

1 BEFORE THE NEW YORK STATE SENATE FINANCE
AND ASSEMBLY WAYS AND MEANS COMMITTEES

2 -----

3 JOINT LEGISLATIVE HEARING

4 In the Matter of the
5 2015-2016 EXECUTIVE BUDGET ON
6 HIGHER EDUCATION

6 -----

7 Hearing Room B
8 Legislative Office Building
Albany, New York

9 February 10, 2015
10 9:36 a.m.

11 PRESIDING:

12 Senator John A. DeFrancisco
13 Chair, Senate Finance Committee

14 Assemblyman Herman D. Farrell, Jr.
Chair, Assembly Ways & Means Committee

15 PRESENT:

16 Senator Liz Krueger
17 Senate Finance Committee (RM)

18 Assemblyman Robert Oaks
19 Assembly Ways & Means Committee (RM)

20 Assemblywoman Deborah J. Glick
21 Chair, Assembly Higher Education Committee

22 Senator Kenneth P. LaValle
23 Chair, Senate Higher Education Committee

24 Assemblywoman Roxanne J. Persaud

Assemblyman Michael J. Cusick

Assemblyman Al Stirpe

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1 2015-2016 Executive Budget
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3 PRESENT: (Continued)

4 Senator Toby Ann Stavisky

5 Assemblywoman Nicole Malliotakis

- 6 Assemblyman William Magee
- 7 Assemblywoman Ellen Jaffee
- 8 Assemblyman Chad A. Lupinacci
- 9 Assemblywoman Barbara S. Lipton
- 10 Assemblywoman Patricia Fahy
- 11 Assemblyman Clifford W. Crouch
- 12 Senator Simcha Felder
- 13 Assemblywoman Jo Ann Simon
- 14 Senator Velmanette Montgomery
- 15 Assemblywoman Rebecca Seawright
- 16 Assemblywoman Rodneyse Bichotte
- 17 Senator Jesse Hamilton
- 18 Assemblyman David Wepri n
- 19 Assemblyman Gary D. Finch
- 20 Senator Diane Savino
- 21 Assemblyman Steve McLaughlin
- 22 Senator Jack Martins
- 23 Assemblyman Edward Ra
- 24 Senator Jose Peralta

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1 CHAIRMAN FARRELL: Good morning.
2 Today we begin the ninth in a series of
3 hearings conducted by the joint fiscal
4 committees of the Legislature regarding the
5 Governor's proposed budget for fiscal years
6 2015-2016. The hearings are conducted
7 pursuant to Article 7, Section 3 of the
8 Constitution and Article 2, Section 31 and
9 32A of the Legislative Law.

10 Today the Assembly Ways and Means
11 Committee and the Senate Finance Committee
12 will hear testimony concerning the budget
13 proposal for higher education.

14 And I have been joined here on the
15 dais with Chairwoman Deborah Glick,
16 Mr. Cusick, Roxanne Persaud, Ms. Bichotte,
17 and Barbara Lifton.

18 And Mr. Oaks. And Mr. Oaks has?

19 ASSEMBLYMAN OAKS: Thank you. We've
20 also been joined by Assemblyman Finch,
21 Assemblyman McLaughlin, and Assemblywoman
22 Malliotakis.

23 CHAIRMAN DeFRANCISCO: And the ranker
24 of this committee, Senator Krueger, is here,

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1 as she has been, joined with me for the last
2 month, and the ranker for Higher Education,
3 Senator Stavisky.

4 And others will be here.

5 CHAIRMAN FARRELL: And Assemblyman

6 Magee has joined us.

7 Good morning, Chancellor.

8 CHANCELLOR ZIMPHER: Good morning.

9 Ready to go?

10 CHAIRMAN FARRELL: Yes.

11 COMMISSIONER ZIMPHER: All right.

12 Good morning to all of you. My name is Nancy
13 Zimpher, and I am the chancellor of the State
14 University of New York. I want to thank
15 Chairpersons DeFrancisco, Farrell, LaValle,
16 and Glick, members of the Senate and
17 Assembly, and the legislative staff for
18 allowing us this opportunity to speak today.

19 With me are President Harvey Stenger
20 of Binghamton University, President Don
21 Christian of SUNY New Paltz, and President
22 Anne Kress of Monroe Community College, all
23 of whom I have invited to share their
24 perspectives on the 2015-2016 Executive

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1 Budget.

2 And I would also like to take this
3 opportunity to acknowledge the other SUNY
4 campus presidents who are with us, if you
5 would stand behind me -- or with me, I should
6 say. And also in the house, chairman of the
7 Board of Trustees for the State University of
8 New York, H. Carl McCall. Chairman McCall.

9 So I thank them all for their time and
10 continued devotion to the State University of

11 New York system.

12 So since I first sat with you five
13 years ago, I'm proud to say that thanks to
14 your partnership, SUNY has come a very long
15 way. We all remember the years when our
16 state-operated campuses faced massive annual
17 reductions in state support and students
18 applied to college not knowing how much they
19 would have to pay over their time with us.

20 I'm proud that now we are successfully
21 implementing a rational tuition policy that
22 builds upon a foundation of maintained effort
23 by the state.

24 We have also left behind the years

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1 where each new budget further decreased
2 per-student funding for our community
3 colleges. Thankfully, the aid per student
4 provided to these institutions has grown in
5 each of the last three years, showing your
6 belief and trust in these essential
7 community-based institutions.

8 The Executive Budget has provided a
9 foundation for what we hope to accomplish
10 this year, but there is plenty of room to
11 grow state support for SUNY.

12 We have distributed a quick reference
13 guide to our positions on the Governor's
14 proposals, and some of the highlights include
15 a continuation of NYSUNY 2020, a
16 maintenance-of-effort provision and the

17 \$55 million for the fifth round of challenge
18 grants, \$200 million in bond and critical
19 maintenance funding for our state-operated
20 institutions paired with a long-term
21 financial plan commitment, maintenance of
22 community college base aid per student at
23 2014-2015 levels, and capital funding for
24 over 60 projects with a local sponsor match.

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1 And for the first time, \$18 million in net
2 new performance-based funding for state
3 operated campuses.

4 The Executive Budget also presents
5 some challenges, including the elimination of
6 last year's legislatively added funding for
7 several of our university-wide and
8 categorical programs, totaling approximately
9 \$5.3 million, and \$7.6 million provided by
10 our Legislature for our salary costs in the
11 2014-2015 enacted budget.

12 I request that you restore these
13 essential funds to bolster the foundation
14 from which you can aid SUNY in providing for
15 the educational and economic future of
16 New York State.

17 We welcome questions on any other
18 items in the Executive Budget, but for today
19 I want to focus on two important issues:
20 Maintaining our base and the critical need
21 for increased investment in the State
22 University system.

23 Currently 48 states, including
24 New York, are spending less per student than

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1 they did before the Great Recession. We
2 cannot plan the future of our State
3 University on yesterday's dollars. While
4 with your continued support we have been
5 rebuilding New York's investment in higher
6 education, there remains much more that we
7 can and must do.

8 So let me speak first to maintaining
9 our base. The effectiveness of any new
10 investment in SUNY is constrained by our base
11 costs.

12 Our priorities in this area are,
13 first, the collective bargaining contracts
14 that were excluded from the Executive Budget.
15 These are costs that are outside of SUNY's
16 direct control which will cost our
17 state-operated campuses over \$131 million
18 through the end of the 2015-2016 academic
19 year. I know we could reach even greater
20 success and aid even more of our students if
21 these costs are covered.

22 In addition, our community colleges
23 are paying continually increasing salary and
24 fringe benefits costs. Facing currently

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1 planned flat funding, struggling local
2 sponsors, and normalizing enrollments, these
3 institutions will be forced to look elsewhere

4 for support. That is why we are advocating
5 for a rational funding plan for community
6 colleges, starting at an increase in base aid
7 funding of \$250 per student in the 2015-2016
8 enacted budget.

9 In addition, I am requesting that you
10 as our legislative champions boldly triple
11 the \$200 million in capital funding in the
12 Executive Budget to \$600 million each year
13 over the next five years. Nearly half of the
14 buildings on SUNY campuses were built between
15 40 and 50 years ago, and \$200 million a year
16 is not sufficient to address SUNY's critical
17 maintenance needs.

18 This level of investment will ensure
19 that we can continue to keep our students,
20 faculty and staff warm, safe and dry.

21 Finally, I would be remiss if I did
22 not mention the continued struggle of our
23 three teaching hospitals. The Executive
24 Budget included an \$18.5 million reduction in

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1 their support, while attention has been
2 understandably focused on a single
3 institution -- and we appreciate the aid the
4 Legislature and the Governor have provided in
5 that arena -- this cycle is due to repeat
6 itself if our teaching hospitals do not have
7 funding to address basic needs while their
8 missions continue to evolve.

9 Our hospitals have not received bonded

10 capital support since 2008-2009, and this has
11 left two out of three institutions facing
12 mounting critical maintenance concerns while
13 also looking for ways to strategically invest
14 in their operations.

15 So second to maintaining our base is
16 the critical need for new investment for the
17 State University of New York. As important
18 as our base support is, I must focus on these
19 increased investments and what they can do
20 for the State University of New York system,
21 for our students and our faculty.

22 In my State of the University address,
23 I made the case -- eloquently stated by New
24 York Times columnist David Leonhardt -- that

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1 education, educating more people and
2 educating them better, is simply the best bet
3 any society can make. And we didn't stop
4 there. We didn't just say let's do more. We
5 made a commitment to New York. We made a
6 promise to our state that by 2020, SUNY would
7 produce 150,000 graduates each year.
8 Currently we graduate 93,000 students a year.
9 Our goal is to increase that number by 60,000
10 graduates. That would mean 150,000
11 New Yorkers every year who will be better
12 equipped to have a career that pays well in a
13 field they want to work in -- 150,000
14 New Yorkers with a better quality of life.

15 And to get to that 150,000 number, I

16 am advocating for a number of initiatives
17 that we know will be game-changers for
18 education in New York State. But without
19 your investment, few if any of these
20 initiatives can come to fruition and be
21 brought to scale across the state.

22 To set the stage, I would like to
23 share with you one sobering example of why we
24 need to work together to do better for our

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1 students. And here it is. For every 100
2 ninth-graders in New York, on average only
3 73 will graduate from high school. Of those
4 73, only 51 will go directly to college. But
5 only 37 now of those 100 ninth-graders will
6 return for their sophomore year. And then,
7 of those 37 who stay for the sophomore year,
8 only 23 will complete their degree on time or
9 close to on time -- 23 of every 100
10 ninth-graders. And 23 is only the average.
11 In our upstate urban centers, the statistics
12 show a darker picture: Only 16 of every 100
13 ninth-graders will complete college close to
14 on time. Of those students who fall off,
15 some of them will have a college experience
16 eventually, but most of them will not finish.
17 They will drop out for a variety of
18 reasons -- lack of preparedness, lack of
19 guidance, lack of support.

20 In New York, the unemployment rate is
21 two times higher for those without a college

22 degree. We simply cannot allow anyone to be
23 left behind. We need your support to enable
24 the state university to deliver on its

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1 mission, ensuring that every New Yorker has
2 access to the highest-quality education,
3 graduates to build a better life, stronger
4 communities, and a vibrant state economy.

5 So with regard to the investment fund,
6 there is a performance element. The
7 Executive Budget, as I mentioned, includes
8 \$18 million to be allocated by our Board of
9 Trustees following submission and approval of
10 a performance improvement plan. SUNY is
11 ready to meet into challenge. Over the past
12 two years, we've been busy engaging our
13 students, campus leaders, faculty and other
14 stakeholders in the creation of our own
15 performance metrics. We call this process
16 SUNY Excels. And it will ensure that we
17 invest state dollars in taking programs that
18 we know work to scale across the entire
19 system.

20 I'm sure we can all agree that
21 \$18 million is not sufficient to drive real
22 change. Therefore, I am asking you today to
23 raise this year's support to \$50 million and
24 enact a five-year plan to maintain this

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1 funding for all of our campuses.

2 Through a multiyear investment, this
3 Legislature would be supporting
4 evidence-based programs, programs that work,
5 such as the finish-in-four completion
6 guarantee; expansion of our online offerings
7 through Open SUNY; Quantway and Statway
8 remedial pathways, which have shown more than
9 twice the student success rate in half the
10 time; improved coordination and advisement in
11 high school and college; increased
12 opportunities for applied learning; expansion
13 of the Educational Opportunity Program, where
14 we have 30,000 applicants annually for only
15 2500 available seats; and many more
16 strategies that we know work on selected
17 campuses but for which we rapidly need to
18 have them operating on all of our campuses.

19 However, I would caution that this
20 additional funding be through new investment
21 rather than redistributing our base funding.
22 To clarify, performance-based investment for
23 SUNY means that through SUNY Excels, we can
24 be held accountable for improving completion

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1 rates among all of our students.

2 Our presidents will speak to
3 evidence-based programs they hope to adopt at
4 their campus using this funding. We are
5 excited about the opportunity to partner with
6 you to create a sustained investment fund for
7 the State University, and your investment

8 will enable us to bring innovative programs
9 with a record of success to even more
10 students across the state.

11 Let me speak briefly to another
12 opportunity for scaling success found in the
13 Executive Budget and referenced as the Master
14 Researchers Program, which I'm proud to say
15 developed from our own "Master Innovators"
16 budget request. A funded Master Researchers
17 program will enable SUNY to successfully
18 recruit and retain high-impact professors who
19 generate the greatest research, the greatest
20 development, and the greatest
21 commercialization opportunities.

22 Of the entire SUNY faculty base, there
23 are approximately 100 research-intensive
24 professors who together drive more than

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1 \$500 million in sponsored research for SUNY
2 each year. Our success -- and, by proxy, the
3 state's success -- relies on this very small
4 number of rainmakers. We simply need more of
5 them.

6 Again, we are asking the Legislature
7 to think in the long-term and to support an
8 incremental plan to invest \$10 million in the
9 current year to grow to \$50 million by five
10 years. It is estimated that investment in
11 Master Researchers would enable SUNY to
12 enhance our upstate economic development by
13 doubling our sponsored research expenditures

14 to \$2 billion over the next decade and bring
15 tens of thousands of jobs to the state.

16 So before passing the microphone to
17 President Stenger, I would like to remind you
18 that we are in the fourth year of
19 implementation of the rational tuition plan.
20 I believe it is never too early to start
21 looking ahead to what's next when the plan
22 sunsets in 2016. I would like to once again
23 personally thank you for your support of the
24 rational tuition increases and maintenance of

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1 effort that were a part of the original
2 NYSUNY 2020 legislation.

3 The presidents in attendance here
4 today will share examples of how rational
5 tuition revenues were directly reinvested in
6 educational experiences for our students and
7 the real change that has been taking place at
8 our campuses across the state thanks to this
9 shot in the arm. With this money we have
10 employed 520 more instructional staff,
11 including 270 net new full-time faculty, and
12 created over 100 new degree programs in
13 high-need areas.

14 In order to keep the momentum going,
15 we are asking you to live up to the promise
16 of NYSUNY 2020 and partner with us to extend
17 the provisions of this legislation through
18 its indicated goal, 2020.

19 In 2011, the state was facing mounting

20 deficits and SUNY students advocated for a
21 long-term tuition plan. Since December I've
22 been traveling across the state to speak to
23 students about their thoughts on continuation
24 of incremental tuition increases, and I have

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1 to say that is the further thing from their
2 mind. Instead, at what we are calling "SUNY
3 Speakouts," students talk about the need for
4 better advising, investment in online
5 courses, and course availability to enhance
6 on-time completion.

7 All these students -- the future
8 workers and leaders within New York and the
9 world -- wanted was a guarantee that their
10 own willingness to invest in their education
11 would be met with an investment by their
12 state. In short, they appear willing to do
13 their part if the state creates new
14 investment in SUNY. And that sounds like a
15 pretty fair deal.

16 Now as I turn it over to President
17 Stenger, President Christian, and President
18 Kress to give you the on-ground perspective
19 of the Executive Budget and the need for
20 increased investment in the SUNY system, you
21 can hear how life is going on our campuses.

22 President Stenger.

23 PRESIDENT STENGER: Thank you,
24 Chancellor.

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1 CHAIRMAN DeFRANCISCO: Excuse me.
2 Before you go on to the other three, if it's
3 possible -- because I know you're going to
4 give examples of what she says to show that
5 what she says is absolutely correct -- is
6 there a way that you could just tell us
7 rather than read us another statement? It's
8 much more effective. And it's much more
9 time-responsible, I guess.

10 Would that be possible? And if you
11 can't, that's fine.

12 PRESIDENT STENGER: That's exactly
13 what I was going to do. There is a written
14 statement that you have. And I remember last
15 year I started reading it and you said "Stop
16 reading, just tell us what you want."

17 (Laughter.)

18 CHAIRMAN DeFRANCISCO: Well, somebody
19 learned. That's good. You're a good
20 educator.

21 PRESIDENT STENGER: I'm ready.

22 I'm Harvey Stenger, Binghamton
23 University. Thank you for giving us this
24 opportunity to speak to you today.

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1 My job is perhaps complicated, but my
2 objectives are simple. It's to make students
3 successful -- when they graduate, make sure
4 that they have good careers, that they're
5 good citizens, and hopefully that they stay
6 in the State of New York.

7 To do that, I need to provide them
8 great educational experiences. And to do
9 that, I need great faculty and great
10 facilities. So it's fairly simple when you
11 get down to it. I have to hire some great
12 faculty and I have to build great facilities.
13 And that can be done if I'm allowed to plan.
14 Planning is the most important thing.

15 Hiring a faculty member takes almost a
16 two-year process, from the time you identify
17 the area that that person should fill until
18 the hire is made. A facilities renovation
19 for a classroom or a new faculty hire can
20 also take up to two years, through the
21 design, cost estimating, bidding,
22 construction, renovation, commissioning. So
23 a two-year time frame is the kind of time
24 period that I need to plan.

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1 Rational tuition and maintenance of
2 effort have allowed me to plan. I was the
3 dean of engineering at the University of
4 Buffalo for five years before I came to
5 Binghamton, where we were in the 2008-2009
6 spiral down. And you couldn't plan. You
7 couldn't hire faculty consistently, you
8 couldn't do renovations consistently.

9 The last four years have been a
10 pleasure, and I can hope that the next four
11 or five or six will be the same.

12 We've been able to hire a net new 90

13 faculty members in the last three years,
14 almost a hundred new faculty members net. On
15 top of that, we've hired over a hundred
16 replacement faculty members for those faculty
17 who have retired. So we've been able to use
18 maintenance of effort and rational tuition to
19 plan ahead to bring in almost 190 new
20 faculty, 90 of which are net growth.

21 We've also been able to grow our
22 student population by almost 1600 students in
23 the last three years, because now we can
24 predict what the revenue will be from the

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1 tuition from those students and actually have
2 used that revenue to lower the
3 student-to-faculty ratio by a significant
4 amount, almost 10 percent.

5 So critical maintenance, capital
6 budgets, rational tuition, and maintenance of
7 effort are going to be our key objectives.
8 And then, if there was icing on the cake, it
9 would be can we go out and hire some of those
10 superstars. We just closed a hire from UCLA,
11 he has four National Institute of Health
12 grants, \$6 million in total. He does
13 neuroscience research in the area of
14 addiction. He's coming to Binghamton
15 University, but only because we could put on
16 the table some renovations to a laboratory.
17 Not millions of dollars, hundreds of
18 thousands of dollars. And the Master

19 Researcher program, the Master Innovator
20 program will allow me to do that over and
21 over again to attract some outstanding
22 faculty who can lead our younger faculty into
23 the future.

24 That's all I really had to say today.

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1 Those are my three most important messages.
2 Help me make our students successful, give me
3 the ability to plan, and provide those great
4 educational experiences for them.

5 CHAIRMAN DeFRANCISCO: Thank you.

6 CHAIRMAN FARRELL: Thank you.

7 Next?

8 COMMISSIONER ZIMPHER: President
9 Christian.

10 PRESIDENT CHRISTIAN: My name is
11 Donald Christian. I'm president at SUNY
12 New Paltz. And I appreciate this opportunity
13 to share campus perspective and examples on
14 some of the forward-looking budget elements
15 that Chancellor Zimpher has spoken about.

16 I'm also pleased that two New Paltz
17 alumni, Senator Ken LaValle and
18 Assemblymember Kevin Cahill, who are members
19 of this committee, have risen to such
20 prominence in public leadership and are
21 playing a role in setting the higher
22 education agenda.

23 I want to echo President Stenger's
24 strong endorsement for an extension of the

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1 rational tuition policy and maintenance of
2 effort. Since 2011, SUNY's comprehensive
3 colleges, the 12 comprehensive institutions,
4 have reinvested more than 40 percent of
5 rational tuition in promoting access, which
6 is an enduring commitment for all of us,
7 particularly for the state's highest-need
8 students.

9 With rational tuition, New Paltz has
10 now been able to invest about \$2.2 million
11 annually in increased financial aid for
12 students, which is one of the factors in the
13 fact that New Paltz's graduates have a
14 below-average loan debt.

15 Our students see this and other
16 positive impacts of rational tuition, but
17 they also see that this has not been matched
18 by increased state investment. Additional
19 funding would make it possible for us to do a
20 number of things across SUNY to expand our
21 positive impact on our students, on the state
22 and its economy.

23 Here are just a couple of examples of
24 the kinds of things that we prioritize. We

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1 believe that a great education that prepares
2 students to thrive in and contribute to a
3 global, diverse, complex society and economy
4 includes more than great classes with great

5 professors. It requires out-of-class
6 experiential learning like internships, study
7 abroad, research projects that let students
8 apply classroom lessons to real-world issues
9 and problems.

10 All of these require facility and
11 staff time and attention, they require modern
12 facilities, and they require operating funds.
13 We have invested in growing such programs on
14 all of our campuses, but to bring them to
15 real scale requires deeper investment than
16 any of our campuses can make with current
17 resources.

18 Colleges across the U.S. struggle to
19 include economically disadvantaged and
20 historically underrepresented students in
21 study abroad. New Paltz recently earned a
22 prestigious national award that recognized
23 our success at expanding study abroad
24 opportunities for EOP students. New

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1 resources would let us take a successful
2 program like this and bring it to scale
3 across the entire SUNY system.

4 We need continued capital investment
5 in our aging infrastructure to ensure
6 students have the innovative learning spaces
7 that they need for a high-quality education.
8 New Paltz is a popular university, and our
9 facilities are strained even with some of our
10 current capital projects. For example, we do

11 not have space and facilities for the
12 projected growth in our new mechanical
13 engineering program or for our growing 3D
14 printing initiative.

15 We're planning a new engineering hub,
16 thanks to SUNY 2020 capital funding, that
17 will support collaboration with industry,
18 again providing remarkable applied learning
19 opportunities for our students.

20 We've experienced a dramatic increase
21 in STEM majors at New Paltz during the past
22 five years. Thankfully I can look out of my
23 office window at steel rising on our new
24 \$48 million science building. This is one of

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1 several projects that were top priorities in
2 our 2008-2013 capital plan. Echoing
3 President Stenger's comments, that multi-year
4 capital plan for both new construction and
5 critical maintenance ensured thoughtful,
6 strategic planning aligned with key areas of
7 growth and opportunity. And again, continued
8 predictable capital investment is critical to
9 our future.

10 Thank you for this opportunity to
11 share these thoughts with you.

12 PRESIDENT KRESS: Thanks, Don.

13 COMMISSIONER ZIMMER: President
14 Kress.

15 PRESIDENT KRESS: Thank you so much
16 for this opportunity to speak with you this

17 morning on behalf of SUNY's 30 community
18 colleges. The colleges have long provided
19 that initial door of access to opportunity
20 for New York residents. And in fact at this
21 point, we account for 52 percent of SUNY's
22 enrollments.

23 Students come to us thanks to the
24 investment that you have made historically in

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1 our colleges, for all sorts of reasons. They
2 come seeking that initial pathway to transfer
3 to New York's outstanding universities,
4 including the institutions you see here and
5 across our state. And increasingly, students
6 come to us in search of career pathways.
7 These, I should note, are among our most
8 expensive programs and our most popular.
9 These programs often draw nontraditional
10 students -- the dislocated worker who is
11 looking for a new career, the returning
12 veteran who deserves the opportunity to find
13 success at home, members and residents of our
14 most challenged neighborhoods who are looking
15 for better and brighter futures for
16 themselves and for their families. We
17 provide that opportunity.

18 I know the faces and the stories of
19 these students. I know Adrian, who went from
20 a troubled experience in Rochester city
21 schools to the Marines to MCC and now is
22 studying at Yale. I know Teresa, who came to

23 MCC with a dream of being a nurse, has gone
24 on from MCC and is now beginning her Doctor

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1 of Nurse Practitioner practice, but also has
2 returned to her neighborhood to work on
3 health and wellness and safety issues. And I
4 know Tim, who came from a rural community to
5 MCC, who went on from MCC to Cornell and is
6 now the CEO of a Fortune 20 company.

7 These are the students that we serve
8 at our colleges, thanks to your investment.
9 What we know at MCC is that we connect our
10 programs in the classroom to post-graduation
11 earnings. We know for every dollar that a
12 student invests in tuition at MCC, that
13 student will see \$8 returned in future
14 earnings. We know that we contribute over
15 \$600 million annually to our region because
16 of the accumulated credits earned at MCC.
17 That's significant. New York's community
18 colleges work for our students, and they work
19 for our state.

20 We are looking to you to increase your
21 investment because what we see is that as the
22 recession seems to have receded for so many,
23 its economic hardships linger for our
24 counties and for our students. And as a

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1 result, we're seeing those challenges at our
2 colleges. As we're asked to gear up career
3 programs that again are among our most

4 expensive, we're challenged to find those
5 resources to serve our students, to serve our
6 communities, and to serve our missions.

7 If you were to increase your
8 investment in our community colleges this
9 year, what we would be able to do is to
10 guarantee that every student who comes to us
11 qualified can finish in two. We would be
12 able to provide students who come to us from
13 underrepresented and low-income communities
14 with the supports we know they need in order
15 to be successful.

16 We would be able to expand our
17 partnerships with business and industry to
18 meet the skills gaps that they face, to close
19 those gaps and to provide the workforce that
20 they need.

21 We would be able to include and
22 increase outreach to K-12 partners so that
23 more students find their way to our community
24 colleges.

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1 We know that this investment has made
2 a difference in the lives of New Yorkers day
3 in and day out. I thank you so much for this
4 opportunity to advocate for our colleges on
5 base aid, but I also want to thank the
6 Governor for his inclusion of community
7 college capital projects in his Executive
8 Budget. I ask that you include those
9 projects in the enacted 2015-2016 budget and

10 that you also find a way to meet the
11 facilities needs of the community colleges
12 whose sponsors are unable to provide for
13 their capital needs.

14 Finally, I ask that you support the
15 chancellor's call for a rational funding plan
16 for our community colleges. You know us.
17 We're in your communities. We provide that
18 initial gateway for students who are seeking
19 the opportunity that all New Yorkers deserve.

20 I thank you for this opportunity to
21 advocate on behalf of our students, our
22 colleges, and our communities.

23 COMMISSIONER ZIMMER: So I want to
24 thank our three outstanding presidents.

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1 And as you know, I never come alone.
2 There's an audience of help behind me. And
3 in particular, there may be an occasion to
4 call forward Dr. Elizabeth Bringsjord, who is
5 our vice provost and vice chancellor for
6 academic affairs -- she represents
7 Alex Cartwright, who is our provost;
8 Eileen McLoughlin, who is our new CFO; and
9 Robert Haelen, who is our vice chancellor for
10 capital facilities and general manager of the
11 State University Construction Fund.

12 So as the questions flow, we'll get
13 the right expert to answer.

14 CHAIRMAN FARRELL: Thank you very
15 much.

16 Before we move forward, I'd like to
17 announce that we've been joined by
18 Mr. Stirpe, Assemblywoman Fahy, Assemblywoman
19 Jaffee.

20 Mr. Oaks?

21 ASSEMBLYMAN OAKS: Yes, Assemblyman
22 Lupinacci, Assemblyman Crouch.

23 CHAIRMAN FARRELL: Senator?

24 CHAIRMAN DeFRANCISCO: And we've been

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1 joined by the chairman of the Higher Ed
2 Committee, Ken LaValle, and also by Diane
3 Savino. And she's been here a while; I just
4 forgot to introduce her.

5 CHAIRMAN FARRELL: And now
6 Assemblywoman Glick, to question.

7 ASSEMBLYWOMAN GLICK: Good morning.
8 And I'm happy to see that we also have some
9 colleagues in the audience -- Assemblymembers
10 Aubry, Jean-Pierre, and Seawright. So a lot
11 of people are very interested in the subject.

12 To start off, the performance
13 improvement plans. This budget also calls
14 for a 10 percent reduction in state funds for
15 campuses that do not comply. So is it clear
16 to you what will meet -- is this something
17 where the Governor has said have an
18 improvement plan and you make up what is the
19 improvement plan? Or have you gotten rubrics
20 from the Executive as to what must be part of
21 the improvement plans? And it seems like you

22 think \$18 million isn't going to do it. So
23 are there campuses that are going to be at
24 risk of losing funding?

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1 CHANCELLOR ZIMMER: So,
2 Assemblymember, those two questions are spot
3 on. I don't have as much amplification of
4 what this means, but I think it's fair to say
5 we're making an assumption that after working
6 hard for two years in creating a performance
7 metric system -- and you would recognize the
8 kinds of things we're going to measure,
9 especially completion to degree of our
10 students and increases in our research
11 funding and increases in applied learning --
12 that we feel that we're in a great spot,
13 that this is a very sophisticated performance
14 system that every campus helped create, and
15 the metrics are understandable, what we
16 should hold ourselves accountable for, and we
17 would hope to expedite the return of that
18 10 percent in very short order.

19 The investment fund itself is really,
20 just in its fundamental, taking what we
21 already know works to get students to
22 complete to certificate or two-year or
23 four-year degree, but giving it to all of our
24 campuses. So we think we'll get the

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1 10 percent back because we have a

2 high-quality performance system.

3 And we agree with you that \$18 million
4 in new investments will not quite take us to
5 scale with what works. We'd like to at least
6 double it, and we've targeted \$50 million
7 over the next five years.

8 ASSEMBLYWOMAN GLICK: On START-UP NY,
9 how many campuses have gotten involved in
10 START-UP, and have they been the result of
11 research that has developed out of the
12 campuses, or are these companies that have
13 simply chosen to locate at SUNY?

14 CHANCELLOR ZIMMER: Forty-four of our
15 campuses have been certified to participate
16 in START-UP NY, and we have maybe all three
17 presidents who engaged in inviting a business
18 partner -- remember, the legislation said
19 that fits the mission of the campus. So I
20 think that answers in part.

21 Quickly, a few examples.

22 PRESIDENT STENGER: We have nine
23 companies that have been approved for
24 START-UP NY at Binghamton. Every one of them

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1 has a faculty sponsor. Most of them are
2 faculty-generated IP. The rest of them are
3 either students or alumni. They're all
4 required to hire students, to hire interns
5 from our student population, and they're all
6 happy to do that because they're great for
7 it.

8 So yes, they are right down the center
9 of what we're trying to do.

10 COMMISSIONER ZIMPHER: Don't

11 PRESIDENT CHRISTIAN: We have not
12 finalized any agreements yet in New Paltz,
13 but we're in conversation with a number of
14 companies. And I'm very clear in the
15 criteria that we want companies to partner
16 with us in START-UP NY who will hire our
17 graduates, who will provide internships or
18 similar experiences for students, and perhaps
19 create scholarly or other opportunities for
20 faculty.

21 ASSEMBLYWOMAN GLICK: The Executive in
22 an Article 7, I believe, seeks to establish
23 new experiential or applied learning
24 activities as a degree requirement. How will

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1 this be administered and monitored? It's not
2 clear from the language in the budget how
3 this will go about. And are there that many
4 opportunities available, especially in some
5 of the colleges that are in somewhat more
6 remote locations?

7 CHANCELLOR ZIMPHER: Well, this is a
8 very ambitious goal, largely based on -- way
9 back to John Dewey and even Einstein, who
10 said learning through application is the most
11 significant form of learning. And so we want
12 to provide three types of options for
13 students: Either a work experience, like an

14 internship or a co-op, or a volunteer or
15 service experience, which many of our
16 students already engage in, or a research and
17 entrepreneurial experience in a professor's
18 lab or in a company.

19 So if you think of our 465,000
20 students, I would say roughly half of them
21 already have some form of clinical
22 experience -- doctors, nurses, engineers,
23 business, design, art. They're already --
24 these components are already in their

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1 curriculum.

2 So our proposal is to work with our
3 faculty, who actually design and approve
4 curriculum, to see how many more of these
5 experiences we can provide. And then in
6 terms of who will receive them, we're working
7 with agencies, organizations, and businesses
8 across the state to get their commitment to
9 capacity.

10 So this might take a few years to
11 scale up, but we've been working on it since
12 we announced this a couple of years ago. We
13 have the framework for how the training might
14 occur. We're building partners. I think we
15 can get there.

16 But how we invest to do that remains a
17 question. We would use this investment fund
18 to help move the dial.

19 ASSEMBLYWOMAN GLICK: So you may have

20 students who have to work in order to
21 afford -- especially if we're going to
22 continue to increase tuition. How are
23 they -- and if this is a degree requirement,
24 do you anticipate that there will be students

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1 who, for lack of being able to do additional
2 work or internship, would be shortchanged in
3 terms of not being able to graduate?

4 CHANCELLOR ZIMMER: Well, I think --
5 originally we talked about this as providing
6 an opportunity for every student who wanted
7 it or could accommodate it. Our goal,
8 aligned with the Governor's goal, is to
9 spread that opportunity. For students who
10 are working, maybe some of their work
11 experience, even in a paid job, could be
12 partially devoted to a shared learning
13 experience.

14 But the notion that a student would be
15 penalized because they can't fit this into
16 our program I think is something we still
17 have to work through.

18 But it's an ambitious goal, and we
19 appreciate that the Governor shares this
20 ambition with us. How it works out in
21 requirements, yet to be determined.

