

New York State Assembly
Carl E. Heastie
Speaker

Committee on
Higher Education

Deborah J. Glick
Chair



DEBORAH J. GLICK
Assemblymember 66TH District
New York County

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

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COMMITTEES
Governmental Operations
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December 15, 2017

The Honorable Carl E. Heastie, Speaker
New York State Assembly
State Capitol, Room 349
Albany, New York 12248

Dear Speaker Heastie:

On behalf of the members of the Assembly Committee on Higher Education, I respectfully submit to you the Committee's 2017 Annual Report which highlights our activities over the past year.

The 2017 Legislative Session was a productive one. The 2017-18 Legislative budget for higher education provided an additional \$41.7 million in funding for the State University of New York (SUNY) and the City University of New York (CUNY) above that proposed by the Executive. The Legislature modified the Executive proposal to allow SUNY and CUNY to increase tuition up to \$200 each year for the next four years and re-established the maintenance of effort provision. The Legislature restored \$18.6 million in support, with a portion of this funding being provided under the Medicaid Program, to the SUNY Health Science Centers at Stony Brook, Syracuse, and Brooklyn. The Legislature provided \$300,000 to SUNY to increase access to mental health services. The final budget also provided \$8 million to help SUNY and CUNY develop online educational resources to provide low or no-cost electronic or online resources to help alleviate the high cost of textbooks for students.

The Executive proposal maintained state support for community colleges at prior-year levels of \$2,697 for each full-time equivalent (FTE) student. The Legislature added \$9.3 million to the Executive's proposal, bringing funding levels from \$2,697 to \$2,747 per FTE student at SUNY and CUNY community colleges. The Legislature restored \$1.1 million to SUNY child care centers and \$902,000 to CUNY child care centers. The Legislature also restored \$1.5 million in funding for SUNY's Graduation,

Achievement and Placement (GAP) Program and restored \$2.5 million in funding for CUNY's Accelerated Study in Associate Programs (ASAP).

The Legislature restored funding for opportunity programs, restoring \$5.4 million for the Educational Opportunity Program (EOP); \$4.7 million for the Search for Education, Elevation, and Knowledge (SEEK) Program; \$225,000 for the College Discovery Program; \$5.9 million for the Higher Education Opportunity Program (HEOP); \$3.1 million for the Liberty Partnership Program (LLP); \$2.6 million for the Science and Technology Entry Program (STEP); and \$2 million for the Collegiate-STEP (CSTEP) Program. The Legislature also restored \$5 million for Educational Opportunity Centers (EOC) and \$2 million for the Advanced Technology Training and Information Networking (ATTAIN) lab program. The Legislature was able to increase funding for the Foster Youth College Success Initiative, providing an additional \$1.5 million for a total of \$4.5 million.

The Legislature rejected the Executive proposal that would have prohibited students from using TAP awards at institutions where annual tuition and mandatory fee increases exceed the three-year average of the Higher Education Price Index (HEPI) or \$500, whichever is greater. In addition, the Legislature required the President of the Higher Education Services Corporation (HESC) to complete a report by June 30, 2018, on options to make college more affordable for New York students and their families.

The Legislature modified the Executive proposal to establish the Excelsior Scholarship allowing New York State residents to attend SUNY or CUNY tuition free. The Legislature also created the Enhanced Tuition Awards Program for New York State residents attending independent colleges. Students would receive \$6,000 through a combination of their TAP award, an Enhanced Tuition Award, and a match from their private college. To be eligible for an Excelsior Scholarship or Enhanced Tuition Award, students must have a federal adjusted gross income of \$100,000 or less, pursue an undergraduate degree at a college in New York, complete at least 30 credits each year, and meet minimum grade point average (GPA) requirements. Upon graduation, students would be required to live in New York and not work outside the state for the same number of years such student received an Excelsior Scholarship or Enhanced Tuition Award. The income thresholds for both scholarship programs will increase to \$110,000 in the 2018-19 academic year and \$125,000 in the 2019-20 academic year.

The Committee's efforts were not limited to fiscal concerns. In fact, the 2017 Legislative session addressed several pressing issues that reflect the varied priorities of the Higher Education Committee. The Legislature passed bills that were enacted such as: exempting certified teachers and school administrators who already hold a graduate degree from having to take the GRE as an admission requirement for the graduate-level teacher and educational leader programs; exempting schools which provide instruction in photography exclusively for non-occupational purposes from having to register as a

licensed private career school; requiring registered professional nurses to obtain a bachelor's degree in nursing within ten years of his or her initial licensure; authorizing licensed physical therapists with a doctorate in physical therapy to use the title "doctor of physical therapy" or the abbreviation "D.P.T." in their practice; requiring pharmacists to substitute an interchangeable biological product for a prescribed biological product if certain conditions are met; establishing limited licenses for applicants seeking licensure as a speech-language pathologist; and eliminating the peer review exemption in law for sole proprietorship firms and firms with two or fewer accounting professionals.

