

3093

2009-2010 Regular Sessions

I N   A S S E M B L Y

January 22, 2009

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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:

1     Section 1. Subdivision 3 of section 352 of the education law, as  
2 amended by chapter 552 of the laws of 1985, is amended to read as  
3 follows:  
4     3. The state university shall consist of the four university centers  
5 at Albany, Binghamton, Buffalo and Stony Brook, the designated colleges  
6 of arts and sciences at Brockport, Buffalo, Cortland, Fredonia, Geneseo,  
7 New Paltz, Old Westbury, Oneonta, Oswego, Plattsburgh, Potsdam and  
8 Purchase, empire state college, the agricultural and technical colleges  
9 at Alfred, Canton, Cobleskill, Delhi, Farmingdale and Morrisville, down-  
10 state medical center, upstate medical center, the college of optometry,  
11 the college of environmental science and forestry, maritime college, the  
12 college of technology at Utica/Rome, the statutory or contract colleges  
13 at Cornell university and Alfred university, and such additional univer-  
14 sities, colleges and other institutions, facilities and research centers  
15 as have been or hereafter may be acquired, established, operated or  
16 contracted to be operated for the state by the state university  
17 trustees, INCLUDING, BUT NOT LIMITED TO EDUCATIONAL OPPORTUNITY CENTERS  
18 AS DEFINED IN THIS ARTICLE.  
19     S 2. The education law is amended by adding a new section 355-d to  
20 read as follows:

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

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

7 2. SUCH EDUCATIONAL OPPORTUNITY CENTERS SHALL BE MANAGED AND SUPER-  
8 VISED BY THE STATE UNIVERSITY AND SHALL PROVIDE PROGRAMS AND SERVICES  
9 THAT INCLUDE, BUT ARE NOT LIMITED TO:

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

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

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

15 (D) TARGETED SERVICES FOR BUSINESS AND INDUSTRY TO UPGRADE THE SKILL  
16 LEVELS OF EMERGING AND INCUMBENT WORKERS SUCH THAT THEY SUPPORT  
17 INCREASED PRODUCTIVITY AND THE CREATION AND RETENTION OF JOB OPPORTU-  
18 NITIES;

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

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

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

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

29 3. THE STATE UNIVERSITY SHALL FORMULATE A PLAN AND GUIDELINES FOR THE  
30 ORGANIZATION, DEVELOPMENT, COORDINATION AND OPERATION OF EDUCATIONAL  
31 OPPORTUNITY CENTERS AND MAY PROMULGATE SUCH RULES AND REGULATIONS NECES-  
32 SARY TO CARRY OUT THE PROVISIONS OF THIS SECTION. SUCH PLAN SHALL  
33 INCLUDE:

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

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

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

40 (D) PROGRAM EVALUATION AND REPORTING.

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

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