



2019 ANNUAL REPORT

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**NEW YORK STATE SENATE  
STANDING COMMITTEE  
ON HIGHER EDUCATION**



Senator Toby Ann Stavisky  
Chair





THE SENATE  
STATE OF NEW YORK  
ALBANY 12247

**TOBY ANN STAVISKY**  
Senator, 16th District

**VICE CHAIRWOMAN  
SENATE MAJORITY**

**CHAIRWOMAN**  
COMMITTEE ON HIGHER EDUCATION

**COMMITTEE MEMBER**  
EDUCATION  
ETHICS AND INTERNAL GOVERNANCE  
FINANCE  
HEALTH  
JUDICIARY  
RACING, GAMING AND WAGERING

□ DISTRICT OFFICE  
142-29 37TH AVE., GROUND FLOOR  
FLUSHING, NEW YORK 11354  
PHONE (718) 445-0004  
FAX (718) 445-8398

□ ALBANY OFFICE  
ROOM 913  
LEGISLATIVE OFFICE BUILDING  
ALBANY, NEW YORK 12247  
PHONE (518) 455-3461  
FAX (518) 426-6857

STAVISKY@NYSENATE.GOV

January 21, 2020

The Honorable Andrea Stewart-Cousins  
Temporary President and Majority Leader  
New York State Senate  
Albany, New York 12247

Dear Senator Stewart-Cousins:

It is my pleasure to submit the annual report of the Senate Standing Committee on Higher Education for the 2019 legislative session. The committee remains committed to strengthening higher education in New York State, as well as overseeing professional licensure issues as described in the Education Law.

The Committee on Higher Education reported out of Committee two historic bills at its first two meetings in January. In past sessions, these bills had been held in committee. The first bill to move through the committee was S.1046 by Senator Hoylman, which prohibits mental health professionals from engaging in conversion therapy with clients under the age of 18. This legislation, which became Chapter #7 of 2019 will protect the physical, social and psychological well-being of minors.

The second historical measure reported out of committee and signed into law was S.1250 by Senator Sepulveda, the Jose Peralta New York State DREAM Act. This legislation gives undocumented and other students access to New York State's grants and scholarship programs to offset the cost of higher education. It enables undocumented students to apply for TAP, the Excelsior Scholarship and other programs not previously available to them.

The Higher Education Committee reviewed 200 bills which were referred to the committee; 54 bills were reported; 38 passed the Senate with 12 passing both houses. Eight bills have been chaptered and 4 vetoed by the Governor. The committee also approved 8 gubernatorial nominations.

In the adopted budget, restoration of cuts to the opportunity programs that assist low income and minority students was achieved. The Legislature also provided an additional \$12.01 million for community college base aid and supported the 98% floor of the 2018-2019 budget.

In conclusion, I would like to thank the committee for its continued support and commitment throughout the 2019 legislative session. I remain dedicated to ensuring that higher education is accessible, affordable and of the highest quality for all students. I look forward to working with the committee members and the entire Senate on the issues affecting higher education in the state.

Sincerely,

Toby Ann Stavisky  
Senator, 16<sup>th</sup> District

**2019 LEGISLATIVE SESSION REPORT**  
**NEW YORK STATE SENATE**  
**STANDING COMMITTEE ON HIGHER EDUCATION**

**Senator Toby Ann Stavisky, Chairwoman**

Committee Members

Majority

Senator Neil D. Breslin  
Senator James F. Gaughran  
Senator Andrew S. Gounardes  
Senator Robert Jackson Jr.  
Senator Rachel May

Minority

Senator Kenneth P. LaValle  
*Ranking Member*  
Senator George A. Amedore  
Senator Joseph E. Robach  
Senator James L. Seward

Committee Staff

Jan Dorman – Director  
Sabiell Chapnick – Legislative Director  
Beth LaMountain – Clerk

## **COMMITTEE JURISDICTION AND OVERVIEW**

The Senate Higher Education Committee is charged with the review and development of legislation addressing postsecondary education for New York State. This includes legislation dealing with the Board of Regents as well as more than 50 professions licensed by the State Education Department.

The committee's jurisdiction, therefore, covers a broad range of areas including maintaining the quality of New York's public, independent and proprietary colleges and universities, continuing the state's long tradition of providing the nation's most generous student financial aid programs, and providing institutional aid to all sectors of higher education. In addition, the committee plays a key role in program quality, access and opportunities for professional education, encourages academic and private sector cooperation, promotes research, and facilitates elementary and postsecondary partnerships. Furthermore, the committee is deeply involved with the process by which practitioners acquire, demonstrate and maintain professional skills. A major component of the committee's work is to consider change and expansion to the scope of practice of the state's professions, as well as to consider the licensure of newly created professions.

Another important responsibility of the committee is to consider gubernatorial and mayoral nominations to the various boards, task forces and work groups within the higher education community.