The Assembly also passed legislation that would ban conversion therapy on individuals younger than 18 years old and the New York State DREAM Act, which would provide state-aided programs, scholarships, or other financial assistance to undocumented students who meet certain requirements.

As you can see, much has been accomplished this year, but much still remains to be done. Thank you for your leadership and steadfast support of our state's higher education community. I am proud of my tenth year as Chair of the Higher Education Committee and thank you for the opportunity to continue working with you and my colleagues toward our shared goal of ensuring that our systems of public and private higher education remain the best in the nation.

Sincerely,

A handwritten signature in black ink that reads "Deborah J. Glick". The signature is written in a cursive, flowing style.

Deborah J. Glick
Assemblymember

2017 ANNUAL REPORT

NEW YORK STATE ASSEMBLY

STANDING COMMITTEE ON HIGHER EDUCATION

Deborah J. Glick, Chair

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Lindsey Facticeau, Analyst
Benjamin Decker, Associate Counsel
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Ginnie Farrell, Legislative Analyst
Ginnie Farrell & Louise Mahon, Committee Clerks
Jeannine Barcher, Program and Counsel Executive Secretary

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I. COMMITTEE JURISDICTION

The Committee on Higher Education is responsible for the initiation and review of legislation relevant to higher education and the professions in New York State. It is primarily concerned with policy initiatives affecting the State University of New York (SUNY), the City University of New York (CUNY), the independent colleges and universities of New York, proprietary vocational schools, student financial aid, and the licensed professions. However, because of the complex and comprehensive nature of New York's system of higher education, the Committee has also been involved in shaping legislation in such diverse public policy fields as health care, economic and workforce development, technology, capital financing, and elementary and secondary education.

The New York State system of higher education has been heralded for decades for its quality and comprehensive service to the public with a full range of academic, professional, and vocational programs. The three components of this system include the State University of New York (SUNY), the City University of New York (CUNY), and the numerous independent colleges and universities, proprietary colleges and schools located within New York State.

In addition to providing support to the state-operated campuses of SUNY and the senior college programs of CUNY, New York State contributes financially to community colleges and provides direct aid to independent colleges and universities. The state also demonstrates its commitment to higher education through funding one of the country's largest state-supported Tuition Assistance Programs (TAP), a need-based grant program that helps eligible New York State residents pay tuition at approved higher education schools in the state (both public and private institutions).

The Committee on Higher Education also monitors the ongoing activities of the 54 professions, which the State Education Department (SED) is charged with licensing and regulating. Through careful consideration of legislation affecting the professions and through the monitoring of the professional discipline functions of the State Education and Health Departments, the Committee endeavors to protect the health, safety, and welfare of the public and to ensure the maintenance of high standards and competence within the professional realm.

This report summarizes the activities and achievements of the Assembly Committee on Higher Education in each of its major areas of responsibility during the 2017 Legislative Session.

II. HIGHER EDUCATION

A. Budget Highlights

The 2017-18 Legislative budget for higher education provided \$41.7 million in additional funding for SUNY and CUNY above the Executive proposal. This increase in funding includes a \$9.3 million increase for SUNY and CUNY community college base aid and a \$10.3 million restoration for the access/opportunity programs, and a restoration to the three SUNY Health Science Centers. The final budget also allowed SUNY and CUNY to increase tuition up to \$200 per year for four years and re-established the maintenance of effort provision.

1. *Community Colleges*

This year, the Executive proposal maintained state support for community colleges at prior-year levels of \$2,697 for each full-time equivalent (FTE) student. Base aid is the state's responsibility for its share of community college budgeted operating costs. The state, the sponsoring locality, and the students share in the operational costs of community colleges and therefore the level of state support that community colleges receive directly affects tuition rates and local contributions. Statutorily the state is obligated to pay one-third of a community college's operating costs and up to 40 percent of these costs for full opportunity schools. Recognizing the importance of preserving the state's support of community colleges, the Legislature proposed an increase in funding of \$6.2 million for SUNY and \$3.1 million for CUNY community college base aid above the Executive proposal. The Executive accepted the Legislature's \$50 per FTE increase, bringing base aid from \$2,697 per FTE student to \$2,747.

The Legislature restored funding for the SUNY and CUNY child care centers providing a total of \$2.1 million to SUNY child-care centers and \$1.7 million to CUNY child care centers. The Legislature also restored \$1.5 million in funding for the Graduation, Achievement and Placement (GAP) remediation program at SUNY community colleges and \$2.5 million in funding for the Accelerated Study in Associate Programs (ASAP) at CUNY community colleges.

2. *SUNY State Operated Colleges and CUNY Senior Colleges*

The Legislature modified the Executive's proposal to allow SUNY and CUNY to increase tuition up to \$200 each year for the next four years and re-established the maintenance of effort provision.

The Legislature restored \$5 million for Educational Opportunity Centers (EOC), providing a total of \$60 million in funding. EOC provides academic and vocational

training to adults to help them obtain the skills and credentials they need to pursue higher education and/or to secure career-oriented employment.

