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:

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

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

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

3. The corporation shall be governed and all of its corporate powers exercised by a board of trustees which shall consist of fifteen members, [~~nine~~] **five** of whom shall be appointed by the governor with the advice and consent of the senate**, two of whom shall be appointed by the temporary president of the senate, and two of whom shall be appointed by the speaker of the assembly**. The members not requiring the advice and consent of the senate shall be the commissioner of education, the chancellor of the state university, the chancellor of the city university of the city of New York, **the president of the organization representing the majority of the non-profit degree granting colleges within the state,** and [~~three~~] **two** students. One such student shall be the president of the student assembly of the state university of New York, **and** one such student shall be the chair of the united student senate of city university 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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~~a full time course of study at a state university community college~~]. In the event a student who shall be a member by reason of his or her office in a student organization shall fail to qualify, the student who holds the next highest office in the organization shall be the member of the board.

4. All members shall be at least eighteen years of age, citizens of the United States and residents of the state. [~~The appointed members shall consist of two representatives of banking institutions within the state, two such members shall be the presidents of independent institutions of higher education within the state, one such member shall be a president or chief executive officer of a school licensed or registered pursuant to section five thousand one of this chapter, one such member shall be a financial aid officer at a higher education institution in New York, one such member shall be a president or chief executive officer of a degree granting proprietary college located within the state, one such member shall be a student currently registered and in full time attendance at a degree granting independent institution of higher education in New York, and one shall be representative of the public.~~] **The appointed members shall consist of two representatives from the state university of New York, two representatives from the city university of New York, two representatives from non-profit degree granting colleges within the state, one representative from a degree granting for-profit college located within the state, and two representatives that are financial aid officers, at higher education institutions within the state.**

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

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

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

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

§ 2. This act shall take effect immediately.