

STATE OF NEW YORK

5320

2025-2026 Regular Sessions

IN ASSEMBLY

February 13, 2025

Introduced by M. of A. EPSTEIN, SEAWRIGHT, CLARK, SIMON, COLTON, JACOBSON, GIBBS, CUNNINGHAM, ZINERMAN, HEVESI, REYES, RAGA, LEVENBERG, FORREST -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to tuition assistance program awards for students experiencing homelessness

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

1 Section 1. The opening paragraph of item 1 of clause (A) of subpara-
2 graph (i) of paragraph a of subdivision 3 of section 667 of the educa-
3 tion law, as amended by section 1 of part DD of chapter 56 of the laws
4 of 2021, is amended to read as follows:

5 In the case of students who have not been granted an exclusion of
6 parental income, who have qualified as an orphan, foster child, [~~or~~]
7 ward of the court, or homeless for the purposes of federal student
8 financial aid programs authorized by Title IV of the Higher Education
9 Act of 1965, as amended, are deemed homeless under the federal McKin-
10 ney-Vento Homeless Assistance Act, as amended, or had a dependent for
11 income tax purposes during the tax year next preceding the academic year
12 for which application is made, except for those students who have been
13 granted exclusion of parental income who have a spouse but no other
14 dependent:

15 § 2. Section 661 of the education law is amended by adding a new
16 subdivision 8 to read as follows:

17 8. Homeless status. The president shall promulgate rules and regu-
18 lations for a uniform verification method of a student's status as home-
19 less to be used for all awards and loans made pursuant to this article.
20 Such rules and regulations shall utilize the same method of verification
21 of homelessness as federal student financial aid programs authorized by
22 Title IV of the Higher Education Act of 1965, as amended, or the federal
23 McKinney-Vento Homeless Assistance Act.

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

LBD00078-01-5

1 § 3. Subdivision 4 of section 663 of the education law, as amended by
2 section 1 of part X of chapter 56 of the laws of 2014, is amended to
3 read as follows:

4 4. Relinquishing of parental control. In determining the amount of an
5 award, the president may, in cases of unusual and exceptional family
6 circumstances warranting such action, recognize an existing condition
7 wherein parental control has in effect been relinquished by the parents
8 or others responsible for the applicant, and notwithstanding the
9 provisions of subdivision three of this section, the applicant has in
10 effect been emancipated. Provided, however, that students who have qual-
11 ified as an orphan, foster child, or ward of the court for the purposes
12 of federal student financial aid programs authorized by Title IV of the
13 Higher Education Act of 1965, as amended, or the federal McKinney-Vento
14 Homeless Assistance Act, as amended, shall not be considered emancipated
15 for the purposes of determining an award pursuant to section six hundred
16 sixty-seven of this article. The criteria used in determining these
17 cases of unusual and exceptional family circumstances shall be estab-
18 lished by the president with the approval of the board of trustees and
19 the director of the division of the budget.

20 § 4. This act shall take effect on the first of July next succeeding
21 the date on which it shall have become a law. Effective immediately, the
22 addition, amendment and/or repeal of any rule or regulation necessary
23 for the implementation of this act on its effective date are authorized
24 to be made and completed on or before such effective date.