The Legislature restored \$2 million in funding for the Advanced Technology Training and Information Networking (ATTAIN) lab program, providing a total of \$6.5 million in funding within SUNY. ATTAIN labs are located across New York State's most economically challenged urban and rural communities and provide communities access to new technologies, education, and technology training.

The Legislature also restored \$1.5 million for small business development centers; \$1.5 million for the Joseph Murphy Institute; \$600,000 for graduate diversity fellowships; \$600,000 to Harvest New York within the Cornell Cooperative Extension; \$250,000 for Cornell University's College of Veterinary Medicine; \$250,000 for the CUNY Pipeline at the Graduate Center; and \$100,000 for American Chestnut Research and Restoration Project at SUNY's College of Environmental Science and Forestry.

The Legislature provided \$300,000 to SUNY to increase access to mental health services. The final budget also provided \$8 million to help SUNY and CUNY develop online educational resources to provide low or no-cost electronic or online resources to help alleviate the high cost of textbooks for students.

The Legislature modified the Executive proposal to allow up to \$60 million in proceeds from the sale of CUNY properties to be used in support of CUNY operations. The Legislature rejected the Executive proposal allowing the CUNY Board of Trustees to collect 10 percent of the annual revenue received from each affiliated nonprofit organization and foundation for the purpose of funding tuition assistance initiatives for students in need. The Legislature also rejected the Executive proposal to expand the jurisdiction of the State Inspector General to include SUNY and CUNY affiliated nonprofit organizations and foundations. Finally, the Legislature rejected the Executive proposal to allow the State Inspector General to independently oversee implementation and enforcement of financial control policies at SUNY, CUNY, and their affiliated nonprofit organizations and foundations.

3. SUNY Health Science Centers

The Legislature successfully restored \$18.6 million in support, with a portion of this funding being provided under the Medicaid Program, to the SUNY Health Science Centers at Stony Brook, Syracuse, and Brooklyn.

4. Independent Colleges and Universities

The Legislature restored funding for the Higher Education Opportunity Program (HEOP) by \$5.9 million, providing \$35.5 million in order to keep its commitment to help

disadvantaged students gain access to private colleges.

Funding for Bundy Aid was maintained at the prior year level of \$35.1 million. Bundy Aid, formally known as Unrestricted Aid to Independent Colleges and Universities, provides direct support to higher education institutions based on the number and type of degrees conferred by the college or university.

5. *Financial Aid*

Tuition Assistance Program

New York State is fortunate to have one of the most comprehensive systems of financial aid in the United States. At the forefront is the Tuition Assistance Program (TAP), New York's largest grant program that helps eligible New York residents pay tuition at approved schools in the state. Award amounts are determined by net taxable income (up to \$80,000) and financial status (independent or dependent). Depending on income, TAP awards can range from \$500 to \$5,165 with low-income students receiving larger awards. The TAP program helps keep college accessible and affordable for students who would otherwise not be able to attend.

The Legislature rejected the Executive proposal that would have prohibited students from using TAP awards at institutions where annual tuition and mandatory fee increases exceed the three-year average of the Higher Education Price Index (HEPI) or \$500, whichever is greater.

Scholarship/Loan Forgiveness Programs

The Legislature restored \$500,000 for On Point for College (\$400,000) and Trinity Alliance (\$100,000). These programs were previously funded by a federal college access grant that was discontinued.

The Legislature modified the Executive proposal to establish the Excelsior Scholarship allowing New York State residents to attend SUNY or CUNY tuition free. To be eligible for the Excelsior Scholarship, students must have a federal adjusted gross income of \$100,000 or less, pursue an undergraduate degree at a SUNY or CUNY college, complete at least 30 credits each year, and meet minimum grade point average (GPA) requirements. Upon graduation, students would be required to live in New York and not work outside the state for the same number of years such student received an Excelsior Scholarship. Any TAP award, federal Pell grant, or scholarship the student receives would be taken into account when the Excelsior Scholarship is calculated. The income thresholds for the Excelsior Scholarship will increase to \$110,000 in the 2018-19 academic year and \$125,000 in the 2019-20 academic year.

The Legislature created the Enhanced Tuition Awards Program for New York State residents attending independent colleges. Students would receive \$6,000 through a combination of their TAP award, an Enhanced Tuition Award, and a match from their private college. To be eligible for an Enhanced Tuition Award, students must have a federal adjusted gross income of \$100,000 or less, pursue an undergraduate degree at an independent college located in New York, complete at least 30 credits each year, and meet minimum grade point average (GPA) requirements. The student's tuition rate would be frozen for the duration such student receives an Enhanced Tuition Award. Upon graduation, students would be required to live in New York and not work outside the state for the same number of years such student received an Enhanced Tuition Award. The income thresholds for the Excelsior Scholarship will increase to \$110,000 in the 2018-19 academic year and \$125,000 in the 2019-20 academic year.

