

STATE OF NEW YORK

7591--B

2023-2024 Regular Sessions

IN ASSEMBLY

May 25, 2023

Introduced by M. of A. KELLES -- read once and referred to the Committee on Higher Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Higher Education in accordance with Assembly Rule 3, sec. 2 -- 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:

1 Section 1. The education law is amended by adding a new section 6457
2 to read as follows:

3 § 6457. Mental health educational opportunity program and mental
4 health higher educational opportunity program. 1. To provide additional
5 educational opportunities for students to enroll in academic programs
6 that lead to a degree or degrees required for licensure in any of the
7 mental health professions pursuant to articles one hundred fifty-three,
8 one hundred fifty-four and one hundred sixty-three of this chapter, a
9 participating college or university shall provide special programs for
10 the screening, testing, counseling and tutoring of, and assistance to,
11 residents of the state, (i) who are graduates of an approved high school
12 or individuals who have attained a New York state high school equivalen-
13 cy diploma or its equivalent, as determined by the commissioner, (ii)
14 who have potential for the successful completion of a post-secondary
15 program that leads to a degree or degrees required for licensure in any
16 mental health profession, and (iii) who are economically and educa-
17 tionally disadvantaged.

18 2. For the purposes of this section, for the mental health educational
19 opportunity program, a participating college or university shall be
20 defined as any college or university of the state university of New York

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

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1 or the city university of New York. For the mental health higher educa-
2 tional opportunity program, a participating college or university shall
3 be defined as a non-public college or university incorporated by the
4 regents.

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

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

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

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

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

32 (i) Special testing, counseling and guidance services in the course of
33 screening potential students,

34 (ii) Remedial courses, developmental and compensatory courses and
35 summer classes for such students,

36 (iii) Special tutoring, counseling and guidance services for enrolled
37 students,

38 (iv) Central services including evaluation and administrative costs,
39 and

40 (v) Any necessary supplemental financial assistance, which may include
41 the cost of books and necessary maintenance for such students, including
42 students without lawful immigration status provided that the student
43 meets the requirements set forth in subparagraph (ii) of paragraph a or
44 subparagraph (ii) of paragraph b of subdivision five of section six
45 hundred sixty-one of this chapter, as applicable; provided, however,
46 that such supplemental financial assistance shall be furnished pursuant
47 to criteria promulgated by the commissioner and approved by the regents
48 and the director of the budget.

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

54 7. A participating college or university shall furnish to the commis-
55 sioner, the regents, the director of the budget, the chair of the senate
56 finance committee and the chair of the assembly ways and means commit-

1 tee, at least annually, a report in such form, at such time and contain-
2 ing such information as the regents and the director of the budget may
3 require, of the operations of such program. The report shall include:

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

5 b. A description of the program,

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

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

12 e. The progress of students, and

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

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

17 § 2. This act shall take effect immediately.