22 ASSEMBLYWOMAN GLICK: All right. I'll
23 come back later. Thank you.

24 CHAIRMAN FARRELL: Thank you.

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1 Senator?

2 CHAIRMAN DeFRANCISCO: We're joined by
3 Senator Felder.

4 And the next questioner will be
5 chairman of the Higher Education Committee,
6 Ken LaValle.

7 SENATOR LaVALLE: Welcome, Chancellor.

8 COMMISSIONER ZIMPHER: Thank you,
9 Senator.

10 SENATOR LaVALLE: I also want to
11 acknowledge the chairman of the SUNY board,
12 Carl McCall, who is our full-time volunteer
13 at zero pay.

14 (Laughter.)

15 SENATOR LaVALLE: So thank you. And
16 the SUNY board itself.

17 Chancellor, historically SUNY has had
18 friction between the central administration
19 and its component parts. Sometimes everyone
20 gets along fabulously; other times there are
21 tensions.

22 And there was an assessment plan that
23 was imposed on the component campuses and
24 didn't go over that great. So maybe we can

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1 talk about -- I don't necessarily need
2 statistics, just broadly and philosophically,
3 you know, how do we reduce those tensions,
4 why do they exist, do they exist. Maybe they
5 don't exist.

6 CHANCELLOR ZIMPHER: Well, the

7 component parts are sprinkled throughout the
8 room, so people can speak. But we wouldn't
9 want to spare Eileen the opportunity to greet
10 you as the new CFO, and she's managing this
11 assessment process.

12 SUNY CFO McLOUGHLIN: You know, the
13 assessment process is really a way for the
14 system to look at its resources holistically
15 and achieve the goals that we have put
16 forward to ourselves. So it's really a way
17 for us to look at our resources holistically
18 to achieve our goals, our metrics that we
19 have defined.

20 And I have been actually committed to
21 calling every campus vice president for
22 finance, and I've made several of those calls
23 and have talked to them about the
24 assessments. I don't think there's

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1 disagreement about the assessment itself. I
2 think there's just a -- you know, we need to
3 just work on agreement of how to move
4 forward.

5 CHANCELLOR ZIMPHER: I think, Senator,
6 that one of the things I'm proudest of in my
7 tenure here has been a shared vision of what
8 SUNY can do for the State of New York. And I
9 think that tamps down dissension, because it
10 doesn't feel random. If we want to graduate
11 more students and we set an ambitious goal
12 like 60,000 more a year, we have to work

13 together. And SUNY Central does part of that
14 work and the campuses do a great deal of that
15 work.

16 So I think we're working through how
17 to meet a comprehensive goal by engaging
18 everyone -- not only the work on individual
19 campuses, but we do a lot of plotting about
20 completion at SUNY Central. So it's working,
21 it's relatively new.

22 Yeah, if you want to, Anne.

23 PRESIDENT KRESS: Sure.

24 And certainly at the community college

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1 level I think -- and I want to thank very
2 much SUNY for holding discussions with us
3 around the assessment process.

4 You know, the reality is that we have
5 many institutions across the state that are
6 financially challenged -- increasing costs,
7 enrollment coming back to pre-recession
8 levels. So I think what we're looking for is
9 the best return on investment, just as we
10 offer our students.

11 And these discussions have been a real
12 opportunity to understand better, you know,
13 what are the programs that SUNY as a system
14 can roll out its scale where we could
15 actually see longer-term efficiencies in
16 terms of cost savings. Those discussions are
17 very important, and I very much want to thank
18 the chancellor and system for holding those.

19 SENATOR LaVALLE: At times the
20 component parts may not understand some of
21 the things that you do on their behalf. So
22 maybe with your new chief of staff you can
23 sharpen that message so that they understand.
24 This process, you coming before the

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1 joint legislative fiscal committees and
2 standing committees, is a great one because
3 it gives you an opportunity. You are in
4 competition with, just to take two areas,
5 Medicaid and elementary and secondary
6 education. And I as chairman have a
7 responsibility to advocate on your behalf to
8 try and get the most dollars that I possibly
9 can.

10 So this gives you an opportunity to --
11 why should you be near the top in the dollars
12 that I feel in terms of maintenance of effort
13 I think we could do a better job, and do a
14 better job in some of the other areas? How
15 can you help me? What is my message with the
16 leaders to get more funding?

17 CHANCELLOR ZIMPHER: Well, I think,
18 Senator, this is a great opportunity. And my
19 read on other social challenges is exactly
20 this. If we had a better-educated
21 population, we would educate more of our
22 children, we would be healthier, we would be
23 better citizens, we would vote more. And
24 these are all the statistics that accompany a

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1 better education, including a good job and
2 the ability to contribute to New York's
3 economy.

4 So I think we're first among equals in
5 that when we educate, the social system is
6 elevated. Fewer people need social services,
7 fewer people are engaged in the criminal
8 justice system. And we would never feel that
9 healthcare or the education of children is
10 competitive in that we manage teaching
11 hospitals, we train doctors, and we educate
12 the teachers who educate the children in our
13 K-12 system.

14 So we are really a part of the
15 ecology, but I think advanced education has
16 earned its perch, if you will, as absolutely
17 essential to tamp down other social
18 challenges.

19 SENATOR LaVALLE: The Legislature has
20 licensed community colleges because of the
21 word "community." It seems -- and my
22 question is, has the time come to do a major
23 assessment of how we fund, how we operate our
24 community colleges?

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1 PRESIDENT KRESS: Well, you're looking
2 at me, so I will answer that question. I
3 think, you know, as with any system, it's
4 always good to take a step back and assess

5 how it's working, how is it serving the
6 communi ties.

7 Having said that, I think you'd be
8 hard-pressed to find any communities in this
9 state that don't feel that their community
10 college is incredibly valuable, that it
11 really is in many ways the heart of their
12 community. So I think when we talk about
13 having regional discussions across the
14 community colleges and how we can better
15 support regional business and industry,
16 that's a very productive discussion to have.

17 But I also need to say that that's
18 occurring already in many of the regions
19 across our state, whether it's in the Finger
20 Lakes region, where I'm from, or in the
21 Hudson Valley. So I think whatever we can do
22 to spur and maybe even incentivize those
23 discussions to take place around our service
24 for our business and industry partners, it's

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1 a good one.

2 CHANCELLOR ZIMPHER: It occurs to me
3 that Eileen McLoughlin, who was just here, is
4 developing what's called a heat map so that
5 we can assess the financial stability of each
6 and every one of our campuses. It will lead
7 us to more shared services, this regional
8 collaboration. And I think in a cycle of
9 five to 10 years we should do an
10 across-the-board analysis of the

11 financial and academic and community-based
12 welfare of each of our campuses.

13 So we're all in on that idea, and this
14 SUNY Excels metrics system will give us the
15 database to do that.

16 SENATOR LaVALLE: My last question is,
17 are you up to developing a five-year capital
18 plan for SUNY?

19 CHANCELLOR ZIMMER: Absolutely.
20 Mr. Haelen, step right up.

21 VICE CHANCELLOR HAELEN: No, we're
22 absolutely in need of a five-year plan. The
23 amount that was put in the Executive Budget
24 is not enough to maintain our assets, and

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1 we're afraid we're going to be losing ground
2 and experience a state of disrepair at many
3 of our campuses.

4 The \$600 million per year that we were
5 looking for, just for base critical
6 maintenance, I think will help us at least
7 not make the backlog of our assets grow
8 worse. So we have the need, we have the
9 capacity, and we are advocating for
10 additional funding in this area.

11 SENATOR LaVALLE: Do we have a dollar
12 amount?

13 VICE CHANCELLOR HAELEN: We said for
14 base critical maintenance we wanted
15 \$600 million per year, for \$3 billion over
16 five years. And that there is an opportunity

17 to add another billion dollars over five
18 years; that would be \$200 million a year.
19 That would be \$800 million per year. Again,
20 we have the need and the capacity. The
21 billion dollars would be for
22 transformational-type projects, more
23 strategic investments throughout the
24 university system.

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1 SENATOR LaVALLE: Thank you.
2 CHAIRMAN FARRELL: Thank you.
3 Assemblywoman Bichotte.
4 SENATOR KRUEGER: We've been joined by
5 Jose Peralta.
6 ASSEMBLYWOMAN BICHOTTE: Hello, can
7 you hear me? Okay, hi.
8 Hi, Chancellor, Presidents. Thank you
9 for being here today. It's truly a pleasure
10 for me, given that I'm a product of the SUNY
11 school system, a product of Buffalo State
12 College, where I got my mathematics,
13 secondary education and technology degree, as
14 well as University of Buffalo, where I got my
15 electrical engineering degree. So it's
16 really, truly an honor.
17 I have four questions. One question
18 is around the Education Opportunity Program.
19 The Education Opportunity Program provides
20 access, academic support and financial aid to
21 students who are typically lower-income,
22 academically challenged, but it gives them an

23 opportunity to dream and have a promised
24 future. It's a program that I was actually

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1 interested in applying to, but my mom made \$5
2 over the threshold.

3 So I've seen its successes over
4 20-something years ago, but the proposed
5 budget is decreasing it by \$1.28 million.
6 Can you explain the rationale around that
7 decrease, especially when families are
8 recovering from a distressed economy, and as
9 well as the challenges with our schools not
10 preparing our kids to be college-ready?

11 CHANCELLOR ZIMPHER: Well, I think we
12 all appreciate that you've reiterated both
13 the opportunity of EOP and the successes.

14 So no, I can't explain any decrease in
15 the budget for those programs. And more
16 importantly, I feel like every year we ask
17 for support, and when you look at the 2500
18 seats for 30,000 applicants, we've got to get
19 on it. We have got a program that works for
20 low-income students who often are underserved
21 and come needing a great deal of support. We
22 know what those supports are, we've seen the
23 successes.

24 So this is a program we should take to

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1 scale. And that is precisely why we have
2 asked, for the investment fund, an increase.
3 We don't know how significant the increase

4 could be, because we've got several different
5 strategies in that investment fund. But what
6 we were going to do with the investment is
7 ask those programs that are most successful
8 to tell us how many more students they could
9 take with increased investment and,
10 furthermore, how many other programs they
11 could bring along, since we have about 45 of
12 these EOP programs across the whole system.

13 This is very vital, and we truly,
14 truly hope the Legislature will increase the
15 support.

16 ASSEMBLYWOMAN BICHOTTE: Thank you.
17 And I would definitely be an advocate for
18 that.

19 The next question is around STEM. As
20 I just recently mentioned, I am a product of
21 STEM -- science, technology, engineering,
22 mathematics. And STEM obviously will allow
23 us to prepare our kids to compete
24 economically in the science and technology

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1 field.

2 I look at the proposed budget; I don't
3 see anything that says STEM. I see some
4 technology, advanced potential programs. I
5 see NYSTAR. Now, NYSTAR is a program given
6 by the Empire State Development Corporation,
7 and it was actually consolidated a few years
8 ago into the Department of Economic
9 Development, and there was a \$12 million

10 reduction. The \$12 million reduction
11 impacted the opportunity for research,
12 technology research.

13 So I guess what is your approach in
14 terms of restoring that funding? Because
15 there's no line item from NYSTAR anymore. So
16 what is your approach for approaching and
17 restoring that funding and really pushing
18 STEM in our universities?

19 CHANCELLOR ZIMPHER: I'm going to ask
20 Beth to just highlight four or five of the
21 STEM programs that we are supporting and
22 advocating for, but I want to talk a minute
23 about the STEM scholars, just so you know a
24 little bit more on a campus what that means.

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1 PRESIDENT STENGER: Last year the
2 Governor started the STEM Scholars program
3 which gave students in the top 10 percent of
4 their high school class free tuition for four
5 years if they maintained a STEM degree and
6 stayed in the state for five years. We had
7 150 students this year as freshmen in that
8 program. I think there are about 400 across
9 the state. It's a great program. It brought
10 students to Binghamton that probably would
11 have not come to Binghamton, they probably
12 would have gone someplace else, maybe even
13 out of state.

14 So I think that's also in the budget
15 this year, he's continued that support. So

16 that's one thing that we're looking forward
17 for him to continue.

18 CHANCELLOR ZIMPHER: And a second STEM
19 budget item is what we call P-TECH.

20 PRESIDENT KRESS: Right. I wanted to
21 mention the Pathways to Technology Early
22 College High Schools. MCC, in partnership
23 with the Rochester City School District, was
24 one of the first P-TECHs to roll out outside

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1 of Brooklyn. We are offering students who
2 participate in that program a free
3 associate's degree, applied associate's
4 degree in information technology, in
5 recognition of the huge skills gap that that
6 industry sector faces right now.

7 I'm happy to say, when you talk about
8 the power of applied learning and the power
9 of really connecting students to STEM
10 early -- so these are students who come in at
11 ninth grade and will graduate in a six-year
12 high school with an associate's degree --
13 that one freshman class had the highest
14 attendance rate in Rochester City Schools, a
15 perennially challenged district.

16 We are finding that when you connect
17 students to applied learning, to the
18 relevance of their studies, to the potential
19 of employment at the end, there's really
20 magic there. And so I have to completely
21 support your advocacy around science,

22 technology, engineering and math.
23 ASSEMBLYWOMAN BICHOTTE: Thank you.
24 And I have less than 57 seconds. Thank you

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1 very much for that. And again, I'll be an
2 advocate for STEM.

3 Lastly, DREAM Act. I am just excited
4 about the DREAM Act. And there seems to be
5 \$27 million allocated. I don't know if
6 that's even enough.

7 My question is, with the \$27 million,
8 how many students, how many Dreamers will we
9 be able to serve in the \$27 million? Is
10 there a breakdown of the \$27 million? Will
11 we have enough colleagues, professors to,
12 again, administer the Dreamers?

13 CHANCELLOR ZIMPHER: We don't have a
14 number. We'll try to get back with you. But
15 it's very important to recognize that our
16 Board of Trustees, under the leadership of
17 our Chairman Carl McCall, resolved to support
18 the DREAM Act -- now two years ago,
19 Mr. Chair? So we're all in. But we haven't
20 calculated the opportunity.

21 You did ask how we would advocate for
22 more STEM, and I think because there's not a
23 particular line item separate from Master
24 Teachers or P-TECH or the STEM Scholars, we

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1 will put it in our investment fund.

2 ASSEMBLYWOMAN BICHOTTE: Great. Thank
3 you.

4 CHAIRMAN FARRELL: Thank you.
5 Senator?

6 SENATOR KRUEGER: Senator Toby
7 Stavisky.

8 SENATOR STAVISKY: I think we need a
9 tech person. There. I'm sure one of the
10 third-graders could fix this.

11 (Laughter.)

12 SENATOR STAVISKY: A couple of
13 questions based upon your testimony today.
14 You spoke about the Masters Research Program
15 on page 6. The funding for that, is that on
16 the college payroll or the Research
17 Foundation? Or both?

18 CHANCELLOR ZIMPHER: These would be
19 state funds. We have a vice chancellor for
20 research on the SUNY side of the house who
21 would advocate for faculty hires to work with
22 the presidents in what are called cluster
23 hires, which is bringing in several faculty
24 in a particular discipline to really grow

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1 that discipline. And we would do that
2 program through our state -- through the SUNY
3 Central, yeah.

4 SENATOR STAVISKY: So that you are not
5 using Research Foundation funding for this
6 program?

7 CHANCELLOR ZIMPHER: No, we are asking

8 for state support.

9 SENATOR STAVISKY: State support,
10 good.

11 CHANCELLOR ZIMMER: Right.

12 SENATOR STAVISKY: One other question
13 about the Masters Research Program.

14 Presumably there are some scientific advances
15 from that program which will lead to patents.

16 The revenue from the patents, does that
17 accrue to the state, the university, or the
18 individual? Or a combination?

19 COMMISSIONER ZIMMER: Harvey?

20 PRESIDENT STENGER: It is split.
21 Forty percent of it actually goes to the
22 patent holder or holders, of the total
23 revenue. The rest of it is maintained on the
24 campus. A small piece is retained at the RF,

♀ 61

1 the Research Foundation; I think it's less
2 than 5 percent. The rest is used on the
3 campus to support research investments in the
4 rest of the campus, mostly maintained in the
5 vice president for research office, but also
6 distributed to department chairs and deans.

7 So 40 percent to the investigator, the
8 IP holder, the inventor, and the rest of the
9 60 percent is on the campus.

10 SENATOR STAVISKY: So the RF gets
11 5 percent.

12 PRESIDENT STENGER: I --

13 SENATOR STAVISKY: Or whatever.

14 PRESIDENT STENGER: I think it's 5
15 percent. It's small.
16 SENATOR STAVISKY: Another item on the
17 same page you mentioned is the rational
18 tuition policy and the extension. And I am
19 very concerned with the fact that about
20 60 percent of the students graduate owing
21 money.
22 Do you track those students? What are
23 you doing to help reduce the tremendous
24 student debt? Which I find very, very

♀ 62

1 troubling.
2 CHANCELLOR ZIMMER: Beth Bringsjord,
3 associate provost.
4 ASSOC. PROVOST BRINGSJORD: So I can
5 speak to a couple of things that we've done
6 that I think are -- really show SUNY's
7 leadership.
8 Can you hear me? Okay. So I would
9 like to speak to SUNY's efforts around really
10 educating students to borrow wisely. We have
11 a systemwide effort called Smart Track, which
12 is really about supporting students in
13 identifying appropriate grants, scholarships
14 so that they leave college with as little
15 debt as possible and the wherewithal to repay
16 their debt.
17 And that effort's been, I think,
18 highly successful. I might turn to our
19 presidents to add to that.

20 PRESIDENT KRESS: I can say at MCC
21 about 50 percent of our students graduate
22 with no debt whatsoever. Which really then
23 enables them, if you think about it, to
24 consider differently where they want to

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1 transfer, or maybe even to buy a home upon
2 completion.

3 The average student who graduates with
4 debt -- and this is after the completion of
5 their associate's degree, which could take
6 two years; you know, for part-time students
7 it could take eight years -- is graduating
8 with around \$7,000 in total debt. When you
9 think that the average associate's degree at
10 MCC, the average associate-degree holder is
11 going to earn about \$46,000 at sort of their
12 midcareer point, that debt level is, you
13 know, it's not insignificant, but it
14 certainly is manageable.

15 We work very closely with financial
16 aid around counseling. I think that's
17 something that when we talk about valuable
18 services at the campus level that do need
19 support, it really is around financial
20 literacy and counseling for students, many of
21 whom have never borrowed money before, who
22 don't understand the ramifications of the
23 dollars that they borrow today. Increasing
24 those counseling services, especially for

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1 low-income students and first-generation
2 college students, is truly critical.

3 SENATOR STAVISKY: We would assume
4 that the community college graduate has
5 limited or very little debt. We're obviously
6 referring to the four-year institutions. I
7 think the number is something like an average
8 of \$27,000. Somehow that number sticks.

9 But I think that's of concern, because
10 the state is not putting in its share of the
11 tuition. We're relying more and more on
12 students paying, which I find a trend that we
13 really ought to be reversing.

14 One other question. I know in last
15 year's budget -- and you testified about the
16 pharmacy school at Binghamton. And I think
17 last year's budget had an appropriation for
18 site acquisition. This year you talked
19 about, in your testimony, the new College of
20 Pharmacy at Binghamton.

21 Now, we have one at Buffalo, UB. We
22 have an excellent one at the City University,
23 York College. There are private colleges
24 that provide this service. Have you -- are

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1 there a sufficient number of jobs that will
2 be generated to justify the expenditure of a
3 pharmacy school at Binghamton?

4 PRESIDENT STENGER: We've done the
5 analysis many times for several years now,
6 and the pharmacy -- the Doctor of Pharmacy

7 degree is still the third-highest growing
8 field of employment. Starting salaries in
9 the \$80,000 to \$100,000 a year range.

10 The market is still very strong --
11 perhaps not as strong in New York State as
12 the rest of the country, but countrywide it's
13 a very strong market.

14 But we've also emphasized that this is
15 not about the Doctor of Pharmacy degree that
16 most of the private schools are offering
17 without a PhD in parallel. Our program will
18 be research-intensive, it will have a
19 pharmaceutical sciences PhD. And we really
20 think that that will help us attract industry
21 into the Johnson City/Vestal area that would
22 want to partner with our faculty, do
23 research -- perhaps even through START-UP NY
24 and maybe even this Upstate Revitalization

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1 Plan, attract some significant industries,
2 larger companies into the area that would
3 want to partner with our research side of the
4 pharmacy school.

5 So I don't want people to think of it
6 as pharmacy, but more of pharmaceutical
7 sciences and research, with a Doctor of
8 Pharmacy as the applied degree that people
9 will use to get good employment.

10 SENATOR STAVISKY: Let me just follow
11 up on that. You mentioned START-UP NY, and I
12 think the budget calls them "Hot Spots." Has

13 it been determined where the locations are
14 going to be, where the START-UP NY
15 locations -- I know each of you testified
16 that you were having it at your campuses.

17 And secondly, is this a joint effort
18 with the Empire State Development
19 Corporation? And how does that play out, the
20 relationship between SUNY and the Empire
21 State Development Corporation?

22 COMMISSIONER ZIMMER: It's a
23 three-way, actually, with the SUNY system,
24 the Research Foundation and Empire State.

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1 And we have a task force, they meet
2 regularly, they review all the requests.
3 It's a very rigorous review process. You've
4 experienced it. It works --

5 PRESIDENT STENGER: I'm the cochair of
6 the REDC for the Southern Tier, and all of
7 these kinds of projects, whether it's the
8 Hot Spot or START-UP NY, are brought to the
9 REDC panels and vetted there.

10 The Hot Spot -- we have a Hot Spot in
11 Binghamton, but it's a partnership between
12 Corning, Cornell and Binghamton right now, so
13 we've formed kind of a triangle. And the
14 objective there is to try to support
15 entrepreneurs, giving them the support that
16 they need to get over those first few years
17 of existence.

18 SENATOR STAVISKY: Thank you.

19 SENATOR KRUEGER: Assembly?
20 CHAIRMAN FARRELL: Thank you.
21 We've been joined by Assemblyman
22 Weprin.
23 And to question, Assemblywoman Lifton.
24 ASSEMBLYWOMAN LIFTON: Good morning.

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1 COMMISSIONER ZIMMER: Good morning.
2 ASSEMBLYWOMAN LIFTON: I represent
3 SUNY Cortland, and I want to talk about
4 edTPA. There's still a great deal of
5 concern -- I brought this up in last year's
6 hearing. I'm hearing a great deal of concern
7 about -- well, the list is lengthy -- content
8 problems with the new exams and assessments.
9 None has been subject to adequate validity
10 and field tests. Educators around the state
11 have been pleading with SED to address their
12 concerns about the problematic content of the
13 exams, and they are not being responded to at
14 all.

15 There are problems with the new
16 computer-based administration of the exams,
17 which neither SED nor Pearson are addressing.

18 There's a major issue with flawed data
19 on students graduating from teacher
20 preparation programs. The pass rate, the
21 data that's out there, I guess on the SED
22 website, are highly inaccurate, I am told.
23 The State Ed Department did not verify the
24 data with the teacher ed programs. For

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1 instance, many students who are not
2 registered in teacher education programs are
3 counted among those test-takers for those
4 programs. Obviously a major flaw there.

5 Also of great concern to me is that
6 the employment data is very incomplete.
7 Apparently so far they've only counted those
8 graduates who are employed in New York State
9 public schools. Does not count those who are
10 employed in private schools, out-of-state
11 schools, people teaching in non-school
12 settings, people that have gone to
13 corporations, for instance, who might be in
14 publishing or curriculum.

15 I'm trying to understand what the
16 rationale would be for so limiting the
17 definition of graduation rates from these
18 teacher ed programs. Just, for instance, as
19 out of state. Certainly if we had a really
20 good teacher coming in from another state,
21 from Pennsylvania -- I mean, we're a very
22 mobile society, right? People move all
23 around all the time. People move in, you've
24 got a great teacher, they've been educated in

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1 another state -- we would hire them in
2 New York State schools, right?

3 So why would we, just as one example
4 of the flawed data here, not want to be

5 counting those New York State students who --
6 our kids move too, right? -- go, let's say,
7 to Pennsylvania or Connecticut or Virginia,
8 and get a job teaching in public schools.

9 So I'm very concerned, I don't
10 understand the rationale, and apparently
11 answers are not forthcoming on this issue of
12 very, very flawed data. Can someone talk to
13 me about this?

14 COMMISSIONER ZIMMER: Well,
15 Assemblymember, that's quite a list of
16 issues.

17 ASSEMBLYWOMAN LIFTON: It is. It is.

18 COMMISSIONER ZIMMER: And there are
19 two things. I want Beth to say a word about
20 our campuses, 17 of our comprehensive
21 colleges prepare teachers. We prepare
22 roughly 25 percent or more of all the
23 teachers in New York, 5,000 a year. So for
24 the first time in maybe decades, we have

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1 convened to review our teacher education
2 programs, we call it Teach NY. We're due for
3 a commission report at the end of the year.

4 And the reason I mention that is that
5 the State Ed Department is at the table, as
6 are many other constituents, the teachers'
7 union, the superintendents and all the
8 associations that have a stake in teacher
9 quality. And I think we would say that these
10 assessment systems are in the name of

11 improving the quality of our teacher
12 education programs. But I think, as you've
13 identified, there are many, many issues
14 around the assessment process.

15 Our campuses are taking the edTPA, and
16 maybe you would just summarize briefly how
17 that's going to date.

18 ASSEMBLYWOMAN LIFTON: I'll tell you,
19 I'm hearing great, great concern from my
20 campuses and from the students in those
21 teacher ed programs.

22 COMMISSIONER ZIMMER: Well, I think
23 what we could say is that your concerns find
24 their way to our review of our teacher

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1 education programs, given that SED and the
2 teachers' union and other critical
3 stakeholders are at the table. I think
4 that's a place to deposit, if you will, the
5 concerns that you issued and also ones that
6 come from our campuses.

7 ASSOC. PROVOST BRINGSJORD: Exactly.
8 So we are hearing the same things, and I'm
9 really pleased that SUNY Cortland is
10 represented in this Teach NY council. In
11 fact, we just had a couple of faculty from
12 SUNY Cortland at our council meeting last
13 week.

14 So the council, this advisory council
15 is really national leaders and state leaders
16 who are advising us on the development of

17 SUNY policy around teacher and leader
18 preparation. And we are very much forming a
19 strong partnership with SED, the union, all
20 different stakeholders, so that we make sure
21 that our programs are as strong as they can
22 possibly be.

23 And so we've developed these
24 leadership groups, and actually our last

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1 plenary meeting was all around evaluation.
2 And evaluation and assessment of programs,
3 and the data issues --

4 ASSEMBLYWOMAN LIFTON: Evaluating the
5 edTPA itself, or evaluating the teacher ed
6 program?

7 ASSOC. PROVOST BRINGSJORD: Including
8 the assessments out in the field
9 post-graduation. So both. It's both
10 pre-service, throughout the development of a
11 teacher.

12 So these issues that you're speaking
13 of are coming through the council loud and
14 clear. We're discussing the concerns,
15 sharing strategies and ideas about really
16 forging a stronger partnership so that we
17 support our teachers out in the field -- so
18 that we bring in stronger candidates into our
19 programs, support them through the strongest
20 possible curriculum, and then support them
21 after graduation.

22 So the various types of assessment are

23 high on the radar screen. And be looking for
24 this report to come out by June. We're very

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1 excited about the work. It was a very
2 productive meeting last Friday. It included
3 Randi Weingarten from AFT. We had --
4 COMMISSIONER ZIMMER: John D'Agati --
5 ASSOC. PROVOST BRINGSJORD: John
6 D'Agati and Ken Wagner were there --
7 COMMISSIONER ZIMMER: -- from SED.
8 ASSOC. PROVOST BRINGSJORD: And we had
9 Kate Walsh from NCTQ. It was a very
10 provocative but very productive discussion, a
11 day-long effort.

12 ASSEMBLYWOMAN LIFTON: I'm not getting
13 an answer to my question. Are you
14 concerned -- is this data flawed or not? Are
15 there major problems with the numbers? And
16 do you agree that not counting teachers who
17 are working out of -- you know, they decide,
18 hey, I'm really interested in education, but
19 I'm not very patient with 7-year-olds, you
20 know, I don't want to clean their noses every
21 day, but I do want to go work on curriculum
22 materials. Or a teacher that graduates and
23 goes to Connecticut to teach. Or any of
24 these other problems -- teaching in a private

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1 school. Is that -- is that's happening? And
2 is that a problem or not?

3 COMMISSIONER ZIMMER: When

4 assessments go awry, when they're not helping
5 us to do what we want to do to measure
6 teacher quality, those are exactly the issues
7 at our table. We have not sorted out the
8 solutions.

9 But what I think is really impressive
10 is that we have all the constituents at the
11 table. You said, you know, you're having
12 trouble getting answers. We have the State
13 Ed Department at the table. We have our ed
14 school deans. We have Master Teachers at the
15 table. So we're going to work through the
16 issues that you've itemized. We don't have
17 answers today.

18 ASSEMBLYWOMAN LIFTON: Color me very,
19 very concerned about what I'm hearing on
20 this --

21 COMMISSIONER ZIMMER: I think we
22 should invite you --

23 ASSEMBLYWOMAN LIFTON: I would love --

24 COMMISSIONER ZIMMER: -- to come to

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1 our discussions.

2 ASSEMBLYWOMAN LIFTON: I'd be very
3 happy -- I'm there.

4 COMMISSIONER ZIMMER: Good.

5 ASSEMBLYWOMAN LIFTON: Give me the
6 date. Thank you.

7 CHAIRMAN DeFRANCISCO: Senator
8 Krueger.

9 SENATOR KRUEGER: Thank you.

10 Good morning.
11 Someone already brought up the Hot
12 Spots question. But so you have some Hot
13 Spots, the START-UP NY program is --
14 ASSEMBLYMAN OAKS: You're not on, Liz.
15 SENATOR KRUEGER: Oh, I'm sorry. The
16 light's on. Hello?
17 COMMISSIONER ZIMPHER: There you are.
18 SENATOR KRUEGER: I guess our system
19 isn't working so well.
20 Hot Spots, START-UP NY, private/public
21 partnerships in a variety of ways, joint
22 patents between university professors and
23 private companies. I'm sure you don't have
24 it with you, but I would love a master list

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1 of the money that is coming into SUNY from
2 all of these different private/public
3 partnerships.
4 And then if you could explain to me
5 now, is there a standard way of how that
6 money is distributed? Does it stay with the
7 campus? Does it go to the Research
8 Foundation? Does it come into Central?
9 COMMISSIONER ZIMPHER: I think what we
10 will have is projections. It's pretty early
11 to -- you may or you may not be able to
12 comment on whether you've had a cash flow.
13 But we can certainly give you an inventory of
14 all the partners on each of our campuses.
15 PRESIDENT STENGER: Patent royalties

16 are probably in the mid-range at our campus.
17 About \$800,000 a year comes back; it's a
18 small part of our budget.

19 START-UP companies have not -- none of
20 our START-UP companies have exited and become
21 successful, so there's no cash flow from
22 that.

23 The majority of the cash flow comes
24 from industrial research projects that are

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1 sponsored on campus. That may be several
2 million dollars a year. And that all stays
3 on the campus. It pays for students, it pays
4 for faculty, pays for equipment, provides a
5 service to the local industries. Some of it
6 stays at the RF. None stays at SUNY Central.
7 I think, again, that's 3 or 4 percent that
8 holds back at RF.

9 SENATOR KRUEGER: Can you explain what
10 industrial search means? I don't know that
11 term.

12 PRESIDENT STENGER: Research. I'm
13 sorry, research.

14 SENATOR KRUEGER: Excuse me,
15 industrial research.

16 PRESIDENT STENGER: Yes, industrial
17 research projects.

18 SENATOR KRUEGER: So a company hires
19 your students and faculty and uses your
20 equipment to do research.

21 PRESIDENT STENGER: Correct, exactly.

22 SENATOR KRUEGER: And is there a
23 standardized agreement form that is used for
24 these business deals?

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1 PRESIDENT STENGER: We try to have a
2 standardized agreement form. We start with
3 that. And each company is a little bit
4 different, and we may have to modify it. But
5 we're very carefully about ownership of
6 technology and intellectual property. If
7 it's invented on the campus, it is owned
8 wholly by the campus, by SUNY and by the RF.
9 The company would not have any ownership to a
10 patent that was developed with research
11 that's done on the campus.

12 SENATOR KRUEGER: And does your
13 college have a specific funding stream that
14 it uses that money for when it comes in, or
15 it goes into your equivalent of a general
16 fund?

17 PRESIDENT STENGER: It is almost all
18 used for direct expenses. So the budget
19 that's given to the company says faculty
20 salary, student salary. There's a small
21 overhead charge that would go back into the
22 central that would help support other
23 programs. That would be about 25 percent of
24 the grant might come into a central tax or

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1 indirect cost recovery. The rest of it is

2 all direct expenses.

3 SENATOR KRUEGER: And you mentioned
4 your campus. And obviously senior colleges
5 are going to have a different story than
6 community colleges and colleges with strong
7 science programs are more likely to get
8 patent income. But Binghamton I think is a
9 good example for this.

10 So is there a specific funding stream
11 that your patent revenue goes into?

12 PRESIDENT STENGER: The patent revenue
13 flows back to the investigator. Forty
14 percent goes back to the investigator, the
15 person who wrote the patent, did the
16 invention. It's usually a faculty member,
17 but it could be a student or a staff member.

18 Sixty percent then is split then
19 across several entities on campus. And that
20 depends upon the campus. Some hold it
21 centrally; some distribute it to the
22 departments and to the deans. But I want to
23 remind you, it's a relatively small amount of
24 money. Our peak year at Binghamton was

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1 \$800,000. I think at Buffalo when I was
2 there, the peak year might have been
3 \$1.5 million to \$2 million a year. And they
4 fluctuate significantly, because these
5 contracts start and stop.

6 So it's probably not something that
7 we're too worried about the cash flow. We'd

8 love it to increase, because we see the
9 benefit from working with industry, not just
10 in the income but also in the partnerships
11 that help build careers for our students that
12 work on the projects.

