

2015-2016 Regular Sessions

I N S E N A T E

(PREFILED)

January 7, 2015

Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education

AN ACT to amend the education law, in relation to establishing a new category of tuition for non-resident students of the state university enrolled in distance learning courses

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

1 Section 1. The opening paragraph of subparagraph 4 of paragraph h of
2 subdivision 2 of section 355 of the education law, as amended by chapter
3 260 of the laws of 2011, is amended to read as follows:
4 The trustees shall not impose a differential tuition charge based upon
5 need or income. Except as hereinafter provided, all students enrolled in
6 programs leading to like degrees at state-operated institutions of the
7 state university shall be charged a uniform rate of tuition except for
8 differential tuition rates based on state residency. Provided, however,
9 that the trustees may authorize the presidents of the colleges of tech-
10 nology and the colleges of agriculture and technology to set differing
11 rates of tuition for each of the colleges for students enrolled in
12 degree-granting programs leading to an associate degree and non-degree
13 granting programs so long as such tuition rate does not exceed the
14 tuition rate charged to students who are enrolled in like degree
15 programs or degree-granting undergraduate programs leading to a bacca-
16 laureate degree at other state-operated institutions of the state
17 university of New York. NOTWITHSTANDING ANY OTHER PROVISION OF THIS
18 SUBPARAGRAPH, THE TRUSTEES MAY AUTHORIZE THE SETTING OF A SEPARATE CATE-
19 GORY OF TUITION RATE, THAT SHALL BE GREATER THAN THE TUITION RATE FOR
20 RESIDENT STUDENTS AND LESS THAN THE TUITION RATE FOR NON-RESIDENT
21 STUDENTS, ONLY FOR STUDENTS ENROLLED IN DISTANCE LEARNING COURSES WHO
22 ARE NOT RESIDENTS OF THE STATE. Except as otherwise authorized in this
23 subparagraph, the trustees shall not adopt changes affecting tuition

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

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1 charges prior to the enactment of the annual budget, provided however
2 that:

3 S 2. Subparagraph 4 of paragraph h of subdivision 2 of section 355 of
4 the education law, as amended by chapter 309 of the laws of 1996, is
5 amended to read as follows:

6 (4) The trustees shall not impose a differential tuition charge based
7 upon need or income. All students enrolled in programs leading to like
8 degrees at state-operated institutions of the state university shall be
9 charged a uniform rate of tuition except for differential tuition rates
10 based on state residency. Provided, however, that the trustees may
11 authorize the presidents of the colleges of technology and the colleges
12 of agriculture and technology to set differing rates of tuition for each
13 of the colleges for students enrolled in degree-granting programs lead-
14 ing to an associate degree and non-degree granting programs so long as
15 such tuition rate does not exceed the tuition rate charged to students
16 who are enrolled in like degree programs or degree-granting undergradu-
17 ate programs leading to a baccalaureate degree at other state-operated
18 institutions of the state university of New York. NOTWITHSTANDING ANY
19 OTHER PROVISION OF THIS SUBPARAGRAPH, THE TRUSTEES MAY AUTHORIZE THE
20 SETTING OF A SEPARATE CATEGORY OF TUITION RATE, THAT SHALL BE GREATER
21 THAN THE TUITION RATE FOR RESIDENT STUDENTS AND LESS THAN THE TUITION
22 RATE FOR NON-RESIDENT STUDENTS, ONLY FOR STUDENTS ENROLLED IN DISTANCE
23 LEARNING COURSES WHO ARE NOT RESIDENTS OF THE STATE. The trustees shall
24 not adopt changes affecting tuition charges prior to the enactment of
25 the annual budget.

26 S 3. This act shall take effect April 1, 2016, provided that the
27 amendments to subparagraph 4 of paragraph h of subdivision 2 of section
28 355 of the education law made by section one of this act shall be
29 subject to the expiration and reversion of such subparagraph pursuant to
30 section 16 of chapter 260 of the laws of 2011, as amended, when upon
31 such date the provisions of section two of this act shall take effect.