The Legislature also created a the New York State Part-Time Scholarship Award Program for students who are attending a SUNY or CUNY community college part time and maintain a 2.0 GPA. Students would be eligible to receive \$1,500 per semester for up to two years.

Finally, the Legislature created the New York State Child Welfare Worker Incentive Scholarship Program and the New York State Child Welfare Worker Loan Forgiveness Program. The New York State Child Welfare Worker Incentive Scholarship Program grants awards to child welfare workers employed at voluntary not-for-profit child welfare agencies licensed by the NYS Office of Children and Family Services (OCFS). Recipients must agree to live in NYS and work at a voluntary not-for-profit child welfare agency licensed by OCFS for five years after graduation, and can use the award to get an associate, bachelor's or graduate degree. The New York State Child Welfare Worker Loan Forgiveness Incentive Program provides student loan forgiveness awards for the purpose of attracting workers to be employed in New York State child welfare agencies. Recipients can receive awards up to \$10,000 per year for up to five years, not to exceed the total amount of the recipient's student loan debt.

College Affordability Study

The Legislature required the President of the Higher Education Services Corporation (HESC) to complete a report on options to make college more affordable for New York students and their families. The report will examine student loan debt relief and refinancing options; student housing at SUNY and CUNY; programs that enable families to prepare for college costs; affordability initiatives at both public and private colleges relating to the costs of textbooks, transportation, housing, etc.; and the availability of opportunity programs for transfer students who had been previously receiving support through an opportunity program. The report must be completed on or before June 30, 2018.

Access Programs

Access to higher education has been a long-standing concern of this Committee. Over the years, the Legislature has created programs which provide special assistance to educationally and economically disadvantaged students, underrepresented groups, and “at-risk” youth (students who require additional support in order to achieve academic success). The Assembly has been committed to ensuring that all students have access to higher education and ensuring their academic success through the support of access programs.

Through counseling, remedial coursework, financial assistance, drop-out prevention, and skills training, these programs are dedicated not only to encouraging enrollment in college, but also helping to ensure success in the postsecondary academic environment. New York’s Access Programs include:

*The Higher Education Opportunity Program (HEOP) provides critical access programs for educationally and economically disadvantaged students who attend independent institutions of higher education. HEOP programs serve approximately 4,890 students through 52 programs including pre-freshman summer programs, remedial and developmental courses, tutoring, and counseling. HEOP students, who do not meet the traditional academic criteria when they are admitted to college, typically earn their degrees at rates that equal or exceed other students. With mentoring and support, 59 percent of HEOP students graduate within five years of enrolling. There are over 36,000 HEOP alumni. The Legislature restored funding for HEOP by \$5.9 million, providing \$35.5 million in funding.

*The Education Opportunity Program (EOP) provides academic support and financial aid to students who attend public institutions of higher education and show promise for mastering college-level work, but who may otherwise not be admitted. EOP services are available at most SUNY schools, at all CUNY senior colleges through the Percy Ellis Sutton Search for Education, Elevation, and Knowledge (SEEK) program, and at all CUNY community colleges through the College Discovery program. The Legislature restored funding for EOP by \$5.4 million, providing \$32.2 million in funding; restored funding for SEEK by \$4.7 million providing \$28.1 million in funding; and restored funding for College Discovery by \$225,000, providing \$1.3 million in funding.

*The Liberty Partnerships Program (LPP) serves approximately 13,700 middle, junior, and senior high school students who are at risk of dropping out. LPP also assists students in completing high school, preparing for and entering college, and obtaining meaningful employment. LPP has a retention rate of 99 percent and a graduation rate of 92 percent. The Legislature restored funding for LPP by \$3.1 million, providing \$18.4 million in funding.

*The Teacher Opportunity Corps (TOC) has the goal of attracting more African-Americans, Hispanics, and Native Americans to the teaching profession and preparing these individuals to work effectively with students who are at risk of academic failure and dropping out of school. TOC is also considered to be a model of excellence for teacher education programs. The Legislature accepted the Executive's proposal to maintain TOC funding at \$450,000.

*The Science and Technology Entry Program (STEP) and Collegiate-STEP (CSTEP) programs were created to encourage the attendance of more students of underrepresented and economically disadvantaged populations by helping these students enter collegiate study and careers in scientific, technical, and health-related fields. STEP serves over 11,000 students through 59 programs while CSTEP serves over 7,400 students through 55 programs. The Legislature restored funding for STEP by \$2.6 million, providing \$15.8 million in funding, and restored funding for CSTEP by \$2 million, providing \$11.9 million in funding.

*The state provides small awards for Native Americans pursuing post-secondary study in New York. This access program offers financial aid to eligible Native Americans and has been critical in addressing the underrepresentation of this population in New York State's higher education system. The Legislature accepted the Executive proposal to maintain funding for post-secondary aid to Native Americans at \$598,000.

