

1 CUNY BILL #1-93

2 An Act to amend the
3 education law to
4 designate Medgar
5 Evers college as a
6 senior college

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

9 Section 1. Subsection 5 of section 6202 of the
10 education law, as amended by chapter 815 of the laws of 1980,
11 is amended to read as follows:

12 5. The term "senior college" shall mean an institution of
13 higher education in the city of New York, which is governed
14 and administered by the board of trustees, including, but not
15 limited to, a professional or graduate institution, an
16 institution for research, an administrative institution and,
17 except as otherwise provided, Medgar Evers college, New York
18 city technical college (formerly known as New York city
19 community college), and the college of Staten Island, but not
20 including a community college.

21 § 2. Subdivision 3 of section 6215 of the education
22 law, as added by chapter 815 of the laws of 1980, is amended
23 to read as follows:

24 3. For purposes of this article and article one hundred
25 twenty-five-B of this chapter, and notwithstanding any other
26 provision thereof, the instructional and non-instructional
27 fees received from matriculated and non-matriculated students
28 at New York city technical college shall be treated as if they

1 were fees from a community college, and the instructional and
2 non-instructional fees received from matriculated and non-
3 matriculated students at the college of Staten Island shall be
4 treated as if they were senior college fees; provided,
5 however, that instructional and non-instructional fees from
6 students attending that portion of the program of the
7 [College] college of Staten Island whose primary purpose is
8 providing certificate and associate degree post secondary
9 programs in general and technical educational subjects shall
10 be treated as if they were fees from a community college [;
11 provided, however, that instructional and non-instructional
12 fees received from all students attending the college of
13 Staten Island and New York city technical college shall be
14 used to offset that state share of operating expenses].

15 § 3. Section 6219 of the education law, is amended by
16 adding a new subdivision 3 to read as follows:

17 3. Notwithstanding any other provisions of law, the
18 provisions of this section shall apply to Medgar Evers
19 college.

20 § 4. Subparagraph e of paragraph 2 of subdivision A of
21 section 6221 of the education law, as added by chapter 815 of
22 the laws of 1980, is amended to read as follows:

23 e. In addition to the amounts specified in subparagraph
24 a of this paragraph and notwithstanding the provisions of
25 subparagraph b of this paragraph, the city of New York shall
26 appropriate in its expense budget and pay to the account of

1 the senior colleges of the city university of New York as the
2 city's share of operating aid for the college of Staten Island
3 [and] New York city technical college and Medgar Evers
4 college amounts in accordance with the following schedule:

5 (i) [For the twelve month period commencing July
6 first, nineteen hundred eighty, an amount that
7 shall equal four million, one hundred thousand
8 dollars (\$4,100,000).

9 (ii) For the twelve month period commencing July
10 first, nineteen hundred eighty-one, an amount equal
11 to one-half of the amount specified in clause (i)
12 of this subparagraph.

13 (iii)] For the twelve month period commencing July
14 first, nineteen hundred eighty-two, and thereafter
15 the city of New York shall not be required to make
16 any appropriation for operating aid for the college
17 of Staten Island and New York city technical
18 college.

19 (ii) For the twelve month period commencing July
20 first, nineteen hundred ninety-three, the city of
21 New York shall be required to appropriate an amount
22 that shall equal five million six hundred sixty-
23 three thousand dollars) for its share of operating
24 aid for Medgar Evers college.

25 (iii) For the twelve month period commencing July
26 first, nineteen hundred ninety-four, an amount

1 equal to four-fifths of the amount specified in
2 clause (ii) of this subparagraph.

3 (iv) For the twelve month period commencing July
4 first, nineteen hundred ninety-five, an amount
5 equal to three-fifths of the amount specified in
6 clause (ii) of this subparagraph.

7 (v) For the twelve month period commencing July
8 first, nineteen hundred ninety-six, an amount equal
9 to two-fifths of the amount specified in clause
10 (ii) of this subparagraph.

11 (vi) For the twelve month period commencing July
12 first, nineteen hundred ninety-seven, an amount
13 equal to one-fifth of the amount specified in
14 clause (ii) of this subparagraph.