## COMMITTEE HIGHLIGHTS

During the 2019 Session, the Higher Education Committee held eleven meetings and seven hearings. The Committee's first actions passed historic legislation including S.1046 (Hoylman) that prohibited mental health professionals from engaging in conversion therapy. The legislation passed both houses and became Chapter #7 in 2019. Another historical measure reported out of the committee and signed into law was S. 1250 (Sepulveda) which enacted the Jose Peralta New York State Dream Act. This give undocumented students access to the State's grants and scholarship programs to offset the cost of higher education.

The committee reviewed and passed legislation dealing with professions regulated by Title VIII of the Education Law. A significant measure that became law was S6517 (Stavisky) that defined the practice of registered pharmacy technicians, operating in Article 28 facilities, giving pharmacists greater assistance to provide quality service to patients.

On April 10, 2019, the Senate Higher Education Committee held a hearing to explore ways to provide better information to students, parents, and consumers on how to make decisions concerning a proprietary degree granting college and licensed career schools in New York State. The hearing produced new legislation for the Committee to consider including S.5562 (Stavisky), S.5581A (Stavisky), S5598 (Thomas) and S5799B (Thomas).

For the first time ever, the Senate Higher Education Committee held statewide hearings on the cost of public Higher Education. Between October 24, 2019 and November 1, 2019, the Committee held a series of five hearings in New York City, New Paltz, Buffalo, Syracuse and Long Island. Hundreds attended and legislators heard from the higher education community, including students, faculty, college presidents, SUNY and CUNY system administrators, campus administrators, faculty union representatives, and consumer advocates. Topics covered included the Excelsior Scholarship, the TAP GAP, room and board, transportation, local housing markets, the cost of textbooks and associated access costs, meal plans, student homelessness, mental health services, food insecurity, and other topics of importance to students, faculty, and school administration.

A hearing was also held on December 16, 2019, in New York City, on capital funding needs, since the State has not has not had a 5-year capital plan since 2008.

Additionally, of the 52 bills reported out of the Higher Education Committee 43 passed the Senate and are listed below.

## TWO HOUSE BILLS

In 2019, thirteen of the two hundred bills referred to the Standing Committee on Higher Education passed both houses of the Legislature. Of these bills. The Governor has signed nine and vetoed four.

<b>Bill</b>	<b>Sponsor</b>	<b>Summary</b>	<b>Action</b>
S1046	Hoylman	Designates as professional misconduct, engaging in sexual orientation change efforts by mental health professionals upon patients under 18 years of age.	Signed, Chapter 7
S1250	Sepulveda	Enacts the Jose Peralta New York State DREAM Act by creating the New York DREAM fund commission and amends eligibility requirements and conditions governing certain awards.	Signed, Chapter 26
S3809	Stavisky	Relates to a restricted dental faculty license, makes such provisions permanent.	Signed, Chapter 401
S4121	LaValle	Provides that an undergraduate student enrolled in an approved two or four-year program of study approved by the commissioner who must transfer to another institution as a result of permanent college closure shall be eligible for up to two additional semesters, or their equivalent, to the extent credits necessary to complete his or her program of study were deemed non-transferable from the closed institution or were deemed not applicable to such student's program of study by the new institution.	Signed, Chapter 376
S4469-B	Stavisky	Relates to the instilling of mydriatic or cycloplegic eye drops by persons qualified and supervised by a licensed optometrist or ophthalmologist.	Signed, Chapter 517
S4558	Parker	Relates to registered dental assisting	Signed, Chapter 390
S5091-B	Comrie	Requires pharmacies to make reasonable attempts to notify patients within seven days	Signed, Chapter 379

		by phone or mail of class I drug recalls where such patients are currently taking such recalled drugs.	
S5410	Sanders	Relates to the cumulative grade point average admission requirement for graduate-level teacher and educational leader programs.	Vetoed, memo .237
S5985	Breslin	Relates to the New York state masters-in-education teacher incentive scholarship program	Vetoed, memo .189
S5773	Stavisky	Relates to requirements for the NYS science, technology, engineering and mathematics incentive program (STEM).	Vetoed, memo .168
S5999	Stavisky	Amends Chap 219 of the laws of 2003 in relation to extending the provisions of that chapter which relates to publishers and manufacturers providing printed instructional materials for college students with disabilities.	Signed, Chapter 171
S6042A	May	Authorizes an increase in the tuition of out-of-state residents for SUNY College of Environmental Science and Forestry.	Vetoed, memo .175
S6517	Stavisky	This bill would define the practice of registered pharmacy technicians, set limitations on how an unlicensed person can assist a pharmacist in the dispensing of drugs, and add two registered pharmacy technicians to the State Board of Pharmacy.	Signed, Chapter 414



