

AMENDMENT TO THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to Education Law sections 207, 210, 215, 305, 6451, 6456, as added by Chapter 56 of Laws of 2015.

1. Subpart 152-3 of the Regulations of the Commissioner of Education is added, effective July 1, 2015, to read as follows:

Subpart 152-3

FOSTER YOUTH COLLEGE SUCCESS INITIATIVE.

§152-3.1 Purpose.

The purpose of the Foster Youth College Success Initiative is to provide funding, subject to an appropriation for such purpose, to support services to assist youth in foster care to apply for, enroll in, and succeed in college.

§152-3.2. Definition.

(a) For purposes of this section, foster youth shall mean students who have qualified as an orphan, foster child, or ward of the court for the purposes of federal student financial aid programs authorized by Title IV of the Higher Education Act of 1965, as amended.

§152-3.3. Applications.

(a) Eligible applicants. Institutions of the State University of New York ("SUNY"), City University of New York ("CUNY"), and degree-granting institutions in New York that are currently funded by the Arthur O. Eve Higher Education Opportunity Program pursuant to section 6451 of the Education Law for the purposes of providing additional

services and expenses to expand opportunities for foster youth may apply for funding pursuant to this Section.

(b) Applications shall be submitted to the Commissioner, on forms prescribed by the Commissioner, for approval by October 1 of each year, and must set forth the need for such funds, including how the funds would be used and the exact number of foster youth that would be assisted with such funds.

(c) Applications from institutions of the State University of New York shall be coordinated through the SUNY System Administration and forwarded to the Department for review and approval by the Commissioner. Applications from institutions in the City University of New York system shall be coordinated through the CUNY Central Administration and forwarded to the Department for review and approval by the Commissioner. Other applications from eligible applicants as set forth in this section shall be submitted directly by the institution to the Department for review and approval by the Commissioner.

§152-3.4. Funding.

(a) Funds appropriated for the purposes of this initiative shall be awarded in equal amounts per foster youth to each institution whose application is approved by the Commissioner; pursuant to the sector distribution described in subdivision (b) of this section.

(b) Funds appropriated for the foster care youth initiative shall be allocated among the sectors as follows:

(1) 52% for institutions in the SUNY system;

(2) 30% for institutions in the CUNY system; and

(3) 18% for other degree-granting institutions in New York with current Arthur O.

Eve higher education opportunity programs under this Part.

(c) Funds awarded under this Subpart shall be used for the following purposes to transition eligible students into postsecondary education:

(1) to provide additional services and fund expenses to expand opportunities for Foster Youth through existing postsecondary opportunity programs at the SUNY (Education Opportunity Program), CUNY (Search for Elevation, Education and Knowledge Program and College Discovery Program), and other not-for-profit degree granting higher education institutions which have higher education opportunity programs for foster youth;

(2) to provide necessary supplemental financial aid for foster youth, which may include the cost of tuition and fees, books, supplies, transportation, and other expenses determined by the Commissioner to be necessary for such foster youth to attend college;

(3) to conduct a summer college preparation program for foster youth who will be enrolled and attending as first time full time students at such institution awarded funding in an effort to prepare them to navigate on-campus systems, and provide preparation in reading, writing, and mathematics for foster youth who need it; or;

(4) for advisement, tutoring and other academic assistance for Foster Youth who are or will be enrolled and attending such institution awarded funding.

(d) Funds awarded pursuant to this Subpart shall be used for the allowable costs, as determined by the Commissioner, of activities and services needed to support

the purposes prescribed in subdivision (c) of this section, which may include, but shall not be limited to, costs of outreach to high schools and community based organizations that serve foster youth to advise potential students and provide information on this initiative.

(e) For the 2015 - 2016 academic year only, the amount of funds to be awarded to each institution under this initiative shall be based on the current number of eligible foster youth at such institution plus the number of eligible students recruited for, and enrolled in, an opportunity program at such institution.

(e) For the 2016 – 2017 academic year and thereafter, all funds under this initiative shall be based on the number of eligible foster youth recruited for and enrolled in the opportunity programs of such institutions for the current year of enrollment.

(f) No funds under this Subpart shall be used to support the regular academic programs of any institution participating in this program or, for programs which are incompatible with the Regents plan for the expansion and development of higher education in New York State.

§152-3.5. Reporting

Each institution that receives funds under this Subpart shall file an annual report by August 31 of the calendar year succeeding the year of its successful application for funding using a form prescribed by the Department, and/or within 30 days of any request by the Department, providing any information or documentation as the Commissioner may request relating to this initiative.