15 (vii) For the twelve month period commencing July
16 first, nineteen hundred ninety-eight, and
17 thereafter the city of New York shall not be
18 required to make any appropriation for operating
19 aid for Medgar Evers college.

20 § 5. Subdivision B of section 6221 of the education law,
21 as amended by chapter 815 of the laws of 1980 and so
22 designated by chapter 585 of the laws of 1988, is amended to
23 read as follows:

24 B. Senior college capital costs. Commencing with the
25 twelve-month period beginning July first, nineteen hundred
26 eighty-two and thereafter, the state shall pay one hundred per

1 "sum of capital costs exclusive of those financed pursuant
2 "the provisions of article one-hundred twenty-five-B of this
3 "apter, of the senior colleges of the city university of New
4 "rk, [provided however that commencing with the twelve month
5 "riod beginning July first, nineteen hundred eighty-two and
6 "ereafter, the state shall pay one hundred per centum of
7 "pital costs exclusive of those financed pursuant to the
8 "ovisions of article one hundred twenty-five-B of this
9 "apter, of] including the college of Staten Island, [and] New
10 ork city technical college[,] and, commencing with the twelve
11 month period beginning July first, nineteen hundred ninety-
12 three and thereafter, Medgar Evers college, provided, however,
13 that appropriations authorizing such costs have been approved
14 by the legislature. The advancement of capital projects
15 pursuant to this subdivision shall be undertaken only in
16 accordance with the provisions of section ninety-three of the
17 state finance law.

18 § 6. Section 6221 of the education law is amended by
19 adding a new subdivision E to read as follows:

20 E. Medgar Evers college. Notwithstanding the designation of
21 Medgar Evers college as a senior college:

22 (i) the city of New York shall annually appropriate in
23 its expense budget and pay to the city university of New York,
24 as operating aid in support of the programs and services, an
25 amount for each full-time equivalent student in the associate
26 degree program of the college equal to the amount the city of

1 New York is appropriating and paying for each full-time
2 equivalent student in the community colleges;

3 (ii) the state of New York shall annually appropriate
4 and pay to the city university of New York an amount equal to
5 the net operating expenses of Medgar Evers college less the
6 amount payable by the city of New York pursuant to this
7 subdivision. Such state of New York payment shall be made in
8 four installments on or before April twenty-fifth, June
9 twenty-fifth, October twenty-fifth and February twenty-fifth.
10 The amount to be paid by the city of New York pursuant to this
11 subdivision shall be determined by the state director of the
12 budget, based upon information submitted by the mayor in such
13 form and content and at such time as may be required by the
14 state director of the budget.

15 § 7. Section 6225 of the education law, as added by
16 chapter 305 of the laws of 1979, is amended to read as
17 follows:

18 § 6225. Pending actions and proceedings. No action or
19 proceeding based upon a cause of action which arose prior to
20 the effective date of this article or, with respect to Medgar
21 Evers college, prior to July 1, 1993, brought by or against
22 [the board of higher education,] the city of New York, the
23 city university of New York or its board of trustees [of the
24 city university of New York], or the city university
25 construction fund shall be affected by any provision of this
26 article, but the same may be prosecuted or defended by the

1 corporation counsel of the city of New York in the name of the
2 body corporate of the city university of New York created by
3 this article in the same court in which the action is pending.
4 In all such actions and proceedings such body corporate, upon
5 application to the court, shall be substituted as a party.
6 Judgements or awards in any such action or proceeding shall be
7 paid by the city of New York in the same manner as prior to
8 the effective date of this article, provided, however, the
9 state shall reimburse the city to the extent required by law
10 in effect at the time the cause of action arose.

11 § 8. The section heading and subdivision A of section
12 6232 of the education law, as added by chapter 815 of the laws
13 of 1980, are amended to read as follows:

14 College of Staten Island [and] New York city technical
15 college and Medgar Evers college programs.

16 A. Notwithstanding the designation of the college of Staten
17 Island [and the] New York city technical college and Medgar
18 Evers college as senior colleges, the associate degree
19 programs of these colleges shall be conducted administratively
20 and academically in a manner consistent with the policies of
21 the city university of New York applicable to such programs.

22 § 9. This act shall take effect July 1, 1993.