## SUMMARY OF COMMITTEE ACTIVITY

<b>Bill</b>	<b>Sponsor</b>	<b>Summary</b>	<b>Action</b>
S250	Kennedy	Establishes a private student loan refinance task force	Passed Senate
S878	Rivera	Relates to certain tuition waivers for police officer students of the state university of New York and the city university of New York	Reported to Senate Finance
S1797	Rivera	Relates to the performance of medical services by physician assistants	Passed Senate
S1867	Stavisky	Enacts the higher education community service act to promote volunteer service by higher education students	Passed Senate
S1889	Skoufis	Relates to increasing the minimum tuition assistance program award and increasing the tuition assistance program income threshold	Passed Senate
S2113	Sanders	Relates to the application for admission to the practice of a profession by a veteran admitted to practice in another jurisdiction	Passed Senate
S2406	Serrano	Requires cultural awareness and competence training for medical professionals	Passed Senate
S2550	Stavisky	Relates to immigration status of registered students	Passed Senate
S2980	Griffo	Allows eligible non-resident undergraduate students to pay separate tuition rates for attendance at the state university college of arts and sciences at Potsdam	Passed Senate
S2935A	Kaminsky	Requires certain engineering plans that could pose a material risk to public safety to bear a stamp of approval of a professional engineer	Passed Senate
S3445	Stavisky	Directs each community college to study the effectiveness of the current full-time equivalent funding formula and alternatives thereto	Passed Senate
S3448	Stavisky	Establishes a service corps education grant to be used for tuition costs or loan repayment; and provides for funding for the service corps education grant	Reported to Senate Finance
S3539A	Rivera	Relates to the substitution of brand name epinephrine auto-injectors with alternate epinephrine auto-injectors	Passed Senate
S3661	Gounardes	Relates to reducing the cost of textbooks for students of institutions of higher education	Passed Senate
S3842B	Stavisky	Relates to certified public accountants	Passed Senate

S3844A	Stavisky	Relating to requiring study abroad organizations to report crime and harm that occurs to participating students	Committed to Senate Rules
S3916B	Stavisky	Provides a program fee option for graduate students	Passed Senate
S4035	Bailey	Relates to the use of oral medications by optometrists	Passed Senate
S4045A	Jackson	Relates to student loan assistance for certain attorneys employed by political subdivisions of the state	Passed Senate
S4695	Persaud	Provides for the licensing of vision impairment specialists	Passed Senate
S4873A	Stavisky	Directs the board of trustees of the state university of New York and the city university of New York to report on the current composition of faculty at four year campuses and community colleges	Passed Senate
S5023	Parker	Establishes the interagency task force on health literacy	Passed Senate
S5066A	Krueger	Relates to clarifying the status of certain persons exempt from optometrist license requirements	Passed Senate
S5071	Skoufis	Relates to allowing for students in postsecondary education experience or transition program to receive awards from the tuition assistance program	Passed Senate
S5093	Stavisky	Requires certain professionals to provide and the state education department to collect information about the practice of their professions	Passed Senate
S5127	May	Relates to the licensure of athletic trainers; and adds athletic trainers to the list of persons and officials required to report cases of suspected child abuse or maltreatment	Reported to Senate Finance
S5162	Stavisky	Establishes the individuals authorized to perform tasks involving the dispensing of drugs	Passed Senate
S5227	May	Relates to pharmacist immunizations and emergency treatment of anaphylaxis; makes certain provisions permanent	Committed to Senate Rules
S5295A	Rivera	Extends the provisions of law authorizing certain health care professionals licensed to practice in other jurisdictions to practice in this state in connection with an event sanctioned by New York Road Runners	Reported to Senate Health
S5395	Jackson	Makes technical corrections to the practice of podiatry	Passed Senate
S5562A	Stavisky	Relates to creating the proprietary college tuition reimbursement account	Amended and Recommitted to Senate Rules

S5581A	Stavisky	Establishes the Non-Degree Proprietary School Supervision and Student Protection Act	Amended and Recommitted to Senate Rules
S5623	Stavisky	Relates to access to patient or client records in the investigation and prosecution of professional licensing and misconduct proceedings	Passed Senate
S5695A	Liu	Relates to observance of all religious holidays by institutions within the state university and the city university of New York, and includes the Asian Lunar New Year within the definition of such holidays	Passed Senate
S5715	Metzger	Relates to eligibility under the New York state young farmers loan forgiveness incentive program	Passed Senate
S5848B	Harcckham	Relates to local infiltration and block anesthesia certificates	Passed Senate
S5927	Stavisky	Establishes the PRODi-G EOP to PhD loan forgiveness program	Passed Senate
S6011	Rivera	Relates to allowing pharmacies to store medication in automated dispensing machines	Committed to Senate Rules
S6084	Stavisky	Relates to the practice of professional geology	Passed Senate











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