*The Foster Youth College Success Initiative provides support services to assist youth in foster care to apply for, enroll in, and succeed in college by allowing SED to allocate additional funding to expand opportunities through current post-secondary opportunity programs for foster youth. The Legislature increased funding for the Foster Youth College Success Initiative by \$1.5 million, providing a total of \$4.5 million in funding.

B. Legislative Highlights

1. *Community Colleges*

New York State has 37 public community colleges: 30 within the State University system and seven within the City University system. With an enrollment of approximately 216,277 students, community colleges provide a primary source of access to higher education opportunities. The community colleges of SUNY and CUNY are referred to as “full opportunity” institutions, accepting all recent high school graduates and returning residents from the colleges’ sponsorship areas.

Community colleges are unique in that they are financed cooperatively by three partners: the state, a local sponsor, and the students. Community colleges are primarily governed by the local sponsor, assuring that these institutions have greater flexibility to respond to the local educational needs of their unique student population. Many community college students are non-traditional students who return to college later in life, attend part-time and/or combine work and family responsibilities with study.

2. *City University of New York*

Founded as the Free Academy in 1847, the City University of New York (CUNY) has grown into the largest urban university in the nation. CUNY is comprised of 24 campuses throughout Queens, Brooklyn, Manhattan, the Bronx, and Staten Island. It includes 11 senior colleges, a two-year preparatory medical program, an honors college, a journalism school, a school of professional studies, a law school, a graduate center, and seven community colleges. Through this network, CUNY provides educational opportunities and skills training to an ethnically and culturally diverse population of approximately 272,957 students annually: 176,092 at the senior colleges and 96,865 at the community colleges.

3. *State University of New York*

The State University of New York (SUNY) is the largest public university system in the nation, embracing 64 distinct individual campuses located in urban, suburban, and rural communities across New York State. These 64 campuses offer a full range of academic, professional, and vocational programs through their university centers, comprehensive colleges, colleges of technology, and community colleges. SUNY enrolls approximately 436,138 students in over 7,000 programs of study.

4. *Independent Colleges and Universities*

New York State is fortunate to have the most diversified and largest independent sector of higher education in the nation. The independent colleges and universities of the state enroll nearly 489,819 students. New York not only boasts one of the nation’s

largest private universities, New York University, it also prides itself on numerous outstanding small colleges as well. Independent campuses throughout New York State have a collective annual economic impact of \$79.6 billion, employ 406,300 New Yorkers, and have a \$28.1 billion payroll.

Expanding the Maintenance of Effort Provision for SUNY and CUNY

A.934-A Glick, Veto Message #204. This bill would have expanded the current maintenance of effort provision for SUNY and CUNY by requiring the state to provide funding for the SUNY Health Science Centers, all mandatory costs of SUNY and CUNY, including collective bargaining, salary increments, and other non-personal service costs such as utility costs, building rentals and other inflationary expenses, and any increase in the tuition credit as tuition increases are enacted by SUNY and CUNY. This bill would have also made the maintenance of effort provision permanent.

Requiring Five-Year Capital Plans for SUNY and CUNY Senior Colleges

A.967 Glick, Veto Message #205. This bill would have required the governor to submit five-year capital plans for SUNY state-operated campuses and CUNY senior colleges as part of the executive budget beginning in fiscal year 2018.

Expanding Eligibility for the New York State STEM Incentive Program

A.1808-A Morelle, Veto Message #207. This bill would have allowed students attending private colleges to be eligible for the New York State Science, Technology, Engineering and Mathematics (STEM) Incentive Program. Under current law, only students attending SUNY or CUNY are eligible for the scholarship.

Admission Requirements for the Graduate-Level Teacher and Educational Leader Programs

A.3676-A Glick, Chapter 454 of the Laws of 2017. This law exempts certified teachers and school administrators who already hold a graduate degree from having to take the GRE or substantially equivalent admission examination as an admission requirement for the graduate-level teacher and educational leader programs.

Enacting the New York State Dream Act

A.3039 Moya, Passed Assembly. This bill would create the DREAM Fund, administered by a newly created DREAM Fund Commission, in order to provide scholarships to college-bound students who are the children of immigrants. This bill would also allow undocumented students to be eligible for state financial aid programs and scholarships, including the Tuition Assistance Program (TAP) and the opportunity

programs. Finally, this bill would allow undocumented individuals to open a New York State 529 family tuition account under the New York State College Tuition Savings Program and/or be a designated beneficiary on an account if they have a taxpayer identification number.

Expanding Eligibility for the New York State Masters-in-Education Teacher Incentive Scholarship Program

A.5910-C Fahy, Veto Message #217. This bill would have allowed students attending private colleges to be eligible for the New York State Masters-in-Education Teacher Incentive Scholarship Program. Under current law, only students attending SUNY or CUNY are eligible for the scholarship.

Exempting Certain Schools from Registering as a Licensed Private Career School

A.7184-A Gottfried, Chapter 298 of the Laws of 2017. This law exempts schools which provide instruction in photography exclusively for non-occupational purposes from having to register as a licensed private career school under the Education Law.

