

STATE OF NEW YORK

610--A

Cal. No. 309

2025-2026 Regular Sessions

IN SENATE

(Prefiled)

January 8, 2025

Introduced by Sens. STAVISKY, JACKSON, MAY -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education -- recommitted to the Committee on Higher Education in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first and second report, amended on second report, ordered to a third reading, and to be reprinted as amended, retaining its place in the order of third reading

AN ACT to amend the education law, in relation to the registration of new curricula or programs of study offered by a not-for-profit college or university

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

1 Section 1. The education law is amended by adding a new section 210-d
2 to read as follows:

3 § 210-d. Registration of curricula. 1. Notwithstanding any law, rule
4 or regulation to the contrary, any new curriculum or program of study
5 offered by any not-for-profit college or university chartered by the
6 regents or incorporated by special act of the legislature that does not
7 require a master plan amendment pursuant to section two hundred thirty-
8 seven of this part, charter amendment pursuant to section two hundred
9 sixteen of this part, or lead to professional licensure, and that is
10 approved by the state university board of trustees, the city university
11 board of trustees, or the trustees or governing body of any other not-
12 for-profit college or university chartered by the regents which (a) has
13 maintained a physical presence in the state for the immediately preced-
14 ing ten years and has been operated continuously by the same governing
15 body during the same immediately preceding ten-year period, and is
16 accredited and has continued its accreditation by the Middle States
17 Commission on Higher Education or another institutional accrediting
18 agency recognized by the secretary of the United States department of

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

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1 education or the department for the immediately preceding ten years, or
2 (b) notwithstanding paragraph (a) of this subdivision, meets the defi-
3 nition of a highly qualified out of state institution pursuant to
4 3.59(f) of the commissioner's rules and regulations and has received
5 approval for a charter by the regents and approval of a petition to
6 merge with a chartered New York state institution that has maintained a
7 physical presence in the state for the immediately preceding ten-year
8 period prior to the merger, shall be deemed registered with the depart-
9 ment forty-five days after notification of approval by such college or
10 university's governing body and submission of a complete application for
11 review. If within forty-five days of submission, the department deter-
12 mines the new curriculum or program of study to be incomplete or insuf-
13 ficient, a written explanation shall be provided to the institution.
14 Upon curing, the new curriculum or program of study shall be deemed
15 registered with the department thirty days after resubmission, or earli-
16 er upon the department's approval.

17 2. Any not-for-profit college or university that meets the criteria
18 set forth in subdivision one of this section which has received curric-
19 ulum or program approval from the department and seeks to offer the same
20 curriculum or program in a distance learning format shall not need to
21 have such curriculum or program re-approved by the department, but shall
22 inform the department of such college's or university's intent to offer
23 such program in such format within thirty days prior to providing
24 distance learning.

25 3. If a college or university is placed on probation or has its
26 accreditation terminated by the institutional accrediting agency, such
27 college or university shall notify the regents in writing no later than
28 thirty days after receiving notice of its probationary status or loss of
29 accreditation by the institutional accrediting agency.

30 4. Any college or university which has its accreditation placed on
31 probation or terminated by the institutional accrediting agency or the
32 education department shall be subject to the commissioner's program
33 approval until it has been removed from probation or regained accredi-
34 tation by the institutional accrediting agency or the education depart-
35 ment, and shall further remain subject to such commissioner's program
36 approval until it has continued without probation for a period of not
37 less than six years.

38 5. If a college or university subject to this section intends to offer
39 or institute an additional degree or program which constitutes a
40 substantive change as defined and determined by the institutional
41 accrediting agency, then such college or university shall provide the
42 commissioner with copies of any reports or other documents filed with
43 the institutional accrediting agency as part of the institutional
44 accrediting agency's substantive change review process and shall inform
45 the commissioner when the substantive change is approved.

46 6. Any such college or university that does not satisfy all of the
47 provisions of this section shall comply with the procedures and criteria
48 established by the regents and commissioner for academic program
49 approval. Nothing in this section shall be deemed to limit the depart-
50 ment's existing authority to investigate a complaint concerning the
51 institution, or any program offered, including the authority to deregis-
52 ter the program.

53 7. The commissioner shall establish and maintain a database, accessi-
54 ble to institutions seeking curriculum or program approval, which shall
55 provide updated information on the current status of an institution's

1 submitted requests. To the extent practicable, the database shall
2 include, but is not limited to, the following information:
3 (a) acknowledgement and date of receipt of submission;
4 (b) the initial review by an office of college and university evalu-
5 ation;
6 (c) questions from the department to the specific institution and
7 receipt of answers provided by the institution in response; and
8 (d) any remarks and the final decision made by the department regard-
9 ing a curriculum's or program's approval or disapproval.
10 8. The commissioner is hereby authorized to promulgate rules and regu-
11 lations necessary for the implementation of this section.

12 § 2. This act shall take effect on the ninetieth day after it shall
13 have become a law. Effective immediately, the addition, amendment
14 and/or repeal of any rule or regulation necessary for the implementation
15 of this act on its effective date are authorized to be made and
16 completed on or before such effective date.