13 SENATOR KRUEGER: I don't disagree.
14 Thank you.

15 Chancellor, if you could provide us
16 with a master list --

17 COMMISSIONER ZIMMER: Absolutely.

18 SENATOR KRUEGER: -- from throughout
19 the system.

20 COMMISSIONER ZIMMER: Thank you.

21 SENATOR KRUEGER: Thank you.

22 CHAIRMAN FARRELL: Thank you very
23 much.

24 We've been joined by Assemblyperson

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1 Smith {sic} and Assemblyperson Seawright.

2 Next to question, Assemblywoman
3 Malliotakis.

4 SENATOR KRUEGER: And also we've been
5 joined by Senator Velmanette Montgomery.

6 ASSEMBLYWOMAN MALLIOTAKIS: Good
7 morning, Chancellor, Presidents. Thank you
8 so much for being here. Thank you for what
9 you do for our students across the state.

10 You had mentioned in your testimony
11 that only 23 out of 100 complete their
12 degree. You had mentioned some of the
13 reasons as lack of preparedness, lack of

14 guidance, lack of support. I would also make
15 the argument lack of financial resources
16 would certainly be an issue for many.

17 So I wanted to talk to you a little
18 about tuition assistance and your opinion
19 specifically on increasing the income
20 eligibility threshold. The last time the
21 income eligibility threshold for the Tuition
22 Assistance Program here in the State of New
23 York was increased was back in the year 2000,
24 and that went from \$50,000 household income

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1 to \$80,000 household income.

2 And certainly it's my opinion that
3 many middle-class families who have slightly
4 over that \$80,000 income may have two, three,
5 four kids to put through school, and can't do
6 so on that income level, especially when
7 they're paying other middle-class expenses --
8 mortgage, for instance; energy costs.

9 So I was just curious what your
10 opinion would be on whether the state should
11 be looking at raising that income eligibility
12 threshold, especially since it hasn't been
13 increased in the last 15 years. Meanwhile,
14 tuition, inflation costs have increased, of
15 course. So if you'd care to share your
16 opinion on that.

17 COMMISSIONER ZIMMER: I think our
18 commitment is to provide access for as many
19 students as possible. This is a decision, of

20 course, that you and the Legislature and the
21 Governor would have to arrive at in terms of
22 changing the threshold.

23 I will say that a part of the renewal
24 of TAP and the rational tuition plan is that

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1 for students, low-income students for whom
2 our current tuition leaves a gap between TAP
3 and our current tuition, that we pay that
4 difference at SUNY. Which I think is a
5 pretty direct way to assist parents, families
6 that just can't quite make that additional
7 reach.

8 But changing the plateau, that I think
9 is a decision that we would be very
10 interested in engaging in, because our goal
11 is to expand access -- but it's also a
12 decision that you would have to debate.

13 We have had a review of our TAP
14 program, both by the CUNY and SUNY and the
15 independent colleges. And somewhere in our
16 conversation is that review still being --
17 it's not report-ready, but it's the most
18 recent review.

19 ASSEMBLYWOMAN MALLI OTAKI S: Okay,
20 great. It's something I would definitely
21 like to discuss with you in the future. Here
22 in the state we have about \$26,000 average
23 debt for students graduating. That's just
24 for undergrad. That's not even including

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1 graduate students, which brings me to my next
2 point.

3 In 2010 this Legislature eliminated
4 the Tuition Assistance Program for graduate
5 students here in the State of New York. So
6 if you're a graduate student here in
7 New York, you get absolutely no tuition
8 assistance. So I see proposals like the
9 DREAM Act and others in this budget, and I'm
10 wondering don't you believe that we should be
11 restoring the Tuition Assistance Program for
12 graduate students here in the State of
13 New York?

14 COMMISSIONER ZIMMER: Well, I don't
15 think it would be a surprise to anyone that
16 any enablement from the Legislature and the
17 Governor to buy down tuition would be
18 something in our state's best interests. So
19 we would hardly oppose that.

20 ASSEMBLYWOMAN MALLIOTAKIS: Okay. So
21 I see that your addendum here -- and you had
22 mentioned earlier that the SUNY trustees had
23 passed a resolution in support of the DREAM
24 Act in 2012. I was wondering if the SUNY

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1 trustees would consider passing a resolution
2 as well to restore the Tuition Assistance
3 Program for graduate students here in the
4 state.

5 It would be something I think that
6 many of our graduate students who are

7 citizens of the state would truly appreciate
8 the support of SUNY as they look to seek
9 higher education but yet don't have the means
10 to do so.

11 COMMISSIONER ZIMPHER: Well, we have
12 the great good fortune of the board chair in
13 our house today.

14 And I think, again, any policies that
15 would enable more students to have access to
16 both undergraduate and graduate -- I will
17 say, and also in addition to Senator
18 Stavisky's questions, that getting students
19 graduated at the undergraduate and the
20 graduate level sooner also brings down costs.
21 And so one of the reasons we're so aggressive
22 about our completion strategies is that we
23 know that saves money too. So it's both the
24 money for tuition but it's time in rank as

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1 well.

2 ASSEMBLYWOMAN MALLIOTAKIS: Well, the
3 tuition assistance for graduate students cost
4 about \$3 million a year, and certainly that
5 is something that I think should be a
6 priority. Especially if we're going to be
7 looking to put tuition assistance dollars for
8 other programs, we should certainly look to
9 restore what was eliminated in 2010, because
10 there's so many graduate students in this
11 state that are struggling for higher
12 education.

13 So those are the two things that I've
14 been pushing right now, is that plus
15 increasing the income eligibility for the
16 Tuition Assistance Program, which hasn't been
17 increased in 15 years. I think it's
18 certainly due.

19 I thank you both -- all of you for
20 your time.

21 COMMISSIONER ZIMMER: We appreciate
22 your advocacy. Thank you.

23 CHAIRMAN DeFRANCISCO: Thank you.

24 President Stenger, from Binghamton,

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1 you said you had nine businesses that you're
2 working with right now on the START-UP NY.
3 Are there contracts signed on all of those?

4 PRESIDENT STENGER: We have five
5 contracts signed, and four that we've just
6 submitted to ESD this week.

7 CHAIRMAN DeFRANCISCO: Okay. Can you
8 tell me the nature of the businesses -- you
9 don't have to give me the name -- the nature
10 of the businesses that comprise the five?
11 What do they do? What's their business?

12 PRESIDENT STENGER: Okay, I'll do the
13 best I can from memory of each one.

14 One is called Charge CCCV. It is a
15 product that is a lithium battery, a
16 high-performance lithium battery that came
17 out of Professor Whittingham's laboratory in
18 chemistry. Professor Whittingham holds the

19 original patent for a lithium battery when he
20 worked at Exxon. It's actually a company
21 started by his graduate student.

22 CHAIRMAN DeFRANCISCO: So that's a
23 brand-new company.

24 PRESIDENT STENGER: Brand-new company.

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1 Just started.

2 CHAIRMAN DeFRANCISCO: Okay, next?

3 PRESIDENT STENGER: One employee, the
4 graduate student, right now.

5 CHAIRMAN DeFRANCISCO: Well, that's
6 more than none.

7 Then the second business?

8 PRESIDENT STENGER: The second one is
9 actually a local doctor who started it,
10 Dr. -- Mr. and Dr. Kerr. It's a software
11 program that doctors can use to refer
12 diagnoses to other doctors using
13 HIPAA-compliant software and a wireless
14 transmission.

15 They actually have some sales, and
16 they're expanding it. They're working with
17 some of our faculty to write the code and
18 improve the software on that product.

19 CHAIRMAN DeFRANCISCO: So it was
20 somewhat of an existing business before they
21 joined on --

22 PRESIDENT STENGER: Right.

23 CHAIRMAN DeFRANCISCO: Paying taxes?

24 PRESIDENT STENGER: Paying taxes, no.

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1 This is not -- they were doing this all pro
2 bono on their own time. They're two doctors.

3 CHAIRMAN DeFRANCISCO: So there was no
4 existing business then. You said they had
5 some sales. I thought it was an existing
6 business.

7 PRESIDENT STENGER: They had some
8 sales, yes. I would think that the
9 expectation of the START-UP NY is that it
10 would be growth from the base.

11 CHAIRMAN DeFRANCISCO: No, I
12 understand what the expectation is. I'm just
13 trying to figure out what is in existence and
14 what's the nature of the company.

15 The other three -- rather than going
16 through all of them, are the other three
17 technical-type companies like the other two?

18 PRESIDENT STENGER: Yes. Yes, they're
19 all technical. They're -- one is a tinting
20 for glass so that when glass is struck by
21 lights, the tinting will change, the shape
22 will change. That came out of one of our
23 chemistry professors as well.

24 CHAIRMAN DeFRANCISCO: All right, so

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1 these are -- it sounds like the people at the
2 university are taking advantage of this
3 program, okay. Which is fine.

4 I guess the -- of the other four, are

5 they all technology companies that you've
6 submitted?

7 PRESIDENT STENGER: They are all
8 technology companies. Some are softer
9 technologies than the others. One is called
10 Scorpion Products. They make the -- if you
11 go into Best Buy and you want to look at a
12 phone, it's tethered down. They make those
13 tethers. And they're trying to develop ones
14 that aren't actually physical but they're
15 electronic.

16 CHAIRMAN DeFRANCISCO: And are all of
17 the nine brand-new companies?

18 PRESIDENT STENGER: They're all almost
19 brand-new. Almost.

20 CHAIRMAN DeFRANCISCO: I mean as far
21 as they're not commercial enterprises until
22 they start.

23 PRESIDENT STENGER: Right. It's two,
24 three employees at the most. One or two

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1 sometimes.

2 COMMISSIONER ZIMMER: And, Senator, I
3 have a list of -- again, I think this was
4 part of the data that Senator Krueger
5 requested.

6 CHAIRMAN DeFRANCISCO: Right.

7 COMMISSIONER ZIMMER: You know,
8 Downstate, 123 jobs; Stony Brook, 148 jobs.
9 You know, the composite of what we've got so
10 far in terms of job growth.

11 CHAIRMAN DeFRANCISCO: Okay, that's
12 fine. I just wanted to ask a live body
13 rather than get a piece of paper.

14 Number two, how much does SUNY spend
15 on remediation for children that come out of
16 secondary education and aren't ready?

17 COMMISSIONER ZIMMER: We spend about
18 \$80 million of our funds, and students spend
19 over \$90 million in enrolling for remedial
20 courses that they could be using for
21 college-level courses. And of course our
22 goal is to erase the need for either of those
23 expenditures.

24 CHAIRMAN DeFRANCISCO: And I'll be

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1 asking the CUNY chancellor as well, because
2 that's not good, in my mind.

3 COMMISSIONER ZIMMER: No, not good.

4 CHAIRMAN DeFRANCISCO: And we've
5 talked about this for at least three years
6 now.

7 Now, the question I have is I noted
8 with great interest your speech, which we
9 talked about yesterday, your State of SUNY
10 speech.

11 COMMISSIONER ZIMMER: Yes.

12 CHAIRMAN DeFRANCISCO: And I'm quoting
13 from your speech. "We need a universal
14 diagnostic taken by students in the 10th
15 grade to assess their pathway towards
16 college-readiness. That might just be the

17 PSAT. "
18 Now, whether it's the PSAT or the
19 whatever, the point I'm trying to make is --
20 and I've been trying to make for three
21 years -- there ought to be an assessment at
22 an early age in the student's high school
23 education so that if they aren't prepared,
24 instead of not learning it until community

♀ 94

1 college or a four-year SUNY college, what
2 they do is they are told what they're
3 deficient in -- and rather than being in
4 study halls and released for some
5 phony-baloney job in their senior year, they
6 actually take courses that get them ready so
7 they don't waste all their TAP or they don't
8 waste all the education money, and you don't
9 have to pay all that money.

10 Are we at that point now where we can
11 do something?

12 COMMISSIONER ZIMMER: We totally
13 agree with your assessment. We have been
14 working with the College Board, we've been
15 working with SED. I will remind you that the
16 New York City schools have this early
17 diagnostic, and CUNY benefits immensely from
18 being able to get kids ready for college
19 sooner than when they enter our doors.

20 Firsthand account?

21 PRESIDENT KRESS: Sure. And I can
22 speak to it at the community college level.

23 We do partner, at MCC, and actually
24 across the 30 CUNY community colleges, we're

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1 partnering with local districts that show an
2 interest in giving an assessment as low as
3 rising sophomores, in some cases rising
4 juniors, and then bringing in the skill sets
5 to remediate those students so that more of
6 them can begin at college level once they
7 start college.

8 We also hold summer remediation
9 programs.

10 But I also would be remiss if I didn't
11 take this opportunity to indicate that there
12 is a significant percentage, depending on the
13 community college, of students who are in
14 remedial classes who are older than 25 years
15 old. These are often dislocated workers who
16 did not need a high-tech skill set in order
17 to compete in a previous economy, but need it
18 going forward.

19 So whatever we did with K-12, we would
20 still want to provide some safeguards for
21 those students.

22 CHAIRMAN DeFRANCISCO: All right. But
23 is this -- what is the diagnostic tool for
24 this remediation?

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1 PRESIDENT KRESS: For us at MCC we use
2 the Accuplacer, which is what we use to place
3 students in college-level courses. And we

4 partner with school districts around sharing
5 those results, so that what you can see is
6 sort of -- we call it Swiss cheese, that the
7 students have some skill sets but not others,
8 so how can you target the remediation efforts
9 to the skill sets that they're missing so
10 that they can advance.

11 This is easily -- not easily, with
12 some investment, but it could be scaled
13 across the state to great advantage for all
14 of New York.

15 COMMISSIONER ZIMMER: It has to be
16 standardized. We've talked about it, we have
17 examples, but we don't have it across the
18 board. And we work with 698 school
19 districts. So we can't negotiate this one
20 district at a time. We have to have some
21 kind of organizer.

22 CHAIRMAN DeFRANCISCO: But -- I'll ask
23 this question and I'll come back. But your
24 model would be an earlier diagnostic tool to

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1 find this out beforehand, and then the SUNY
2 schools would then do the remediation while
3 they're still in high school?

4 COMMISSIONER ZIMMER: Conceivable.
5 We could certainly work with the teachers, we
6 would partner with the school districts.
7 Some of it might be provided by some of our
8 faculty or instructional staff, and others by
9 the districts.

10 CHAIRMAN DeFRANCISCO: Okay, I'll come
11 back. Thank you.

12 CHAIRMAN FARRELL: Thank you.
13 Assemblyman Lupinacci.

14 ASSEMBLYMAN LUPINACCI: Good morning.

15 COMMISSIONER ZIMMER: Good morning.

16 ASSEMBLYMAN LUPINACCI: I just had
17 several questions. And the first one I guess
18 is more long-term range in terms of planning
19 and strategy. Obviously we heard at the
20 national level from the President, and there
21 are several pieces of legislation introduced
22 here in terms of providing, you know,
23 community college free for the first two
24 years.

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1 And, you know, looking at the
2 infrastructure right now of our community
3 colleges and spacing, I know many colleges
4 have looked over scheduling over the past few
5 years in terms of looking at the block
6 scheduling and trying to open up school hours
7 and classroom space in nontraditional,
8 whether it's weekend programs or late
9 evenings and such.

10 Do you think looking long-range, do
11 you think the community colleges would be
12 able to facilitate such a plan? Or have
13 there been numbers looked at in terms of how
14 many students would be interested in going to
15 the community colleges all of sudden if

16 they're not paying for it but it's free? And
17 in terms of preparation for that, if that was
18 to go into effect in terms of long-term
19 budgeting.

20 COMMISSIONER ZIMMER: I would just
21 say, in the case of Tennessee, I think there
22 was an immediate surge, 8,000 or 9,000 more
23 students who took advantage of this
24 free-tuition model. So it would increase

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1 demand, there's no question about it. But
2 its demand we want, we want to educate more
3 people.

4 Maybe, Anne, to add?

5 PRESIDENT KRESS: Sure. And what I
6 can speak to is that what we would anticipate
7 seeing is very much what we saw during the
8 recession, which is an immediate scale-up of
9 student enrollment. We would certainly look
10 for sustaining funds as we went forward. But
11 as our institutions have returned to
12 pre-recession enrollment levels, there is
13 room to serve more students.

14 The other thing that we do on a
15 regular basis is partner with other
16 providers, whether it's business and industry
17 and holding classes there. I know at MCC
18 we're in discussions with the city rec
19 department about holding classes inside the
20 city to better meet students where they live.

21 So I think there are real

22 opportunities in a program like that to
23 really leverage all of those partnerships.

24 ASSEMBLYMAN LUPINACCI: So you

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1 wouldn't have to see like infrastructure
2 changes in terms of more space, it would be
3 through partnerships and using already
4 existing space that you would need?

5 PRESIDENT KRESS: I think initially,
6 certainly. But I would go back to my
7 comments around having the Legislature look
8 at ways for -- community colleges who
9 sponsor this haven't been able to achieve the
10 mesh that's required currently for capital.
11 I think a program like free community
12 college going along with a program from
13 New York State around those capital needs
14 would certainly be desirable.

15 ASSEMBLYMAN LUPINACCI: Thank you.

16 And then I know, Chancellor, when you
17 were speaking before we were talking about
18 student retention and such and, you know, the
19 dropout rate. And, you know, some of the
20 things that you speak about in terms of
21 guidance and applied learning experiences, I
22 notice that many of the schools right now
23 sometimes put up thresholds in the early
24 years in terms of applied learning

♀ 101

1 experiences, whether it's a certain amount of

2 class standing -- 60 credits or greater -- or
3 a certain GPA to participate in certain
4 internships and study abroad programs.

5 How do you think -- and I know you
6 said the first semester or the second
7 semester freshmen will sometimes drop out and
8 not rejoin. But how do you get an attachment
9 those applied learning experiences early
10 first semester, second semester, get them
11 involved in the internship programs, get them
12 into the real-world experience in terms of
13 linkages between the classroom and real-world
14 applications?

15 If you could just speak a little bit
16 more in terms of that.

17 COMMISSIONER ZIMMER: Well, I think
18 one of the problems we have, given our size
19 and our diversity, is simply the use of data
20 to track student experiences. And so we're
21 actually working with companies that have
22 expertise in following our students through
23 these experiences.

24 The best analog we've come up with is

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1 online dating. But -- forgive me -- I think
2 what we're trying to do is create a system
3 for matching students with preceptors or
4 industry or community organizations, and then
5 adding an assessment so that there's
6 supervision. I think it's not responsible of
7 us to send a student into a field internship

8 without the kind of adequate supervision from
9 both the partner and from the campus.

10 And to do all that, we really need a
11 data system that can manage these
12 experiences, whether they're freshman year or
13 senior year. So the way we want to combat
14 some of the dropout that occurs is to know
15 more about what our students are doing, where
16 they're doing it, when they're doing it, and
17 make sure we draw them back.

18 ASSEMBLYMAN LUPINACCI: That's all.
19 Thank you.

20 CHAIRMAN DeFRANCISCO: Totally
21 different topic, capital. SUNY hospitals,
22 they haven't had an increase in capital since
23 2008, is that correct?

24 COMMISSIONER ZIMMER: That's correct.

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1 CHAIRMAN DeFRANCISCO: That's not
2 good, is it?

3 COMMISSIONER ZIMMER: Not good.

4 VICE CHANCELLOR HAELEN: We're very
5 concerned about that. We have two hospitals
6 that have exhausted their existing
7 appropriations -- that's Stony Brook and
8 Upstate Medical Center. They both have
9 significant critical maintenance needs.

10 CHAIRMAN DeFRANCISCO: Stony Brook,
11 Upstate Medical Center. You think there's a
12 plot or what?

13 (Laughter.)

14 VICE CHANCELLOR HAELEN: No --
15 CHAIRMAN DeFRANCISCO: Okay, go ahead.
16 VICE CHANCELLOR HAELEN: It might be,
17 I don't know.
18 (Laughter.)
19 CHAIRMAN DeFRANCISCO: Good answer.
20 VICE CHANCELLOR HAELEN: Yeah. But
21 no, we are concerned. We have been asking
22 for the last several years for additional
23 hospital capital. We have also suggested
24 that maybe there's a way to do a separate

♀ 104

1 hospital credit and be creative and get it
2 outside of the bond cap calculations. But we
3 have not been successful in getting --

4 CHAIRMAN DeFRANCISCO: What was your
5 request this year?

6 VICE CHANCELLOR HAELEN: This year we
7 had \$500 million for the three hospitals.

8 CHAIRMAN DeFRANCISCO: Three
9 hospitals, not including Brooklyn?

10 VICE CHANCELLOR HAELEN: That would
11 include Brooklyn too.

12 CHAIRMAN DeFRANCISCO: It would
13 include. Oh, I'm sorry, including it.

14 Now, there's \$600 million -- there's
15 \$700 million, I shorted them, of capital
16 funding in the Governor's budget right now
17 for Brooklyn, correct, Downstate?

18 VICE CHANCELLOR HAELEN: It's not
19 down -- it's the Brooklyn area, not

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necessarily the Downstate --
CHAIRMAN DeFRANCISCO: Do you know
where that money goes?
VICE CHANCELLOR HAELEN: No, I cannot
identify exactly where that is going right

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now.
CHAIRMAN DeFRANCISCO: Okay, what I'm
concerned about -- this isn't you making
these allocations, so I'm not saying that
there's anything you did wrong or didn't in
this process.

But it seems very difficult when you
have two hospitals that have been doing the
right thing and not getting into financial
distress, and they don't get any capital
funding. And then you get into a hospital
that's done everything wrong -- at least I
assume the hospital's going to benefit from
the \$700 million -- and they get \$700 million
without any discussion as to capital before
the budget pops out. I assume you didn't
request \$600 million or \$700 million for
Downstate.

VICE CHANCELLOR HAELEN: That request
did not go through SUNY.

CHAIRMAN DeFRANCISCO: That's what I
thought.

So you're looking for \$500 million,
and that will do what? Let's assume -- how

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1 much of that would you need for Downstate?

2 VICE CHANCELLOR HAELEN: Downstate is
3 sitting on some appropriation authority.
4 They have about \$200 million. So a majority
5 of the \$500 million would be directed towards
6 Upstate and Stony Brook.

7 CHAIRMAN DeFRANCISCO: All right, so
8 we'll take \$200 million out of that
9 \$700 million for Downstate -- because they
10 got already two, we shouldn't get them seven.
11 Then the question is if you're going to
12 allocate -- or you don't even take it away,
13 you're going to allocate among the other two
14 hospitals. If we took out two, so you need
15 \$300 million, and how should that be
16 allocated among Senator LaValle and myself?

17 (Laughter.)

18 VICE CHANCELLOR HAELEN: Through the
19 legislative process.

20 (Laughter.)

21 CHAIRMAN DeFRANCISCO: All right.
22 This truly is a serious discussion, and I
23 really think we've got to come up with some
24 solution. Nobody could run a business

♀ 107

1 without capital for that many years and not
2 have some serious problems. So I'm sure
3 we're both going to have the same position,
4 and hopefully we can get help to get
5 something done.

6 VICE CHANCELLOR HAELEN: Yeah, I think

7 there's some larger issues that are being
8 discussed with that \$700 million and trying
9 to fix -- come up with a healthcare solution
10 for Brooklyn. So, you know, there's a lot of
11 thought going on behind that. I'm not so
12 sure how SUNY is going to plug in. I know it
13 gets recognized during the conversations.
14 But as far as the amount of money going
15 towards SUNY Downstate Hospital, I can't
16 answer that right now.

17 CHAIRMAN DeFRANCISCO: Okay. And just
18 one last question for the whole day for you,
19 would be there was something -- let me see if
20 I can find it. The SUNY schools have to
21 develop plans to align with their Regional
22 Economic Development Council or risk losing
23 10 percent of their state base aid.

24 President of Monroe, you know about

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1 that?

2 PRESIDENT KRESS: I think that refers
3 to the Regional Councils of the community
4 colleges. I don't know if it's a risk of
5 10 percent of our base aid, but it would go
6 along the SUNY Excel's performance funding,
7 that one of those performance metrics is our
8 ability to graduate students who can find
9 employment within our region.

10 CHAIRMAN DeFRANCISCO: The SUNY
11 community colleges, aren't they already --
12 while they're doing some of this economic

13 development with START-UP, aren't they
14 already in contact or doing work through the
15 Regional Economic Development Council?

16 PRESIDENT KRESS: Absolutely. I sit
17 on a Regional Economic Development Council.
18 But I think the performance funding would
19 incentivize us to do a little bit more.

20 CHAIRMAN DeFRANCISCO: So that
21 wouldn't be any problem for community
22 colleges to comply with this particular --

23 COMMISSIONER ZIMMER: I think that's
24 the beauty of SUNY Excels. We are prepared

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1 to answer questions like our degree of
2 job-readiness and partnership with local
3 business and industry through our data
4 system. So very promising.

5 CHAIRMAN DeFRANCISCO: Okay, so that
6 doesn't appear to be a problem that --

7 COMMISSIONER ZIMMER: No.

8 CHAIRMAN DeFRANCISCO: Okay. All
9 right, thank you.

10 CHAIRMAN FARRELL: Thank you.
11 Assemblywoman Fahy.

12 ASSEMBLYWOMAN FAHY: Thank you,
13 Mr. Chair.

14 And good morning --

15 COMMISSIONER ZIMMER: Good morning.

16 ASSEMBLYWOMAN FAHY: -- and thank you.
17 It's a lot to absorb, but really appreciated
18 it.

19 I have just a few questions, most of
20 which are brief, but I want to just make a
21 couple of comments first. Following up on
22 some of the comments that you've already
23 heard, I just want to echo some of the
24 concerns raised about START-UP NY. It was

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1 probably one of the more difficult votes I
2 took, but I supported it in 2013 -- but I am
3 also one who really wants to watch it and
4 make sure that it is -- one of the reasons I
5 voted for it is because I do believe we
6 cannot do enough to give our students
7 internships and jobs. I also served on the I
8 Live NY task force a number of years ago
9 under the Spitzer administration, and I know
10 that we are a net exporter of students we
11 graduate. And I would hope that START-UP
12 will begin to reverse that trend so that we
13 can hang on to the students we spend so many
14 resources on graduating. So I am really
15 hoping that START-UP in the end will prove
16 one that changes that equation and makes us a
17 net retainer of the students we graduate.

18 Just another couple of comments on the
19 edTPA, the teacher prep program. I do share
20 a number of concerns that were raised, and I
21 look forward to hearing more from the
22 advisory committee as well.

23 With regard to the community college,
24 really appreciated some of the comments. I'm

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1 a product of community colleges and I do
2 think the stronger we can make our community
3 college system, the better it is. Truly, for
4 me, it was a life-changer, and I believe we
5 need to do all we can to make sure it is
6 accessible for the nontraditional students,
7 young or old.

8 The chargeback issue, I would be
9 remiss if I did not mention the chargeback
10 issue here with Hudson Valley Community
11 College. It is a very serious issue and has
12 caused a number of problems between the
13 counties, financial tensions between the
14 counties. I know you have another report
15 coming out in June, and I look forward to
16 that.

17 Just one last comment. I want to
18 mention the EOP, the educational opportunity
19 program. The cuts there, I don't even
20 understand it. I don't get it and how we can
21 have 30,000 applicants, if we're only serving
22 2500, and still cutting it. So I will do all
23 I can, and I'm happy to work with you to make
24 sure that we not just keep that program, but

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1 that we grow that program. It does make a
2 difference.

3 Along that line, your performance
4 improvement, one of my questions now is the

5 performance improvement plans. Freshman
6 retention, I heard it mentioned a few times
7 here. I do think freshman retention is
8 absolutely critical. And I had the
9 opportunity to hear your State of the
10 University talk a couple of weeks ago,
11 Chancellor, which was terrific and very
12 helpful. In there you mentioned an emphasis
13 on mentoring and an emphasis on academic
14 advising, particularly for our high school
15 students, which I thought sounded wonderful,
16 especially your initiative to get into all
17 the high schools in this state, or at least
18 all the school districts.

19 Is that part of what you are measuring
20 in the performance improvement plan, the PIP,
21 is that part of it?

22 COMMISSIONER ZIMPHER: The idea that
23 we would help supplement advising during high
24 school is a part of the investment fund.

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1 ASSEMBLYWOMAN FAHY: The investment,
2 okay.

3 COMMISSIONER ZIMPHER: It should pay
4 off in terms of college-readiness and
5 completion. But it's certainly starting
6 earlier in the pipeline.

7 And, you know, my theme always is that
8 K-12 and higher education need to be
9 fundamentally better connected. We've got to
10 find ways to span the two -- sort of the

11 division of how policy is made in K-12 with
12 how policy is made in higher ed, and one way
13 is to begin to connect our services.

14 So it's kind of like inviting K-12 and
15 college into shared services, which is a lot
16 of the impetus within the state. But, you
17 know, it's usually within the boundary of
18 K-12 or within the boundary of higher ed.
19 What if we had an easier way to share
20 services across those two agencies? And one
21 of the ways would be to share advising
22 services.

23 ASSEMBLYWOMAN FAHY: Okay. Terrific,
24 and I --

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1 COMMISSIONER ZIMMER: You get a
2 better product that way.

3 ASSEMBLYWOMAN FAHY: Yes, absolutely.
4 And I look forward to hearing more on that.

5 Along that same line of freshman
6 retention and remediation, the diagnostic
7 tool that you mentioned that is used by CUNY,
8 can you just briefly mention what that is and
9 your thoughts on how you're interested in
10 scaling that up? Or you can send me info.

11 COMMISSIONER ZIMMER: I think the
12 diagnostic for CUNY is the PSAT. You
13 mentioned the Accuplacer. There are several
14 different instruments. What really matters
15 is that we are able to mandate the
16 application of this diagnostic across the

17 board.

18 And when we work with 698 school
19 districts, it's not the same as sitting down
20 with the DOE and CUNY and making an agreement
21 between those two entities. Not that that
22 was easy for my CUNY colleagues in the house.
23 But for us, it's almost impossible unless we
24 get some kind of statewide policy that

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1 ensures we have a diagnostic we can use.

2 ASSEMBLYWOMAN FAHY: Okay, so it's not
3 one particular tool itself at this point.

4 COMMISSIONER ZIMMER: Yeah, I think
5 there are a number of good tools. But
6 getting a constant investment in application,
7 that's our problem. It's random.

8 ASSEMBLYWOMAN FAHY: Okay. Okay,
9 thank you.

10 And then two other very quick ones.
11 The Executive, I understand, is proposing to
12 eliminate the requirement that new curricula
13 and programs do not require a master plan
14 amendment to be approved by SED. Can you
15 clarify this and tell us your position on
16 this, please?

17 ASSOC. PROVOST BRINGSJORD: So one of
18 the things we're really interested in doing
19 is streamlining our program approval process,
20 which in some cases takes years to get
21 programs that are really essential for
22 certain parts of the state.

23 So we are looking for ways to be much
24 more efficient. And within a certain

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1 disciplinary area, when an institution
2 already has that degree-granting -- that
3 expertise, that faculty expertise and the
4 level of degree-granting authority, we think
5 that a lot of this can be streamlined.
6 There's no reason to hold up programs that
7 are within the mission of a college or
8 university that are very much needed.

9 So we have a lot of duplication of
10 review, and we're just looking for some ways
11 to assure quality but get programs out to
12 students sooner.

13 ASSEMBLYWOMAN FAHY: Okay, thank you.

14 One last quick question. Your Small
15 Business Development Centers, you said you'd
16 like to revive those and fund those. How
17 would those mesh with the Hot Spots programs
18 that you also mentioned?

19 COMMISSIONER ZIMPHER: I think they're
20 all related.

21 Want to comment, Harvey?

22 PRESIDENT STENGER: There's a lot of
23 moving parts here. Hot Spots is kind of this
24 new New York State program that's in several

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1 areas across the state. Then there's
2 START-UP NY on your campus, which I think
3 would be more closely aligned with SBDC. So

4 your Small Business Development Centers --
5 and ours is on our campus -- would be
6 benefited by having start-up companies closer
7 to them, as close as possible, collocating
8 them sometimes in facilities that might be
9 close to the campus.

10 The Hot Spots are still brand-new.
11 They haven't even been funded yet from the
12 state. We're kind of pulling them along on
13 our funding for a while. I think they have a
14 great potential of trying to help provide
15 support for start-up companies. But right
16 now SBDC is probably a better place for them
17 to go, actually.

18 ASSEMBLYWOMAN FAHY: Thank you. Thank
19 you.

20 COMMISSIONER ZIMMER: Thank you for
21 your questions.

22 ASSEMBLYMAN OAKS: Chancellor, just a
23 couple of questions. Actually, Senator
24 DeFrancisco and Assemblywoman Fahy both

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1 talked about the assessment issue. And last
2 week we did have the Education Department
3 here. When Senator DeFrancisco gave them
4 kind of a direct question, they were not
5 willing to go to saying that we're ready to
6 try to find some assessment that is more
7 universal. So I think that's going to be
8 some, you know, challenges before us.

9 But I think for me, in sensing -- I

10 think kids who are at that sophomore age
11 could use the wake-up of saying, well, I want
12 to attend college but why do I work now -- if
13 they get an assessment as a sophomore that
14 says you'd better get going or you're not
15 going to be prepared, I think that could be
16 helpful.

17 COMMISSIONER ZIMMER: Well, I think
18 it would be very helpful. I'm really glad
19 that it's a big part of our discussion today.
20 Because we call it a diagnostic because we
21 want an instrument that will really unpack
22 what the skills are that the student
23 possesses at this time. Not a test that says
24 you're here, good luck, you need to be here,

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1 but really unpacks the readiness of the
2 student. So that's what we hope to get out
3 of this discussion.

4 ASSEMBLYMAN OAKS: A question, jumping
5 back -- and I know it's going to force
6 changing seats -- but the design-build
7 proposal within the Governor's budget that
8 will impact SUNY and CUNY for capital
9 projects throughout the system. Do you have
10 any examples of projects now that you think
11 the design-build could be helpful for?