III. LICENSED PROFESSIONS

A. Legislative Highlights

New York State currently licenses 54 professions under Title VIII of the Education Law. Legislation to license a new profession or to alter the practice of an existing profession falls under the jurisdiction of the Committee on Higher Education. The State Education Department (SED), through its Office of the Professions, regulates the practice of the licensed professions on an ongoing basis.

An essential component of the monitoring process is to ensure that existing standards and qualifications reflect current practices and needs, especially in light of shifting demographics and rapidly changing technologies. Each year, the Committee reviews numerous pieces of legislation which propose to change the scope of practice of currently licensed professions. Ensuring that any modification to current professional standards is thoroughly examined and appropriately executed provides a means by which the Committee fulfills its obligations to protect the well-being of the public.

Requiring Registered Professional Nurses to Obtain a Bachelor's Degree

A.1842-B Morelle, Chapter 502 of the Laws of 2017. This law requires registered professional nurses to obtain a bachelor's degree in nursing within ten years of their initial licensure. SED would be allowed to issue a conditional registration to a nurse who fails to complete their bachelor's degree within the 10 years but agrees to finish any additional requirements within one year. Furthermore, this requirement would only apply to individuals enrolling in a nursing program after the effective date of this legislation. All currently licensed registered nurses and all students that have an application pending or enrolled in a nursing program would not be required to obtain a bachelor's degree.

Authorizing Professionals Appointed by the World Triathlon Corporation

A.2802 Stec, Chapter 126 of the Laws of 2017. This law authorizes physicians, physician assistants, massage therapists, physical therapists, chiropractors, dentists, optometrists, nurses, nurse practitioners, emergency medical technicians or podiatrists, who are licensed in another state, who are in good standing in such state, and who have been appointed by the World Triathlon Corporation, to provide services to participating athletes at the Ironman Triathlon being held on July 23, 2017, and the Ironman 70.3 being held on September 10, 2017, in Lake Placid, New York.

Prohibiting Conversion Therapy on Minors

A.3977 Glick, Passed Assembly. This bill would provide that it shall be professional misconduct for a mental health professional to engage in any sexual orientation change efforts upon any patient less than 18 years of age.

Authorizing Professionals Appointed by the New York Road Runners

A.5287 Glick, Chapter 29 of the Laws of 2017. This law authorizes physicians, physician's assistants, massage therapists, physical therapists, chiropractors, dentists, optometrists, nurses, nurse practitioners, certified athletic trainers or podiatrists, who are licensed in another state, who are in good standing in such state, and who have been appointed by the New York Road Runners, to provide professional services at an event in this state sanctioned by the New York Road Runners.

Modifying Membership Representation in the New York State Dental Association

A.5984 McDonald, Chapter 288 of the Laws of 2017. This law eliminates the grandparenting provision in law that allows dentists to remain in the local district dental society he/she had been a member of if such dentist relocates his/her practice to another location that has a separate local district dental society.

Authorizing Pharmacists to Refill Non-Controlled Drug Prescriptions

A.6371-B Simanowitz, Veto Message # 159. This bill would authorize pharmacists to refill a prescription for a non-controlled drug up to a 90-day supply provided that the refill does not exceed the total quantity of the drug authorized by the prescriber, the prescriber has not indicated that the initial or refill quantity cannot be changed, the pharmacist informs the prescriber of the refill no later than 48 hours after the refill is made, and the patient's insurance policy will cover the refill quantity dispensed.

Authorizing Use of the Title "Doctor of Physical Therapy" or "D.P.T."

A.7467 Gunther, Chapter 354 of the Laws of 2017. This law authorizes licensed physical therapists with a doctorate in physical therapy to use the title "doctor of physical therapy" or the abbreviation "D.P.T." in their practice.

Allowing Substitution of Biological Products

A.7509-A Gottfried, Chapter 357 of the Laws of 2017. This law requires pharmacists to substitute an interchangeable biological product for a prescribed biological product if certain conditions are met. This law also requires the pharmacist to notify the prescriber within five business days of which biological product was dispensed to the individual.

Establishing Limited Licenses for Speech-Language Pathologists

A.7729 Jaffee, Chapter 202 of the Laws of 2017. This law establishes limited licenses for applicants seeking licensure as a speech-language pathologist so that applicants can engage in clinical or academic practice while completing the experience requirements necessary for full licensure and participate in the Medicare Program.

Eliminating the Peer Review Exemption for Certain Accountancy Firms

A.7895-A Stirpe, Chapter 364 of the Laws of 2017. This law eliminates the peer review exemption in law for sole proprietorship firms and firms with two or fewer accounting professionals. This law also makes several technical corrections to the law as requested by the State Education Department, including changing “quality review” to “peer review.”

