

**NEW YORK STATE SENATE  
INTRODUCER'S MEMORANDUM IN SUPPORT  
submitted in accordance with Senate Rule VI. Sec 1**

**BILL NUMBER:** S7669

**SPONSOR:** KENNEDY

**TITLE OF BILL:**

An act to amend the economic development law, in relation to establishing centers of workforce achievement

**PURPOSE:**

This bill establishes Centers of Workforce Achievement Programs, public/private partnerships between SUNY community colleges and private businesses.

**SUMMARY OF PROVISIONS:**

Section 1 states the legislative intent of this bill, which is to advance the creation of public/private partnerships between SUNY community colleges and private businesses by instituting the designation of Centers of Workforce Achievement, and the creation of a funding stream to support the creation and development of these centers of workforce development and training.

Section 2 adds a new article 19-A to the economic development law, establishing the Centers of Workforce Achievement.

Section 415 of Article 19-A outlines the designation and purpose of these Centers of Workforce Achievement. These centers will be established for the purpose of fostering collaboration between SUNY community colleges and the private business sector to develop a skilled workforce that meets the needs of the regional and local community. The Centers will be overseen by the SUNY Board of Trustees and will function similar to Centers of Excellence; funding for these centers is predicated upon the formation of a Center of Workforce Achievement program and financing plan that is designed to meet the needs of the workforce in the region and outlines anticipated workforce development benefits. Partnerships entered into by community colleges with private businesses will ensure that once the workers are trained, a job is available for each student.

**JUSTIFICATION:**

One of the most pressing challenges facing New York state is the need to educate and train its workforce to meet the demands of a new and changing economic landscape. Many community colleges throughout the state have been forming public/private partnerships with local manufacturing and technology businesses in order to address the gap between what jobs are available and the skills possessed by the local workforce. It is estimated that up to 80% of community college graduates remain in the area, and as technologies and industries evolve, our education system must also evolve to create a workforce that is equipped with the skills to perform these new jobs.

Centers of Workforce Achievement will advance the creation of these highly productive partnerships. and ensure a high degree of collaboration between educational systems and workforce investment boards, industrial development agencies and private businesses. These Centers

will create an intense focus on the regional needs of existing NY businesses and, by training workers to fit these needs, will also keep jobs in New York state while putting people back to work.

**LEGISLATIVE HISTORY:**

New bill.

**FISCAL IMPLICATIONS:**

Funding for this program will be subject to legislative approval and, as such, there is no immediate fiscal impact.

**EFFECTIVE DATE:**

This act shall take effect immediately.

# STATE OF NEW YORK

7669

## IN SENATE

June 13, 2012

Introduced by Sen. KENNEDY -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the economic development law, in relation to establishing centers of workforce achievement

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

1 Section 1. Legislative intent. The purpose of this act is to advance  
2 the creation of public/private partnerships between the state university  
3 of New York's community colleges and private businesses by instituting  
4 the designation of centers of workforce achievement; the creation of a  
5 designation of center of workforce achievement; the creation of a fund-  
6 ing stream to support the creation and development of these centers of  
7 workforce development and training. The designation as a center of work-  
8 force achievement will allow community colleges to form collaborative  
9 partnerships with regional workforce investment boards, industrial  
10 development agencies, and private businesses to accurately assess the  
11 gap between middle skill and high skills training and the jobs that are  
12 available in each region. Many community colleges are already engaging  
13 in public/private partnerships with local businesses. It is estimated  
14 that up to eighty percent of community college graduates remain in the  
15 area and as technologies and industries evolve, our education system  
16 must also evolve to create a workforce that is equipped with the skills  
17 to perform these new jobs.

