§ 6452. Arthur O. Eve opportunity for higher education; state university of New York and city university of New York. 1. To provide additional educational opportunity at the state university of New York and the city university of New York, such institutions shall provide special programs for the screening, testing, counseling, and tutoring of, and assistance to, residents of the state who are, (1) graduates of an approved high school or individuals who have attained a New York state high school equivalency diploma or its equivalent, as determined by the commissioner, (2) who have potential for the successful completion of a post secondary program, and (3) are economically and educationally disadvantaged.

2. Such universities shall each formulate a general plan for the organization, development, co-ordination and operation of such a program within the amounts made available therefor by law. Such a plan shall include:

a. Definition of eligibility, provided, however, except for requiring residence in the state or in the city of New York in the case of those programs provided by the city university of New York, no such definition shall include either by its terms or in its application, any criteria or standard which determines eligibility based in whole or in part upon the geographical locality in which a student or prospective student resides,

b. Procedures for the selection of students from among the eligibles,

c. Description of the contents of such proposed program including counseling, tutoring and skill development,

d. Estimated costs,

e. Objectives including co-ordination with the university's long range plan,

f. Extent of other funds and resources to be utilized in support of the program,

g. Procedures for the evaluation of student progress, and

h. Periodic reports.

3. The general plan shall be transmitted to the board of regents at such time as the regents shall by rule require. Such plan shall be reviewed by the regents and shall guide and determine the operation of such programs at such universities.

4. a. Moneys made available to such universities pursuant to this section shall be spent only for the following purposes:

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

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

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

(iv) Central services including evaluation and administrative costs,

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

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

5. a. The trustees of the state university and board of higher education in the city of New York shall each furnish to the regents, the director of the budget, the chairman of the senate finance committee and

the chairman of the assembly ways and means committee, at least annually, a report in such form, at such time and containing such information as the regents and the director of the budget may require, of the operations of such programs. The report shall include:

(i) A statement of the objectives of the program at the institution,

(ii) A description of the program,

(iii) The budgetary expenditures for such program, separately stating academic credit instructional costs, other instructional costs, tutoring costs, remediation, counseling, supplemental financial assistance and central services, including evaluation and administrative costs,

(iv) The extent of other funds and resources used in support of such program and their sources,

(v) The progress of students,

(vi) The extent and nature of the responsibility exercised over such program by such trustees and such board,

(vii) The extent and nature of supervision and control exercised over such program by the administrative officials of the constituent institutions in such universities,

(viii) A certification by such trustees and such board that the academic committees of the constituent institutions of such universities and their faculty committees have reviewed and approved the academic content of the courses offered for academic credit in such program and the amount of academic credit granted therefor and that the registration requirements of the regents and the commissioner have been met where applicable.

b. The regents shall review such report and forward the same, together with their comments and recommendations to the governor and the legislature, on or before December first next following the close of the state's fiscal year.