

# STATE OF NEW YORK

9498

## IN ASSEMBLY

March 14, 2024

Introduced by M. of A. FAHY -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to students eligible for the science and technology entry program and the collegiate science and technology entry program

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

1 Section 1. Legislative findings. Representation in the workforce is  
2 critical, especially in New York's healthcare workforce. A 2017 study  
3 published in the Journal of General Internal Medicine found that Black  
4 and Hispanic patients were more likely to report feeling comfortable  
5 discussing sensitive topics with a provider of the same race or ethnici-  
6 ty. A 2019 study published in the Journal of Health Care Administration  
7 found that culturally competent care was associated with improved  
8 patient satisfaction, adherence to treatment, and health outcomes.  
9 Further a 2020 report by the National Academies of Sciences, Engineer-  
10 ing, and Medicine found that a diverse healthcare workforce can improve  
11 access to care for underserved populations. These benefits are not  
12 limited to healthcare. A 2017 study published in Nature and a 2019 study  
13 in the Harvard Business Review found that diverse teams outperform  
14 homogenous teams in terms of creativity and problem-solving. This means  
15 that the health and economic future of our state is dependent on the  
16 diversity of our workforce.

17 The Science and Technology Entry Program (STEP) and Collegiate Science  
18 and Technology Entry Program (CSTEP) have a successful history of bring-  
19 ing underrepresented students into science, technology, engineering, and  
20 math (STEM), licensed professions, and health professions fields. These  
21 programs create academic opportunities for students who have faced  
22 disadvantages and discrimination. To ensure that these programs can  
23 continue to fulfill their mission of delivering opportunity and equity  
24 to students, the programs' admissions criteria must be updated to be in  
25 line with recent legal findings.

26 The STEP and CSTEP admissions criteria must allow for admission of any  
27 student from any group underrepresented in a STEM, licensed professions,  
28 or health profession field. This will require that the New York State  
29 Board of Regents identify underrepresentation in eligible career fields  
30 prior to the periodic release of RFPs for STEP and CSTEP. Underrepre-

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

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1 sentation shall be determined using available workforce statistics and  
 2 defined in rules. This determination will provide "focused and measur-  
 3 able objectives" (as required by the U.S. Supreme Court) while also  
 4 having a definable endpoint: the correction of underrepresentation in a  
 5 specific professional field reviewed on a regular basis (the contractual  
 6 period defined by an individual RFP).

7 Every ethnic or racial group is underrepresented in various workforce  
 8 fields in New York. STEP and CSTEP will help rectify that issue and  
 9 ultimately root out the pernicious impact of underrepresentation in  
 10 various professions.

11 § 2. Subdivisions 1 and 5 of section 6454 of the education law, as  
 12 added by chapter 31 of the laws of 1985, and subparagraph 4 of paragraph  
 13 a of subdivision 5 as amended by chapter 439 of the laws of 1988, are  
 14 amended and a new subdivision 9 is added to read as follows:

15 1. As used in this section:

16 a. [~~"Council" means the council on professional career opportunity~~  
 17 ~~created pursuant to article forty-four of the executive law,~~

18 ~~b.] "Eligible students" shall mean secondary school students inter-  
 19 ested in pursuing a career in an eligible profession, who are either  
 20 economically disadvantaged or [~~minorities historically underrepresented~~  
 21 ~~in the scientific, technical, health, and health related professions as~~  
 22 ~~defined by the regents after consultation with the council]~~ a member of  
 23 an ethnic group that is underrepresented in the eligible profession they  
 24 are interested in pursuing; [~~and~~~~

25 ~~e.] b. "Eligible applicant" shall mean an institution of postsecondary~~  
 26 ~~education or a consortia of such institutions[+]; and~~

27 c. "Eligible profession" shall mean a scientific, technical, health,  
 28 or health-related profession, or any profession licensed pursuant to  
 29 title eight of this chapter.