12 VICE CHANCELLOR HAELEN: Yeah,
13 design-build is a very useful tool for
14 expediting a project. It doesn't work on
15 every project. It doesn't necessarily work

16 on a very complex project. But a very
17 routine project like electrical upgrades,
18 where you can quickly start to get elements
19 of the design underway, get it under
20 construction, and then complete the rest of
21 the design as you're going.

22 So repetitive-type work, it works out
23 very well. And I could probably have
24 examples on every campus where we could take

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1 a smaller project, do it design-build and get
2 it done quicker.

3 ASSEMBLYMAN OAKS: Thank you. And
4 then just lastly, I know -- I looked at your
5 numbers of, you know, present graduates and
6 your goal to hit 150 by 2020. And at first
7 that looked to me like not overly viable.
8 We're at a point where student numbers are
9 declining in many areas and whatever; how are
10 we going to get there.

11 But then when you went through with
12 your explanation of seeing the numbers
13 dropping off, this is more about retention --

14 COMMISSIONER ZIMMER: Right.

15 ASSEMBLYMAN OAKS: -- than it is about
16 attracting as many new students. But --

17 COMMISSIONER ZIMMER: It's very much
18 about retention. But the interesting fact
19 that guides us as well is that 6.9 million
20 New Yorkers have little or no postsecondary
21 education. So while the demographics of the

22 high-school -aged student are changing and
23 diminishing, look at the pool of adults that
24 we could welcome in. And that's also why

♀ 121

1 we've created this very ambitious online
2 delivery system as well.

3 So if we could possibly educate the
4 undereducated, we would have enrollment from
5 now till forever.

6 ASSEMBLYMAN OAKS: Thank you.

7 COMMISSIONER ZIMMER: And then we
8 need to retain them.

9 CHAIRMAN FARRELL: Assemblywoman
10 Glick.

11 ASSEMBLYWOMAN GLICK: At some point
12 somebody said that there was a large number
13 of new faculty that had been able to be hired
14 as a result of the rational tuition plan.
15 And I'm wondering how much -- what is the
16 split between adjunct faculty and full-time
17 faculty.

18 COMMISSIONER ZIMMER: It's about
19 half. It's a little over 500 total
20 appointments, half of which are full-time
21 regular faculty.

22 ASSEMBLYWOMAN GLICK: A subject that
23 has been in the news with many institutions,
24 and SUNY took a step forward in establishing

♀ 122

1 a new sexual assault policy. And I'm

2 wondering whether, over the last few years,
3 that was driven by more instances on campus
4 or whether there are specific campuses where
5 there were more questions raised, or how you
6 arrived at doing that policy and whether or
7 not -- you know, now the Governor wants it
8 replicated everywhere, which is probably a
9 good thing. I'm just wondering where you
10 arrived at this and why.

11 COMMISSIONER ZIMMER: Well, I think
12 the interesting part of this is that through
13 our legal offices and our Title IX officers,
14 affirmative action, all the watch guards of
15 our social context on our campuses have been
16 plugging along at sexual assault policies for
17 a number of years. And certainly on the
18 three campuses represented here.

19 But my recollection of one big impetus
20 was attending these summits at the White
21 House when President Obama actually turned to
22 Valerie Jarrett and said, "The sexual abuse
23 is going to be one of the biggest topics over
24 the next year to 16 months" -- that was

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1 easily a year or more ago -- and lifted sort
2 of the national conversation.

3 We were called in then because we were
4 known at that time to be a system that had
5 really good policies around sexual assault.
6 We actually then began a process of advising
7 and conversing with the White House on this

8 issue.

9 So we were tightening our individual
10 campus policies when we then united with the
11 Governor to make sure there was consistency
12 across all 64 of our campuses. So then we
13 organized yet another task force to make sure
14 that that consistency was equally and
15 equitably and fairly applied across the
16 campuses. We shipped everything back to the
17 campuses. And frankly did such a good job of
18 that that I think it interested the Governor
19 in saying that this might be a universal
20 application across the State of New York. So
21 we were actually at that launch as well.

22 ASSEMBLYWOMAN GLICK: Do you have
23 numbers from individual campuses that you
24 could share with us at some point --

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1 COMMISSIONER ZIMMER: Yes.

2 ASSEMBLYWOMAN GLICK: -- regarding the
3 instances and perhaps what outcomes there
4 were, whether there were students who were
5 suspended, removed or what?

6 COMMISSIONER ZIMMER: Right. Right.

7 ASSEMBLYWOMAN GLICK: Going back to
8 the teaching programs, looking at the
9 requirement for 50 percent or more to be
10 passing all of these assessments -- which of
11 course there are questions about the validity
12 of some of these exams, and the fact that I
13 certainly have heard from various schools or

14 professors that -- and in fact the Regents
15 admitted that not all of the modules are up
16 on some of these tests.

17 So to some extent I think it's unfair
18 to hold students who have been in classes
19 accountable for assessments that professors
20 have not been able to develop the curriculum
21 in order to direct the students in the right
22 path.

23 What discussions have you had with the
24 Executive or SED over the timeline? It looks

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1 in the budget that it's going to start
2 immediately, which seems precipitous. And we
3 certainly don't want to see programs that
4 have potential held accountable and perhaps
5 closed based on assessments that they are not
6 fully prepared to implement.

7 COMMISSIONER ZIMPHER: Well, I have to
8 come back to the formation of this commission
9 we call Teach NY. This is really novel. We
10 have every critical stakeholder in New York
11 and a lot of national experts who are feeding
12 this conversation. We hear the complaints,
13 the issues that Assemblymember Lifton
14 mentioned as well; they're all issues that
15 need to be debated.

16 And I guess what I think should assure
17 all of you is that we're actually leading
18 this conversation. We have to get to the
19 bottom of the assessment strategy for exiting

20 our teacher education programs. We even have
21 to get to the bottom of what we think the
22 admissions criteria ought to be.

23 And our critics, which have been at
24 the table as well, tell us that we're

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1 overeducating, that we should be more
2 selective, that half of the teachers we
3 produce are not taking jobs or can't get a
4 job because there hasn't been this reduction
5 in force that we thought was going to happen
6 but fell out after the recession.

7 So I think every question that has
8 been raised today fits into this dialogue
9 we're having.

10 ASSEMBLYWOMAN GLICK: Well, I
11 appreciate that. The one question that I
12 really would like to know is whether or not
13 the Executive has given you some notion as to
14 whether there is a drop-dead date, that these
15 will be implemented immediately or whether,
16 in these conversations, there is some notion
17 that this would be implemented over a
18 three-year period or something like that.

19 COMMISSIONER ZIMMER: Well, I think
20 if we can resolve amongst the community a
21 strategy going forward, given that the
22 Executive is represented at this table as
23 well, we might be able to rationalize this
24 process for everybody. You can't do it if

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1 you don't have all the key people at the same
2 table, hearing the complaints, hearing the
3 issues, working through strategy.

4 So I'm as optimistic as I could
5 possibly be that we can crack this nut, but
6 we've got to do it together.

7 ASSEMBLYWOMAN GLICK: A final
8 question. There is an inclusion in the
9 budget for the elimination of Regents reviews
10 for new curriculum and programs of study at
11 the colleges.

12 Do you think that's a good idea, a bad
13 idea? And whether there is -- I'm sure that
14 there is frustration because there are
15 delays. SED has had a 25 percent reduction
16 in staff over the last number of years. So
17 obviously things have slowed down. So from
18 one point of view, of course, you'd be happy
19 with it.

20 But I'm wondering if you think it's a
21 good idea from a policy point of view not to
22 have some sort of centralized review of what
23 programs are being instituted at schools
24 around the state, be they public or private.

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1 COMMISSIONER ZIMMER: As Beth might
2 have a comment here, I think we want speed
3 with quality. We have recommended that we do
4 simultaneous review. We're open to external
5 review; we do a centralized review at SUNY.
6 We know that SED has had a habit of

7 reviewing, re-viewing the review. But all of
8 this takes time and, you know, we're being
9 asked to respond to a changing workforce with
10 great speed. And then we have programs that
11 have been unreviewed for eight months to
12 eight years. So this is not working for us.

13 But I think fundamentally, if we can
14 do speed with quality, we'd be very happy.

15 CHAIRMAN FARRELL: Thank you.

16 To close, Ms. Simon.

17 ASSEMBLYWOMAN SIMON: Thank you.

18 I've been listening very carefully to
19 the conversations about assessment and
20 assessing where our students are in high
21 school before they -- to assess whether
22 they're college- and career-ready. And that
23 the PSAT, for example, is one of the
24 mechanisms used.

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1 I'd like to raise the issue of the
2 validity of some of these exams. We know
3 that they're designed to be predictive, and
4 that predictive validity is not necessarily
5 as robust a statistic as we'd like. And you
6 also mentioned working with the College
7 Board. And I'm curious whether the work that
8 you're doing with College Board will lead to
9 the creation of assessment measures that are
10 better able to be used in informing the work
11 that you do with high school students so that
12 they are able to actually use those results

13 in a way that's constructive to give them the
14 skills that they're going to need going
15 forward.

16 ASSOC. PROVOST BRINGSJORD: So I'll
17 start. Yes, we've been talking to the
18 College Board a lot about the reports that
19 come out of the PSAT administration. And,
20 you know, one thing that is very striking to
21 us is that the affluent school districts do
22 administer the PSATs twice, so you get that
23 test-retest data that helps students and
24 their parents identify where they need

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1 supplementary instruction, where they need
2 more coursework.

3 We want to make sure that those
4 reports are accessible and easy to understand
5 so that they can use the reports to improve
6 the possibilities, to improve their readiness
7 for college and career.

8 So yes, we're very involved with both
9 PSAT and SAT, looking at validity in terms of
10 prediction of college success. And our
11 campuses do not rely on SAT alone; it's a
12 combination of admissions criteria, as
13 Presidents Stenger and Kress would tell you.
14 We look at grades, we look at the rigor of
15 the curriculum, and we look at those tests.
16 But those tests are an important -- they
17 contribute in important ways to our
18 understanding of where students are.

19 ASSEMBLYWOMAN SIMON: I appreciate
20 that. And I agree that it's important to use
21 more than just the SAT or the ACT, if that's
22 what students take.

23 I guess my concern is the usability of
24 the current tests that we have for that

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1 bigger, broader purpose that I think we all
2 agree on, which is helping our students
3 develop more skills. Which is sometimes
4 curricular-based. It's not necessarily the
5 kinds of things that are tested as well on
6 mechanisms, like the PSAT or the ACT.

7 ASSOC. PROVOST BRINGSJORD: So one of
8 the things that's come out of the discussion
9 with the College Board is really pinpointing
10 those deficit areas and then providing some
11 tools. And together, between College Board,
12 K-12, and our campuses and our fellow
13 sectors, our sister sectors, if you will, we
14 think we can really help a lot more students
15 be prepared for college.

16 One thing that SED -- I don't know if
17 they said this in their testimony, but our
18 colleagues at SED have asked us to help
19 support transition courses. So a diagnostic
20 like the PSAT will identify key areas, or
21 Accuplacer, will identify these key deficit
22 areas where we can provide targeted support,
23 transition types of courses that get students
24 ready in the particular areas where there are

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1 identifiable deficits.

2 And the other thing that the PSAT does
3 is also identify students who you might not
4 think are ready for advanced coursework in
5 high school but really are. And we know that
6 there are pockets of the state where there
7 aren't those opportunities. So another area
8 where we think we can really partner with
9 K-12 and where SED is saying "we need your
10 help," not just transition courses but also
11 advanced college-level courses for 11th and
12 12th-graders.

13 ASSEMBLYWOMAN SIMON: Thank you.

14 COMMISSIONER ZIMMER: And -- oh, go
15 ahead.

16 PRESIDENT KRESS: I was just going to
17 say, on a campus basis -- and I think this is
18 especially important for us at community
19 colleges -- many of our students come to us
20 with a real deficit framework in terms of
21 what education is about. They have been told
22 repeatedly what they can't do, what they
23 don't know, how they aren't going to achieve.

24 And so one of the things we've seen in

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1 partnering with the school districts is not
2 just that we can identify what deficits are
3 there but what assets are there for students.

4 So when you're sitting with a student

5 who recognizes that they only need to achieve
6 two more skill sets in order to hit this
7 level of competence, that's very, very
8 different than sitting in front of a student
9 and saying "You're just not going to make
10 it."

11 And I think that's the power of
12 multiple measures with diagnostics.

13 COMMISSIONER ZIMMER: And I think
14 what you're hearing from us today is yes,
15 there are some expectations of the Governor
16 and the Legislature that maintenance of our
17 base is critically important.

18 But this idea that the state would
19 invest in these kinds of completion
20 strategies really means we're going to get
21 more yield from every one of our campuses to
22 put our graduates into the workforce for this
23 state. And I think that's new. I really
24 feel like our focus this year is raising the

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1 bar on everything we do, not only to get
2 people to college, but to get them to
3 complete college and go into the workforce.
4 And your questions today have helped us lift
5 up that argument.

6 CHAIRMAN FARRELL: Thank you.

7 May I add one question to that
8 sentence. You've presented a large list of
9 capital projects for the various campuses.
10 Do you plan to make any capital improvements

11 on the EOCs?

12 COMMISSIONER ZIMMER: I'm sure that's
13 in our request. Bob?

14 VICE CHANCELLOR HAELEN: We didn't
15 have a specific item in there for EOCs. The
16 way we approach our capital plan is we're
17 looking at --

18 CHAIRMAN FARRELL: Up a little. I'm
19 getting old.

20 VICE CHANCELLOR HAELEN: The way we
21 approach the capital plan is we get a list of
22 projects that are identified by each of the
23 campuses. And to the extent the campuses
24 have identified work that needs to be done in

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1 a SUNY building related to that EOC program,
2 we have the wherewithal to do that.

3 But as far as building new facilities,
4 we haven't had a list of those buildings
5 brought forward to us. I know there's been
6 discussions about potentially having a new
7 building in Syracuse and then at Farmingdale
8 as well. So that's an item for
9 consideration, certainly.

10 CHAIRMAN FARRELL: All right. Could
11 you send me a letter telling me what you've
12 done in the last five years?

13 VICE CHANCELLOR HAELEN: Sure.

14 CHAIRMAN FARRELL: And what you plan
15 to do?

16 VICE CHANCELLOR HAELEN: Sure.

17 COMMISSIONER ZIMMER: I was just
18 saying to Anne --
19 CHAIRMAN FARRELL: Because everything
20 you said is {unintelligible}, and two has to
21 follow.
22 VICE CHANCELLOR HAELEN: We've done
23 the two at Rochester and then at Buffalo.
24 CHAIRMAN FARRELL: Okay.

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1 VICE CHANCELLOR HAELEN: So we've done
2 two beautiful buildings there. So we'll
3 definitely get you the list.
4 CHAIRMAN FARRELL: Well, I just want
5 to say thank you all very much.
6 COMMISSIONER ZIMMER: Thank you.
7 PRESIDENT KRESS: Thank you.
8 CHAIRMAN FARRELL: Have a good day.
9 CHAIRMAN DeFRANCISCO: Thank you.
10 ASSOC. PROVOST BRINGSJORD: Thank you.
11 CHAIRMAN FARRELL: Next, City
12 University of New York, James Milliken,
13 chancellor.
14 (Pause.)
15 CHAIRMAN FARRELL: Good morning.
16 City University of New York, James
17 Milliken, chancellor, the 10:30 slot.
18 CHANCELLOR MILLIKEN: Thank you.
19 Thank you, Mr. Chairman. Are you ready for
20 me?
21 CHAIRMAN FARRELL: Yes, I'm ready.
22 CHANCELLOR MILLIKEN: Thank you.

23 CHAIRMAN DeFRANCISCO: Are you ready
24 for us?

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1 (Laughter.)

2 CHANCELLOR MILLIKEN: Yes, sir. My
3 remarks say "good morning," and I'm just
4 going to get in under the wire, I think.

5 CHAIRMAN FARRELL: Yeah, that's why I
6 jumped in.

7 CHANCELLOR MILLIKEN: Good morning,
8 chairs, members of the committees, guests.
9 I'm James B. Milliken. I have had the
10 distinct honor of serving as the chancellor
11 of the City University of New York since
12 June 1, 2014. I did just tell Chairman
13 Farrell that I went to school in New York and
14 started my career here and then had about a
15 25-year detour, where I hope I learned some
16 useful things that prepared me for this
17 extraordinary opportunity at CUNY.

18 And while I've the opportunity to meet
19 some of you, this is the first time I've
20 appeared before you formally. And so I am
21 asking for your --

22 ASSEMBLYWOMAN GLICK: Excuse me, if we
23 could just ask for some quiet. The acoustics
24 in the room are terrible, except we can hear

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1 everybody's whispering.

2 CHANCELLOR MILLIKEN: I could have
3 stayed in my seat and testified.

4 (Laughter.)

5 CHANCELLOR MILLIKEN: So I am
6 fortunate to have joined an exceptional group
7 of faculty, staff and senior leadership at
8 CUNY, some of whom are with me today. So to
9 lead off with something I'm pretty sure I do
10 know, I'd like to introduce them.

11 To my immediate right is Matt
12 Sapienza, who's the vice chancellor for
13 budget and finance. To my immediate left is
14 Judith Bergtraum, who's the interim vice
15 chancellor of facilities planning,
16 construction and management. To her left is
17 Frank Sanchez, who is the vice chancellor for
18 student affairs. And to my far right is Jay
19 Hershenson, who is the senior vice chancellor
20 for university relations, secretary of the
21 board of trustees, and joined CUNY in 1847.

22 (Laughter.)

23 CHANCELLOR MILLIKEN: First and
24 foremost, thank you for your long-standing

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1 support for CUNY that long predates me. But
2 coming from the outside, I think I can
3 provide some perspective. First, I can
4 assure you that CUNY is held in a revered
5 place in public higher education in this
6 country because of what it has long stood for
7 and what it does.

8 Beginning with the Free Academy in
9 1847, into the 20th and 21st centuries, CUNY

10 has been the place of first resort to so many
11 talented New Yorkers, to successive waves of
12 immigrants, to first-in-their-families to
13 attend college, and now to many of their
14 children. A CUNY education has enabled those
15 from every borough of the city and every rung
16 of the economic ladder, and throughout the
17 State of New York, to reach their full
18 potential.

19 The Governor's support for the DREAM
20 Act, which we support enthusiastically, would
21 extend state tuition assistance to New York
22 college students whose parents are
23 undocumented, and would continue this long
24 tradition.

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1 So apparently I chose a good year to
2 join CUNY. Maybe every year is like this.
3 This year we celebrate a record number of
4 Fulbright Award-winning students -- 22 who
5 won these nationally competitive awards, and
6 14 faculty. A few months ago Washington
7 Monthly magazine, in its prestigious ranking
8 of U.S. universities, said the three best
9 values in American higher education were
10 Brooklyn College, Queens College, and Baruch
11 College. This is an extraordinary
12 accomplishment, and something that I think
13 New Yorkers ought to take great pride in.

14 CUNY's innovative ASAP program has
15 been recognized nationally, including most

16 recently as the one program at the one
17 institution singled out by the White House in
18 connection with the President's recent
19 proposal on community colleges, and was
20 followed by positive editorials in the
21 New York Times, The Daily News and Bloomberg
22 News.

23 This same year, we have an
24 all-time-high enrollment, 274,000

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1 matriculating students, an increase of over
2 40 percent from the year 2000, and an
3 additional 240,000 students in adult and
4 continuing education programs. These
5 students comprise one of the most diverse
6 universities in the nation, with students
7 hailing from over 200 countries and speaking
8 more than 190 languages. Forty percent of
9 our students report that they come from
10 households with incomes lower than \$20,000,
11 and 40 percent of CUNY undergraduates are the
12 first in their families to attend college.

13 Forty percent of our students were
14 born outside the U.S. mainland. Eight
15 percent -- and maybe we'll come back to this
16 later, because I think it's a very impressive
17 statistic -- over 80 percent of our graduates
18 have no debt from federal student loan
19 programs.

20 So it's no wonder that CUNY City
21 college alumnus and Intel CEO Andy Grove said

22 that CUNY is the great American dream
23 machine.

24 Today, it offers 2,100 degree-granting

♀ 142

1 programs: 70 doctoral, 660 master's, 700
2 baccalaureate level, 260 associate, and
3 400 graduate and undergraduate certificates.
4 But those numbers, impressive as they are,
5 need to grow. We face new challenges and new
6 demands to prepare the 21st-century
7 workforce.

8 The share of jobs that require
9 post-secondary education has doubled over the
10 last 40 years. But if you fit the profile of
11 many CUNY students, the odds of getting that
12 required degree are stacked against you.
13 College-going and success are correlated with
14 parents' education level and family income.
15 So nationally, while half of the young people
16 from the highest quintile of family income
17 obtain a bachelor's degree by the time
18 they're 25, only one in 10 people from the
19 lowest quintile do.

20 The good news is that once they
21 succeed in getting a degree, those young
22 people born in the bottom quintile have
23 quadrupled their chances of getting to the
24 top quintile. Because of the opportunity you

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1 make possible through CUNY, the American

2 dream is very much alive in New York.

3 That dream can be a reality for the
4 approximately 60 percent of New York City
5 high school graduates who go on to college;
6 they enroll at CUNY. Another way to look at
7 it is three-quarters of our incoming freshman
8 class come from New York City schools. The
9 vast majority of our graduates remain in
10 New York, and that brings all the benefits
11 that you would expect.

12 These students succeed in large part
13 because they've studied with dedicated,
14 talented faculty who embrace the mission of
15 CUNY. Just as I've been energized and
16 inspired by our students, I have been
17 gratified and greatly impressed by the
18 quality and the commitment of our faculty.

19 I've said many times since I arrived
20 that to be successful in providing the
21 education that New Yorkers require, conduct
22 research that matters in our city and our
23 state, and engage in the community in so many
24 ways, we must be in a position to attract and

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1 retain the highest-quality faculty. It makes
2 all the difference. And that's why our
3 budget request has as its highest priority an
4 investment in faculty and staff.

5 Our ability to attract and retain
6 talented faculty is compromised by our
7 inability today to reach a collective

8 bargaining agreement with appropriate salary
9 and benefit increases. The university's
10 contract with our faculty expired in 2010,
11 and the faculty and staff covered under this
12 agreement have not had a general salary
13 increase since 2009. We cannot make an
14 agreement we cannot pay for. It's essential
15 that we get the state's support for an
16 agreement that will be in line with those of
17 other state unions, including retroactive
18 increases that would recognize the commitment
19 our faculty and staff have made over the last
20 six years.

21 Once again, we're also prioritizing
22 the hiring of new faculty. Our gains over
23 the last decade have been offset by
24 unprecedented growth in enrollment. That's a

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1 good thing, but it creates an even bigger
2 challenge for us. In our budget request we
3 hope to hire 500 more. Which may seem, at
4 first blush, as if it's extraordinarily
5 ambitious, but I'll put it in perspective
6 with one data point. In 1974, CUNY had over
7 11,000 full-time faculty with 249,000
8 students. We now have 7500 full-time faculty
9 with over 270,000 students.

10 The Executive Budget recommends a flat
11 rate in community college funding. That
12 recommendation, \$2497 per FTE, is
13 significantly below the fiscal year 2009

14 level. And both CUNY and SUNY are seeking an
15 increase of \$250 a year over the next three
16 years. This will enable the community
17 colleges to help us to meet the varied needs
18 of their students and advance their critical
19 mission.

20 In addition, the Executive Budget does
21 not fund a number of other important CUNY
22 priorities that we may address in response to
23 your questions, but I'll just mention them
24 now: The \$1.7 million legislative

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1 appropriation for the tremendously successful
2 and already mentioned ASAP program; \$540,000
3 for childcare funding at the community
4 colleges; and over \$1 million in legislative
5 support for the SEEK and College Discovery
6 programs.

7 We're truly concerned about the impact
8 in this budget of unfunded mandatory
9 expenses. The Executive Budget does not
10 include any growth in spending on CUNY's
11 fringe benefit costs for the senior colleges.
12 The overall state plan includes a 6.8 percent
13 increase in pension contributions and a
14 4.2 percent increase in health insurance for
15 non-CUNY employees. The university's fringe
16 benefits budget should be funded consistent
17 with similar cost increases contained in the
18 state's plan. This different treatment for
19 the same expenses at CUNY will cost our

20 senior colleges an estimated \$25 million that
21 will have to be reallocated from other campus
22 priorities.

23 Second, almost all of CUNY's
24 instructional staff are on a salary schedule

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1 that provides for annual step increments. In
2 the past, these have been covered by the
3 state. In the 2015-2016 budget, however,
4 there is no appropriation for these costs --
5 that again have to be reallocated from other
6 priorities in the CUNY existing budget.

7 A final mandatory cost I mention is a
8 new very exciting capital project, part of
9 the university's Decade in Science, the
10 Advanced Science Research Center that will be
11 formally opened this year. It will be one of
12 the region's major centers for advancing
13 scientific knowledge. The state provided the
14 funding to build this impressive scientific
15 research facility, but without the funds to
16 operate it, it will not be successful and its
17 great value will be unrealized.

18 I'm going to briefly mention the
19 capital request, with your indulgence. I saw
20 you look at the clock and then at me, and I
21 knew there was a correlation between those
22 two. So I'll quickly move through capital
23 and then open this up.

24 We're thankful for the strong support

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1 of facilities essential to the success of our
2 academic mission. But in the last decade,
3 because of rising enrollment, an additional
4 57,000 students are using our facilities.
5 Our campuses are open seven days a week with
6 classes scheduled throughout the day and most
7 evenings. Our classrooms and common areas
8 experience significant wear and tear. The
9 average CUNY building is over 50 years old --
10 some, over 100 years old.

11 About eight years ago, with SUNY, CUNY
12 completed a study of its backlog of critical
13 maintenance needs. It was updated two years
14 ago. That study indicates that we have a
15 \$3.2 billion backlog of critical maintenance
16 needs, which will grow to \$6 billion if not
17 addressed over the next 10 years.

18 The Executive Budget recommends
19 \$103 million for critical maintenance for the
20 senior colleges. We sought \$181 million,
21 which will allow CUNY to continue work on
22 hundreds of projects involving electrical,
23 heating, cooling, roof and other maintenance
24 issues.

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1 There are several projects that,
2 because of your support, are completed or
3 underway: The Advanced Science Research
4 Center that I mentioned, opening this year; a
5 fabulous new library expansion and renovation
6 at Medgar Evers College; a new performing

7 arts center at Brooklyn College funded with
8 city, state and private funds; a new academic
9 building at New York City Tech; and
10 significant infrastructure renovations at
11 Baruch and Bronx Community College.

12 We're initiating construction on
13 several important projects, thanks to your
14 support. These include our highest community
15 college priority, replacing the facade at
16 LaGuardia Community College; a major upgrade
17 of Lehman's central plant; and systemwide
18 infrastructure projects. These benefits go
19 far beyond our campuses. For every
20 \$10 million spent on construction, 60 jobs
21 are created at the site and 30 paying jobs
22 created offsite. A multi-billion-dollar
23 construction program is therefore generating
24 an estimated 14,000 jobs.

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1 There are a number of proposals in our
2 request for shovel-ready projects much-needed
3 at the campuses: a science complex at
4 Brooklyn College; an academic center at York
5 College; Staten Island, a high-performance
6 computational center; and Hostos Community
7 College, an allied health and science
8 building.

9 In the end, all of these requested
10 investments, whether in faculty and staff, in
11 other operating needs, or in critical
12 maintenance or new facilities, are important

13 for one reason, and that is what they allow
14 CUNY to do for over 500,000 students each
15 year for the City and the State of New York.
16 It is a public university in every sense of
17 the word, and one that I hope you will
18 continue your generous investment in so that
19 my talent and committed colleagues can
20 continue to do what they do best.

21 I thank you for your attention and
22 interest. Greetings, Senator LaValle; I
23 didn't have a chance to say hello to you
24 earlier. And I welcome your questions and

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1 advice.

2 CHAIRMAN FARRELL: Thank you.

3 First to question, Deborah Glick,
4 chair of the Higher Ed Committee.

5 ASSEMBLYWOMAN GLICK: Thank you,
6 Mr. Chairman.

7 First of all, I'm very pleased that
8 you raised the issue of the shortfall on
9 collective bargaining. That is, in my humble
10 opinion, not a full maintenance of effort.

11 Have there been any conversations with
12 the Governor's office on the past promise for
13 a maintenance of effort and the fact that the
14 current budget does not actually meet that
15 commitment?

16 CHANCELLOR MILLIKEN: I may have to
17 defer on the past conversations. It's a
18 benefit of being new.

19 VICE CHANCELLOR SAPIENZA: Hi,
20 Assemblywoman Glick.

21 Yes, we've had discussions with the
22 state Division of Budget, with folks in the
23 Governor's office about the need to get this
24 contract settled as quickly as possible.

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1 One of the challenges that we've
2 always had at CUNY is we've always had to
3 deal with a blended rate, meaning that we
4 have some employees who are state employees,
5 some of our faculty at the four-year colleges
6 are state employees; folks at the community
7 colleges are city employees. And so we've
8 always had to look at the city's pattern and
9 the state pattern and try to come up with a
10 blend.

11 Past rounds, those patterns have been
12 very close. This time they're not, and
13 that's creating a challenge as well.

14 But we are in discussions with folks
15 at both DOB and in the Governor's office, and
16 we hope that we can get this resolved
17 quickly.

18 ASSEMBLYWOMAN GLICK: Are there other
19 costs that have not been -- that have
20 traditionally been state costs that have not
21 been funneled through, items around utilities
22 or any of those kinds of things? I'm just
23 trying to gauge how much of a shortfall from
24 a maintenance of effort there is, from our

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1 perspective.

2 VICE CHANCELLOR SAPIENZA: There are a
3 few items. The salary step increments that
4 the chancellor mentioned earlier which are
5 part of the contract with our faculty union
6 is one. That's about \$8 million a year for
7 our four-year colleges.

8 Building rental cost escalations had
9 historically been picked up by the state and
10 haven't been for the past several years.

11 You mentioned energy costs, and I'm
12 glad you brought that up as well. That had
13 been historically funded by the state and
14 hasn't for the last several years. And so
15 what we did two years ago is we decentralized
16 our energy budget. Rather than managing that
17 budget at the university level centrally, we
18 allocated energy budgets out to each of our
19 senior colleges.

20 And I have to give so much credit to
21 our senior college presidents; I know a few
22 are here today in attendance. They've just
23 been doing a tremendous job managing their
24 energy budget and being more more smart about

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1 energy usage. And so we've actually had some
2 savings against our plan on energy, and
3 that's been a terrific thing.

4 But the biggest thing that we're

5 concerned about in this year's budget, as the
6 chancellor mentioned, is the fact that our
7 fringe benefits budget, which is a tremendous
8 budget, about \$600 million, that it's a flat
9 budget in the Governor's executive proposal.
10 And so we're really concerned about that.
11 And as the chancellor mentioned, in his
12 remarks our four-year colleges are looking at
13 about a \$25 million shortfall if that
14 continues in the adopted budget.

15 ASSEMBLYWOMAN GLICK: Thank you.

16 We -- and perhaps you heard some of
17 the conversation around the concern that
18 there are, in the budget, the performance
19 improvement plans and the requirement that
20 all campuses develop what is a somewhat
21 ambiguous and vague term, and whether or not
22 there are specifics that have been shared.
23 And where you think you fall out in there,
24 and do you think that individual campuses

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1 have the capacity to do that and the funds
2 available to complete those, with the threat
3 of a loss of funds? Where do you think you
4 are in that?

5 CHANCELLOR MILLIKEN: Without
6 commenting on the specific proposal, because
7 I don't know much of the specifics about the
8 proposal --

9 ASSEMBLYWOMAN GLICK: Nobody does
10 right now.

11 CHANCELLOR MILLIKEN: -- I would tell
12 you that CUNY has had in place for over a
13 decade a performance management program that
14 identifies I think probably most of the data
15 points that anyone would be interested in in
16 the performance of a campus and graduation
17 rates and persistence and private fundraising
18 and research expenditures. Just about
19 anything you can think of that would measure
20 the performance of a campus, it's part of the
21 annual evaluation of our presidents, been
22 going on for years. It's posted on our
23 website.

24 So we're pretty, I think, thorough. I

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1 think CUNY was one of the first universities
2 to do this kind of annual assessment over
3 scores of data points for each of its
4 campuses and make it publicly available. So
5 I believe we have a performance system in
6 place today. Our board looks at it. I use
7 it to evaluate our campus heads. And so
8 we're comfortable with that.

9 How that would fit with the proposal
10 on the table, I don't know.

11 ASSEMBLYWOMAN GLICK: Two other
12 questions, one about the notion of
13 experiential learning. Certainly the
14 students at CUNY, 50 percent or more are
15 working full-time, they're going to school as
16 much as they possibly can. And I'm not sure,

17 and nobody is, exactly what is meant by and
18 would qualify. But we certainly wouldn't
19 want to see students who are doing their
20 level best to get out and graduate, the
21 requirement that it be a -- you know, part of
22 their degree that they have some experiential
23 learning, slash, activity. Again, somewhat
24 amorphous.

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1 CHANCELLOR MILLIKEN: So the basic
2 point is I think experiential learning is a
3 great thing. And if students have the
4 opportunity to do it, they should. And we
5 should make the opportunity available to
6 more.

7 For instance, internship programs. I
8 am very interested in us increasing
9 significantly the amount of internship
10 opportunities we have for our students.
11 Mentoring programs with businesspeople and
12 others that mentor our students and they
13 spend time with them, I think that's
14 terrific. Public service programs, service
15 learning programs I think are terrific. And
16 a couple of years ago we started the CUNY
17 Service Corps, which has been I think a
18 tremendously successful program. And the
19 students, 800 or so students by today who are
20 participating get tremendous value out of
21 that.

22 I don't know enough about what's

23 proposed. It could be a significant expense.
24 It could be -- also, as you say, could have

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1 some impact on the time to degree. We'd want
2 to look at that. But in general I think
3 experiential learning is great and I'd love
4 my students to have it.

5 I suggest that some of them, as you
6 mentioned, already are getting a fair degree
7 of experiential learning while working
8 significantly while they're attending school.

