

STATE OF NEW YORK

4772

2025-2026 Regular Sessions

IN ASSEMBLY

February 6, 2025

Introduced by M. of A. E. BROWN, ANGELINO, MANKTELOW, SLATER, SMULLEN, TAGUE, SIMPSON, DeSTEFANO, GALLAHAN, LEMONDES, RA, HAWLEY, BLUMENCRANZ, BEEPHAN, NOVAKHOV, K. BROWN, MIKULIN, FITZPATRICK, SMITH, JENSEN, McDONOUGH, MILLER, FRIEND, CHANG, PALMESANO, WALSH, BLANKENBUSH, BRABENEC, PIROZZOLO -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to prohibiting the grant of tuition assistance awards to any student who has knowingly engaged in certain antisemitic activities

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

1 Section 1. Short title. This act may be known and shall be cited as
2 "the combating campus antisemitism act".

3 § 2. Subdivision 2 of section 666 of the education law, as amended by
4 chapter 947 of the laws of 1990, is amended to read as follows:

5 2. Eligible students. Tuition awards may be made to students, who
6 comply with the requirements provided in subdivisions three, five and
7 six of section six hundred sixty-one of this article, and (i) are also
8 part-time students matriculated in approved undergraduate degree
9 programs or enrolled and accepted into registered certificate programs
10 and (ii) if eligible to claim dependents or to be claimed as dependents
11 under the tax law, whose incomes do not exceed fifty thousand five
12 hundred fifty dollars or if ineligible whose incomes do not exceed thirty-four thousand two hundred fifty dollars. The continuation of eligibility for a tuition award shall require the retention of good academic standing, as defined by the commissioner pursuant to article thirteen of this chapter. Prior to the approval of any additional award pursuant to this section, participating institutions shall review the academic standing of all recipients of awards pursuant to this section; and provided, further, that no tuition assistance award shall be provided to any student, in any academic year, who has knowingly engaged in promot-

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

LBD03483-01-5

1 ing antisemitism in a manner that is directed to inciting or producing
2 imminent lawless action and is likely to incite or produce such action,
3 that constitutes "true threats," as defined by the United States supreme
4 court in Virginia v. Black (2003), or that constitutes "fighting words,"
5 pursuant to Chaplinsky v. New Hampshire (1942), or fails to adequately
6 address any such event. The term "antisemitism" shall have the same
7 meaning as the working definition for "antisemitism" as provided by the
8 International Holocaust Remembrance Alliance on May 26, 2016, including
9 the contemporary examples of antisemitism cited by the International
10 Holocaust Remembrance Alliance. The higher education services corpo-
11 ration of the state of New York shall establish guidelines for determin-
12 ing when a student has knowingly engaged in promoting antisemitism as
13 well as guidelines for actions that may be taken to restore and/or
14 resume a tuition assistance award.

15 § 3. Subdivision 1 of section 667 of the education law, as amended by
16 chapter 622 of the laws of 2008, is amended to read as follows:

17 1. Recipient qualifications. Tuition assistance program awards are
18 available for all students who are enrolled in approved programs and who
19 demonstrate the ability to complete such courses, in accordance with
20 standards established by the commissioner provided, however, that no
21 award shall be made unless tuition (exclusive of educational fees) and,
22 if applicable, the college fee levied by the state university of New
23 York pursuant to the April first, nineteen hundred sixty-four financing
24 agreements with the New York state dormitory authority charged for the
25 program in which the student is enrolled total at least two hundred
26 dollars a year, ~~[and provided further that,]~~ no award can exceed one
27 hundred percent of the amount of tuition charged; and provided, further,
28 that no tuition assistance award shall be provided to any student, in
29 any academic year, who has knowingly engaged in promoting antisemitism
30 in a manner that is directed to inciting or producing imminent lawless
31 action and is likely to incite or produce such action, that constitutes
32 "true threats," as defined by the United States supreme court in Virgi-
33 nia v. Black (2003), or that constitutes "fighting words," pursuant to
34 Chaplinsky v. New Hampshire (1942), or fails to adequately address any
35 such event. The term "antisemitism" shall have the same meaning as the
36 working definition for "antisemitism" as provided by the International
37 Holocaust Remembrance Alliance on May 26, 2016, including the contempo-
38 rary examples of antisemitism cited by the International Holocaust
39 Remembrance Alliance. The higher education services corporation of the
40 state of New York shall establish guidelines for determining when a
41 student has knowingly engaged in promoting antisemitism as well as
42 guidelines for actions that may be taken to restore and/or resume a
43 tuition assistance award.