30 5. a. Grants shall be awarded to eligible applicants based upon crite-  
 31 ria established by the commissioner [~~after consultation with the coun-~~  
 32 ~~cil]~~, including, but not limited to, the following:

33 (1) an established record of conducting effective collaborative educa-  
 34 tional programs with neighboring secondary schools;

35 (2) the ability and willingness to cooperate with other postsecondary  
 36 institutions in operating a program funded pursuant to this section; and

37 (3) the capacity to secure or provide additional support in amounts  
 38 equal to at least twenty-five percent of the grant sought under this  
 39 section through private and other governmental sources and through  
 40 in-kind services[+]

41 ~~(4) a location within a school district with an enrollment comprised~~  
 42 ~~of at least twenty percent minority group students or a location near~~  
 43 ~~such a district that is accessible by public transportation].~~

44 b. [~~The commissioner shall select the grant recipients after consulta-~~  
 45 ~~tion with the council.] To the fullest extent practicable the commis-~~  
 46 ~~sioner [and the council] shall ensure that grants are awarded to eligi-~~  
 47 ~~ble applicants in a diversity of regions of the state.~~

48 9. The department shall periodically review workforce data to deter-  
 49 mine levels of ethnic representation in eligible professions.

50 § 3. Subdivision 1, subparagraph (i) of paragraph (a) and paragraph  
 51 (b) of subdivision 2, and subparagraph (i) of paragraph (a) and para-  
 52 graph (b) of subdivision 3 of section 6455 of the education law, as  
 53 added by chapter 285 of the laws of 1986, and subparagraph (i) of para-  
 54 graph (a) of subdivision 2 and subparagraph (i) of paragraph (a) of  
 55 subdivision 3 as amended by chapter 26 of the laws of 2019, are amended  
 56 to read as follows:

1 1. General requirements. The commissioner shall award grants to  
2 degree-granting institutions in New York or to consortia of such insti-  
3 tutions to be used for the purpose of increasing access by [~~minority~~  
4 underrepresented] or disadvantaged students to academic programs that  
5 have been registered by the commissioner and that prepare students  
6 either for licensure in the professions or for employment in scientific  
7 and technical fields.

8 (i) Undergraduate science and technology entry program moneys may be  
9 used for tutoring, counseling, remedial and special summer courses,  
10 supplemental financial assistance, program administration, and other  
11 activities which the commissioner may deem appropriate. To be eligible  
12 for undergraduate collegiate science and technology entry program  
13 support, a student must be a resident of New York, or meet the require-  
14 ments of subparagraph (ii) of this paragraph, and must be either econom-  
15 ically disadvantaged or [~~from a minority group historically under~~  
16 ~~represented in the scientific, technical, health and health-related~~  
17 ~~professions~~] a member of an ethnic group that is underrepresented in the  
18 eligible profession or field they are pursuing as defined by the board  
19 of regents prior to the release of periodic applications for funding,  
20 and must demonstrate interest in and a potential for a professional  
21 career if provided special services. Eligible students must be in good  
22 academic standing, enrolled full time in an approved, undergraduate  
23 level program of study, as defined by the regents.

24 (b) Applications for funding shall be submitted by eligible insti-  
25 tutions to the department in accordance with requirements established by  
26 the commissioner. Priority consideration shall be given to institutions  
27 which coordinate their efforts to increase [~~minority access~~] represen-  
28 tation of underrepresented ethnic groups with similar activities for  
29 programs at the secondary level in accordance with this section. Grants  
30 shall be awarded based on criteria established by the commissioner.

31 (i) Graduate science and technology entry program moneys may be used  
32 for recruitment, academic enrichment, career planning, supplemental  
33 financial assistance, review for licensing examinations, program admin-  
34 istration, and other activities which the commissioner may deem appro-  
35 priate. To be eligible for graduate collegiate science and technology  
36 entry program support, a student must be a resident of New York, or meet  
37 the requirements of subparagraph (ii) of this paragraph, and must be  
38 either economically disadvantaged or [~~from a minority group historically~~  
39 ~~underrepresented in the scientific, technical and health-related~~  
40 ~~professions~~] a member of an ethnic group that is underrepresented in the  
41 eligible profession or field they are pursuing as defined by the board  
42 of regents prior to the release of periodic applications for funding.  
43 Eligible students must be in good academic standing, enrolled full time  
44 in an approved graduate level program, as defined by the regents.

45 (b) Applications for funding shall be made by eligible institutions in  
46 accordance with requirements established by the commissioner. Grants  
47 shall be awarded based on criteria established by the commissioner.  
48 Priority consideration shall be given to institutions which coordinate  
49 their efforts to increase [~~minority access~~] representation of underrep-  
50 resented ethnic groups with similar activities at the undergraduate  
51 level.

52 § 4. This act shall take effect on the thirtieth day after it shall  
53 have become a law. Effective immediately, the addition, amendment and/or  
54 repeal of any rule or regulation necessary for the implementation of  
55 this act on its effective date are authorized to be made and completed  
56 on or before such effective date.