IV. PUBLIC HEARINGS

The Excelsior Scholarship and the Enhanced Tuition Awards Programs

December 12, 2017
Roosevelt Hearing Room C, LOB
Albany, New York

The Assembly Standing Committee on Higher Education convened a hearing and received testimony examining the implementation of the scholarship programs included in the 2017-18 State Budget, the Excelsior Scholarship and the Enhanced Tuition Awards Program, and the impact they are having on New York State families and institutions of higher education.

The Excelsior Scholarship and the Enhanced Tuition Awards Programs were established as part of the 2017-18 State Budget. The Excelsior Scholarship Program allows New York State residents to attend any State University of New York (SUNY) or City University of New York (CUNY) college tuition free. The Enhanced Tuition Awards Program provides a \$6,000 scholarship (through a combination of a student's TAP award, an Enhanced Tuition Award, and a match from the private college) to New York State residents attending independent colleges. To be eligible for an Excelsior Scholarship or Enhanced Tuition Award, students must have a federal adjusted gross income of \$100,000 or less, pursue an undergraduate degree, complete at least 30 credits each year, and meet minimum grade point average (GPA) requirements. Upon graduation, students would be required to live in New York and not work outside the state for the same number of years such student received an Excelsior Scholarship or Enhanced Tuition Award. The income thresholds for both scholarship programs will increase to \$110,000 in the 2018-19 academic year and \$125,000 in the 2019-20 academic year.

The purpose of the hearing was to examine the implementation of the Excelsior Scholarship and the Enhanced Tuition Awards Programs and the impact they are having on New York State families and institutions of higher education. Specifically, this hearing sought testimony from students on the overall experience of applying for an Excelsior Scholarship or an Enhanced Tuition Award and any impact it has had on a student's ability to attend college in the 2017-18 academic year. The committee also sought testimony from colleges and universities on the impact the Excelsior Scholarship and the Enhanced Tuition Awards Programs are having on the higher education sector in New York State.

Individuals who testified at the hearing include: Dan Fuller, Assistant Secretary for Education to Governor Andrew M. Cuomo; Eileen McLoughlin, Senior Vice Chancellor for Finance & Chief Financial Officer, SUNY; Patricia Thompson, Assistant Vice Chancellor for Student Financial Aid Services, SUNY; Debra Bouabidi, Director of Financial Aid, Rockland Community College; Austin Ostro, Chief of Staff, SUNY Student Assembly; Matthew Sapienza, Senior Vice Chancellor and Chief Financial Officer, CUNY; Clare Norton, University Executive Director of Enrollment Strategy and Management, CUNY; Mary Gorman, Vice President for Enrollment Management, Baruch College; John Aderounmu, Chairperson, CUNY University Senate; Fatime Uruci, Student Government President, John Jay College of Criminal Justice; Mary Beth Labate, President, Commission on Independent Colleges and Universities; Donna Stelling-Gurnett, Executive Director, Association of Proprietary College; Ashley Reff, Student, Bryant & Stratton College; Emily Skydel, Higher Education Affordability Issue Coordinator, New York Public Interest Research Group; Marissa Martin, Northeast Director, Young Invincibles; and, Thomas Hillard, Senior Fellow for Economic Opportunity, Center for an Urban Future.

Testimony from the hearing revealed that over 22,000 students received an Excelsior Scholarship for the fall semester, with approximately 17,500 students attending SUNY and 4,700 students attending CUNY. More than 7,800 students, attending one of the 30 private colleges opting to participate, submitted an application for the Enhanced Tuition Awards Program. As of the date of the hearing, approximately 2,000 students have received an Enhanced Tuition Award. Staff at the Higher Education Services Corporation and the New York State Office of Information Technology Services continues to work with the participating colleges to process the applications to determine eligibility.

Although the Excelsior Scholarship and the Enhanced Tuition Awards Programs are just beginning, witnesses were able to suggest several changes to help make the programs more accessible to students. Suggested changes for the Excelsior Scholarship Program included: lowering the credit requirements from 15 credits to 12 credits per semester; expanding the scholarship to include part-time students; allowing awards to cover tuition costs for winter and summer semesters; expanding the scholarship to cover other higher education expenses such as housing, books, and transportation; and allowing students to re-establish eligibility for the program if they lose the scholarship. Suggested changes for the Enhanced Tuition Awards Program included: eliminating the requirement that colleges freeze tuition for award recipients; allowing colleges to count the aid they are already offering to students as the college's match; and making sure that students receive timely notification of awards so that they can make informed decisions about their college options.

V. OUTLOOK FOR 2018

As the Committee looks ahead to the upcoming 2018 Legislative Session, many of the traditional goals relative to higher education and the professions will continue to take precedence.