9 ASSEMBLYWOMAN GLICK: Do you see it as
10 some sort of, you know, an unfunded mandate
11 of administration and monitoring? I mean, I
12 really don't know how campuses will deal with
13 3,000 students and being certain that they
14 meet some sort of criteria that is at the
15 moment unknown to any of us.

16 CHANCELLOR MILLIKEN: One of the
17 things that concerns me probably most about
18 this is the speed with which it is to be
19 implemented. Curriculum at American
20 universities is an area of shared governance.
21 The faculty have a significant say in the
22 curriculum, and this is something we would
23 want to engage in a discussion broadly with
24 our faculty about the goals and how they

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1 could be met.

2 And so we're just having the
3 opportunity now to be thinking about doing

4 that in response to the Executive Budget.

5 ASSEMBLYWOMAN GLICK: Thank you.

6 CHAIRMAN FARRELL: Senator?

7 CHAIRMAN DeFRANCISCO: Senator

8 Stavisky.

9 SENATOR STAVISKY: First, welcome,
10 Chancellor Milliken.

11 CHANCELLOR MILLIKEN: Thank you.

12 SENATOR STAVISKY: And I certainly
13 appreciate your coming out to Flushing to
14 take a look at where the diverse student body
15 comes from, quite frankly, as you have
16 visited all of the campuses. And I thank you
17 for that.

18 We also have Dr. Felix Matos-
19 Rodriguez, the new president of Queens
20 College is here, formerly of Hostos. And we
21 welcome him and the acting president of
22 Hostos, Eduardo Marti.

23 A number of years ago Dr. Marti was
24 president of Queensborough, which is in my

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1 Senate district, and he called me one day and
2 he said, "You've got to come right over to
3 the college." Well, so I had to hear, so I
4 jumped in the car and went over to
5 Queensborough, and he showed me this new
6 program called ASAP. He was very proud of
7 it. It's a nationally recognized program, as
8 you know, and it produces results.

9 How will this budget affect the ASAP

10 program and other programs like it?
11 CHANCELLOR MILLIKEN: The ASAP
12 program, which I agree with you is a
13 tremendous -- and with President Marti, is a
14 game-changer. The graduation rates at
15 community colleges, which are notoriously low
16 nationally -- an average is probably around
17 15 percent three-year graduation rates. The
18 most recent ASAP graduation rates were about
19 57 percent. So significantly higher, more
20 than three times higher than the average
21 graduation rate.

22 So this is a tremendously successful
23 program. That was one of the reasons the
24 President in the White House mentioned it and

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1 why it's gotten such notoriety, why the mayor
2 invested funds in it in the last budget, in
3 the city's budget.

4 The Executive Budget removes
5 \$1.7 million that the Legislature invested in
6 the ASAP program. And one of the things that
7 we're asking, while in the scheme of things
8 not a major portion of our budget, this is a
9 significant program. And if we talk about
10 what needs to be done to help students
11 graduate in a timely way, this is one of the
12 things that we know works. And it's one of
13 the things that we are committed to scaling.

14 SENATOR STAVISKY: A similar program,
15 I believe, is the dual degree program with

16 the community colleges and the four-year
17 institutions. Has that improved your
18 graduation rate also? How has that affected
19 the graduation rates?

20 CHANCELLOR MILLIKEN: The dual degree
21 program?

22 SENATOR STAVISKY: The dual degree
23 program where you can get a degree -- you
24 start at a community college but you are

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1 assured admission to the four-year college.
2 It's a seamless transition.

3 VICE CHANCELLOR SAPIENZA: The biggest
4 program that we have -- and it's fairly
5 recent, and we're really excited about it --
6 is the CUNY Justice Academy. John Jay
7 College had associate-degree programs for
8 many years, and several years ago a decision
9 was made and passed by a board of trustees to
10 eliminate the associate-degree programs at
11 John Jay College and make it a true senior
12 college.

13 And so as a result, we still wanted to
14 serve those students who would be
15 associate-degree students that are interested
16 in criminal justice careers. And so all of
17 those students now have programs at each of
18 our community colleges where they can enter
19 and study criminal justice programs as
20 associate-degree students and then have
21 direct entry into John Jay College. I think

22 there's about 9,000 students, but I'll check
23 the number -- I think there's about 9,000
24 students in that program. It's been really

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1 successful so far. And we look forward to
2 expanding programs like that.

3 SENATOR STAVISKY: Because I know
4 Queens College is involved also.

5 Let me ask you one other question that
6 I find very troubling. In the Governor's
7 Executive Budget he recommends a cut of
8 64 percent in the capital projects. How is
9 that going to affect your ability to attract
10 students and particularly faculty, to
11 maintain critical maintenance? Because many
12 of these buildings are falling apart.

13 CHANCELLOR MILLIKEN: Well, Senator, I
14 share your concern. As I mentioned, the
15 study that we did in 2007 with SUNY and CUNY
16 was a comprehensive look at our critical
17 maintenance needs. It was updated in 2012.
18 At that point it found that we had \$3.2
19 billion worth of critical maintenance needs
20 across CUNY.

21 I've, as you mentioned, visited the
22 24 campuses, and these are not trivial
23 maintenance issues. It's one of the reasons
24 that we requested \$181 million to address

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1 them. We could have probably requested

2 significantly more than that.

3 But as you know, if you don't address
4 these needs, they get greater over time. And
5 so I think it's a wise investment to make
6 those renovations when we're able to.

7 SENATOR STAVISKY: And my last point
8 concerns -- to follow up on what
9 Assemblywoman Glick said, I am very
10 interested in the concept of maintenance of
11 effort. I know I've discussed it with Vice
12 Chancellor Hershenson on many occasions, and
13 with your predecessor. I think this is a
14 critical element.

15 Do you see any reason for optimism?

16 CHANCELLOR MILLIKEN: Your strong
17 degree of interest in it gives me a strong
18 degree of optimism, so --

19 (Laughter.)

20 SENATOR STAVISKY: But not since 1847.

21 (Laughter.)

22 SENATOR STAVISKY: Thank you.

23 CHAIRMAN FARRELL: Thank you.

24 Assemblyman Wepri n.

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1 ASSEMBLYMAN WEPRI N: Thank you,
2 Mr. Chairman.

3 And thank you, Chancellor. You've
4 only been with CUNY a short time, but I know
5 you've traveled wide through the five
6 boroughs, because I think I've seen you in
7 just about each and every one of those

8 boroughs, as well as in other locations, and
9 you really are hitting the ground running.

10 I don't go back with Vice Chancellor
11 Hershenson to 1847, but I do recall his
12 Queens College activism days as a student,
13 observing from the outside, and it's great to
14 see all of you. And of course Judy Bergtraum
15 and I go back many, many years.

16 I am a graduate of SUNY, I am not a
17 graduate of CUNY. But had it not been for
18 CUNY, I wouldn't be here, since my parents
19 met at Brooklyn College. And I'm proud to
20 say that I have two graduates of Queens
21 College.

22 And I know Senator Stavisky referred
23 to our dynamic new President Felix
24 Matos-Rodriguez, who's in the audience, also

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1 doing a great job in getting around. And of
2 course I'll give a shout-out to former
3 Queensborough President Eduardo Marti. And
4 as long as I'm on the shout-outs, I think
5 Diane Call of Queensborough is doing a great
6 job, and Gail Mellow at LaGuardia as well.
7 So I'm covering my Queens.

8 You referred to the diversity of the
9 system. I think Queens alone, the Queens
10 College, Queensborough, have over 200
11 countries of origin represented in their
12 student body. And I know that's important to
13 you, the diversity.

14 I'm just going to -- and I'm going to
15 hope to work with Vice Chancellor Matt
16 Sapienza, who I was talking to earlier, about
17 trying to get some more money for CUNY LEADS.
18 I had a task force on people with
19 disabilities, and that's a phenomenal
20 program. I know it was in your written
21 testimony which you shortened since the
22 lateness of the hour.

23 But a million dollars is certainly not
24 enough in this existing budget, and I'm going

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1 to be advocating to try to get additional
2 funds for CUNY LEADS because it's a
3 tremendous program for students with
4 disabilities to get the academic assistance
5 as well as other assistance that they need to
6 transition. And I know there is a
7 significant student body, and I will continue
8 to fight for that.

9 Thank you.

10 CHANCELLOR MILLIKEN: Thank you. I
11 appreciate that. I agree that it's a
12 tremendous program. Appreciate your support.

13 I want to note that you left out
14 Michelle Anderson, another Queens leader.

15 ASSEMBLYMAN WEPRIEN: Yes. Michelle
16 Anderson is also doing a great job at CUNY
17 Law School, yes.

18 CHANCELLOR MILLIKEN: If you'll
19 indulge me, since these presidents have

20 gotten mentioned now twice, I want to make
21 sure that Ricardo Fernandez, from Lehman
22 College, is recognized in the audience, as
23 well as David Gomez, who's the interim
24 president at Hostos Community College. So

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1 we're joined by some of the strength of CUNY
2 here.

3 CHAIRMAN FARRELL: Thank you.

4 Senator?

5 CHAIRMAN DeFRANCISCO: Senator

6 LaValle.

7 SENATOR LaVALLE: Thank you.

8 Chancellor, welcome for your first
9 budget hearing.

10 I want to pick up where Senator
11 Stavisky left off, and that was on
12 maintenance of effort. I talked about this
13 during the SUNY portion of this hearing. A
14 number of years ago there was a Governor's
15 Commission on Higher Education, and myself
16 and Matt Goldstein served on that, your
17 predecessor as chancellor.

18 And one of the important pieces really
19 led to what we call the rational tuition
20 policy, or 2020. And that was that there
21 were three legs to a stool called the Compact
22 program. The student put up an -- made an
23 investment, the local system made an
24 investment, and the state made an investment.

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1 That is the maintenance of effort.

2 And any discussion that we have must
3 include a maintenance of effort piece, so
4 that the impact is as little as it can be on
5 the student. Because every member here is
6 worried about student debt and affordability.

7 So what I'm really asking for is to be
8 an activist on this, to make sure that you're
9 talking to the Executive as well as members
10 of the Legislature. And it goes to, in your
11 testimony, one part in which you're talking
12 about an investment in intellectual capital,
13 faculty. You want to grow those numbers. Am
14 I correct?

15 CHANCELLOR MILLIKEN: You are, yes.

16 SENATOR LaVALLE: The other piece
17 that you've talked about and also needs your
18 full support is capital programs, to continue
19 where we left off with the last five-year
20 program, which was incredible. And so we
21 need a commitment from you and your board on
22 a five-year capital program.

23 CHANCELLOR MILLIKEN: Absolutely.

24 SENATOR LaVALLE: Because without your

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1 support -- Assemblymember Glick and I will
2 work very hard to achieve that, but we need
3 your support.

4 CHANCELLOR MILLIKEN: You have my
5 support, Senator. I couldn't agree more with
6 you that if there is -- if the state does not

7 maintain its investment in the university
8 through failing to fund fringe benefits or
9 other mandatory costs, it erodes the value,
10 for one thing, of that tuition that we have
11 raised from students. And so in effect
12 they're making a greater commitment than
13 contemplated, and the state making less of a
14 commitment.

15 It's not fair, and it's not the way
16 the compact was set up. So I completely
17 agree with you.

18 Some of the most significant benefits
19 that could be made in this budget would be
20 funding what are in fact mandatory increases
21 in the budget.

22 SENATOR LaVALLE: We've really -- you
23 know, we've really started something that was
24 good, based on sound principles. But the

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1 stool collapses if one of the legs is
2 weakened and doesn't keep its part of the
3 contract.

4 And so, you know, we've got to fight
5 because there's Medicaid people fighting for
6 those funds, elementary and secondary ed
7 fighting for those funds, transportation,
8 mental hygiene, on and on.

9 So I always view myself as an advocate
10 for -- and I know the chair in the Assembly
11 does also, that we are advocates for the area
12 we chair, which is higher ed. Thank you for

13 being here.

14 CHANCELLOR MILLIKEN: Thank you,
15 Mr. Chairman.

16 CHAIRMAN FARRELL: Thank you, Senator.
17 Assemblyman Lupinacci.

18 ASSEMBLYMAN LUPI NACCI: Good
19 afternoon.

20 Just looking through your testimony,
21 Chancellor, I was just -- I know that one of
22 the places that you did want support was
23 additional funding to expand your online
24 programs. And one of the things that we

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1 sometimes see with online programs is that --
2 or maybe you could address it -- in terms of
3 the online experience versus the in-classroom
4 experience. And I know that sometimes when
5 teaching those type of courses, sometimes
6 there's a gap in terms of social skills or
7 teamworking skills or presentation skills.

8 So I just wanted to know when you
9 develop the courses, when you develop
10 different programs, how you incorporate the
11 lack of in-classroom presentations and
12 interaction between the teacher and the
13 students and such, and how you'll be going
14 forward as you develop new programs in the
15 area.

16 CHANCELLOR MILLIKEN: Thank you for
17 the question, Assemblyman.

18 So I think that if we have our

19 druthers, and I suspect for some long time to
20 come, we will continue to place a high
21 premium on the physical interaction of
22 faculty and students, and students among
23 themselves. That's the gold standard in
24 American higher education.

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1 But we do know that many, many more
2 students across the country are taking online
3 courses for a number of reasons. It's -- I
4 don't care how many campuses you have, it can
5 be more convenient and available in your
6 schedule to have asynchronous online courses.

7 Also, as we know, that graduates need
8 to retool many times now during a career to
9 advance. They take courses online. They may
10 get a certificate, undergraduate or graduate,
11 or they may just take a course or two that
12 gives them the skills they need. I think
13 that will only continue to proliferate. And
14 frankly, I want our students to leave CUNY
15 comfortable with that digital environment and
16 returning to CUNY when they want to retool
17 later.

18 There are many more entrants in the
19 marketplace now, whether it's public,
20 not-for-profit or proprietary private
21 institutions offering online courses in
22 New York and elsewhere. Frankly, I think it
23 is a valuable offering by CUNY to provide an
24 online option to students in New York that

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1 know and can rely on the quality of our
2 academic programs and the quality of our
3 faculty.

4 There are a variety of ways to do it.
5 We're working with one very large union on
6 providing an online program for their members
7 where these are often people who have been
8 out of school for some time and that
9 environment, particularly one that's simply
10 on a webpage, is not as familiar to them. So
11 we're providing an opportunity with
12 synchronous learning where mentors or
13 facilitators or even faculty are in the
14 classroom and participating at the same time
15 that the online course is being provided in a
16 a synchronous way. So there are a variety of
17 ways to do it.

18 You can't get everything that way.
19 But, you know, I think the research is
20 starting to demonstrate that if you are
21 familiar with the technology and you are a
22 comfortable learner, the return is pretty
23 good for online delivery of courses.

24 ASSEMBLYMAN LUPINACCI: Thank you.

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1 CHAIRMAN DeFRANCISCO: Senator
2 Montgomery.

3 SENATOR MONTGOMERY: Yes, thank you.

4 Hello, Chancellor. I'm happy to see

5 you.

6 CHANCELLOR MILLIKEN: Good afternoon.

7 SENATOR MONTGOMERY: And certainly I
8 do go back with Vice Chancellor Hershenson
9 since -- what is it, 1848? Whatever the --

10 (Laughter.)

11 SENATOR MONTGOMERY: So I'm happy to
12 see him here, and I'm happy to meet you as
13 well.

14 I just wanted to ask, you mentioned in
15 your statement that one of the most
16 significant ways in which young people,
17 particularly young people not of means, poor
18 young people, can begin to change their
19 status, economically and otherwise, is
20 through higher education. And certainly we
21 all agree with that. But at the same time --
22 and you talk about the Black Male Initiative
23 and what you'd like to see, the Urban
24 Initiative, Urban Male Initiative or however

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1 you say it.

2 But at the same time we see a
3 reduction in the programs that you have used
4 and the university has used to assist young
5 people who are coming in with additional
6 needs in terms of their academic support and
7 otherwise.

8 What do you think that's going to do?
9 How will you make up for that, and can you?
10 And what do we need to do in order to make

11 sure that you don't lose programs like SEEK,
12 College Discovery, BMI, and those other
13 programs that are so critical to those
14 students that you particularly want to reach
15 out to?

16 CHANCELLOR MILLIKEN: Thank you.

17 I'm not sure if I understood
18 correctly; I'm not sure that we're reducing
19 programs. But there certainly would be a
20 reduction in this budget for some of these
21 programs. And we are advocating for the
22 reinstatement of the SEEK and Discover
23 funding. We are also advocating for the
24 state to provide a matching fund for the

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1 Black Male Initiative, which has been funded
2 to date by the city and has been a very
3 successful program which has grown every
4 year.

5 So I think those are critical
6 programs. And we are very much in support of
7 them and trying to actually grow the numbers
8 of students that have access to those
9 programs.

10 I mention one other, since the door is
11 open and I can say this --

12 SENATOR MONTGOMERY: Yes, please.

13 CHANCELLOR MILLIKEN: -- but one other
14 program which I think is incredibly important
15 for students who might not have the same
16 level of preparation when they get to one of

17 our colleges is CUNY STAR. Which has been
18 like ASAP, I think, a successful program that
19 we need to continue to bring to scale that
20 provides intensive time for students to meet
21 any remediation needs before they're enrolled
22 in their college courses and before they are
23 using up their Pell and TAP funds.

24 So that just -- I think these programs

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1 complement each other, and I hope that we can
2 support each of them.

3 SENATOR MONTGOMERY: And the State
4 Education Department has implemented what we
5 refer to -- at least I refer to it as the
6 Early College Program. I know that New York
7 City tech is participating in that program as
8 well as Medgar Evers College.

9 And I'm just interested to know the
10 extent to which you are committed to that and
11 what can we do to make sure that you can do
12 more of that with high school students having
13 college courses before they actually get to
14 college.

15 CHANCELLOR MILLIKEN: This is, I
16 think, one of the great programs at CUNY, the
17 College Now program where 20,000 high school
18 students throughout New York City are either
19 addressing remediation needs and/or able to
20 enroll in college-level courses while they're
21 in high school. Obviously great preparation
22 for them early on, and can reduce the number

23

of credits needed later.

24

So I think this is something that is

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going to become more and more prevalent

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across the country, and CUNY I think is in

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the lead on this right now.

4

SENATOR MONTGOMERY: So I'm looking

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forward to hearing more of that and making

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sure --

7

CHANCELLOR MILLIKEN: I look forward

8

to talking to you, thank you.

9

SENATOR MONTGOMERY: -- that we

10

continue to be able to do that.

11

And lastly, I just want to thank you

12

for what you've done to make sure that Medgar

13

Evers has the library completed. And we look

14

forward to working with you on the expansions

15

that they would like to see on that campus

16

with Dr. Crew there.

17

And also I'm excited about what you've

18

done at New York City Tech. As you know,

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that's really a crown jewel school. And

20

certainly it's in my district, but it serves

21

so much of the city. And I appreciate what

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you do over there. So thank you.

23

CHANCELLOR MILLIKEN: Thank you.

24

CHAIRMAN FARRELL: Thank you.

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CHAIRMAN DeFRANCISCO: Senator

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Krueger.

3

SENATOR KRUEGER: Good afternoon.

4 CHANCELLOR MILLIKEN: Good afternoon.

5 SENATOR KRUEGER: Do you support
6 part-time TAP so that students can be
7 part-time students and receive TAP?

8 CHANCELLOR MILLIKEN: I don't know
9 what the CUNY position is, but yes.

10 (Laughter.)

11 SENATOR KRUEGER: I think you get to
12 make the CUNY positions; I'm not sure.

13 UNIDENTIFIED FEMALE: It's in the
14 budget.

15 SENATOR KRUEGER: It is in the budget,
16 good. Thank you.

17 So you described and several other
18 people referenced the ASAP program and its
19 success, and your testimony talks about the
20 desire to expand it. Then you also have the
21 new-model community college, now called the
22 Guttman Community College. I heard about the
23 high-school-to-college Early College Program.
24 And then there's even some references to

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1 three-year bachelor-degree programs, which
2 given the statistics on how long it takes our
3 students to work, play catchup and complete
4 degrees, I'm not sure I understand the
5 three-year bachelor theory.

6 But do we have too many options? Are
7 they too confusing? Or are we going to pick
8 one that we know works best?

9 CHANCELLOR MILLIKEN: Do we have too

10 many what?

11 SENATOR KRUEGER: Too many options for
12 models of at least the community college
13 model.

14 CHANCELLOR MILLIKEN: I don't think
15 so. And I go back to where I started, it
16 actually was this morning. In the number of
17 jobs that require education beyond high
18 school today, I think it's imperative that we
19 offer a wide variety of options to our
20 students.

21 So I think our community colleges,
22 frankly, not just at CUNY but everywhere, one
23 of the things that they do better than most
24 institutions of higher education is they're

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1 more nimble and they can be more responsive.
2 And frankly, we probably need to do more of
3 that ourselves so that we are, in addition to
4 graduating or simply sending along without an
5 associate's degree to a senior college a
6 student who will persist there and get a
7 baccalaureate degree, we're providing options
8 for those students to go into the workforce
9 with a highly valued degree in software
10 coding, to use a popular example now with the
11 growing technology economy in New York City.

12 So I think there are probably even
13 more options than we can offer, as I talk to
14 large employers in New York, whether they're
15 in the financial industry or the information

16 technology industry. So no, I'm not prepared
17 to say that we have too many yet.

18 SENATOR KRUEGER: And is there an
19 expected growth in the number of students
20 completing one of the variations in community
21 college programs moving on to the senior
22 colleges? Are you already seeing that, more
23 of your community college associate-degree
24 students moving on to CUNY senior colleges?

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1 Are we seeing more of them head over, less of
2 them?

3 CHANCELLOR MILLIKEN: Yes.

4 SENATOR KRUEGER: Yes, more?

5 CHANCELLOR MILLIKEN: All of our
6 senior colleges now are more than 50 percent
7 transfer students in their undergraduate
8 ranks. And so I think the number I saw the
9 other day, a decade ago the transfers --
10 yeah, a 71 percent increase over a 10-year
11 period in the number of students who have
12 moved from our community colleges to our
13 senior colleges.

14 SENATOR KRUEGER: And I'm not allowed
15 to lobby on the contract because it's a
16 family fiduciary issue, but you need to solve
17 that problem.

18 (Laughter.)

19 SENATOR KRUEGER: You have, as you
20 just said, the business world and you are
21 talking to them about the kinds of skills

22 they need and are trying to make sure that
23 we're graduating students who can in fact
24 today compete in today's economy. Are you

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1 seeing sort of the competing pressure between
2 "got to get these students through and out"
3 and the growth in student debt concerns and
4 almost a backlash where you're hearing "we're
5 not preparing the students well enough before
6 we graduate them"?

7 I'm worried about the crisscrossing
8 tensions. If you came to Albany any other
9 day of this year, you'd be hearing about
10 overtesting K-12, teach to test, don't really
11 ask the question are they prepared for
12 anything, just move them through the tests.

13 Should I be concerned, should we be
14 concerned that the pressures to increase
15 graduation rates at a smaller number of
16 years, especially as student-debt costs
17 build, is perhaps sending the wrong message
18 to our universities of what the goal is of
19 well-educated graduates?

20 CHANCELLOR MILLIKEN: There are a lot
21 of reasons why it's good to graduate in the
22 shortest time period possible. One deals
23 with outlay of cash or accumulation of debt
24 on one side. The other side is with your

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1 ability to get into the workforce and start

2 bringing in money instead of paying it out.
3 So there's a great deal of economic incentive
4 to compress that time.

5 And we ought to for those reasons, I
6 think, be encouraging those students who are
7 in a position to, to go full-time and to
8 graduate in the shortest possible time. It's
9 not available to everyone.

10 And in fact when we see graduation
11 rates nationally, those are first-time
12 full-time freshman who have graduated in that
13 period. There are many people who start and
14 intend when they start to be a part-time
15 student for a number of years because of
16 family obligations, work obligations. I
17 think that's okay.

18 And we accommodate that, and we
19 should. And so not everybody's going to
20 graduate from a community college in two
21 years; perhaps everyone shouldn't graduate
22 from a community college or isn't able to do
23 it in two years. But if you can, I think
24 it's generally a good idea.

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1 SENATOR KRUEGER: I only have 13
2 seconds, so I'm hoping one of my other
3 colleagues in their follow-up questions will
4 ask about the back-office proposal by the
5 Governor and the reality of that actually
6 making sense where we already have two giant
7 but very distinct university systems and how

8 you see possibly being able to do that. But
9 you have to use someone else's time and just
10 focus your answer in to combine their
11 question and my question.

12 (Laughter.)

13 SENATOR KRUEGER: Thank you.

14 CHANCELLOR MILLIKEN: Thank you.

15 CHAIRMAN FARRELL: Thank you.

16 Assemblywoman Deborah Glick.

17 ASSEMBLYWOMAN GLICK: Thank you very
18 much.

19 As somebody who took quite a long time
20 to get out of Queens College, I don't think
21 it diminished my rate of success, although
22 some might think otherwise. But I think
23 there are lots of reasons why people don't
24 graduate on time, and it's not because

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1 they're not interested but other things
2 intervene, either work or a different
3 opportunity presents itself for some period
4 of time.

5 That being said, when I went to
6 Queens, you lived at home, it was a commuter
7 school, or at some point, perhaps in your
8 last few years, you might share an apartment
9 with some friends not far from -- you know,
10 in Flushing or Kew Gardens, which of course
11 now would be completely out of the question
12 because the rents are so high.

13 But you have embarked upon having more

14 dorms for students. They want to have that
15 experience. And so it raises the question --
16 which of course sexual assaults could happen
17 in school buildings anywhere, but it does
18 raise the question about where the university
19 is in dealing with sexual assault. It's a
20 very current topic, not that it's something
21 that hasn't occurred, you know, all along.
22 But the focus is there, whether it's the
23 military or the Legislature or universities.
24 So I'm just wondering where the

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1 university stands on dealing with that and
2 whether you have facts and figures from
3 different campuses and what -- you know, in
4 the City of New York you have a very capable
5 police department. That may be very
6 different from some schools that are in small
7 rural communities where there's a very small
8 police force that may not be thoroughly
9 trained on these types of crimes. So I'm
10 just wondering where the university stands on
11 dealing with sexual assault and your policy
12 around it.

13 CHANCELLOR MILLIKEN: So the
14 university went through a comprehensive,
15 intensive process over the past year-plus,
16 working with federal officials, state
17 officials, stakeholder groups and folks on
18 our campuses, and developed a new policy
19 which was enacted by the Board of Trustees

20 in early December. I believe that it is
21 indistinguishable in its essential elements
22 from the SUNY policy or the key elements the
23 Governor was advocating. So I think we have
24 done that.

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1 We have, as my colleagues behind the
2 presidents can attest, we've had a training
3 session for all of our presidents with an
4 online module on this new policy, and we're
5 doing that more broadly now. We will have
6 training across all of our campuses. But I
7 think it is a model policy that the board
8 adopted in early December.

9 ASSEMBLYWOMAN GLICK: Because you're
10 in the environment in which your campuses are
11 very open, how safe would you say the schools
12 are?

13 CHANCELLOR MILLIKEN: I think we have
14 a terrific public safety staff throughout
15 CUNY. And obviously when you think, as a
16 leader of any institution, about sort of
17 enterprise risk issues, student safety is at
18 the top of the list of what keeps people in
19 my job up at night.

20 I had a briefing on safety issues last
21 week from our public safety and risk
22 management team, so I was able to sleep that
23 night. But there is no issue that's more
24 important to us than safeguarding the safety

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1 of our students, our faculty and staff, and
2 our visitors. And I feel like each of our
3 presidents takes that enormously seriously,
4 and I know our public safety staff does.

5 ASSEMBLYWOMAN GLICK: Thank you.

6 CHAIRMAN FARRELL: Thank you.

7 Senator?

8 CHAIRMAN DeFRANCISCO: I may have been
9 dreaming, but I thought you had a statistic
10 about how many CUNY students are able to
11 leave the college debt-free. Did you have a
12 percentage? What was that?

13 CHANCELLOR MILLIKEN: Yeah, I saw your
14 expression so I knew we'd come back to this.
15 Over 80 percent of our graduates leave
16 without debt in the federal loan programs.

17 CHAIRMAN DeFRANCISCO: Oh. But other
18 debt -- there could be other debt?

19 CHANCELLOR MILLIKEN: Say that again?

20 CHAIRMAN DeFRANCISCO: You're just
21 referring to not -- in other words, debt-free
22 when they graduate from the federal debt
23 program. There's other --

24 CHANCELLOR MILLIKEN: No, but the

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1 major source of student lending, yes, in this
2 country, they're not -- they deal with.

3 CHAIRMAN DeFRANCISCO: How is that
4 accomplished?

5 CHANCELLOR MILLIKEN: Among the lowest
6 tuition rates --

7 CHAIRMAN DeFRANCISCO: Maybe you don't
8 need TAP --

9 CHANCELLOR MILLIKEN: Among the lowest
10 tuition rates in the nation. Generous state
11 Tuition Assistance Program, in addition to
12 Pell. So 65 percent of our full-time
13 students are not paying tuition because they
14 qualify for some combination, often both, of
15 Pell and TAP.

16 So you combine the two things that are
17 designed to make higher education affordable,
18 relatively low tuition and a robust program
19 of financial aid, and that's why our
20 students are able to leave for the most part
21 without the significant debt loads.

22 Now, those students who leave with
23 debt leave with a debt load that is
24 significantly lower -- I'm going to venture a

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1 guess, half of what the national average is,
2 or less. But I haven't seen that figure
3 lately, but it is dramatically lower. So --

4 CHAIRMAN DeFRANCISCO: All right. So
5 that all students at CUNY can graduate
6 debt-free, I want to save you some money on
7 remediation costs. What do you spend, what
8 does CUNY spend on remediation to get
9 students ready in order to become ready after
10 they get to college?

11 CHANCELLOR MILLIKEN: The
12 instructional costs, which are what we can

13 break out easily, are about \$30 million a
14 year.

15 CHAIRMAN DeFRANCISCO: All right. And
16 the people at SUNY did say that CUNY has a
17 program to work on that, that unpreparedness,
18 as students go from high school to college.
19 Are the courses to get them up to snuff, are
20 those actually provided by CUNY?

21 CHANCELLOR MILLIKEN: Are there
22 courses -- I missed the last part.

23 CHAIRMAN DeFRANCISCO: My question is
24 in order to get kids remediated, you somehow

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1 identify them and then you -- is it CUNY does
2 the remediation?

3 CHANCELLOR MILLIKEN: Yes, it is. So
4 in a policy that's been in place for well
5 over a decade now, remediation is addressed
6 at our community colleges. And there's a
7 large majority of students who present at
8 community colleges requiring some level of
9 remediation. And CUNY does that.

10 The program I mentioned earlier, which
11 I think is an exciting one and one that we
12 need to grow, is this CUNY Start program that
13 addresses remediation in the fall semester or
14 in the summer before beginning college study,
15 so students can focus on that. And it's
16 essentially free. We charge \$75, but we
17 remit that in most cases. The actual cost is
18 probably \$3,000 and \$4,000. So that is a

19 cost-effective way for those students to be
20 able to address remediation needs.

21 CHAIRMAN DeFRANCISCO: All right. So
22 it's not like they're using some of their
23 student aid for the remediation. And you're
24 able to afford that on your CUNY budget

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1 without a specific line item for that
2 purpose?

3 VICE CHANCELLOR SAPIENZA: Yes. As
4 the chancellor said, the students pay \$75 to
5 participate in CUNY Start, but that's a very
6 small amount in terms of what the total
7 revenues are.

8 So yes, Senator, we fund it internally
9 from the CUNY budget. One of the things
10 we're concerned about is we'd like to scale
11 this program up. We have about 3800 students
12 in CUNY Start, and we'd love to scale it up,
13 but of course the funding is the issue in
14 terms of how do you do that without funding
15 support from either the state or the city.
16 So that's something that we're hoping to get
17 some traction on it, going forward.

18 CHAIRMAN DeFRANCISCO: Okay. And what
19 diagnostic tool do you use to determine who
20 needs remediation and what type?

21 CHANCELLOR MILLIKEN: Well, there's
22 the -- I'm not familiar with one of the
23 diagnostics mentioned earlier in the
24 testimony. But Regents exams in algebra and

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1 English. The PSAT is an early diagnostic
2 device. I don't know the number, the
3 percentage of city students who take that.

4 I don't know if anybody else --

5 VICE CHANCELLOR SAPIENZA: And when
6 students enter the community colleges, they
7 take a CUNY proficiency exam that determines
8 whether they need remedial coursework or not.

9 CHAIRMAN DeFRANCISCO: Okay. Wouldn't
10 it be great if the students were prepared
11 when they came to you? And along those
12 lines, we've had some discussion today and
13 actually for the last two years -- you
14 weren't here. But doesn't it -- in the
15 senior year, and this was told to me by
16 the former Commissioner of Education, where
17 he was principal at one, and he said it's
18 true, that students if they've got their
19 required courses, they pass them, they either
20 spend a lot of time in study halls or they
21 get some job rather than remediate.

22 And whatever this CUNY test is, if I
23 could get a copy of it -- because I'd like to
24 share it with the next speaker, so that maybe

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1 we can make these determinations and not
2 waste the senior year in trying to get them
3 prepared, so that all your students can come
4 out debt-free after they get their degree.

5 But I'd appreciate those diagnostic
6 tests or -- I don't want to say tests, but
7 God bless it, there's too many tests, I'll
8 get strangled. But I think the -- I'll call
9 them diagnostic tools, because that's really,
10 really important in my mind. Because they'll
11 get done quicker if they don't have to
12 remediate their first year.

13 CHANCELLOR MILLIKEN: Well, even with
14 the diagnostic tool, then you need the
15 intervention. And in this case, one of the
16 things that I mentioned before, I think this
17 College Now program is successful and could
18 be grown, but it's at 20,000 students right
19 now across the city.

20 That, to me, is a program that has had
21 success, allows students to get a head
22 start -- not only meet remediation needs, but
23 get a head start on college courses. And we
24 ought to look at ways that we can grow that.

