S T A T E O F N E W Y O R K

6445

2009-2010 Regular Sessions

I N A S S E M B L Y

March 4, 2009

Introduced by M. of A. GLICK, PHEFFER, JAFFEE, JACOBS, COLTON, CASTRO, O'DONNELL, MAISEL -- Multi-Sponsored by -- M. of A. ABBATE, CAHILL, CHRISTENSEN, CUSICK, DelMONTE, DESTITO, GUNTHER, JOHN, KELLNER, LANCMAN, McENENY, REILLY, ROBINSON, RUSSELL, TITONE, WEISENBERG -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to full-time to part-time faculty ratios for the state university of New York, the city university of New York and community colleges

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 6302 of the education law is amended by adding a new subdivision 7 to read as follows:

7. NOTWITHSTANDING THE PROVISIONS OF ANY OTHER GENERAL, SPECIAL OR LOCAL LAW, RULE OR REGULATION TO THE CONTRARY, IN EACH COMMUNITY COLLEGE, IN ALL OF ITS DIVISIONS INCLUDING EACH ACADEMIC DISCIPLINE, DEPARTMENT OR AREA, A MINIMUM OF SEVENTY PERCENT OF THE COURSES TAUGHT SHALL BE TAUGHT BY FULL-TIME FACULTY, EXCEPT WHEN THE NATURE OF THE EDUCATIONAL PROGRAM AND THE EXPERTISE IT REQUIRES JUSTIFIES A DEPARTURE FROM THESE PROVISIONS. SUCH DEPARTURE SHALL BE SUBJECT TO COLLECTIVE BARGAINING NEGOTIATIONS PURSUANT TO ARTICLE FOURTEEN OF THE CIVIL SERVICE LAW. THE FULL-TIME TO PART-TIME FACULTY RATIOS REQUIRED BY THIS SUBDIVISION SHALL BE ACHIEVED OVER A PERIOD OF SEVEN YEARS FROM THE EFFECTIVE DATE OF THIS SUBDIVISION AND AN INCREASE OF AT LEAST TEN PERCENT IN SUCH FULL-TIME TO PART-TIME FACULTY RATIOS SHALL BE ACHIEVED ANNUALLY FROM THE EFFECTIVE DATE OF THIS SUBDIVISION WITHIN SUCH SEVEN-YEAR PERIOD. COMMENCING WITH THE EFFECTIVE DATE OF THIS SUBDIVISION, A PROGRESS REPORT DETAILING THE PERCENTAGE OF COURSES TAUGHT BY FULL-TIME AND PART-TIME FACULTY SHALL BE SUBMITTED BY THE CHANCELLOR TO THE CHAIRS OF THE SENATE AND ASSEMBLY HIGHER EDUCATION COMMITTEES AND TO THE CHAIR OF THE SENATE FINANCE COMMITTEE AND TO THE CHAIR OF THE ASSEMBLY WAYS AND MEANS COMMITTEE FOR REVIEW ON AN ANNUAL BASIS THEREAFTER.

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

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S 2. Section 352 of the education law is amended by adding a new subdivision 4 to read as follows:

