporting. 1. The higher education services corporation shall be required to produce an annual report containing:

(a) the total number of completed affidavit forms and total and anticipated number of students, per school and on an aggregated statewide basis, as provided in section six hundred ninety-four-e of this part;

(b) the total number of FAFSA applications filed in the prior academic year, and how such number compares to the number of applications filed in the previous five years;

(c) the total number of applications for aid available to individuals meeting the requirements of subparagraph (ii) of paragraph (a) of subdivision five of section six hundred sixty-one of this article in the prior academic year, and how such number compares to the number of applications from the previous five years.

2. Such report shall describe the effect, if any, that the commissioner believes that the affidavit forms required under this part have had on the number of completed FAFSA applications or applications for aid available to individuals meeting the requirements of subparagraph (ii) of paragraph (a) of subdivision five of section six hundred sixty-one of this article.

3. The corporation shall send the annual report to the commissioner, the governor, the temporary president of the senate, the chair of the senate committee on education, the chair of the senate committee on higher education, the speaker of the assembly, the chair of the assembly committee on education, and the chair of the assembly committee on higher education by the first of September of each year. The president of the corporation and the commissioner shall post the annual report on the corporation or department's website by the first of September of each year.

§ 694-g. State sponsored scholarships. The commissioner, in consultation with the higher education services corporation, shall create and distribute a uniform notice describing state-sponsored scholarships, financial aid, and assistance available to students attending college or post-secondary education, including FAFSA and awards available to students meeting the requirements of subparagraph (ii) of paragraph (a) of subdivision five of section six hundred sixty-one of this article, application deadlines for such scholarships and assistance, and information on general college application deadlines, to all schools educating students through twelfth grade. Such schools shall be required to distribute such notice to high school seniors no less than four times during the school year and to high school juniors no less than two times during the school year.

§ 2. This act shall take effect on the first of July one year after the date on which it shall have become a law. Effective immediately, the commissioner of education and president of the higher education services corporation shall commence any regulatory action needed for the implementation of this act.