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1 CHAIRMAN DeFRANCISCO: Very good.
2 Thank you very much. We have no more
3 speakers on our side.

4 CHAIRMAN FARRELL: That's it. Thank
5 you.

6 CHANCELLOR MILLIKEN: Thank you very
7 much.

8 (Scattered applause.)

9 CHANCELLOR MILLIKEN: Those are the
10 four presidents that are here.

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(Laughter.)
CHAIRMAN DeFRANCISCO: Actually, I think it's the union members softening you for the negotiations.
(Laughter.)
CHAIRMAN FARRELL: New York State Education Department, Elizabeth Berlin, interim commissioner. Come on down.
Folks, can you please carry your conversations with you outside so we can continue. Hello? Shhhh. Thank you.
Commissioner, welcome again.
ACTING COMMISSIONER BERLIN: Thank you.

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CHAIRMAN FARRELL: You can start, please.
ACTING COMMISSIONER BERLIN: Thank you.
Good afternoon, Chairman Farrell, Chair Glick and members of the Senate and Assembly. My name is Beth Berlin, and I am the acting commissioner of the State Education Department.
I am joined by our senior deputy commissioner, Dr. Ken Wagner; the deputy commissioner for the Office of Higher Education, Dr. John D'Agati; and the deputy commissioner for the Office of Professions, Doug Lentivech.
You have my full testimony before you.

17 I will speak to a few slides, and then we
18 will be happy to discuss any matters.

19 As part of my testimony last week, and
20 as you can see on Slides 2 through 4, we know
21 that college- and career-readiness matters.
22 It reduces the chances that a student needs
23 remediation in college, it improves the
24 chances that a student will complete college

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1 once they enroll, and it results in higher
2 earnings and lower unemployment rates.

3 By several measures, we also know that
4 we have much work to do to ensure that all
5 New Yorkers are prepared to succeed in
6 college and careers. As you can see on Slide
7 6, even though our graduation rate has
8 continued to rise, only about half of the
9 students that graduate high school do so with
10 the skills necessary to succeed in a
11 credit-bearing college course.

12 And on Slides 7 through 10, we
13 highlight that too few high school completers
14 enroll in college -- and of those who do, not
15 enough persist and complete their college
16 degrees. That is why the Regents' higher
17 education legislative and budget priorities
18 outlined on Slides 11 through 15 focus on
19 increasing access to college and making it
20 more affordable.

21 We encourage you to fix TAP for
22 students with disabilities. As you can see

23 on Slide 12, approximately 500 students with
24 disabilities attending part-time are not

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1 receiving TAP awards due to a contradiction
2 in state law. The Regents have proposed a
3 fix that would allow these students to
4 receive their TAP awards as they proceed
5 academically in a manner that is measured
6 proportionately to equivalent full-time
7 study.

8 We strongly support enactment of the
9 DREAM Act.

10 On Slide 14, we seek your support for
11 sustainable funding to continue and expand
12 Early College High School programs. We
13 appreciate what recent budgets have done to
14 continue these programs, but we recommend
15 that you change state law to allow these
16 innovative and successful programs to have
17 access to a predictable funding stream.
18 Absent funding, these programs are in danger
19 of being forced to close down.

20 As you know, we have worked together
21 in the last two years to bring the Pathways
22 in Technology Early College High School
23 model, or P-TECH, to students in all regions
24 of the state. As detailed on Slide 15, we

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1 encourage you to continue supporting and
2 expanding these programs.

3 The Regents strongly advocate for

4 increased financial support to higher
5 education opportunity programs to make
6 college more affordable. As you can see on
7 Slide 16, the Regents recommend a \$2 million
8 increase in the Higher Education Opportunity
9 Program, a \$1.5 million increase for the
10 Science and Technology Entry Program, a
11 \$1.5 million increase for the Collegiate
12 Science and Technology Entry Program, and a
13 \$1 million increase for Liberty Partnerships.

14 These programs are available
15 throughout the state for students attending
16 public and private colleges as well as high
17 school students preparing to attend college.

18 Our opportunity programs currently
19 serve over 34,000 underrepresented and
20 disadvantaged students. Our proposed
21 investments would allow us to reach
22 approximately 3,000 more students, or a
23 nearly 9 percent increase.

24 On Slide 17 we seek your support for

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1 legislation to create a state account in
2 order for the department to support
3 accreditation services. New York is the only
4 state in the country designated as an
5 institutional accrediting agency by the U.S.
6 Department of Education, and this valuable
7 service is used by 24 colleges and growing.

8 At its regular meeting this morning,
9 the Board of Regents expressed deep concern

10 with a proposal in the Executive Budget that
11 would eliminate the department's review of
12 new SUNY or CUNY programs. We believe that
13 this proposal would establish two sets of
14 standards for program approval and have the
15 potential to lower quality controls for SUNY
16 and CUNY.

17 In addition, under this proposal that
18 eliminates state review unless it is
19 considered by the United States Department of
20 Education to be a state agency, CUNY may no
21 longer qualify for federal Title IV funds.
22 Delays that occur in program review are
23 typically related to the quality of the
24 submission. We urge you to reject this

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1 proposal.

2 On Slides 18 through 22, you will see
3 important outcomes for our work licensing the
4 professions. I would like to bring your
5 attention to Slide 23, where we seek your
6 support for legislation to allow eligible
7 recipients of deferred action and others with
8 work authorization to obtain professional
9 licensure if they have met all other
10 requirements for certification except their
11 citizenship status.

12 In closing, I want to acknowledge that
13 while I was testifying before this committee,
14 there are many high school and college
15 students as well as faculty and staff from

16 colleges and schools across the state
17 advocating for increases in the higher
18 education opportunity and access programs.
19 We support these students and their efforts
20 and join them in asking for your help in
21 increasing higher education access and
22 affordability.

23 Thank you.

24 CHAIRMAN FARRELL: Thank you.

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1 Questions?

2 Assemblywoman Glick.

3 ASSEMBLYWOMAN GLICK: Thank you very
4 much.

5 Interestingly, one of your slides,
6 page 9, seems to indicate that New York
7 actually is ahead of the nation when it comes
8 to six-year completion rate for four-year
9 colleges but we are below the national
10 average on three-year completion rate for
11 two-year institutions.

12 And I'm wondering if that takes into
13 account the transfer students. Because it's
14 been my understanding that students who
15 transfer from two-year to four-year schools
16 without having achieved an associate degree
17 are not included as having graduated, so that
18 the completion rate for community colleges
19 always seems a little low, let alone those
20 who go never intending to actually graduate
21 but are just taking a few courses because

22 it's been recommended by their workplace.

23 DEPUTY COMMISSIONER D'AGATI: I

24 believe that the calculation here includes

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1 the transfer students in and out. So it's a
2 net of transfer students.

3 ASSEMBLYWOMAN GLICK: Okay, so that
4 does include it.

5 There are -- on the next slide you
6 have a number of reasons -- or challenges, as
7 you term it -- for why one in five high
8 school graduates who have been accepted to
9 and intend to enroll in college actually fail
10 to matriculate at some point.

11 And there are several different
12 possibilities, whether it's a gap between the
13 cost and their ability to pay, lack of
14 awareness of what they need to do after they
15 get accepted, or even Internet access.

16 So could you just give us some idea of
17 what recommendations -- I mean, it's very
18 nice to see that you've assessed some of
19 these problems, but do you have suggestions
20 as to what we as a state might do to change
21 this, you know, 20 percent of kids who
22 graduate intending to go to college don't get
23 there.

24 ACTING COMMISSIONER BERLIN:

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206

1 Certainly. The board has advanced and links

2 directly to the first item that is
3 identified, a request for an increase in the
4 opportunity programs. So the funding to
5 support the four programs that we've outlined
6 would really go a long way in helping to
7 support individuals who are interested in and
8 prepared to go to college in taking that
9 step.

10 And also the Liberty Program actually
11 engages individuals while still in high
12 school and can be an excellent bridge in
13 supporting folks to make that transition.

14 DEPUTY COMMISSIONER WAGNER: There are
15 some additional things. This slide largely
16 comes out of research from Harvard, and what
17 they've found is that some pretty
18 low-intensity interventions with students
19 over the summer -- reminders, supports,
20 answering questions literally over the
21 summer when that process occurs -- can make a
22 big difference as well, particularly for
23 high-need students.

24 So we think that in addition to the

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1 budget request, there's an awareness that we
2 have to have with all of our students that
3 there is a risk for students who are accepted
4 but don't enroll, and there are some pretty
5 straightforward interventions that could
6 occur over the summer to make a difference.

7 ASSEMBLYWOMAN GLICK: You might not

8 have this now, but if there is some
9 geographic information where these
10 students are coming from, if there's a large
11 number of students from a particular region
12 or whatever, maybe there are some things we
13 can do to try to support students in those
14 areas.

15 And if it's -- you know, if it's the
16 City of New York has a big group, then we
17 would take it up with the city administration
18 as to what they might do. So if you have
19 that information at some point.

20 I heard what you said about the
21 concern over eliminating review of programs
22 and courses of study at the colleges. And I
23 know that you've had a lot of reduction in
24 staff. Are there things that you think you

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208

1 might be able to do to prioritize or work
2 with campuses to get those programs reviewed
3 on a shorter timeline?

4 ACTING COMMISSIONER BERLIN: We're
5 certainly always open to and interested in
6 potential efficiencies that can materialize
7 in the system and would be happy to work with
8 SUNY and CUNY to identify where those
9 opportunities could be established.

10 There is, though, recognition, I think
11 on our part, that there's just some level of
12 process as we are ensuring that the
13 application is meeting the necessary

14 standards. And so certainly there might be
15 steps we can take as well as steps that our
16 colleagues in SUNY and CUNY could take to
17 move this process along. We'd be happy to
18 pursue that.

19 ASSEMBLYWOMAN GLICK: Yeah, I mean, I
20 found it somewhat -- you know, that there's
21 an eight-month to an eight-year delay. I
22 mean, perhaps that's hyperbole. A little
23 upsetting if it's not. But perhaps there are
24 communication issues.

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1 I think you said that the majority of
2 the problems related to the submissions not
3 being fully complete. And I'm sure that that
4 is a frustration that if you -- you know,
5 you're being blamed for a delay when you're
6 just going over something and returning it
7 for incomplete information. So perhaps it's
8 a communication issue.

9 There are a number of probably, I
10 think, about three, possibly four
11 recommendations in the Article 7s that relate
12 to professions and either licensing or
13 certifications or changing the ownership that
14 touches on corporate practice. And I'm just
15 wondering whether State Education has some
16 opinion on the way in which this is imposed
17 in the budget as opposed to -- were you even
18 contacted, or was it a surprise that it was
19 in the Article 7s?

20 ACTING COMMISSIONER BERLIN: We didn't
21 have contact prior to, so certainly we
22 learned about it as we were reviewing the
23 Executive Budget.

24 I think there are some components that

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1 are problematic in what is suggested, from
2 the department's perspective. And then there
3 are other components that we recognize from
4 our continuing conversation that had started
5 last year. And certainly Deputy Commissioner
6 Lentivech can speak a bit more specifically
7 about each if you're interested.

8 DEPUTY COMMISSIONER LENTIVECH: Sure.
9 I mean, you know, corporate practice has been
10 an evolving gorilla over the years of things
11 in it. It tends to create unintended
12 consequences at times. But I think the
13 underlying basis of it is that we want
14 licensed professionals to be in charge and
15 control of the services that the public gets.
16 So there is that balance.

17 And we've seen a lot of proposals over
18 the last few years -- the design professional
19 corporations allowing some unlicensed
20 ownership in the corporate practice model.
21 And this year we see in the CPA kind of an
22 extension upon that, which is building on the
23 same concerns we have with the design
24 professional corporations and things of that

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1 nature.

2 So, you know, we're mindful of it, but
3 it's an evolving issue and it requires a lot
4 of discussion. And we certainly have
5 specific thoughts, but it's an evolving
6 issue.

7 ASSEMBLYWOMAN GLICK: I'm out of time.

8 CHAIRMAN DeFRANCISCO: I don't want to
9 belabor this issue, but I want to get
10 everybody on the same wavelength, if we
11 could.

12 Mr. Wagner, you testified at the last
13 hearing for education. First, I apologize
14 for saying to you that your answer was
15 gobbley-gook, okay? It was in the heat of
16 the moment.

17 But you heard some of the diagnostic
18 tools -- for example, what CUNY uses. And
19 the SUNY chancellor in her remarks in the
20 State of SUNY actually mentioned the PSAT.

21 Now, I don't really care what the
22 diagnostic tool is as long as somehow, when
23 kids are in 10th grade, 11th grade, whatever
24 it is, that we have something to

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1 diagnostically evaluate them so that rather
2 than waiting till they get to the junior
3 college or college at SUNY or CUNY, they've
4 already done that remediation work. All
5 right.

6 So do you recall that you have such a

7 diagnostic tool now to make such an
8 evaluation when a child is finishing their
9 sophomore year?

10 DEPUTY COMMISSIONER WAGNER: Yeah. So
11 yes, we have tools in place -- our high
12 school exit exams, our Regents exams -- that
13 give us, from a state perspective, an
14 indicator of whether or not students are on
15 track to be college-ready.

16 The problem is that we don't have
17 agreement within the higher ed sectors of
18 exactly what standard is necessary in order
19 to be enrolled in a higher ed program and in
20 order to be enrolled in a higher ed program
21 without the need of remediation.

22 So regardless of the tool, whether it
23 be the state's Regents exam or PSAT or a test
24 that's used by SUNY or CUNY, that tool can't

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1 be used to the purpose that you would like it
2 to be used until there's agreement on a
3 standard for what a student needs to know and
4 be able to do to be enrolled in college.

5 CHAIRMAN DeFRANCISCO: Okay. Could
6 you move your mic a little closer? All
7 right.

8 So let's suppose everyone is on the
9 same wavelength, like it seems that people
10 are. Has there been an attempt for CUNY
11 representatives, SUNY representatives to sit
12 down in a room with the Department of

13 Education and arrive at some hybrid test or
14 something that makes at least a better shot
15 of those students being prepared?

16 DEPUTY COMMISSIONER WAGNER: Yes. We
17 have had conversations with both SUNY and
18 CUNY for the past few years about the
19 appropriate scores that indicate
20 college-readiness on the high school Regents
21 exams, for example. We're much closer in
22 that regard with CUNY, which tends to
23 function more as a single entity for things
24 like systemwide entrance criteria. We're

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1 much farther away in an organization like
2 SUNY, which has a much more decentralized
3 approach to enrollment criteria as well as
4 criteria for remediation.

5 CHAIRMAN DeFRANCISCO: All right. But
6 apparently they do something, when they go to
7 SUNY colleges, to determine whether they need
8 remediation. They must have a test or
9 something.

10 DEPUTY COMMISSIONER WAGNER: Yes. So
11 they do have approaches to determining
12 remediation. My understanding, though, is
13 those approaches are not consistent
14 systemwide. So that even within SUNY, you'll
15 have different standards for enrollment and
16 remediation.

17 CHAIRMAN DeFRANCISCO: But there's no
18 SUNY-wide standard that shows how they judge

19 whether there's a need for remediation?

20 DEPUTY COMMISSIONER WAGNER: To my
21 understanding, there's no systemwide SUNY
22 system standard for judging that.

23 CHAIRMAN DeFRANCISCO: Okay. Now,
24 let's suppose that the CUNY chancellor is

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1 going to get me the test. And then if I can
2 get Chancellor Zimpher to get me a test that
3 they use somewhere that she approves, would
4 you be in a position to be able to meld those
5 tests -- and if they're not perfect
6 indicators according to SUNY or CUNY, there's
7 at least a better shot at evaluating the kid
8 to see if they're prepared or not earlier on
9 in the process.

10 DEPUTY COMMISSIONER WAGNER: We're
11 very close, with CUNY, to what you're talking
12 about. CUNY works very closely with us on
13 our Regents exams. They don't necessarily
14 take the same cut score that we use for
15 passing for their entrance criteria or for
16 remediation, but they have a way to use our
17 cut scores to make systemwide decisions. So
18 they use our test with their own local flavor
19 to make systemwide decisions.

20 We would be thrilled to have a similar
21 conversation with SUNY around systemwide
22 decisions.

23 CHAIRMAN DeFRANCISCO: You know, I
24 don't even want to talk to SUNY anymore, or

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1 CUNY or anybody else. All I want to do is
 2 somebody from the DOT {sic}, get your best
 3 estimate as to what is most likely to work no
 4 matter where the kid ends up, so that then --
 5 the next is the harder part -- then what do
 6 you do about it now that you've identified
 7 the child.

8 So you know what I'll do, if -- once
 9 you tell me that you've got that magic, you
 10 know, diagnostic tool, based upon reviewing
 11 the other two, I'll take you, the acting
 12 commissioner of education, the two
 13 chancellors out for a beer --

14 (Laughter.)

15 CHAIRMAN DeFRANCISCO: -- and then we
 16 will see hopefully a better product and not
 17 money wasted along the way. All right? So
 18 will you let me know when you're -- I'll get
 19 you the two tests I get, and you let me know
 20 when you've got some proposed action. And
 21 even if we're at that point, I might take you
 22 out for a beer, because that's farther than
 23 I've been in the last three years.

24 Thank you very much. I appreciate it.

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1 DEPUTY COMMISSIONER WAGNER: Just --
 2 just -- we do feel, though -- so we have high
 3 school Regents exams that measure
 4 college-ready learning standards. And we are

5 in the middle of a transition process where
6 the Class of 2022, students that graduate in
7 about seven years from now, will be required
8 to pass those Regents exams at a college- and
9 career-ready level. We do believe that those
10 exams that are in the process of a statewide
11 phase-in, can address the particular concern
12 that you're raising.

13 We would love to have systemwide
14 cooperation with SUNY, and we'd love to
15 continue those conversations with CUNY.

16 CHAIRMAN DeFRANCISCO: But my point is
17 I don't want to wait seven years. I might
18 not be drinking then.

19 (Laughter.)

20 CHAIRMAN DeFRANCISCO: But there's got
21 to be something -- I'll get you the tests.
22 See if you can come up with something.

23 And the point is -- I'm almost afraid
24 to ask the next question -- now that you know

♀

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1 what kids need help, what do you then do
2 about it? Do you have teachers that are
3 going to be able to have classes to remediate
4 while they're in their senior year?

5 DEPUTY COMMISSIONER WAGNER: So we're
6 doing a lot of work to address that issue.
7 And you're right, it needs to focus on
8 providing support to students from teachers
9 that are best prepared to help. We have
10 initiatives with CUNY, for example, to

11 develop transition coursework, students who
12 we believe in high school may be in need of
13 remediation when they get to college. So
14 rather than wait until they get to college,
15 to provide that remediation, can we develop a
16 set of coursework that could be provided in
17 the senior year? You had mentioned before
18 the senior year. So that's one example of
19 the kinds of interventions we'd like to put
20 into place.

21 CHAIRMAN DeFRANCISCO: For those who
22 don't want me here any longer, for whatever
23 reason, once this is done, I will resign from
24 my Senate seat so that I know in my life I've

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1 accomplished something.

2 (Laughter.)

3 CHAIRMAN DeFRANCISCO: So those who
4 don't like me, you've got a reason -- you've
5 got a track as to how to get rid of me, okay?

6 Thank you very much.

7 CHAIRMAN FARRELL: Thank you.

8 Anyone over here?

9 Hearing none, Senator?

10 SENATOR KRUEGER: Senator Toby
11 Stavisky.

12 SENATOR STAVISKY: Two very brief
13 questions.

14 In your brochure, I was looking at it,
15 page 19 says that -- I've got a wrong page,
16 sorry. Here it is. Page 19 says you

17 completed 6305 disciplinary investigations.
18 And the previous page says that there were
19 224 illegal-practice cases opened, you had
20 agreements -- presumably plea bargains or
21 something -- for 24, you issued six
22 cease-and-desists, and there are 111 pending
23 criminal cases.

24 Can you explain that large discrepancy

♀ 220

1 between 6300 and 224?

2 DEPUTY COMMISSIONER LENTIVECH: Sure,
3 Senator. The large number, the 6300, those
4 are professional misconduct cases. That's
5 nurses, dentists, those folks who have
6 committed some misconduct, and we've taken an
7 action. And they have a license.

8 The other number I believe you're
9 talking about is illegal practice. Illegal
10 practice is somebody who does not have a
11 license or entitlement to practice, somebody
12 who's practicing illegally. Somebody who's
13 setting up an illegal acupuncture operation
14 or something along those lines. It's a
15 smaller group of individuals.

16 They're different numbers; they're
17 capturing different groups of people.

18 SENATOR STAVISKY: Well, then of the
19 6305 that investigations were completed, what
20 happened?

21 DEPUTY COMMISSIONER LENTIVECH: A
22 number of them, like almost all the practice

23 cases of this nature, a lot of them are
24 handled early on and they're deemed to be --

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1 there's no misconduct occurred or there's
2 something that is not within our
3 jurisdiction. We get a tremendous amount of
4 people calling up and saying "I want to
5 report my dentist because he charges too
6 much," things like that. And those become --
7 they wash out of the system relatively
8 quickly.

9 But a number of them are real. And a
10 number of them are serious, and then they go
11 into the process of investigation and we
12 investigate. Every call that comes in we
13 presume to be valid, and we investigate every
14 call that we get. Those that wash out early
15 because there's a lack of jurisdiction or
16 something, they wash out. But then we
17 investigate every other case.

18 And then it goes into the process
19 where we -- if we can consent or settle it to
20 the agreement and satisfaction of what's
21 going to be okay for public safety and okay
22 for the licensee who will agree to it, then
23 we'll consent to that, and the Board of
24 Regents acts on those consents.

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222

1 SENATOR STAVISKY: I'll tell you what,
2 would you get me -- to save time, would you
3 get me the breakdown of, you know ---

4 DEPUTY COMMISSIONER LENTIVECH: Sure.
5 We have those numbers; I'll bring them to
6 you. Sure.

7 SENATOR STAVISKY: Really quick,
8 because we're running late, the question of
9 corporate practice has been a serious problem
10 involving various state agencies, SED being
11 one of them. The 0 agencies being the
12 others.

13 How have you progressed on the issue
14 of corporate practice? Because we have
15 legislation periodically to exempt certain
16 groups from the corporate practice
17 restrictions.

18 DEPUTY COMMISSIONER LENTIVECH: Sure.
19 I think what happens -- there was a real
20 need, a real problem with practice especially
21 in the mental health, the behavioral health
22 agencies.

23 SENATOR STAVISKY: The 0 agencies,
24 yes.

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1 DEPUTY COMMISSIONER LENTIVECH: And we
2 found that when the licensing came in for
3 social work and psychology and the mental
4 health professions, that those professions
5 were largely practiced in not-for-profits and
6 other enterprises. They weren't practiced in
7 professional corporations. Even the
8 licensees we had, the social workers, they
9 weren't performing in professional

10 corporations. So there needed to be some
11 relief.

12 So there ended up being two statutes
13 that delivered relief, and those statutes
14 allowed for -- in the social work and mental
15 health arena, allowed for an exemption for
16 corporate practice in the not-for-profit
17 area. And then there was another statute
18 that allowed for relief in the preschool age,
19 the 4410 and EI arrangement.

20 Originally there was a lot of -- there
21 were a lot of questions, who qualified and
22 all that. But I can safely say -- I was
23 looking through the materials just today on
24 this, and I think we've pretty much satisfied

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1 that issue. The people have gotten the
2 waivers that need them. Those that haven't
3 gotten waivers are those that people are
4 pretty clear do not need waivers. I think
5 we're in pretty good shape on that issue in
6 terms of those waiver issues.

7 And we've issued a number of them. I
8 believe the numbers are in here.

9 SENATOR STAVISKY: Thank you.

10 SENATOR KRUEGER: Thank you. Good
11 afternoon.

12 For-profit proprietary schools -- and
13 no, it's not every single one of them,
14 because I usually get yelled at after this
15 discussion. But a disproportionately large

16 number of them have exceptionally disturbing
17 statistics about students paying large sums
18 of money, maxing out their TAP, their Pell,
19 taking out federal student loans, having five
20 times the default rate of other college
21 students, disproportionately targeting a
22 low-income, first-time or first-in-family
23 population to go to school.

24 I know New York State only licenses

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225

1 some of them and is probably going to tell me
2 those aren't the problem ones. But the
3 problem is enormous for students in our state
4 who get sucked into these programs and end up
5 using up their TAP, their Pell, federal
6 default rates for the rest of their lives.
7 And even when they occasionally actually
8 graduate, having degrees that don't make them
9 eligible for anything or even the ability to
10 pass any of the licensing requirements we
11 would have for them in this state. It's an
12 enormous and disturbing problem.

13 We passed some legislation a year ago,
14 I think it was Assemblymember Glick's bill.
15 Was it a year ago?

16 ASSEMBLYWOMAN GLICK: Yeah.

17 SENATOR KRUEGER: Okay. And I know we
18 need to do more.

19 But tell me what we're doing at this
20 point in time and whether I'm just wrong,
21 you're not seeing this as a problem in

22 New York State.

23 ACTING COMMISSIONER BERLIN: Senator,
24 certainly we recognize that there are

♀ 226

1 situations that occur that are problematic,
2 and that students find themselves in
3 situations that are not appropriate and in
4 some situations where they've been taken
5 advantage of.

6 So we have taken -- you're correct,
7 with the legislation, which was helpful to
8 the department, we've taken several steps to
9 try and address those issues, both in the
10 work that we do in monitoring and reviewing
11 the applications. We've increased the number
12 of staff that we have available. We've
13 changed -- we're using technology to make
14 sure that we're capturing all the information
15 that we need to review processes and
16 protocols to make sure that those schools are
17 in compliance with our expected standards.

18 We've also tightened the fiscal
19 expectations of the school and want to make
20 sure that they have in place the right
21 curriculum, they have in place the right
22 instructors, and that they're not marketing
23 themselves in an inappropriate way.

24 Where there are circumstances in which

♀ 227

1 a student find themselves in such a

2 situation, there is a tuition reimbursement
3 account that one can apply for to help
4 address some of the financial loss. However,
5 I would note that that does not replenish the
6 time spent -- you know, the dream that the
7 individual may have had.

8 So we are working steadfast to
9 continue to tighten the controls that we have
10 in place and to monitor the system to make
11 sure that the schools that are really
12 providing quality opportunities are those
13 schools that students are accessing most.

14 SENATOR KRUEGER: How many students
15 apply for the reimbursement money per year?

16 ACTING COMMISSIONER BERLIN: I
17 believe -- I will need to get back to you. I
18 believe since 1995, so going back, there's
19 been \$7 million that has gone out to students
20 that have found themselves in that situation.

21 SENATOR KRUEGER: In 20 years?

22 ACTING COMMISSIONER BERLIN: So about
23 \$400,000 a year.

24 SENATOR KRUEGER: So not very many

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1 students are applying each year.

2 ACTING COMMISSIONER BERLIN: I can
3 certainly get the data on the number of
4 students that have applied.

5 SENATOR KRUEGER: And I'm from
6 New York City, and a lot of these schools are
7 all over the subways, the buses, the TV.

8 Schools that we don't even recognize here in
9 New York under any kind of regulatory
10 approval process are spending a fortune in
11 recruitment, and I have to believe that's
12 because they're making a lot of money doing
13 that.

14 Is there additional legislation we
15 could pass that would give you the tools you
16 need to pursue this more aggressively?
17 Because frankly I worry that we are seeing
18 whole generations blowing their money on
19 noneducation. And then you can hear all from
20 CUNY and SUNY and other quality schools in
21 the state about the programs they have
22 available, but these kids are never going to
23 get in them.

24 ACTING COMMISSIONER BERLIN: Certainly

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1 we'd welcome the opportunity to go back and
2 talk with the team about what we've learned
3 since the legislation last passed and where
4 there might be further opportunities to build
5 in some legislative safeguards and get back
6 to you.

7 SENATOR KRUEGER: Do you track at all
8 the number of these schools that you define
9 as bad players, or the number of students
10 going through them?

11 ACTING COMMISSIONER BERLIN: We have
12 data that speaks to the complaints that we
13 receive. So we have been seeing a decline in

14 the complaints that have come in, and
15 hopefully that's the result of the efforts
16 since the legislation. But -- as well as the
17 schools that obviously are the subject of the
18 complaint.

19 SENATOR KRUEGER: And do you hear,
20 ever, of them recruiting at our high schools
21 around the state?

22 ACTING COMMISSIONER BERLIN: I have
23 not specifically but would want to talk with
24 staff about that.

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230

1 SENATOR KRUEGER: And would SED have
2 the power to outlaw recruitment at high
3 schools, the public schools?

4 ACTING COMMISSIONER BERLIN: I would
5 need to -- I would need to pursue that.

6 SENATOR KRUEGER: I'd be interested in
7 knowing that also.

8 Thank you.

9 ACTING COMMISSIONER BERLIN: Thank
10 you, Senator.

11 SENATOR KRUEGER: I think we're done.

12 CHAIRMAN FARRELL: That's it?

13 SENATOR KRUEGER: I think so.

14 CHAIRMAN FARRELL: Thank you very
15 much.

16 Wait, hold on. Yes, Mr. Lupinacci.

17 ASSEMBLYMAN LUPINACCI: Good
18 afternoon.

19 I just had two quick questions.

20 Looking at page 5, the PowerPoint slides, or
21 the presentation, it speaks about, you know,
22 four in 10 U.S. college students graduate
23 without the complex reasoning skills to
24 manage white-collar work. And they speak

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1 about communication. And then another survey
2 said nine out of 10 employers judge recent
3 college graduates as poorly prepared for the
4 workforce in critical thinking, communication
5 and problem solving.

6 When we look at the high school and
7 lower grade curriculum, I know a lot of times
8 we speak about reading and writing and
9 mathematics and, you know, complex problem
10 solving. But in terms of communication, how
11 do our lower-grade and high school and
12 elementary curriculums address communication?

13 Because it seems like it's a growing
14 problem at the high school level. I mean, a
15 lot of times we emphasize, obviously,
16 mathematics, writing -- all very important
17 topics. But it seems like even when they
18 come out of college, they lack the
19 communication skills to be very successful in
20 the workplace.

21 And I've seen it, you know, the lack
22 of communications, myself being in the
23 classroom over the past 10 years. I don't
24 know if we're just more intense in terms of

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1 texting and, you know, less integration in
2 terms of people speaking and socializing.
3 And how is the curriculum actually, you know,
4 holding up in the lower grade levels to make
5 sure that we're emphasizing social
6 interaction and how people communicate not
7 only, obviously, through writing but also
8 through the spoken word?

9 DEPUTY COMMISSIONER WAGNER: So thank
10 you. So speaking and listening, along with
11 reading and writing, are a part of the
12 learning standards from kindergarten on. So
13 the ability for students to understand a
14 situation which may be a text-based situation
15 or it may be more of a social situation and
16 to speak and listen effectively in that
17 situation of course is part of our academic
18 skills, but it ties into our social and
19 emotional development.

20 Our teachers always factor in the
21 social and emotional learning elements of
22 implementing the standards, where we never
23 want our teachers to treat a particular
24 standard just in the context of an academic

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1 learning standard, but of course it occurs in
2 the context of a more holistic experience for
3 students.

4 And then, finally, a lot of our tasks
5 that we pose for our students are
6 cooperative, performance-based tasks where

7 students have to work together
8 collaboratively in order to solve an academic
9 challenge or an academic need, whether it be
10 a problem that needs to get solved in the
11 area of math or some sort of learn-and-listen
12 type of experience in the area of ELA.

13 So I would say that communication is
14 baked into our learning standards. But then
15 also it's a critical element of our
16 instructional approach.

17 ASSEMBLYMAN LUPINACCI: Just one other
18 follow-up question, on the first page of the
19 presentation speaking about remediation. And
20 obviously there's different areas of
21 remediation. And the charts show, obviously,
22 people or the -- at least taking one remedial
23 course.

24 Which area do you think is in the

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1 highest demand in terms of remediation out
2 of the basic education when they go into the
3 junior colleges? What is the largest area,
4 or that one course that most people are
5 taking?

6 DEPUTY COMMISSIONER WAGNER: We see
7 the largest need for remediation in the area
8 of math.

9 ASSEMBLYMAN LUPINACCI: And I just
10 know that the high school curriculum doesn't
11 require four years of mathematics; correct?
12 It's just in terms of four years, a lot of --

13 I know English is required for four years in
14 the high school level. But in terms of
15 mathematics at this point, students aren't
16 required four years, am I understanding that?

17 DEPUTY COMMISSIONER WAGNER: That's
18 correct, they're not required to take four
19 years of math.

20 ASSEMBLYMAN LUPINACCI: Do you think
21 that's something that needs to change in
22 terms of aligning, making -- I mean,
23 obviously we never want to mandate, that's a
24 dangerous word sometimes. But in terms of

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1 the mathematics curriculum, do you think at
2 some point it's worth looking back in terms
3 of whether or not four years of mathematics
4 should be required for high school students?

5 DEPUTY COMMISSIONER WAGNER: So we've
6 tried to communicate the benefits of advanced
7 coursework, including four years in math, to
8 the field as we've been talking more about
9 college-readiness.

10 And the board has had a graduation
11 diploma called the Advanced Designation
12 Diploma, which does require two additional
13 courses in math beyond the Regents diploma.
14 And since 2011 we've been publishing data on
15 the percent of students statewide, as well as
16 by school and district, that achieve that
17 diploma. And we've tried to be very clear
18 that college readiness is not about scoring

19 higher on a cut score on an individual test;
20 in a lot of ways, college readiness is about
21 challenging oneself through additional
22 advanced coursework, including up to four
23 years of math.

24 ASSEMBLYMAN LUPINACCI: Do you think a

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1 lot of local schools require their students
2 to take four years of math, or do you think
3 it's left more in terms of that they give the
4 option of doing it?

5 DEPUTY COMMISSIONER WAGNER: Yeah, I
6 think these things are generally optional.
7 There are some exceptions where high schools
8 encourage all of their students to go into IB
9 or to go into calculus or so on. Statewide,
10 the percentage of students in a graduating
11 cohort that earns that Advanced Designation
12 Diploma is about 35 percent. So there's a
13 lot of local and regional variation.