4. NOTWITHSTANDING THE PROVISIONS OF ANY OTHER GENERAL, SPECIAL OR LOCAL LAW, RULE OR REGULATION TO THE CONTRARY, IN EACH OF THE DIVISIONS INCLUDING EACH ACADEMIC DISCIPLINE, DEPARTMENT, PROGRAM OR AREA OF THE STATE UNIVERSITY OF NEW YORK, AS DEFINED IN SUBDIVISION THREE OF THIS SECTION, A MINIMUM OF SEVENTY PERCENT OF THE COURSES TAUGHT SHALL BE TAUGHT BY FULL-TIME FACULTY, EXCEPT WHEN THE NATURE OF THE EDUCATIONAL PROGRAM AND THE EXPERTISE IT REQUIRES JUSTIFIES A DEPARTURE FROM THESE PROVISIONS. SUCH DEPARTURE SHALL BE SUBJECT TO COLLECTIVE BARGAINING NEGOTIATIONS PURSUANT TO ARTICLE FOURTEEN OF THE CIVIL SERVICE LAW. THE FULL-TIME TO PART-TIME FACULTY RATIOS REQUIRED BY THIS SUBDIVISION SHALL BE ACHIEVED OVER A PERIOD OF SEVEN YEARS FROM THE EFFECTIVE DATE OF THIS SUBDIVISION AND AN INCREASE OF AT LEAST TEN PERCENT IN SUCH FULL-TIME TO PART-TIME FACULTY RATIOS SHALL BE ACHIEVED ANNUALLY FROM THE EFFECTIVE DATE OF THIS SUBDIVISION WITHIN SUCH SEVEN YEAR PERIOD. COMMENCING WITH THE EFFECTIVE DATE OF THIS SUBDIVISION, A PROGRESS REPORT DETAILING THE PERCENTAGE OF COURSES TAUGHT BY FULL-TIME AND PART-TIME FACULTY SHALL BE SUBMITTED BY THE CHANCELLOR TO THE CHAIRS OF THE SENATE AND ASSEMBLY HIGHER EDUCATION COMMITTEES AND TO THE CHAIR OF THE SENATE FINANCE COMMITTEE AND THE CHAIR OF THE ASSEMBLY WAYS AND MEANS COMMITTEE FOR REVIEW ON AN ANNUAL BASIS THEREAFTER.

S 3. The education law is amended by adding a new section 6203-a to read as follows:

S 6203-A. FULL-TIME/PART-TIME FACULTY RATIOS. NOTWITHSTANDING THE PROVISIONS OF ANY OTHER GENERAL, SPECIAL OR LOCAL LAW, RULE OR REGULATION TO THE CONTRARY, IN EACH OF THE DIVISIONS INCLUDING EACH ACADEMIC DISCIPLINE, DEPARTMENT, PROGRAM OR AREA OF THE CITY UNIVERSITY OF NEW YORK, AS DEFINED IN SECTION SIXTY-TWO HUNDRED TWO OF THIS ARTICLE, A MINIMUM OF SEVENTY PERCENT OF THE COURSES TAUGHT SHALL BE TAUGHT BY FULL-TIME FACULTY, EXCEPT WHEN THE NATURE OF THE EDUCATIONAL PROGRAM AND THE EXPERTISE IT REQUIRES JUSTIFIES A DEPARTURE FROM THESE PROVISIONS. SUCH DEPARTURE SHALL BE SUBJECT TO COLLECTIVE BARGAINING NEGOTIATIONS PURSUANT TO ARTICLE FOURTEEN OF THE CIVIL SERVICE LAW. THE FULL-TIME TO PART-TIME FACULTY RATIOS REQUIRED BY THIS SECTION SHALL BE ACHIEVED OVER A PERIOD OF SEVEN YEARS FROM THE EFFECTIVE DATE OF THIS SECTION AND AN INCREASE OF AT LEAST TEN PERCENT IN SUCH FULL-TIME TO PART-TIME FACULTY RATIOS SHALL BE ACHIEVED ANNUALLY FROM THE EFFECTIVE DATE OF THIS SECTION WITHIN SUCH SEVEN-YEAR PERIOD. COMMENCING WITH THE EFFECTIVE DATE OF THIS SECTION, A PROGRESS REPORT DETAILING THE PERCENTAGE OF COURSES TAUGHT BY FULL-TIME AND PART-TIME FACULTY SHALL BE SUBMITTED TO THE CHAIRS OF THE SENATE AND ASSEMBLY HIGHER EDUCATION COMMITTEES AND TO THE CHAIR OF THE SENATE FINANCE COMMITTEE AND THE CHAIR OF THE ASSEMBLY WAYS AND MEANS COMMITTEE FOR REVIEW ON AN ANNUAL BASIS THEREAFTER.

S 4. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.