Foremost among the Committee's priorities for the 2018 session will be to secure financing for the coming fiscal year that is sufficient to meet the needs of SUNY, CUNY and the independent sector in order to support their unique educational missions. The broader goal of preserving access to higher education for students across New York State is also critical. By continuing to fight for increased funding for access programs, the Committee will promote the recognition of these highly successful educational services and assist more students in realizing their higher education aspirations. Another priority of the Committee will be to provide capital funding for SUNY and CUNY. Campuses throughout the state are in need of funding for critical maintenance as well as the expansion of academic and residence facilities. As always, the Committee will continue to focus on TAP and ensure the availability of the program at current or enhanced levels. The Assembly Higher Education Committee is proud of this comprehensive financial aid program and will fight to continue its success in opening doors to college students throughout the state.

In 2018, the Committee will also address several important legislative issues. Among these will be measures relating to the licensed professions overseen by the Department of Education's Office of the Professions. Chief among these will be initiatives aimed at preserving the integrity of the individual professions and ensuring that professional competence translates into increased public protection and safety. The Committee will continue to study the evolution of existing professions to assess the possible need for statutory changes to reflect the changing needs of consumers.

APPENDIX A

PROFESSIONS LICENSED, CERTIFIED OR AUTHORIZED BY THE BOARD OF REGENTS

Acupuncture	Mental Health Practitioners
Applied Behavior Analysis	<ul style="list-style-type: none"> • Creative Arts Therapist
<ul style="list-style-type: none"> • Licensed Behavior Analysts 	<ul style="list-style-type: none"> • Marriage and Family Therapist
<ul style="list-style-type: none"> • Certified Behavior Analyst Assistants 	<ul style="list-style-type: none"> • Mental Health Counselor
Architecture	<ul style="list-style-type: none"> • Psychoanalyst
Athletic Training	Midwifery
Audiology	Nursing
Certified Shorthand Reporting	<ul style="list-style-type: none"> • Registered Professional Nurse
Chiropractic	<ul style="list-style-type: none"> • Nurse Practitioner
Clinical Laboratory Technology	<ul style="list-style-type: none"> • Clinical Nurse Specialist
<ul style="list-style-type: none"> • Clinical Laboratory Technologist 	<ul style="list-style-type: none"> • Licensed Practical Nurse
<ul style="list-style-type: none"> • Cytotechnologist 	Occupational Therapy
<ul style="list-style-type: none"> • Clinical Laboratory Technician 	<ul style="list-style-type: none"> • Occupational Therapist
<ul style="list-style-type: none"> • Certified Histological Technician 	<ul style="list-style-type: none"> • Occupational Therapy Assistant
Dentistry	Ophthalmic Dispensing
<ul style="list-style-type: none"> • Dentist 	Optometry
<ul style="list-style-type: none"> • Dental Anesthesia/Sedation 	Perfusion
<ul style="list-style-type: none"> • Dental Hygienist 	Pharmacy
<ul style="list-style-type: none"> • Certified Dental Assistant 	Physical Therapy
Dietetics and Nutrition	<ul style="list-style-type: none"> • Physical Therapist
Engineering	<ul style="list-style-type: none"> • Physical Therapist Assistant
Geology	Podiatry
Interior Design	Polysomnographic Technician
Land Surveying	Psychology
Landscape Architecture	Public Accountancy
Massage Therapy	<ul style="list-style-type: none"> • Certified Public Accountant
Medical Physics	<ul style="list-style-type: none"> • Public Accountant
Medicine	Respiratory Therapy
<ul style="list-style-type: none"> • Physician 	<ul style="list-style-type: none"> • Respiratory Therapist
<ul style="list-style-type: none"> • Physician Assistant 	<ul style="list-style-type: none"> • Respiratory Therapy Technician
<ul style="list-style-type: none"> • Specialist's Assistant 	

Social Work	Veterinary Medicine
• Licensed Master Social Worker	• Veterinarian
• Licensed Clinical Social Worker	• Veterinary Technician
Speech-Language Pathology	

APPENDIX B

2017 SUMMARY SHEET

Summary of Action on All Bills Referred to the Committee on Higher Education

<u>Final Action</u>	<u>Assembly Bills</u>	<u>Senate Bills</u>	<u>Total Bills</u>
<u>Bills Reported With or Without Amendment</u>			
To Floor; not returning to Committee	3	0	3
To Ways and Means Committee	15	0	15
To Codes Committee	6	0	6
To Rules Committee	5	0	5
To Judiciary Committee	0	0	0
Total	29	0	29
<u>Bills Having Committee Reference Changed</u>			
To Education	2	0	2
To Ways and Means	1	0	1
To			
To			
Total	3	0	3
<u>Senate Bills Substituted or Recalled</u>			
Substituted		1	1
Recalled		1	1
Total		2	2
<u>Bills Defeated in Committee</u>	0	0	0
<u>Bills Held for Consideration with a Roll-Call Vote</u>	1	0	1
<u>Bills Never Reported, Held in Committee</u>	304	67	371
<u>Bills Having Enacting Clauses Stricken</u>	7	0	7
<u>Motion to Discharge Lost</u>	0	0	0
<u>Total Bills in Committee</u>	344	69	413
Total Number of Committee Meetings Held	7		