18 § 2. The economic development law is amended by adding a new article  
19 19-A to read as follows:

### **ARTICLE 19-A**

#### **CENTERS OF WORKFORCE**

#### **ACHIEVEMENT PROGRAM**

23 **Section 415. Centers of workforce achievement program.**

24 **§ 415. Centers of workforce achievement program. The centers of work-**  
25 **force achievement program is hereby established for the purpose of**  
26 **fostering collaboration between the state university of New York's**  
27 **community colleges and the private business sector to develop a skilled**  
28 **workforce that meets the needs of the local and regional community.**

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

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1 1. Such centers shall be designated to operate pursuant to this act in  
2 areas identified by the state university of New York's board of trustees  
3 and the department and as having significant potential for economic  
4 growth and job creation in New York.

5 2. (a) As a condition of receipt of support authorized pursuant to  
6 this section, each state university of New York community college  
7 participating in the centers of workforce achievement program shall  
8 annually submit to the state university of New York's board of trustees  
9 and the department a plan and curriculum pursuant to subdivision four of  
10 this section which identifies the local and regional business needs as  
11 they pertain to workforce development and training and how the community  
12 college is working to recruit and train students to fulfill such needs.

13 (b) No award or disbursement of funds pursuant to the center of work-  
14 force achievement program shall be made until: (i) Applicant colleges,  
15 in consultation with state university of New York's board of trustees  
16 and the department, have prepared a center of workforce achievement  
17 program and financing plan for each center of workforce achievement  
18 which shall specify: (1) the purposes and plans for any facilities,  
19 equipment, and features to be included in such program; (2) a  
20 description of the consortium of institutions/organizations involved,  
21 their responsibilities and contributions, and the structure and gover-  
22 nance of the collaboration, provided that such consortium's governance  
23 structure shall include members representing the involved academic  
24 and/or research institutions, business partners, and representatives of  
25 the local business community; (3) evidence of the level of non-state  
26 financing committed to the program by such collaborating parties; (4)  
27 efforts to obtain and administer corporate, federal and/or foundation  
28 support; (5) evidence that state funding provided pursuant to this act  
29 represent no more than twenty-five percent of the total project costs as  
30 then estimated by the state university of New York's board of trustees.  
31 Provided that, in estimating such percentage, the corporation shall  
32 consider matching funds from the project sponsor or other sources in the  
33 form of allocated funds (cash); in-kind personnel, equipment or material  
34 donations; federal funds reasonably anticipated to be received by the  
35 project sponsors; significant financial contributions to the project  
36 sponsor; prorated operational costs; or combinations of these forms. In  
37 the event that a project sponsor requests funding in excess of such  
38 twenty-five percent limit, upon the recommendation of the state univer-  
39 sity of New York's board of trustees the director of the division of the  
40 budget may authorize the provision of center of workforce achievement  
41 funding pursuant to the authority established in this section or direct-  
42 ly appropriated by the state in excess of twenty-five percent of total  
43 project costs; (6) a detailed financial plan and time line for the  
44 proposed project including total project cost, sources and uses of  
45 funds, and operating budgets; (7) an appropriate plan for the develop-  
46 ment, staffing, operation, and continuing use and development of the  
47 program; (8) the anticipated workforce development benefits; and (9)  
48 such other information as the state university of New York's board of  
49 trustees shall require.

50 (c) Once the certified program and financing plan has been approved by  
51 the board of trustees of the state university of New York the financing  
52 plan shall be submitted to the director of the division of the budget  
53 and copies of such plan shall be filed with the chairman of the senate  
54 finance committee and the chairman of the assembly ways and means  
55 committee. (1) Any amendment to a center of workforce achievement  
56 program and financing plan must be reviewed, approved and certified by

1 the board of trustees of the state university of New York and submitted  
2 to the director of the division of the budget prior to adoption pursuant  
3 to the requirements of this section; and, upon adoption, filed with the  
4 chairman of the senate finance committee and the chairman of the assem-  
5 bly ways and means committee.