14 ASSEMBLYMAN LUPINACCI: Thank you very
15 much.

16 CHAIRMAN FARRELL: Thank you. Thank
17 you very much.

18 ACTING COMMISSIONER BERLIN: Thank
19 you.

20 CHAIRMAN FARRELL: Elisa Magee,
21 executive vice president, New York State
22 Higher Education Services Corporation.

23 EXEC. VICE PRESIDENT MAGEE: Good
24 afternoon, Chairman.

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1 CHAIRMAN FARRELL: Good afternoon.

2 EXEC. VICE PRESIDENT MAGEE: Chairman
3 Farrell, members of the Senate and Assembly,
4 thank you for the opportunity to speak this
5 afternoon about the Governor's 2015-2016
6 Executive Budget recommendations that impact
7 the New York State Higher Education Services
8 Corporation.

9 CHAIRMAN FARRELL: Pull it up a little
10 closer, the mic. That's it. Thank you.

11 EXEC. VICE PRESIDENT MAGEE: I'm Elsa
12 Magee. I'm the executive vice president and
13 acting president of HESC, and I'm joined this
14 afternoon on my right is Jorge Montalvo, who
15 is the director of the New York State
16 Department of State's Office of New
17 Americans. And on my left, joining me is Jay
18 Quaintance, who is the assistant secretary
19 for education.

20 HESC has a longstanding commitment to
21 ensuring that New York State students have
22 access to an affordable college education and
23 an understanding of their financial aid
24 options. New York's grant and scholarship

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1 programs are structured to support students
2 as they pursue and complete their
3 postsecondary education and become active and
4 skilled members of our state's workforce.

5 The value the state places on student
6 access and affordability is recognized in
7 Governor Cuomo's 2015-2016 Executive Budget,
8 which continues full support for all state
9 grant and scholarship programs. The
10 Governor's budget also includes a number of
11 new initiatives to address the financial
12 burden of college faced by today's students,
13 strengthen the teacher pipeline, and expand
14 higher educational opportunities under a new
15 DREAM Act initiative.

16 The Governor's proposed Get on Your
17 Feet Loan Forgiveness Program will assist
18 struggling new college graduates by providing
19 federal student loan relief to cover their
20 monthly student loan debt for up to two
21 years. Students graduating from a New York
22 State college or university in 2014-2015 and
23 thereafter who continue to live in New York
24 State upon college graduation, and who earn

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1 less than \$50,000 per year, will be eligible
2 to receive this higher education benefit if
3 they have taken advantage of the federal
4 Pay As You Earn repayment plan. By covering
5 100 percent of their student loan debt, these
6 new graduates will be better able to launch
7 their careers right here in New York State.

8 There are more than 4,000 colleges in
9 the United States for students to choose
10 from, with more than 270 degree-granting

11 institutions in New York State alone. To
12 ensure that students are able to make both
13 wise college selection and wise college
14 financing decisions, the Governor has
15 proposed the creation of a standard financial
16 aid award letter so that students and
17 families are made aware of their total
18 education costs, how much aid they will
19 receive, and how much of that aid they must
20 repay. The standardization of information
21 will enable students to make better educated
22 decisions about college at an early point in
23 the process.

24 Governor Cuomo's Masters-in-Education

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1 Teacher Incentive Scholarship Program will
2 incent our highest-achieving students to
3 pursue teaching as a profession by awarding
4 New York State's top undergraduate students
5 full graduate tuition awards to pursue their
6 Master's in Education and to build their
7 teaching careers right here in New York.
8 Under the Governor's proposal, 500 top
9 Undergraduate students annually will be
10 eligible for a full tuition scholarship at a
11 SUNY or CUNY college if they agree to pursue
12 a master's degree in education and teach in a
13 public elementary or secondary school in the
14 state for five years upon graduation. This
15 program offers another opportunity to remove
16 the financial barriers that keep talented

17 individuals from entering the teaching
18 profession.

19 The Tuition Assistance Program remains
20 among the largest need-based entitlement
21 grant programs in the nation, and remains the
22 centerpiece of New York's student financial
23 aid programs. During the 2013-2014 academic
24 year, more than 372,000 New Yorkers attending

♀ 241

1 a public or private in-state college received
2 nearly \$936 million in TAP awards to fully
3 cover or help offset their college tuition
4 costs -- averaging \$2,511 per recipient.

5 The Executive Budget continues TAP
6 funding for hundreds of thousands of students
7 from low- and middle-income families for the
8 2015-2016 academic year and expands TAP
9 eligibility, under a new DREAM Act
10 initiative, to enable immigrants who have
11 contributed to the state's economy and
12 culture to apply for state financial aid.

13 The 2015-2016 Executive Budget enables
14 HESC to continue administering an array of
15 programs and services that support the
16 attainment of a college degree for all
17 New York State students. On behalf of
18 Governor Cuomo, HESC is pleased to play a
19 vital role in providing New York State's
20 students with a gateway to a successful
21 college career.

22 Thank you, and I would be glad to

23 answer any questions you may have.

24 CHAIRMAN FARRELL: Yes, thank you.

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1 Deborah Glick.

2 ASSEMBLYWOMAN GLICK: Nice to see you
3 again.

4 Can you explain how the Get on Your
5 Feet Loan Forgiveness Program is actually
6 going to work? It's my understanding that
7 federally, if you have federal student loans
8 and you're making below a certain amount, you
9 can reduce your monthly payments. How is
10 this going to interact? It allows for up to
11 two years, and the Governor has put in his
12 Executive Budget \$5 million for this.

13 So I'm just trying to figure out
14 exactly what help is intended and how it
15 works and whether the state would be picking
16 up two years of a reduced monthly payment and
17 how many students we think could be assisted
18 on this and how quickly is this going to be
19 implemented and should it be in the final
20 budget. Just a few questions.

21 EXEC. VICE PRESIDENT MAGEE: Yes. So
22 you're correct, currently students who
23 graduate with federal student loan debt have
24 a standard 10-year repayment period. If they

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1 participate in the federal Pay As You Earn
2 Program, that amount that they pay is reduced
3 to 10 percent of their discretionary program.

4 What the Get on Your Feet Student Loan
5 Forgiveness Program would do is pick up that
6 remaining 10 percent, so net, they pay zero
7 out-of-pocket.

8 The federal program authorizes them to
9 receive those reduced payments for one-year
10 increments. And so we would be consistent
11 with the term of the Pay As You Earn Program.
12 So they would be applying twice in order to
13 receive the award for two years.

14 ASSEMBLYWOMAN GLICK: And do you have
15 any idea of how many students might be helped
16 with this? And how quickly is it envisioned
17 for this to be in place?

18 EXEC. VICE PRESIDENT MAGEE: This is
19 one program we could implement fairly
20 quickly. Right now, nationally, 11 percent
21 of students participate --

22 ASSEMBLYWOMAN GLICK: How many?

23 EXEC. VICE PRESIDENT MAGEE: Eleven
24 percent of students participate in one of

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1 these types of programs at the federal level
2 currently. And we're estimating that roughly
3 20 percent of New York State students would
4 be participating in the Pay As You Earn
5 Program, and roughly 50 percent of those
6 would be participating in the Get on Your
7 Feet Program, meet the income eligibility
8 requirements. So roughly 7100 students.

9 ASSEMBLYWOMAN GLICK: Is \$5 million

10 enough?

11 EXEC. VICE PRESIDENT MAGEE: Yes,
12 because we've assumed a 20 percent
13 participation rate rather than 11. So the
14 \$5 million should be sufficient.

15 ASSEMBLYWOMAN GLICK: And this is --
16 this is not limited to the publics, it
17 includes the privates?

18 EXEC. VICE PRESIDENT MAGEE: Anyone
19 who has graduated with a degree would be
20 eligible.

21 ASSEMBLYWOMAN GLICK: So the
22 difference in what might be the -- if you're
23 going to SUNY or CUNY, obviously you will
24 have a much lower burden. If you're going to

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1 some of the more expensive private
2 institutions, it could be higher. And
3 despite that, you think there's sufficient
4 resources?

5 EXEC. VICE PRESIDENT MAGEE: Yes, it's
6 looking at -- because at the federal level
7 there is no distinction between college type.
8 All students are eligible with higher student
9 debt loads and those with lower student debt
10 loads.

11 ASSEMBLYWOMAN GLICK: Okay.

12 CHAIRMAN FARRELL: Thank you.
13 Senator?

14 SENATOR KRUEGER: Senator Toby
15 Stavisky.

16 SENATOR STAVISKY: No, I have no
17 questions.

18 SENATOR KRUEGER: Oh, excuse me, Toby
19 Stavisky has no questions for you. Let me
20 ask --

21 SENATOR STAVISKY: Dr. Magee has had a
22 great relationship and she's doing, I think,
23 a great job. So thank you.

24 SENATOR KRUEGER: I don't know if you

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1 were listening when I finished up with the
2 Education Commissioner about the abuses that
3 go on in too many private, for-profit
4 proprietary schools. Is there something more
5 HESC can be doing to, one, discourage
6 students from going to these schools in the
7 first place? Two, in making sure they're not
8 using up their student loan and TAP funds in
9 these schools? And three, in helping them
10 get back money through that program where
11 only \$400,000 per year is reimbursed to
12 students who were basically set up for
13 failure in fake schools?

14 EXEC. VICE PRESIDENT MAGEE: We
15 provide Financial Aid Information Nights to
16 high school students and --

17 SENATOR KRUEGER: I'm sorry, can you
18 move it a little closer? I'm sorry.

19 EXEC. VICE PRESIDENT MAGEE: Yes. We
20 provide financial aid presentations to high
21 school students. And our entire website, we

22 strongly encourage that students look at the
23 most affordable college education that they
24 can obtain. And that does entail looking

♀ 247

1 more at public colleges rather than the
2 not-for-profits.

3 Also with regards to TAP and our other
4 scholarship and award programs, TAP is only
5 authorized for degree-granting schools. So
6 that those who are going for certificate
7 programs, while eligible for Pell, they're
8 not eligible for TAP. So there's already in
9 place within the statute the restrictions on
10 providing financial aid to students to go to
11 programs that are offering certificates and
12 not degrees.

13 SENATOR KRUEGER: Thank you.

14 CHAIRMAN FARRELL: Assemblywoman
15 Malliotakis.

16 ASSEMBLYWOMAN MALLIOTAKIS: Good
17 afternoon. Thank you so much for being here.

18 In your testimony you mention the
19 Tuition Assistance Program has helped 372,000
20 New Yorkers, which I think is great. One of
21 those groups, though, that are not included
22 in this are the graduate students of our
23 state. I'm sure you're familiar that in 2010
24 the State Legislature eliminated the Tuition

♀ 248

1 Assistance Program for graduate students. So

2 if you're a graduate student here in the
3 State of New York, you're no longer eligible
4 for the Tuition Assistance Program.

5 I wanted to get your thoughts on that.

6 EXEC. VICE PRESIDENT MAGEE: I will
7 defer that question to Jay.

8 ASST. SECRETARY QUAINANCE: We
9 recognize that tuition assistance is an
10 important part of the package. We have not
11 advanced it in this year's Executive Budget.
12 We look forward to working with the
13 Legislature on that.

14 ASSEMBLYWOMAN MALLIOTAKIS: Okay. I
15 think that it's very important that we make
16 that a priority. I see that there's --
17 you're supportive of the DREAM Act. I think
18 that we should be taking care of our
19 middle-class citizens who are trying to seek
20 higher education. And certainly the
21 affordability, as tuition costs are rising,
22 is something that's very critical in this
23 state.

24 And so I would certainly like your

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1 support and advocacy to try to get that
2 restored which was eliminated in 2010 and has
3 not yet been included in any Executive Budget
4 or any one-house budget, for that matter.
5 And I think that that's certainly past due.

6 I also wanted to gather your thoughts
7 on the need to increase the household income

8 threshold for the TAP program. The last time
9 it was increased was back in the year 2000,
10 which was 15 years ago. And certainly our
11 costs of education have increased since then.

12 Can you talk a little bit about if you
13 see that there's a need to increase that
14 income eligibility to be more in line with
15 the rising costs of tuition as well as the
16 rise in inflation?

17 ASST. SECRETARY QUAINANCE: Sure.
18 Again, the Governor recognizes that income
19 has risen and the college costs have risen at
20 a steeper rate than incomes in this state.
21 And we would certainly be willing to look at
22 the data to support a larger threshold.

23 ASSEMBLYWOMAN MALLI OTAKI S: Okay. And
24 for those that are here who may not be

♀ 250

1 familiar, in the year 2000, which was 15
2 years ago, we last increased that income
3 eligibility from \$50,000 household income to
4 \$80,000 household income. And certainly if
5 you are a family of three or four or five and
6 you have multiple kids to put through school,
7 that's very hard to do while paying other
8 middle-class costs in this state. And I
9 think that that's something that we as a
10 legislature need to address immediately. And
11 if we're going to put \$27 million here for a
12 DREAM Act, I think that, you know, there
13 should be some priorities that should come

14 first.

15 I just have one last question, and
16 that is that you administer the social work
17 loan forgiveness program; is that correct?

18 EXEC. VICE PRESIDENT MAGEE: Yes.

19 ASSEMBLYWOMAN MALLIOTAKIS: Okay. In
20 order to qualify for this program, a social
21 worker must work in a critical service area
22 for a period of time. I just wanted to
23 know -- that seems like a very subjective
24 term, "critical service area." I just want

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1 to get more clarification on how you define a
2 critical service area.

3 EXEC. VICE PRESIDENT MAGEE: Well,
4 we've actually just revised those designated
5 areas. We work with a committee that
6 includes the Education Department, Office of
7 Mental Health, OMRDD, and Department of
8 Health, and what we have done is look at
9 where there are shortages of physicians.

10 So we've actually expanded those
11 areas. It now includes all but three
12 counties of the state. But we have also
13 opened it up to include regions within
14 counties where there's greater wealth, so
15 that we're hitting the areas of need. Even
16 in a county like Westchester County, where
17 there is significant wealth, there are still
18 pockets of need. So we've brought in an
19 additional 26 regions for those who will be

20 applying beginning this year.
21 ASSEMBLYWOMAN MALLIOTAKIS: And when
22 were those -- I find it really hard to hear
23 up here. But when were those updates made?
24 EXEC. VICE PRESIDENT MAGEE: I'm

♀ 252

1 sorry, I can't --
2 ASSEMBLYWOMAN MALLIOTAKIS: You said
3 that you updated it, right, the -- when was
4 that made?
5 EXEC. VICE PRESIDENT MAGEE: It has
6 been updated. We made the final changes in
7 December so that it would be on our website
8 in time for the applications beginning in
9 January. So those applying this year have
10 much more expanded areas that they can work
11 in and still be eligible.
12 ASSEMBLYWOMAN MALLIOTAKIS: Okay. If
13 you can get a copy of that criteria to our
14 ranking member, Assemblyman Oaks, that would
15 be wonderful, so we can just review that.
16 Thank you so much for your time.
17 EXEC. VICE PRESIDENT MAGEE: You're
18 welcome.
19 CHAIRMAN FARRELL: Thank you. Have a
20 very good day. Thank you.
21 EXEC. VICE PRESIDENT MAGEE: Thank
22 you.
23 ASST. SECRETARY QUAINANCE: Thank
24 you.

♀ 253

1 CHAIRMAN FARRELL: Andrew Pallotta,
2 NYSUT, executive vice president.

3 SENATOR KRUEGER: I think we're
4 getting a full panel, Denny.

5 (Comments off the record.)

6 SENATOR KRUEGER: Since we have a
7 whole panel, why don't you just each
8 introduce yourselves, and then just whatever
9 order you've decided to go in.

10 MR. ALLINGER: I'm Steve Allinger,
11 legislative director for NYSUT. Andrew
12 Pallotta couldn't make it today; he was
13 called away to a meeting of the national
14 union. And I'm here just to give an overview
15 of our concerns for our 75,000-plus members
16 in the Professional Staff Congress, United
17 University Professions, and our independent
18 community college locals.

19 To my right is Fred Kowal, president
20 of UUP. To his right, Barbara Bowen,
21 president of PSC, and her vice president,
22 Steve London.

23 CHAIRMAN FARRELL: Bring the
24 microphone closer. I've got to start saying

♀ 254

1 this. I am older than I look, and my ears
2 take all of the problem.

3 MR. ALLINGER: I'll stop mumbling,
4 sorry.

5 DR. BOWEN: And if I could have your
6 indulgence just to introduce the others who

7 traveled from New York City to be here.
8 They're members of the faculty and staff of
9 CUNY. This year is so important in the
10 budget that we have a larger group than
11 usual. And I know also for SUNY, for the
12 UUP, there was a huge group of HEOP students
13 here today. So there's a big measure of
14 support.

15 And we have Scott Sheidlower, a
16 librarian from York College; Frank Mirel,
17 health and safety professor from Hunter
18 College; Dave Kotelchuck, in the same field
19 at Hunter; Steve Lieberstein, in political
20 science at City College; Iris DeLutro, a
21 counselor at the Grad Center; and Robert
22 Cermelle, a mathematician at City Tech.

23 MR. ALLINGER: Chairman Farrell, I was
24 just going to summarize rather than read the

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1 testimony.

2 First off, we want to thank you for
3 your efforts last year particularly to
4 restore funding for opportunity programs,
5 provide the first significant TAP increase in
6 I think over a decade, and popularizing and
7 giving attention to the fact that the state's
8 maintenance of effort has lagged, and I want
9 to jump right in to the problem at hand.

10 Parents and families -- parents, their
11 families, students had to tighten their belts
12 and come up with \$300 tuition increases for

13 five consecutive years. In a compact with a
14 state that was premised on the notion that
15 families would have to sacrifice, because
16 real income for families has been absolutely
17 stagnant as all wage gains in the last five
18 years have accrued only to the top 1 percent
19 and zero to everybody else.

20 Those families who had to reduce their
21 standards of living to come up with those
22 tuition increases, what they would receive
23 from the state is coverage of the base
24 operating expenses and those mandatory cost

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1 increases over that five-year period, and
2 this would allow the tuition revenues to be
3 dedicated to investment in teaching and
4 learning and research and address the
5 imbalance of full-time faculty versus
6 adjuncts, to invest in support programs that
7 help completion rates.

8 And frankly, in the first three years
9 there were modest gains in investment in
10 full-time faculty and other initiatives, but
11 that was also chasing big increases in
12 enrollment.

13 Now I think CUNY is at a record
14 274,000; SUNY is at what -- 460,000? So even
15 though there was an investment in the
16 full-time faculty, it was having to cover,
17 just to stay the same, this increase in
18 enrollment. Unfortunately, in the last two

19 years the promise that was made to these
20 families was broken in the Executive Budget.

21 A large part of the mandatory costs --
22 collective bargaining costs, fringe benefits,
23 energy -- were not covered, to the tune of
24 tens and tens of millions of dollars. I

♀

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1 believe in SUNY it was \$79 million, at
2 CUNY -- I'm doing this out of memory --
3 \$40-odd million. And what this meant is that
4 money was diverted from teaching and
5 learning, from classroom programs, from
6 research, just to cover those mandatory
7 costs. So the students paid more and,
8 frankly, got less.

9 And we're also at the end of this
10 rational tuition policy which was initiated,
11 I think, in the 2011 budget. And we don't
12 have any proposal from the Executive to try
13 to continue a real dollar investment in
14 opportunity for students.

15 What we also found is that -- and
16 we're very grateful, we would not have had a
17 maintenance of effort at all without
18 initiative by the Legislature -- but that the
19 current definition is inadequate. We would
20 ask that you modify it to include mandatory
21 costs such as collective bargaining, energy,
22 and other inflationary costs, and also
23 include enrollment growth and also add the
24 glaring omission of the SUNY teaching

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1 hospitals, which are critical to meeting the
2 physician shortage that we have in this
3 state, which is now over 2,000 and growing.

4 Community colleges were left bereft in
5 this budget. They're -- it's a flat
6 proposal. And as you know, we haven't even
7 returned to the 2008 base FTE funding, which
8 I believe was 2675. I think we're at 2497.
9 There's a harmonic convergence between us and
10 SUNY and CUNY: we are all asking for \$250.
11 But even with that level of increase, we'd
12 still only be \$67 per FTE above the 2008. It
13 wouldn't even catch up on a real dollar
14 basis. But at least it would help be a good
15 down payment for restoring our broken system
16 on funding community colleges.

17 Right now the state share of community
18 college funding has fallen, I believe, to
19 25 percent at SUNY and 26 percent at CUNY.
20 At the most basic level, it was supposed to
21 be one-third. Actually, when the colleges
22 agreed to provide full opportunity programs
23 and accept every qualified student, the
24 statute says 40 percent.

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1 There's a long ways between 25 and 40
2 percent, so we'd ask that we make meaningful
3 progress towards restoring the balance. And
4 by the way, many of the sponsors have been

5 hit with a tax cap, which further constrains
6 their ability to make up for the state's lack
7 of effort.

8 Compounding the problem of flat
9 funding and dereliction of meeting the
10 promise of funding base costs in exchange for
11 higher student tuition is this so-called
12 performance-based funding, which takes
13 10 percent of a budget away from both the
14 state-operated senior colleges and community
15 colleges and connects it to these vague,
16 highly bureaucratic so-called performance
17 measures. Which is really a tired old policy
18 idea from the 1990s which has been studied
19 and proven to be ineffective, not produced
20 any results, has been harmful in some cases
21 and, frankly, 14 states have moved away from
22 it.

23 The thing that's maddening about it is
24 that there are cuts in the Executive Budget

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1 to programs that have tremendous empirical
2 evidence that increased completion rates do
3 the exact same thing that the
4 performance-based funding proposal purports
5 to do.

6 The ASAP program, which you've heard a
7 lot about, has quadrupled the completion
8 rates of a typical urban community college.
9 The EOP, SEEK, and College Discovery programs
10 have a proven track record, but they're cut.

11 And we thank you for restoring these
12 funding -- I think it was Chancellor Milliken
13 talked about scale. We're not achieving the
14 results we could, because we're not bringing
15 to scale programs with proven track records
16 so we could do many multiples of the
17 appropriation levels for these programs and
18 dramatically increase completion rates,
19 reduce student debt, and improve the life
20 chances of these students.

21 The other thing is there needs to
22 be -- I think CUNY is at 50 percent full-time
23 faculty, SUNY is the mid-50s. But to quote,
24 you know, I'll quote from the CUNY budget

♀ 261

1 request from December of 2014: Researchers
2 have found that full-time faculty members
3 provide the underpinning for high-quality
4 instruction and retention in graduation of
5 undergraduate students. Investing in
6 full-time faculty provides a cost-effective
7 way of enhancing student achievement through
8 graduation. At the same time, faculty
9 cultivate their own scholarly and creative
10 activities and contribute far beyond the
11 classroom. We agree with this -- with
12 Chancellor Milliken on this point.

13 And in the SUNY chancellor's budget
14 request, she points out that continued
15 necessity for campuses to absorb contractual
16 salary increases with existing resources or

17 new tuition revenue may jeopardize the
18 ability of some campuses to deliver on
19 commitments made under NYSUNY 2020 -- a very
20 polite way of saying that the Executive
21 Budget breaks the promise made to families.

22 We're also saying that with the
23 \$5.2 billion and growing bank settlements
24 creating a one-time surplus, we would ask

♀ 262

1 that a modest amount, a quarter-billion
2 dollars, be set aside to build a full-time
3 faculty initiative, structured like an
4 endowment, so that every year we don't have
5 to fight the vagaries and shifting sands of
6 policy changes that harm the continuity in
7 building, you know, the finest university
8 systems we can.

9 I also want to touch on the teaching
10 hospitals. We treat the entire university
11 systems -- and particularly the hospitals --
12 invidiously relative to other state
13 operations. We make them eat their own debt
14 service. We don't cover their collective
15 bargaining, their fringe, general state
16 charges as we do for other operating budgets.

17 In exchange, there used to be hospital
18 appropriations to pay for the public mission
19 of about \$150-odd million back in the
20 mid-2000s. That was reduced to 128 -- and
21 this is to address Senator DeFrancisco's
22 point with earlier witnesses. Now that's cut

23 all the way to \$69 million. Even the
24 \$19 million additional that you added was

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1 wiped out in the Executive Request.

2 We ask that you restore it at least to
3 the 2011, recognize that these teaching
4 hospitals are the backbone of educating a new
5 generation of health professionals, and that
6 the State of New York has a health
7 professional shortage. And that these are
8 also a tremendous engine for economic
9 stability in communities like Syracuse and
10 the surrounding communities and also in
11 places like Central Brooklyn.

12 So I will stop now and turn it over to
13 Fred Kowal.

14 DR. KOWAL: Thank you, Steve.

15 First I would like to thank Chairman
16 DeFrancisco, Chairman Farrell, and
17 distinguished members of the Senate Finance
18 and Assembly Ways and Means committees for
19 providing United University Professions with
20 the opportunity to testify today regarding
21 the Executive Budget for 2015-2016,
22 specifically for higher education.

23 I am UUP president Fred Kowal. UUP
24 remains the largest higher ed union in the

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1 United States, representing over 35,000
2 academic and professional faculty and staff
3 who work serving our hundreds of thousands of

4 students and patients at the State University
5 of New York academic institutions, health
6 science centers, and public teaching
7 hospitals.

8 I want to begin by thanking you and
9 your colleagues in the Legislature for
10 restoring \$19 million that Steve alluded to
11 last year in the budget for our SUNY
12 hospitals while also stemming efforts to
13 bring about privatization of at least one of
14 those hospitals.

15 We also thank you, and it's
16 specifically appropriate today, for the good
17 work that you did to restore funding for EOP.
18 There are over 400 students meeting with your
19 colleagues right now as we speak, testifying
20 to the importance of EOP for their continued
21 academic success and future movement
22 hopefully into the middle class as productive
23 citizens of the State of New York.

24 In the interests of time, our

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1 testimony is extensive and it is detailed on
2 certain areas because there are so many
3 questions that are raised by proposals that
4 both the Chancellor and the Governor have
5 made. However, I just want to zero in on a
6 couple of points.

7 To begin with, the Governor referring
8 to his opportunity agenda, I believe, is in
9 error. It is a lost opportunity agenda. It

10 is a combination of take-aways and giveaways
11 that really undermine the State University of
12 New York and the futures of our students.

13 First, taking away funding for EOP.
14 Taking away the opportunity to succeed in our
15 teacher preparatory programs. Taking away
16 funding for our hospitals while at the same
17 time providing funding for an incentive
18 program for campus presidents to open their
19 doors for further exploitation under the
20 START-UP NY program -- again, under that
21 program, requesting \$109 million for tax
22 subsidies for corporations who take advantage
23 of this program. These are giveaways that
24 unfortunately are matched by take-aways from

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1 the students who are the future of our state.

2 In our requests and in our program we
3 focus again on the idea of a legitimate,
4 extensive maintenance of effort for the
5 State University of New York. We also
6 request that the Legislature stand firm, as
7 it has, in defending our excellent teacher
8 preparatory programs and our teaching
9 hospitals. And then again, as it is
10 necessary -- once again the Governor has cut
11 funding for EOP -- we need to have that
12 funding increased so that more students can
13 take advantage of this important program.

14 I want to turn to what Steve alluded
15 to regarding the performance-based funding

16 and draw your attention to the part of my
17 testimony that zeros in on what has happened
18 in other states where such a program has been
19 put in place. Two states in particular stand
20 out as worthy of our attention: one is
21 Washington State, one is Florida.

22 In research that was done over the
23 past couple of years, this is what was
24 concluded. Many of the universities failed

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1 to improve performance because they lack
2 adequate resources to make those achievements
3 possible, the achievements established under
4 any sort of metric program. Findings from
5 studies show, and this is crucial, that
6 student outcomes are related to student
7 profiles, institutional characteristics, and
8 state environments, but are not -- and I
9 repeat not -- enhanced by performance funding
10 policies. And yet that is the direction in
11 which the Governor and SUNY are moving.

12 Second, in the area of the teacher
13 preparatory programs, we know what the
14 Governor has proposed. In his State of the
15 State address the Governor took direct aim at
16 New York State's teacher preparatory programs
17 indicating that programs and college where
18 students perform poorly on certification
19 exams should be and would be closed.

20 The Governor's plan is grounded in the
21 New York State Education Department's deeply

22 flawed and poorly implemented new system of
23 teacher certification exams. If enacted,
24 these proposals could lead to a dramatic and

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1 irreversible decline in college-based teacher
2 preparation programs, reduced teacher
3 education access and diversity, and create an
4 educationally unsound standardization of
5 teacher education curricula.

6 First and foremost, the Governor's
7 proposals are based on unfounded assertions
8 about the state of teacher preparation in
9 New York. The Governor has no solid
10 foundation for the persistently negative
11 statements he has made about the quality of
12 college-based teacher preparation programs
13 and the preparedness of their graduates.
14 In fact, there is substantial evidence to
15 indicate that continuous efforts to improve
16 teacher preparation are yielding significant
17 gains.

18 Recent research has analyzed 25 years
19 of data on the academic ability of teachers
20 in New York State. That study, conducted by
21 a team of education policy researchers from
22 Stanford, University of Virginia,
23 North Carolina State University, and SUNY
24 Albany concluded that academic ability of

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1 both individuals certified and those entering

2 teaching has steadily increased since 1999.

3 Second, the Governor's proposals are
4 based on conclusions drawn from invalid
5 certification exam pass rate data. In
6 November 2014, SED released
7 institution-specific pass rate information
8 for all four high-stakes requirements for
9 initial certification for teaching: the
10 edTPA, the Academic Literacy Skills Test,
11 Educating All Students Exam, and the Content
12 Specialty Tests. NYSED's existing exam pass
13 rate data are not accurate. SED did not even
14 verify the data with institutions.

15 In sum, what the Governor is proposing
16 is to eliminate, potentially, programs that
17 have proven their effectiveness while in fact
18 basing any analysis on the future of these
19 programs on faulty data and on a process for
20 rolling out these assessment programs that
21 was and remains deeply flawed.

22 I was dumbfounded to hear the
23 Chancellor report this morning that the
24 TeachNY task force was addressing these

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1 issues. I am on this task force. At the
2 first meeting, we were told that in fact the
3 edTPA process was done and dusted -- those
4 were their terms. This is complete, it's
5 moving forward. We're going beyond this, we
6 were told.

7 It was at that point that I decided,

8 looking around the room, that since not one
9 individual on this task force was actually
10 someone engaged in the teaching in our
11 teacher prep programs, I should step aside
12 and allow someone from my union to serve in
13 my place, which I've done. This is an
14 academic from Stony Brook University, and he
15 has been at these meetings. There has been
16 no discussion of these issues that we have
17 raised in UUP and in PSC over the last year
18 and that legislators have asked continuously
19 for answers from SUNY about.

20 These answers have not been
21 forthcoming, the process continues to move
22 forward, and now that process, flawed as it
23 is, is going to be used potentially to
24 threaten our teacher prep programs.

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1 Similarly -- I just want to say one
2 thing about the teaching hospitals. In the
3 Governor's proposed budget there is a sum of
4 \$700 million targeted at Kings County,
5 specifically the Brooklyn hospital situation,
6 for all the hospitals in Brooklyn.

7 I was astounded again to hear that
8 SUNY was making no plans to work for any part
9 of that funding to alleviate the stress
10 undergoing a lot of the hospitals in
11 Brooklyn, but obviously and most importantly
12 Downstate Medical Center, a part of SUNY.

13 I cannot understand how SUNY would not

14 want a share of those funds in order to
15 provide a transition for that facility to
16 ambulatory care centers, which is where the
17 Affordable Care Act is taking healthcare, and
18 as we have proposed for the past couple
19 years. It's where it needs to go in terms of
20 healthcare but also for the training of
21 future physicians.

22 I think what's imperative is for the
23 Legislature to continue to ask the most
24 important and difficult questions of SUNY and

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1 members of the executive branch to ensure
2 that you will continue to do the good work
3 that you have in defending SUNY. The
4 students who are there now depend on you and
5 also those students to come in future years.

6 Thank you.

7 CHAIRMAN FARRELL: Thank you.

8 DR. BOWEN: Good afternoon. I'm
9 Barbara Bowen, professor at the City
10 University of New York and president of the
11 Professional Staff Congress. I'm honored to
12 be here and honored to represent the faculty
13 and staff, a few of whom you see behind you,
14 emphasizing our urgency about getting a full
15 maintenance of effort. And I'm joined by
16 Professor Steve London.

17 Because of the length of the day --
18 and I do appreciate very much those of you
19 who have stayed and continue to be engaged

20 with us all day, but because of that I won't
21 read our full written testimony, much of
22 which is similar to the points that you have
23 heard already from our colleagues at NYSUT
24 and UUP. We share their severe concern about

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1 the performance funding, about the treatment
2 of teacher preparation programs, and several
3 of the other issues mentioned.

4 But I want to concentrate just on four
5 things. I want to concentrate on the full
6 funding for the maintenance of
7 effort funding. I want to talk about our
8 contract which the chancellor of CUNY
9 mentioned earlier, about the disinvestment
10 history of CUNY. This is the backdrop for
11 all of our testimony. And finally, just
12 briefly, about some of the hidden dangers of
13 the performance measures, vague as they are,
14 that the Governor has introduced at a stroke
15 with no research, no documentation to
16 support, no evidence that they will work.

17 Four years ago Albany made a promise
18 to the students of CUNY and SUNY. The
19 promise was that every dollar of the painful
20 24 percent increase in tuition would be used
21 to enhance education, to add faculty, reduce
22 class size, expand program offerings. Those
23 are the Executive's own words. The students
24 and their families would pay more and the

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1 state would do its share by maintaining
2 funding levels and covering increased
3 mandatory costs.

4 That was the promise of NYSUNY 2020,
5 and that's the structure that also has
6 governed CUNY funding. If you look at the
7 Executive Budget this year, you'll see that
8 three times it mentions the promise of going
9 on forward with 2020. The promise is that
10 funding from the state for CUNY and SUNY is
11 stable. The word "stability" I think occurs
12 three times there.

