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

3093

2009-2010 Regular Sessions

I N A S S E M B L Y

January 22, 2009

Introduced by M. of A. BENJAMIN, COOK, DelMONTE, CLARK, BRODSKY, ORTIZ, GREENE, BOYLAND, ALFANO, ROBINSON, JAFFEE, HEASTIE, FINCH -- Multi-Sponsored by -- M. of A. ABBATE, BACALLES, BARRA, CHRISTENSEN, DIAZ, DINOWITZ, ERRIGO, FARRELL, LAVINE, MAGEE, MAISEL, MILLMAN, NOLAN, PHEFFER, REILLY, J. RIVERA, TOWNSEND, WRIGHT -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to the state university of New York educational opportunity centers

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

Section 1. Subdivision 3 of section 352 of the education law, as amended by chapter 552 of the laws of 1985, is amended to read as follows:

3. The state university shall consist of the four university centers at Albany, Binghamton, Buffalo and Stony Brook, the designated colleges of arts and sciences at Brockport, Buffalo, Cortland, Fredonia, Geneseo, New Paltz, Old Westbury, Oneonta, Oswego, Plattsburgh, Potsdam and Purchase, empire state college, the agricultural and technical colleges at Alfred, Canton, Cobleskill, Delhi, Farmingdale and Morrisville, downstate medical center, upstate medical center, the college of optometry, the college of environmental science and forestry, maritime college, the college of technology at Utica/Rome, the statutory or contract colleges at Cornell university and Alfred university, and such additional universities, colleges and other institutions, facilities and research centers as have been or hereafter may be acquired, established, operated or contracted to be operated for the state by the state university trustees, INCLUDING, BUT NOT LIMITED TO EDUCATIONAL OPPORTUNITY CENTERS AS DEFINED IN THIS ARTICLE.

S 2. The education law is amended by adding a new section 355-d to read as follows:

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

LBD05621-01-9

S 355-D. EDUCATIONAL OPPORTUNITY CENTERS. 1. THERE SHALL BE CREATED WITHIN THE STATE UNIVERSITY OF NEW YORK A COMPREHENSIVE SYSTEM OF TUITION FREE HIGHER EDUCATION INSTITUTIONS PROVIDING PROGRAMS AND SERVICES THAT PROMOTE THE GROWTH AND STABILITY OF THE STATE'S EDUCATIONALLY AND ECONOMICALLY CHALLENGED COMMUNITIES AS REFERRED TO IN THIS SECTION AS EDUCATIONAL OPPORTUNITY CENTERS.

2. SUCH EDUCATIONAL OPPORTUNITY CENTERS SHALL BE MANAGED AND SUPERVISED BY THE STATE UNIVERSITY AND SHALL PROVIDE PROGRAMS AND SERVICES THAT INCLUDE, BUT ARE NOT LIMITED TO:

(A) ACADEMIC PROGRAMS LEADING TO AND INCREASING PERSISTENCE IN HIGHER EDUCATION;

(B) VOCATIONAL PROGRAMS LEADING TO CAREER PATHWAYS, GAINFUL EMPLOYMENT AND SELF-SUFFICIENCY;

(C) COUNSELING AND GUIDANCE SERVICES TO ENHANCE STUDENT RETENTION;

(D) TARGETED SERVICES FOR BUSINESS AND INDUSTRY TO UPGRADE THE SKILL LEVELS OF EMERGING AND INCUMBENT WORKERS SUCH THAT THEY SUPPORT INCREASED PRODUCTIVITY AND THE CREATION AND RETENTION OF JOB OPPORTUNITIES;

(E) COLLABORATION WITH SECONDARY SCHOOLS TO ASSIST IN THE ACADEMIC PREPARATION OF AT-RISK YOUTH;

(F) COLLABORATIVE PROGRAMS WITH COLLEGES AND UNIVERSITIES TO INCREASE OPPORTUNITIES FOR CENTER GRADUATES FOR ADVANCED PLACEMENT AND RECEIPT OF ACADEMIC CREDITS FOR ACADEMIC WORK COMPLETED AT SUCH CENTER;

(G) COLLABORATION WITH OTHER STATE AND LOCAL AGENCIES, WORKFORCE DEVELOPMENT BOARDS AND CHARITABLE ORGANIZATIONS TO MEET EMERGING STATEWIDE PRIORITIES FOR SERVING THE DISADVANTAGED; AND

(H) ENTREPRENEURIAL TRAINING OPPORTUNITIES THAT MAY LEAD TO COMMUNITY ECONOMIC DEVELOPMENT.

3. THE STATE UNIVERSITY SHALL FORMULATE A PLAN AND GUIDELINES FOR THE ORGANIZATION, DEVELOPMENT, COORDINATION AND OPERATION OF EDUCATIONAL OPPORTUNITY CENTERS AND MAY PROMULGATE SUCH RULES AND REGULATIONS NECESSARY TO CARRY OUT THE PROVISIONS OF THIS SECTION. SUCH PLAN SHALL INCLUDE:

(A) DEFINITION OF ACADEMIC AND ECONOMIC ELIGIBILITY PROVIDED, HOWEVER, THAT STATE RESIDENCY BE A MINIMUM ELIGIBILITY REQUIREMENT;

(B) PROCEDURES FOR THE SELECTION OF SUCH STUDENTS FOR ADMISSION TO A CENTER;

(C) PROGRAM OBJECTIVES INCLUDING COORDINATION WITH THE UNIVERSITY'S LONG RANGE MISSION AND GOALS; AND

(D) PROGRAM EVALUATION AND REPORTING.

4. NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, THE EMPLOYEES OF THE EDUCATIONAL OPPORTUNITY CENTERS OPERATED IN COOPERATION WITH THE CITY UNIVERSITY OF NEW YORK AND/OR A COLLEGE WITHIN THE CITY UNIVERSITY OF NEW YORK SHALL BE EMPLOYEES OF THE CITY UNIVERSITY OF NEW YORK AND SHALL RETAIN THEIR RESPECTIVE BARGAINING UNIT REPRESENTATION. NOTHING IN THIS SECTION SHALL BE DEEMED TO WAIVE OR IMPAIR ANY RIGHTS OR BENEFITS OF EMPLOYEES OF THE CITY UNIVERSITY OF NEW YORK THAT OTHERWISE WOULD BE AVAILABLE TO THEM PURSUANT TO THE TERMS OF AGREEMENTS BETWEEN THE CERTIFIED REPRESENTATIVES OF SUCH EMPLOYEES AND THE CITY UNIVERSITY OF NEW YORK PURSUANT TO ARTICLE FOURTEEN OF THE CIVIL SERVICE LAW.

S 3. This act shall take effect on the one hundred eightieth day after it shall have become a law; provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.