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

3771

2013-2014 Regular Sessions

I N A S S E M B L Y

January 29, 2013

Introduced by M. of A. GLICK -- Multi-Sponsored by -- M. of A. ABBATE, GOTTFRIED -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to establishing a student complaint system for the state university of New York and the city university of New York

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

Section 1. The education law is amended by adding a new section 239-b to read as follows:

S 239-B. STUDENT COMPLAINT TRACKING SYSTEM. 1. ESTABLISHMENT. WITHIN ONE HUNDRED EIGHTY DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION, THE CHANCELLOR SHALL ESTABLISH A SYSTEM TO COLLECT, PROCESS, AND TRACK COMPLAINTS SUBMITTED TO THE CHANCELLOR BY INDIVIDUALS WHO ARE ENROLLED IN PROGRAMS OF EDUCATION WITHIN THE STATE UNIVERSITY SYSTEM. FOR THE PURPOSES OF THIS SECTION, A "STUDENT COMPLAINT" SHALL BE DEFINED AS AN EXPRESSION OF DISSATISFACTION WITHIN THE UNIVERSITY WHICH EXPLICITLY EXPECTS AN ACTIONABLE RESPONSE OR RESOLUTION THAT IS THE RESULT OF AN ACTION OR INACTION UNDERTAKEN BY THE UNIVERSITY.

2. REQUIREMENTS. THE COMPLAINT SYSTEM ESTABLISHED UNDER SUBDIVISION ONE OF THIS SECTION SHALL: (A) CREATE AN INDIVIDUAL CASE NUMBER FOR EACH COMPLAINT PROCESSED AND TRACKED IN THE SYSTEM; (B) ALLOW FOR THE REPORTING OF COMPLAINTS, DISAGGREGATED BY EDUCATIONAL INSTITUTION; (C) ALLOW FOR THE REPORTING OF COMPLAINTS, DISAGGREGATED BY TOPIC OR SUBJECT MATTER; (D) ALLOW FOR THE SUBMITTAL OF COMPLAINTS BY VARIOUS METHODS TO INSURE THE ABILITY OF ALL STUDENTS TO REASONABLY FILE THEIR COMPLAINTS, WHICH CAN INCLUDE (I) INTERNET WEBSITE; AND (II) TELEPHONE VIA A TOLL-FREE NUMBER; (E) ALLOW FOR THE SHARING OF COMPLAINTS WITH (I) THE EDUCATIONAL INSTITUTIONS THAT ARE THE SUBJECTS OF THE COMPLAINTS, (II) THE COMMISSIONER, AND (III) AUTHORIZED REPRESENTATIVES OF FACULTY AND STUDENTS OF THE STATE UNIVERSITY SYSTEM.

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

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3. PRIVACY. COMPLAINTS SHARED SHALL BE ANONYMIZED, UNLESS THE COMPLAINANT GIVES PERMISSION TO THE CHANCELLOR TO SHARE THE COMPLAINANT'S IDENTITY.

4. PREPARATION AND DISTRIBUTION OF REPORTS. THE CHANCELLOR SHALL SUBMIT A BIENNIAL REPORT TO THE GOVERNOR AND LEGISLATURE DESCRIBING THE PROGRESS OF THE STUDENT COMPLAINT TRACKING SYSTEM, THE NATURE AND NUMBER OF COMPLAINTS, AND WHERE APPROPRIATE, THE ACTIONS TAKEN TO RESOLVE THE COMPLAINTS.

S 2. The education law is amended by adding a new section 6206-a to read as follows:

S 6206-A. STUDENT COMPLAINT TRACKING SYSTEM. 1. ESTABLISHMENT. WITHIN ONE HUNDRED EIGHTY DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION, THE BOARD OF TRUSTEES SHALL ESTABLISH A SYSTEM TO COLLECT, PROCESS, AND TRACK COMPLAINTS SUBMITTED TO THE CHANCELLOR BY INDIVIDUALS WHO ARE ENROLLED IN PROGRAMS OF EDUCATION WITHIN THE CITY UNIVERSITY SYSTEM. FOR THE PURPOSES OF THIS SECTION, A "STUDENT COMPLAINT" SHALL BE DEFINED AS AN EXPRESSION OF DISSATISFACTION WITHIN THE UNIVERSITY WHICH EXPLICITLY EXPECTS AN ACTIONABLE RESPONSE OR RESOLUTION THAT IS THE RESULT OF AN ACTION OR INACTION UNDERTAKEN BY THE UNIVERSITY.

2. REQUIREMENTS. THE COMPLAINT SYSTEM ESTABLISHED UNDER SUBDIVISION ONE OF THIS SECTION SHALL: (A) CREATE AN INDIVIDUAL CASE NUMBER FOR EACH COMPLAINT PROCESSED AND TRACKED IN THE SYSTEM; (B) ALLOW FOR THE REPORTING OF COMPLAINTS, DISAGGREGATED BY EDUCATIONAL INSTITUTION; (C) ALLOW FOR THE REPORTING OF COMPLAINTS, DISAGGREGATED BY TOPIC OR SUBJECT MATTER; (D) ALLOW FOR THE SUBMITTAL OF COMPLAINTS BY VARIOUS METHODS TO INSURE THE ABILITY OF ALL STUDENTS TO REASONABLY FILE THEIR COMPLAINTS, WHICH CAN INCLUDE (I) INTERNET WEBSITE; AND (II) TELEPHONE VIA A TOLL-FREE NUMBER; (E) ALLOW FOR THE SHARING OF COMPLAINTS WITH (I) THE EDUCATIONAL INSTITUTIONS THAT ARE THE SUBJECTS OF THE COMPLAINTS, (II) THE COMMISSIONER, AND (III) AUTHORIZED REPRESENTATIVES OF FACULTY AND STUDENTS OF THE CITY UNIVERSITY SYSTEM.

3. PRIVACY. COMPLAINTS SHARED SHALL BE ANONYMIZED, UNLESS THE COMPLAINANT GIVES PERMISSION TO THE CHANCELLOR TO SHARE THE COMPLAINANT'S IDENTITY.

4. PREPARATION AND DISTRIBUTION OF REPORTS. THE CHANCELLOR SHALL SUBMIT A BIENNIAL REPORT TO THE GOVERNOR AND LEGISLATURE DESCRIBING THE PROGRESS OF THE STUDENT COMPLAINT TRACKING SYSTEM, THE NATURE AND NUMBER OF COMPLAINTS, AND WHERE APPROPRIATE, THE ACTIONS TAKEN TO RESOLVE THE COMPLAINTS.

S 3. This act shall take effect immediately.