6 (2) Notwithstanding any other law, rule or regulation to the contrary,  
7 no more than three and one-half of one percent of any grant issued under  
8 the centers of workforce achievement program may be allocated to any  
9 public, not-for-profit or academic institution or to any subsidiary or  
10 organization associated thereof for purposes to include, but not be  
11 limited to, any direct or indirect costs of administering the program in  
12 such institution, subsidiary or association not contained in the appli-  
13 cation requesting such funds, provided however that no monies granted  
14 under the centers of achievement program may be used to supplant any  
15 direct or indirect costs of such institution, subsidiary or associated  
16 organization.

17 3. (a) From such funds as may be appropriated for this purpose by the  
18 legislature, the state university of New York's board of trustees may  
19 provide financial support, through contracts or other means, in order to  
20 enhance and accelerate center operations in joint college/industry work-  
21 force training. Funds received pursuant to this section may be used for  
22 the employment of faculty and staff, provision of graduate fellowships,  
23 or other operating expenses that are aligned with the center's strategy  
24 and approved by the state university of New York's board of trustees.

25 (b) Funds shall be matched on a one to one basis by the institution  
26 receiving the funds and collaborative partners in the form of cash or  
27 in-kind personnel, equipment, material donations, and other facility and  
28 operations expenditures.

29 4. (a) Each participating community college shall develop a curriculum  
30 to suit the needs of local and regional businesses as identified in  
31 their plan pursuant to subdivision two of this section and work to  
32 recruit students to educate them and turn them into a skilled workforce  
33 that meets the needs of the local business sector.

34 (b) Participating community colleges shall enter into partnerships  
35 with selected private businesses to ensure that once the workers are  
36 trained, a job will be available for them. Such process may be facili-  
37 tated through internship programs which allow students to work in  
38 selected business for credit hours at the community college or other  
39 means as the college shall deem appropriate. Such curriculum shall be  
40 specialized with the goal of meeting the regional demands of business  
41 entities.

42 5. (a) The state university of New York's board of trustees shall, on  
43 or before February first, two thousand fifteen and every year thereaft-  
44 er, submit to the governor, the temporary president of the senate and  
45 the speaker of the assembly a report on the operations and accomplish-  
46 ments of the centers of workforce achievement.

47 (b) The annual report shall provide, but not be limited to, the  
48 following information for each calendar year:

49 (i) the purposes for which center facilities, equipment, and personnel  
50 were utilized;

51 (ii) a detailed operating budget, including the amount of state funds  
52 received, as well as identification of each source of federal, state,  
53 local or private funds, including in-kind contributions;

54 (iii) an accounting of capital expenditures, identifying the amount of  
55 state funds utilized, as well as each source of federal, state, local,  
56 or private funds, including in-kind contributions;

1 (iv) a description of the governance structure of the center including  
2 the respective roles of collaborating partners;

3 (v) the economic impact of the activities undertaken with state funds,  
4 including such factors as jobs created and maintained; and other tangi-  
5 ble evidence of recognition; and the methodology utilized to determine  
6 such impact.

7 6. The state university of New York's board of trustees shall, on or  
8 before February first, two thousand fifteen and every year thereafter,  
9 submit to the governor, the temporary president of the senate and the  
10 speaker of the assembly an overall strategic plan for the centers of  
11 achievement program.

12 (a) The plan shall include the broad focus and mission of the center  
13 and the strategies used to determine that focus including but not limit-  
14 ed to collaboration with local and regional economic development enti-  
15 ties to determine current workforce needs.

16 (b) Such plan shall also include the metrics that will be used to  
17 determine whether and to what degree each center is maintaining its  
18 focus and fulfilling its mission.

19 (c) The plan shall be assessed by the governing board of the center  
20 and revised annually as appropriate. Any revisions shall be submitted to  
21 state university of New York's board of trustees for approval.

22 7. The state university of New York's board of trustees shall regulate  
23 this program, and designation will be subject to legislative approval.

24 § 3. This act shall take effect immediately.