

STATE OF NEW YORK

2237

2025-2026 Regular Sessions

IN SENATE

January 16, 2025

Introduced by Sens. GOUNARDES, CLEARE, COMRIE, FERNANDEZ, HOYLMAN-SIGAL, JACKSON, MAY, MYRIE, RAMOS, SALAZAR, SANDERS, SEPULVEDA, SKOUFIS -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education

AN ACT to amend the education law, in relation to prohibiting legacy admission policies at higher education institutions in this state

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

- 1 Section 1. Short title. This act shall be known and may be cited as
2 the "fair college admissions act".
- 3 § 2. Legislative intent. a. The legislature hereby finds that there
4 are significant income gains associated with postsecondary education
5 degree attainment, with New York state residents with a bachelor's
6 degree three times less likely to live in poverty than those with a high
7 school diploma.
- 8 b. The legislature further finds that students who attend and graduate
9 from a highly selective higher education institution in the state of New
10 York are much more likely to earn salaries in the top income quintile
11 than those who graduate from less selective institutions, furthering
12 economic and social inequality.
- 13 c. The legislature further finds that within most highly selective
14 higher education institutions in New York state, degree completion rates
15 for students from low-income and working class family backgrounds are
16 comparable to students from upper-income family backgrounds.
- 17 d. The legislature further finds that many four-year higher education
18 institutions in New York state consider whether a prospective student is
19 related to alumni as part of the admissions process.
- 20 e. The legislature further finds that providing preferential treatment
21 to students related to alumni of a higher education institution is
22 discriminatory in nature and disproportionately hurts students who come
23 from working class and low-income families, have parents who did not

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

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1 earn a bachelor's degree, are undocumented, are immigrants, and are
2 members of historically underrepresented minority groups formerly denied
3 entry into specific higher education institutions either as a matter of
4 institution policy or the effect of historic underlying law and govern-
5 ment practices.

6 f. The legislature further finds that inequitable, unfair admissions
7 policies and practices such as legacy consideration are a significant
8 factor behind disparities in college enrollment among students from
9 historically underserved racial and economic subgroups compared to their
10 more advantaged peers at selective higher education institutions.

11 g. The legislature hereby declares that a prohibition on legacy admis-
12 sion policies at degree-granting colleges and universities in the state
13 shall further the goals of educational, economic, and social equity,
14 helping to diversify highly selective institutions while closing
15 achievement gaps between historically advantaged and disadvantaged
16 groups, and shall commit to achieving the same with the following
17 provisions of this act.

18 § 3. The education law is amended by adding a new section 239-c to
19 read as follows:

20 § 239-c. Prohibition on legacy admission policies. 1. Definitions. As
21 used in this section, the following terms shall have the following mean-
22 ings:

23 (a) "Consider alumni/ae relation as a factor in admissions" shall
24 refer to when an admissions application asks applicants to indicate
25 where their relatives attended college and that such information is
26 included among the documents that the higher education institution uses
27 to consider an applicant for admission.

28 (b) "Higher education institution" shall mean the state university of
29 New York, as defined in subdivision one of section three hundred fifty-
30 two of this chapter, the city university of New York, as established in
31 section sixty-two hundred three of this chapter, or any institution
32 given the power to confer degrees in this state by the board of regents
33 as provided in section two hundred eighteen of this article.

34 2. Prohibition. No higher education institution in this state shall
35 consider alumni/ae relation as a factor in admissions. A higher educa-
36 tion institution shall be in compliance with this section if it reason-
37 ably and in good faith redacts, suppresses, or otherwise removes such
38 information on alumni/ae relation from the documents that the higher
39 education institution uses to consider an applicant for admission.

40 3. Penalty. If after providing notice and an opportunity for a hearing
41 the department determines that a higher education institution has
42 engaged in a knowing pattern or practice of violating this section, then
43 such institution may be liable for a civil penalty not to exceed fifty
44 thousand dollars.

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