44 § 4. Subdivision 1 of section 667-a of the education law, as amended
45 by chapter 83 of the laws of 1995, is amended to read as follows:

46 1. Legislative intent. The legislature hereby finds that to further
47 the goal of equal opportunity it is necessary to assure the availability
48 of supplemental assistance for the successful remediation of educa-
49 tionally disadvantaged students in addition to assistance currently
50 available under existing statute for students with financial need.
51 Accordingly, tuition assistance shall be extended to students whose need
52 for remediation precludes them from fulfilling the program pursuit and
53 academic progress requirements of the tuition assistance program; and
54 provided, further, that no supplemental tuition assistance award shall
55 be provided to any student, in any academic year, who has knowingly
56 engaged in promoting antisemitism in a manner that is directed to incit-

ing or producing imminent lawless action and is likely to incite or produce such action, that constitutes "true threats," as defined by the United States supreme court in *Virginia v. Black* (2003), or that constitutes "fighting words," pursuant to *Chaplinsky v. New Hampshire* (1942), or fails to adequately address any such event. The term "antisemitism" shall have the same meaning as the working definition for "antisemitism" as provided by the International Holocaust Remembrance Alliance on May 26, 2016, including the contemporary examples of antisemitism cited by the International Holocaust Remembrance Alliance. The higher education services corporation of the state of New York shall establish guidelines for determining when a student has knowingly engaged in promoting antisemitism as well as guidelines for actions that may be taken to restore and/or resume a tuition assistance award.

§ 5. Subdivision 1 of section 667-c of the education law, as amended by section 1 of part E of chapter 56 of the laws of 2022, paragraph a as amended by section 1 of part W of chapter 56 of the laws of 2024, and paragraph b as amended by section 1 of part EE of chapter 56 of the laws of 2023, is amended to read as follows:

1. Notwithstanding any law, rule or regulation to the contrary, the president of the higher education services corporation is authorized to make tuition assistance program awards to:

a. part-time students enrolled at a degree granting institution of higher education incorporated by the regents or by the legislature who meet all requirements for tuition assistance program awards except for the students' part-time attendance; and provided, further, that no part-time tuition assistance award shall be provided to any student, in any academic year, who has knowingly engaged in promoting antisemitism in a manner that is directed to inciting or producing imminent lawless action and is likely to incite or produce such action, that constitutes "true threats," as defined by the United States supreme court in *Virginia v. Black* (2003), or that constitutes "fighting words," pursuant to *Chaplinsky v. New Hampshire* (1942), or fails to adequately address any such event. The term "antisemitism" shall have the same meaning as the working definition for "antisemitism" as provided by the International Holocaust Remembrance Alliance on May 26, 2016, including the contemporary examples of antisemitism cited by the International Holocaust Remembrance Alliance. The higher education services corporation of the state of New York shall establish guidelines for determining when a student has knowingly engaged in promoting antisemitism as well as guidelines for actions that may be taken to restore and/or resume a tuition assistance award; or

b. part-time students enrolled at a community college or a public agricultural and technical college in a non-degree workforce credential program directly leading to the employment or advancement of a student in a "significant industry" as identified by the department of labor in its three most recent statewide significant industries reports published preceding the student's enrollment in such non-degree workforce credential program. The state university of New York and the city university of New York shall publish and maintain a master list of all eligible non-degree workforce credential program courses and update such list every semester. Eligible non-degree workforce credential programs shall include those programs less than twelve semester hours, or the equivalent, per semester. A student who successfully completes a non-degree workforce credential program and receives part-time tuition assistance program awards pursuant to this paragraph shall be awarded academic credit by the state university of New York or city university of New

1 York upon matriculation into a degree program at such institution,
2 provided that such credit shall be equal to the corresponding credit
3 hours earned in the non-degree workforce credential program; and
4 provided, further, that no part-time tuition assistance award shall be
5 provided to any student, in any academic year, who has knowingly engaged
6 in promoting antisemitism in a manner that is directed to inciting or
7 producing imminent lawless action and is likely to incite or produce
8 such action, that constitutes "true threats," as defined by the United
9 States supreme court in Virginia v. Black (2003), or that constitutes
10 "fighting words," pursuant to Chaplinsky v. New Hampshire (1942), or
11 fails to adequately address any such event. The term "antisemitism"
12 shall have the same meaning as the working definition for "antisemitism"
13 as provided by the International Holocaust Remembrance Alliance on May
14 26, 2016, including the contemporary examples of antisemitism cited by
15 the International Holocaust Remembrance Alliance. The higher education
16 services corporation of the state of New York shall establish guidelines
17 for determining when a student has knowingly engaged in promoting anti-
18 semitism as well as guidelines for actions that may be taken to restore
19 and/or resume a tuition assistance award.

20 § 6. This act shall take effect immediately.