

# STATE OF NEW YORK

8214

## IN SENATE

April 18, 2018

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 the board of trustees of the New York state higher education services corporation

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Paragraph c of subdivision 2 and subdivisions 3, 4, 5 and 8  
2 of section 652 of the education law, paragraph c of subdivision 2 as  
3 added by chapter 202 of the laws of 1996, subdivisions 3 and 4 as  
4 amended by chapter 339 of the laws of 2010, subdivision 5 as amended by  
5 chapter 240 of the laws of 1986 and subdivision 8 as added by chapter  
6 193 of the laws of 1989, are amended to read as follows:

7 c. To support the administration by the federal government, other  
8 states, and institutions of post-secondary education of the federal  
9 student aid programs established under Title IV of the Higher Education  
10 Act of nineteen hundred sixty-five, as amended, or any successor  
11 statute; and

12 d. To provide information requested by the legislature, including, but  
13 not limited to, information on costs associated with policy proposals,  
14 statistics and state budget proposals.

15 3. The corporation shall be governed and all of its corporate powers  
16 exercised by a board of trustees which shall consist of fifteen members,  
17 [~~nine~~ five of whom shall be appointed by the governor with the advice  
18 and consent of the senate, two of whom shall be appointed by the tempo-  
19 rary president of the senate, and two of whom shall be appointed by the  
20 speaker of the assembly. The members not requiring the advice and  
21 consent of the senate shall be the commissioner of education, the chan-  
22 cellor of the state university, the chancellor of the city university of  
23 the city of New York, the president of the organization representing the  
24 majority of the non-profit degree granting colleges within the state,  
25 and [~~three~~ two students. One such student shall be the president of the  
26 student assembly of the state university of New York, and one such  
27 student shall be the chair of the united student senate of city univer-  
28 sity of New York[~~, and one such student shall be a student registered in~~

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

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1 ~~a full time course of study at a state university community college~~. In  
2 the event a student who shall be a member by reason of his or her office  
3 in a student organization shall fail to qualify, the student who holds  
4 the next highest office in the organization shall be the member of the  
5 board.

6 4. All members shall be at least eighteen years of age, citizens of  
7 the United States and residents of the state. ~~[The appointed members  
8 shall consist of two representatives of banking institutions within the  
9 state, two such members shall be the presidents of independent insti-  
10 tutions of higher education within the state, one such member shall be a  
11 president or chief executive officer of a school licensed or registered  
12 pursuant to section five thousand one of this chapter, one such member  
13 shall be a financial aid officer at a higher education institution in  
14 New York, one such member shall be a president or chief executive offi-  
15 cer of a degree granting proprietary college located within the state,  
16 one such member shall be a student currently registered and in full time  
17 attendance at a degree granting independent institution of higher educa-  
18 tion in New York, and one shall be representative of the public.]~~ The  
19 appointed members shall consist of two representatives from the state  
20 university of New York, two representatives from the city university of  
21 New York, two representatives from non-profit degree granting colleges  
22 within the state, one representative from a degree granting for-profit  
23 college located within the state, and two representatives that are  
24 financial aid officers, at higher education institutions within the  
25 state.

26 5. The appointed members shall serve for terms of six years each and  
27 shall be eligible for reappointment to successive terms; provided,  
28 however, that the student ~~[representative of the state university commu-  
29 nity colleges]~~ representatives shall serve for a term of one year.

30 a. Procedure and designation of appointments. On the effective date of  
31 the chapter of the laws of two thousand seventeen that amended this  
32 subdivision, the governor shall appoint one representative from the  
33 state university of New York, one representative from the city universi-  
34 ty of New York, one representative from a non-profit degree granting  
35 college within the state, one representative from a degree granting  
36 for-profit college located within the state, and one representative that  
37 is a financial aid officer at a higher education institution within the  
38 state. The temporary president of the senate and the speaker of the  
39 assembly shall appoint the four remaining board members.

40 b. Procedures when vacancies occur. Vacancies shall be filled in the  
41 same manner as the original appointment and within the soonest time  
42 practicable but under no circumstances shall a seat remain vacant due to  
43 lack of appointment for more than twelve months.

44 8. The commissioner of education, the chancellor of the state univer-  
45 sity and the chancellor of the city university, the president of the  
46 organization representing the majority of the non-profit degree granting  
47 colleges within the state each may, by official authority filed in his  
48 or her respective department or university, and with the secretary of  
49 the board, designate an officer of his or her respective department or  
50 university to represent and exercise all the powers of such commissioner  
51 or chancellor as the case may be at all meetings of the board from which  
52 such commissioner or chancellor may be absent.

53 § 2. This act shall take effect immediately.