13 It is a complete myth that the funding
14 is stable. You can't say the funding is
15 stable when \$63 million in recurring
16 mandatory costs are not funded. You can't
17 say it's stable when over the last years
18 since 2011 there's been a total of
19 \$290 million of students' new tuition revenue
20 that was designed, even in the Executive's
21 own words, to go to enhancements that had to
22 be diverted to things like keeping the lights
23 on.

24 That was not the promise, and that

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1 myth that that promise has been kept
2 underlies the entire document of the
3 Executive Budget for higher education for the
4 future.

5 So before we talk about moving forward
6 on higher education, I think it's up to the

7 Legislature to be very firm on what that myth
8 is and how damaging it is to CUNY and SUNY,
9 and above all how damaging it is to the
10 students and families who found ways to put
11 up another \$300 a year in tuition -- for some
12 of our families, that is an enormous amount.
13 More than half of CUNY students come from
14 families whose annual income, is under
15 \$30,000 a year, so \$300 is significant.

16 They came forward with that money, and
17 in return they expected that the offerings at
18 CUNY and SUNY would be enhanced. Why do we
19 need enhancements? Because of a backdrop of
20 decades of disinvestment, underinvestment in
21 SUNY and CUNY.

22 In the past 25 years we have seen
23 dramatic disinvestment, which we emphasize in
24 the series of charts that we gave. You can

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1 see in the various pie charts how the state's
2 share of both the community college and the
3 senior college, four-year college funding has
4 shrunk. That's the blue part. And the
5 student share, which is the green part, has
6 grown.

7 The burden has already shifted, and
8 the idea of the increase and the rational
9 tuition -- which, you know, the union
10 opposed, because we foresaw exactly what
11 would happen and has happened -- but the idea
12 was based on the premise that state funding

13 would remain stable.

14 We are asking the Legislature this
15 year, as the original SUNY 2020 comes to an
16 end, to take a very firm stand and insist
17 that true maintenance of effort be produced.

18 We also brought a one-page summary of
19 what has happened to this promise. And
20 you'll see here how the actual funding is not
21 matched by the need, and those are basic
22 needs. The CUNY chancellor spoke about them,
23 we agree entirely on what they are. And as a
24 result, a significant part of the new tuition

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1 dollars put in by students on the premise of
2 enhancements, that has been gouged out to pay
3 for heating bills, lighting bills, and
4 collective bargaining step increases.

5 Which brings me to my next topic,
6 collective bargaining. You heard the CUNY
7 chancellor speak about this today. We have
8 had five years without a contractual increase
9 at CUNY. I don't come to you to ask you to
10 negotiate our contract. We are aware of
11 where that negotiation occurs. We ask for
12 your support especially in funding the
13 maintenance of effort provision that would
14 include collective bargaining increases.
15 Without that, CUNY is forced to absorb any
16 increases to the faculty and staff.

17 And just to give you an idea of how
18 this hurts us, to give you one sense, at the

19 end of our last contract, where our salaries
20 still are, a full professor at CUNY on
21 average earned \$114,000. A full professor at
22 Rutgers with a smaller teaching load earned
23 \$141,000. Rutgers is a direct comparison to
24 us. At NYU, that professor would have earned

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1 \$176,000, and at Columbia \$170,000. That's
2 compared to 114 at CUNY.

3 What does that mean for us when we're
4 competing for faculty? When CUNY advertises
5 a faculty position, it's advertised
6 nationwide. And we are often in competition,
7 as some of you know, directly with Rutgers,
8 SUNY, sometimes NYU, Columbia. Our salaries
9 have not kept up. We find over and over
10 people turn down the offers at CUNY. That's
11 a direct consequence of the failure to
12 produce money for our collective bargaining
13 increase.

14 We have worked very cooperatively with
15 the CUNY administration, we can come to a
16 negotiated agreement with them -- I'm
17 confident, and I think you heard that from
18 them today -- but there needs to be funding.

19 One consequence of the disinvestment
20 from the state is the massive reliance on
21 adjunct faculty, whose underpaid labor allows
22 CUNY to stay afloat as its enrollment rises.
23 That is the little secret behind CUNY's
24 budget. CUNY is dramatically, vastly

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1 underfunded. The per-student funding is much
2 lower than the average nationally.

3 How does CUNY teach all those
4 students? It underpays half the faculty by
5 having part-time and contingent faculty.
6 That must be addressed, and that's part of
7 what we're seeking to address in our
8 contract.

9 So these are all part of why we feel
10 an urgency about your working with us. And
11 as you have in the past, we are so grateful
12 for the restorations you made last year to
13 SEEK, to the ASAP program, to the Murphy
14 Institute, to the mandatory costs. We are
15 incredibly grateful for those, but we're
16 really asking for something different this
17 year. And I want to talk about the
18 performance funding, but before I do, I want
19 to say that this year we are asking you to
20 prioritize higher education funding in the
21 high-level state budget negotiations.

22 It will not solve the problem that
23 faces us to limit the higher education
24 funding and the decrease to higher education

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1 in the budget to the negotiations that come
2 at the very end of the major negotiations to
3 the table targets that contain inadequate
4 amounts of money and do not allow you as the

5 Legislature to fund, I think, what you seek
6 to fund.

7 Let's be frank about it. We are not
8 going to solve this problem of the
9 maintenance of effort which you did not
10 create, which you have worked against -- but
11 it will not be solved unless higher education
12 is right there in the primary budget
13 negotiations.

14 This is the year to do that, for two
15 reasons. One, this is the year that we're
16 going to see the end of the current SUNY 2020
17 provision, and we're looking at something
18 new, so it must be done this year.

19 And the other reason is that we have
20 never seen as much national conversation
21 about higher education as this year. We have
22 the President of the United States calling
23 for free community college tuition -- where
24 in New York, the Governor's budget cuts

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1 community college tuition. We have the
2 President citing a CUNY program, ASAP, as the
3 model for community colleges for producing
4 good results with more investment, and we
5 have the Executive Budget calling to cut that
6 program.

7 But there is so much focus nationally
8 on higher education, on college
9 affordability, on student debt, on
10 graduation -- this is the year for the

11 Legislature to take a public stand, and we
12 know what that means, to say that there must
13 be full funding of the maintenance of effort,
14 including the mandatory costs.

15 I'll just address two more things and
16 then hope that you will have some questions.
17 One is the history of disinvestment in CUNY
18 which has led to the consequences you have
19 heard, and really shortchanges students. I
20 mean, it's as simple as that. The ASAP
21 program shows if you increase the per-student
22 investment, students graduate at quadruple
23 the expected rate.

24 And here's another piece of that that

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1 I think is really worth thinking about --
2 that actually, in the long-term, investing
3 more per student creates less cost per
4 graduate than under the current system.
5 Because each of the students in the ASAP
6 program is much more likely to graduate, so
7 that the investment produces a lower cost per
8 graduate. And I think it's worth looking at
9 that sort of counterintuitive piece of
10 information.

11 So we strongly support the need for
12 more investment in the community colleges and
13 join the others in calling for \$250 per FTE.

14 I just want to end by saying one thing
15 about the performance measures. As you have
16 heard, the Executive Budget proposes without

17 any justification, without any research, any
18 proof that this will work, the idea that you
19 should -- that the state will reduce the
20 already inadequate budget for SUNY and CUNY
21 by 10 percent, state funding by 10 percent,
22 and hold that 10 percent hostage to certain
23 undefined performance measures, one of which
24 includes student outcomes.

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1 We have already heard people at CUNY
2 who understand our student demographics,
3 understand what happens, saying we know there
4 are very quick ways to increase outcomes.
5 One is to reduce quality so students can zoom
6 through. Yes, they graduated, but what is
7 the quality of their education? And two is
8 to bypass the students for whom CUNY is a
9 lifeline, the students who are our mission,
10 and find students who can pay more, who have
11 had more advantages in their education, and
12 are likelier to have better test outcomes.

13 And I fear that the danger -- I won't
14 say the purpose, but the danger of the
15 performance measures is that they will press
16 institutions to seek students other than the
17 74 percent students of color at CUNY, the
18 students who are poor and working class, the
19 40 percent immigrants, the 42 percent of our
20 students who work, that those performance
21 measures will form a very strong pressure on
22 institutions to bypass those students and

23 instead seek students who are more likely to
24 produce quick outcomes or else to take our

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1 students and offer them less.

2 So we ask you to reject that idea and
3 to continue the strong work that you have
4 done in funding CUNY and restoring funds in
5 past and actually to go beyond that this
6 year, a crisis year, and to insist with the
7 executive branch that a primary part of
8 funding in this year's budget must be
9 restoration of the full maintenance of
10 effort.

11 So we're here to ask you on behalf of
12 the 27,000 members of the PSC faculty and
13 staff, many of whom you see here, and we ask
14 every member of the Legislature to take a
15 public stand against the underfunding of CUNY
16 and SUNY and a public stand to redeem
17 Albany's promise to the students and families
18 of the state. We ask you to work with us to
19 set a course to reclaim higher education in
20 New York State and to create a system that
21 does not lead to more broken promises.

22 Thank you very much.

23 CHAIRMAN FARRELL: Thank you.
24 Senator?

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1 CHAIRMAN DeFRANCISCO: Senator
2 Krueger.

3 SENATOR KRUEGER: Thank you.

4 Just very quickly. So \$344 million
5 additional is needed just for maintenance of
6 effort; is that correct?

7 DR. BOWEN: Sixty-three million --
8 62.9 for CUNY.

9 SENATOR KRUEGER: Okay. I think in
10 Steve's it was -- it added up to 344?

11 MR. ALLINGER: I'm looking for the
12 sheet of paper -- I think what we're calling
13 for is \$226.1 million, of which I think
14 \$131.4 million is the majority, of course,
15 for maintenance of effort in SUNY. I think
16 we're at a \$118.4 million increase for CUNY,
17 and the majority of this funding would be to
18 cover mandatory costs.

19 DR. KOWAL: And in fact, Senator, it
20 directly reflects, in the case of SUNY, the
21 SUNY Board of Trustees policy that was passed
22 in December. That was actually originally
23 their number-one priority, was that exact
24 amount, which is to take care of the

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1 negotiated collective bargaining increases
2 that literally have been eaten by the
3 institutions themselves and specifically by
4 tuition dollars, which is clearly not the way
5 that the Legislature intended the maintenance
6 of effort to be spent.

7 SENATOR KRUEGER: One or all of you
8 testified that we're at the five-year mark of
9 the rationalization of tuition, or whatever

10 we call that. So what happens now? Is there
11 any discussions for either university that
12 they're saying they're automatically
13 continuing to raise the tuition, or are they
14 done because we had that five-year trial?

15 DR. BOWEN: Right. Well, I'll start
16 on that.

17 Typically, as you know, the
18 universities would seek authorization as part
19 of the budget to have a part of the increased
20 revenue come from tuition increases. That's
21 how the so-called rational tuition policy
22 arose. And as you know, the PSC has always
23 pointed out that there was nothing rational
24 about that, because it would just lead to

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1 holes in the budget which then students'
2 money would be used to fill.

3 And also there is the increase -- the
4 increase is still the increase. Whether you
5 see it coming or not, it's still going to
6 hurt your family. So the myth that, you
7 know, it was somehow okay because it was
8 rational I think really needs to be examined.

9 The institutions would do what they
10 have done in the past and look at their total
11 budget and might seek authorization for
12 further tuition increases that could be
13 written into future budgets. And what we
14 feel is that it would be completely
15 unjustified to increase tuition further.

16 Especially at a time when the President is
17 calling for free tuition in the community
18 colleges, it would be completely irrational
19 to increase tuition.

20 What needs to happen is that the
21 promise of stable state funding for CUNY and
22 SUNY, which is written throughout that
23 document, that that stable state funding
24 actually occur. And then we could have a

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1 conversation about what to do next.

2 DR. KOWAL: I would echo what Barbara
3 had said. Because I think that it is
4 imperative that before any discussion about
5 the future plans, whatever they may be,
6 concerning tuition are discussed, that there
7 needs to be a commitment by the state. And
8 we would like to see it coming most directly
9 first from SUNY, and from the Governor,
10 secondly from the Governor, a full commitment
11 by the state to fund the State University
12 system.

13 Because since 2008 there has been over
14 a 30 percent cut in the state funding for
15 SUNY, and the only thing that has kept it
16 from being worse is the efforts of the
17 Legislature to keep funding somewhat more
18 reasonable.

19 The other part of this, of course, is
20 that student debt continues to rise. And it
21 is in my testimony, and I didn't allude to it

22 in my oral presentation, but we are
23 disappointed by the Governor's proposal
24 because it does not address the heart of the

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1 crisis. The heart of the crisis is those
2 students who graduated between 2008 and 2014.
3 That's where the debt ballooned, that's the
4 issue that needs to be dealt with.

5 And then to say at the same time that
6 you have a very small-scale plan for debt
7 while at the same time planning for
8 continuous tuition increases -- you know, it
9 might just be a \$300 increase to us, but
10 after 10 years it's a \$3,000 increase. This
11 thing continues to grow and becomes an
12 accepted way of doing business without the
13 funding coming from the state.

14 We're also disappointed that SUNY has
15 not advocated as strongly as it really needs
16 to for the funding that Steve mentioned.

17 MR. ALLINGER: Senator, I also want to
18 add that SUNY and CUNY are on the hook for
19 the difference between tuition levels and the
20 maximum TAP. So that you have a rob-Peter-
21 to-pay-Paul with tuition increases going on
22 that's exacerbating the problem with not
23 meeting the promise of covering the
24 maintenance of effort cost.

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1 So if that issue isn't addressed,

2 you'll actually divert more money out of
3 teaching and learning to cover the gap, the
4 growing gap between the TAP maximum and the
5 tuition levels.

6 DR. BOWEN: I'd like to add just
7 briefly the Get On Your Feet -- that's what
8 it's called -- Student Loan Program. You
9 know, it has a great little title and
10 everybody wants students to get on their
11 feet, but I'd ask you to look at that again.
12 It's a very small program, but what it does
13 is actually diverts money that should go into
14 TAP.

15 Let's just do needs-based, let's just
16 do funding for that gap between the maximum
17 TAP and the actual cost of the tuition.
18 Let's put money into the base budget so the
19 tuition doesn't have to go so high.

20 It appears to be a nice program, and
21 everybody would like to support those
22 students, but it really doesn't end their
23 indebtedness, it just defers it. And that
24 money would be much better spent in

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1 addressing the basic problem, which is the
2 cost and the state's failure to keep up over
3 years and years.

4 SENATOR KRUEGER: I'll ask you other
5 questions offline because we're so far behind
6 today. Thank you.

7 DR. BOWEN: Thank you, Senator

8 Krueger.

9 CHAIRMAN FARRELL: Any other
10 questions?

11 SENATOR STAVISKY: I -- I'll ask.

12 SENATOR KRUEGER: Senator Staviskey.

13 SENATOR STAVISKY: Thank you for
14 coming.

15 You've already answered in your
16 testimony many, many of the issues that I was
17 going to bring up. But you mentioned what I
18 had been calling the TAP gap, the difference
19 between what TAP pays and what the tuition
20 charges are. And I find this very troubling,
21 because too much -- and historically this has
22 been a problem -- too much of the burden has
23 fallen on the student and not upon the state,
24 who has an obligation to provide the funding.

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1 When the so-called rational tuition
2 policy was enacted, both chancellors of CUNY
3 and SUNY had promised that they would make up
4 whatever gap there is. Is it your experience
5 that they have kept their word on this? Or
6 is there an actual -- a gap?

7 DR. LONDON: There certainly have --
8 at CUNY, they've taken care of the gap for
9 students but that's by absorbing the cost.
10 And so it shows up elsewhere.

11 I do want to make one other comment,
12 and that is that while the CUNY chancellor
13 did say that 80 percent of graduates graduate

14 debt-free, "graduates" is a key part of that
15 frame. Part-time students who are not
16 full-time are not in those statistics.

17 A large percentage of our students are
18 part-time. TAP essentially does not cover
19 part-time students. It's very important that
20 you heard earlier our concern about funding
21 TAP for the Dreamers. Also it's important to
22 fund for graduate students as well, who had
23 TAP taken away from them.

24 I would say, you know, there's no --

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1 there's really no benefit in trying to pit
2 one against the other. Dreamers are
3 important, part-time students are important,
4 graduate students are important.

5 DR. KOWAL: Senator, yes, in the case
6 of SUNY there has not been an addressing of
7 the issue except in that campuses have been
8 forced in essence to eat the gap. And this
9 has been a real problem at some of the
10 campuses where there is a much more heavy
11 enrollment through TAP -- specifically a
12 campus like Morrisville, where the costs have
13 become very high in terms of covering that
14 gap, and some of our other campuses.

15 You do get a differentiation among
16 campuses, but in fact the burden has fallen
17 on the campuses.

18 SENATOR STAVISKY: Thank you.

19 Very quickly, I don't know if you were

20 here for the SUNY and CUNY chancellors'
21 testimony, but is there anything you want to
22 say in support or criticism of what -- in a
23 very concise manner? It's like a short
24 answer instead of an essay.

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1 DR. KOWAL: I think, first and
2 foremost, I am disappointed that the
3 chancellor continues to not want to advocate
4 aggressively for the kind of maintenance of
5 effort that's required, first.

6 Second is the heavy emphasis through
7 the metrics in the performance-based funding
8 and in other areas where really there is an
9 intent to turn SUNY into a means by which
10 private corporations can get tax-free status,
11 can make more profits.

12 Now, we want a growing economy,
13 certainly, but at the same time what I see is
14 an abandonment of the academic mission of the
15 university. And when you look at
16 performance-based funding, really discounting
17 liberal arts degrees and what they bring to
18 an educated citizenry and educating the whole
19 person, I think that's a deeply flawed
20 approach.

21 And lastly, again, we are still
22 waiting for SUNY to make a long-term, strong
23 commitment to the teaching hospitals and the
24 Health Science Center in Buffalo, and again

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1 that was not forthcoming today either.

2 SENATOR STAVISKY: Thank you.

3 DR. BOWEN: Thank you for the
4 question. Whoops, we lost our mic. Okay,
5 thank you for the question.

6 Just briefly, we were pleased to see
7 the CUNY administration name up-front the
8 need for a full maintenance of effort. They
9 might have been a little bit more gentle and
10 polite in the way they did it, but that was
11 their message.

12 We were also very pleased that the
13 chancellor spoke to you about the fact that
14 our contract needs to be funded. There needs
15 to be funding for an offer, he felt, before
16 the contract could be produced. We believe
17 that it's the board's responsibility to
18 produce a contract, they've got to get the
19 money, but that was very important to have
20 raised.

21 We also support CUNY's request on
22 capital. We didn't speak about that today,
23 but it's in our testimony and we support
24 their request on operating.

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1 However, we are concerned that there
2 was not a lot of questioning of the
3 performance measures. The chancellor spoke
4 briefly about that. We are concerned about
5 the productivity inducements that might be
6 part of these performance incentives and also

7 the student output measures, as they say, so
8 we have concerns about that.

9 And we'd also like to hear the CUNY
10 administration talk more fully about
11 professional staff. We heard a lot about
12 faculty. Professional staff are key in our
13 university, and part-time faculty are key to
14 the university. And when the university
15 rests on their labor, their underpaid labor,
16 their undersupported labor, that should be
17 seen as a state of emergency. It should not
18 be normalized as acceptable for a university.

19 So we always call on them to see that
20 as it is, a true state of emergency.

21 CHAIRMAN DeFRANCISCO: Thank you.

22 CHAIRMAN FARRELL: Thank you.

23 SENATOR KRUEGER: Thank you very much.

24 CHAIRMAN FARRELL: Any questions?

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1 Thank you very much.

2 (Applause.)

3 SENATOR KRUEGER: I think applause is
4 new this year, isn't it?

5 CHAIRMAN DeFRANCISCO: Yeah.

6 CHAIRMAN FARRELL: The Yankees don't
7 get it anymore, so ...

8 CHAIRMAN DeFRANCISCO: In this case it
9 was the administration of each SUNY and CUNY
10 to try and go into the negotiations in a much
11 more favorable state.

12 DR. BOWEN: (Inaudible.) I'd love to

13 talk to you about that, but our time is up.

14 CHAIRMAN DeFRANCISCO: All right. I

15 know we don't want any more tests.

16 DR. BOWEN: (Inaudible.)

17 CHAIRMAN DeFRANCISCO: All right,

18 great.

19 CHAIRMAN FARRELL: Laura Anglin,

20 president, Commission on Independent Colleges

21 and Universities.

22 (Discussion off the record.)

23 CHAIRMAN DeFRANCISCO: Whenever you're

24 ready.

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1 MS. ANGLIN: All right, I'm ready.

2 CHAIRMAN FARRELL: All right.

3 MS. ANGLIN: Good afternoon. Thank

4 you, Chairman DeFrancisco and Chairman

5 Farrell and all the other distinguished

6 members here today. I am Laura Anglin,

7 president of the Commission on Independent

8 Colleges and Universities, and I represent

9 more than 100 private, not-for-profit

10 colleges here in New York State.

11 And I do appreciate, after this very

12 long day, your being here to listen to my

13 perspective on the independent sector of

14 higher education.

15 You each have a copy of my testimony,

16 which is included in the back pocket of our

17 new publication "The Value of Independent

18 Higher Education." I'm not going to read it;

19 it's quite lengthy, and I know the hour is
20 late. So I'm just going to highlight a few
21 points that are in there, and then I'll be
22 happy to take any questions.

23 For those of you who were unable to
24 make it out to the Well, I just wanted to

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1 point out that we had our Student Aid
2 Alliance Advocacy Day today. We had close to
3 1,000 students in town from all points across
4 the state, both from public and private
5 universities and colleges, and it was just a
6 great day to have them stand here and
7 advocate for all the wonderful programs that
8 you've supported over the years.

9 Just a few facts about our sector that
10 I usually like to share every year when I do
11 this testimony is that currently we enroll
12 more than 490,000 students. We graduate
13 about 57 percent of all black and hispanic
14 students and, further, more than half of
15 independent-sector undergraduates who receive
16 TAP, about 52 percent come from families with
17 income less than \$20,000 and nearly
18 three-quarters have family incomes below
19 \$40,000.

20 And since 2000, our graduation rates
21 for first-time students earning a bachelor's
22 degree have increased steadily. And
23 currently our rate is about 69.1 percent for
24 a six-year graduation rate, and that number

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1 continues to increase.

2 Students in New York are extremely
3 fortunate to have an array of terrific
4 student aid programs that help them achieve
5 their college dreams, so thank you for your
6 long-standing support of these programs. I
7 just want to talk about a couple of them that
8 are very important to our students.

9 Of course, the Tuition Assistance
10 program is our number-one main financial aid
11 program. Eighty-four thousand students
12 depend on TAP annually to attend an
13 independent college or university here in
14 New York State. In the last legislative
15 session you helped secure the first TAP award
16 increase in over a decade and also
17 implemented important changes for orphans,
18 foster children, and wards of the court.

19 The increase of \$165 enacted last year
20 is a terrific starting point, and it is our
21 hope that together we can advocate for
22 enhancing the maximum award even more,
23 ultimately to \$6,500, to promote greater
24 access.

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1 As we look forward to how we can keep
2 TAP strong, there are some other provisions
3 that we also think would be important to
4 consider this legislative session. I heard

5 earlier talk about a possible reinstatement
6 of graduate TAP, and that is something we
7 would be very supportive of. And also
8 looking at other provisions such as
9 increasing the undergraduate TAP maximum
10 award for independent students, and
11 increasing the income eligibility ceiling for
12 these students.

13 And also we would like the opportunity
14 to talk with you about giving financial aid
15 officers the freedom to use their
16 professional judgment and have the ability to
17 update student and family income during the
18 year based on unforeseen circumstances that
19 can arise that can affect the student's
20 ability to continue achieving their college
21 education.

22 Another program of importance is the
23 Arthur O. Eve Higher Education Opportunity
24 Program, our HEOP program, that provides more

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1 than 4,500 students with support services and
2 financial aid. And what we find with these
3 students is they actually graduate at rates
4 above traditional students that just go
5 through the regular route for college.

6 The proposed increase in the
7 Governor's budget is a terrific starting
8 point so that we can serve more students. We
9 have an overwhelming demand for this program,
10 and as much funding as we can get, we can

11 use, trust me.

12 So last year we began a new five-year
13 funding cycle, and I am pleased to say that
14 four new members or new colleges in my
15 membership joined the program, increasing the
16 number of colleges to 53 currently in the
17 program.

18 Other opportunity programs which we
19 work very hard and are grateful to you for
20 your support are STEP and C-STEP. And
21 together we serve about 4,700 students in our
22 colleges and universities with these two
23 programs that we would love to see increased
24 funding for those as well.

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1 And also the Liberty Partnership
2 Program. This program provides tutoring,
3 mentoring, counseling, and promotes college
4 awareness to at-risk middle- and high-school
5 students, and we also support increased
6 funding for this program.

7 Our sector continues to be an economic
8 engine for the State of New York. In 2013 we
9 contributed in excess of \$74 billion to the
10 state's economy. Of that, about \$57 billion
11 of that was from institutions themselves. We
12 employ close to 400,000 individuals, and they
13 pay close to \$2 billion in state and local
14 income taxes. We are often among the top 10
15 employers in the state in our different
16 regions, and we have a payroll that exceeds

17 \$26.5 billion.

18 There are some provisions in the
19 budget that I just want to touch upon, and
20 then I'll be happy to answer any questions.

21 First is a regulatory reform provision
22 that the Governor included in his budget with
23 regards to program approval, and I know
24 you've spoken about that quite a bit today.

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1 Program approval is a major challenge also
2 affecting our independent sector, inhibiting
3 our schools from being nimble in focusing
4 their academic programs to best prepare their
5 students for the workplace upon graduation.

6 Currently 36 other states, including
7 California and Texas, have no regulatory
8 authority over approving academic programs.
9 In fact in 2012 Pennsylvania, one of our
10 major competitors in the Northeast, passed
11 and the governor signed into law a bill that
12 does eliminate their requirement that their
13 government body have program approval. And
14 Massachusetts is currently seeking similar
15 legislation and has been for a couple of
16 years now.

17 So in order to help keep businesses in
18 the state and attract new ones, program
19 approval streamlining to cover our sector of
20 higher education as well -- we really do need
21 to figure out a way to make this process
22 better.

23 In addition, a couple of other
24 programs that we believe should be funded are

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1 the Faculty Development Program and the
2 Technology Transfer Incentive Program. These
3 programs were reinstated last year and
4 funded. However, the Governor did not
5 continue the funding in this year's budget.

6 In addition, last year the STEM
7 Scholarship Program was enacted. And this
8 was a program for top high school students
9 who went into the STEM fields and promised to
10 stay in New York afterwards. It was the
11 first scholarship program that the state
12 entered into that was only made available to
13 students going to a SUNY or CUNY. All other
14 scholarship programs, the value of the
15 scholarship, usually equal to that of SUNY
16 tuition, is allowed to follow the student to
17 any school within the state.

18 So obviously we raised concerns last
19 year that our students were excluded from
20 this scholarship program. So once again, we
21 would love to see our students included in
22 that scholarship program as well as the new
23 Masters-in-Education Teacher Incentive
24 Scholarship Program the Governor is proposing

♀ 306

1 this year.

2 And finally, we are supportive of the
3 Governor's loan forgiveness program. We look

4 forward to working with you on making that a
5 reality.

6 In closing, I would really like to
7 thank you for your support and the support
8 for our students with key aid programs that
9 help them achieve their goals. We have made
10 great strides together networking and working
11 for students, but as we know, more and more
12 high school students choose to pursue their
13 college dreams, and the demand continues to
14 grow. We must work together to make sure
15 adequate resources are provided.

16 I look forward to building on last
17 year's gains, and I'm happy to take any
18 questions you might have.

19 CHAIRMAN FARRELL: Thank you.

20 Questions? Senator.

21 CHAIRMAN DeFRANCISCO: I didn't see
22 anything in here about the cost, the tuition
23 cost of any independent colleges. Is there
24 something in your chart that shows that?

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1 MS. ANGLIN: Well, it varies greatly.
2 There could be tuition that could be less
3 than \$10,000, ranging up -- so the diversity
4 of the membership would be very different.
5 We're happy to probably try and do a range
6 for you and provide that to you based on the
7 size of the institution.

8 CHAIRMAN DeFRANCISCO: Yeah, this is
9 what occurred to me over time, and I've never

10 asked the question. So you get the first
11 chance to answer it.

12 MS. ANGLIN: Sure.

13 CHAIRMAN DeFRANCISCO: Every year we
14 have rallies up here for students to get TAP,
15 to get this or that, because we've got to
16 fight for the students so that they have an
17 opportunity, opportunity -- but every year
18 I've noticed that independent colleges raise
19 their tuition much, much higher than the rate
20 of inflation.

21 Now, it seems to me that everybody
22 seems to be under a financial burden to make
23 sure you don't price yourselves out. But
24 apparently it's still a monopoly where you've

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1 got waiting lists for people to come into
2 independent colleges. So I guess that serves
3 the people that can afford it.

4 But I just think, and this is -- I'm
5 just formulating it as I'm talking -- I think
6 there should be some relationship in the
7 amount of TAP given in conjunction with the
8 amount of increases that the colleges are
9 giving each year. So that way there'd be an
10 incentive for the colleges not to take the
11 money and then some and look for the state
12 every year and bring students here to raise
13 Cain -- for their own benefit, obviously, and
14 they should.

15 So I'm just telling you, I'm going to

16 look into the amount of TAP funding being
17 dependent upon how the colleges maintain
18 reasonable increases of tuition.

19 So to do that, I would like to take
20 you up on your offer to see over the last,
21 say, 10 years -- not the average tuition,
22 because it's going to be skewed, but the
23 amount -- the percentage increases of your
24 membership for the last 10 years.

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1 MS. ANGLIN: Sure. And let me just
2 say a couple of points in response to that.

3 One, I think, first of all, 90 of my
4 members have an enrollment of 2,000 and less.
5 So they're smaller regional schools. So you
6 will not see dramatic swings in those
7 tuitions.

8 So typically what we're also seeing
9 now is that many of those schools are either
10 freezing tuition, they are promising incoming
11 students to cap the rate of growth in that
12 tuition, because families are concerned. So
13 we are happy to look at what -- we'll try to
14 do it by size if we can.

15 Obviously I don't know all the tuition
16 data, I don't know all the increases. That's
17 not something that I'm privy to. But we can
18 try to see what data is available. But I
19 think it will vary widely, and I'd love to
20 come and sit and talk further about it,
21 because I don't think everyone can be lumped

22 into the same basket, and that would be
23 concerning for me.

24 CHAIRMAN DeFRANCISCO: You have an

♀ 310

1 email list with all your members' colleges on
2 it?

3 MS. ANGLIN: I do.

4 CHAIRMAN DeFRANCISCO: Could you do an
5 email and say "I'm looking for your tuitions
6 and the percentage increases for the last
7 10 years because in the budget hearings we
8 were asked about it" and push the button to
9 get them all at once?

10 MS. ANGLIN: Well, I can do that. I
11 also want to ask about the legality of myself
12 doing that, because for many years there were
13 anti trust provisions that did not allow
14 colleges to compare their tuitions amongst
15 each other.

16 So I just -- I want to find what I can
17 get you that I am allowed to get you.

18 CHAIRMAN DeFRANCISCO: Okay. I've got
19 an idea. Would you give me the email list?
20 I'll push the button, and I'm not worried
21 about anti trust.

22 MS. ANGLIN: Okay. I will see what
23 I'm able to provide to you.

24 CHAIRMAN DeFRANCISCO: Okay. Thank

♀ 311

1 you.

2 CHAIRMAN FARRELL: Thank you.

3 Mr. Lupinacci.

4 ASSEMBLYMAN LUPI NACCI: Good

5 afternoon.

6 MS. ANGLIN: Good afternoon.

7 ASSEMBLYMAN LUPI NACCI: We've heard,
8 you know, through the Governor's budget and
9 his State of the State address looking at the
10 programs SUNY and CUNY already have in place
11 in terms of their sexual assault policies.

12 So obviously, looking at extending
13 into all colleges and universities across the
14 state, I just wanted to see what impact it
15 would have on independent colleges in the
16 state and what preparations you see will be
17 necessary in order to comply with the policy
18 change.

19 MS. ANGLIN: Sure. We currently --
20 the legislation provided as Article 7 is very
21 detailed and we are currently -- have formed
22 a small working group representative of the
23 membership, and we are going through the bill
24 line by line to figure out really what the

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1 bill does, make sure there's no conflicts
2 with what we're required at the federal
3 level, also make sure what the benefit is to
4 our students and to make sure that we are
5 able to administer that.

6 So we are in the process of doing
7 that. We told the Governor's office we would

8 do that, and I am happy to also share the
9 outcome of that evaluation with anyone in the
10 Legislature as well.

11 ASSEMBLYMAN LUPINACCI: There'll be
12 major changes in policies in terms of -- or
13 do you think it's, you know, pretty much --

14 MS. ANGLIN: I think it's going to
15 vary. I mean, some campuses already have
16 types of affirmative consent definitions,
17 some already have processes that are set up.
18 A lot of it is required under Clery and
19 Title IX, as you know. A lot of them already
20 have wonderful agreements and MOUs set up
21 with law enforcement, a lot of them do
22 climate surveys already, so it really varies.

23 And so I would try to pull together a
24 representative sample of the membership to

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1 try to see what people are currently doing
2 and how this would differ.

3 ASSEMBLYMAN LUPINACCI: Thank you.

4 MS. ANGLIN: You're welcome.

5 CHAIRMAN FARRELL: Thank you.

6 SENATOR KRUEGER: Senator Toby
7 Stavisky.

8 SENATOR STAVISKY: Very quickly, I
9 know we have discussed this in the past, but
10 the Governor in his Executive Budget has
11 proposed a \$30 million appropriation in HEcap
12 money -- Higher Education whatever it stands
13 for, it's for construction money. And it

14 provides for a three-to-one matching ratio.
15 And I know we have discussed in the past the
16 question of tying it to endowments.

17 Is that something that you would
18 continue to suggest? In other words, those
19 colleges with large endowments will not have
20 a problem with the three-to-one, but there
21 may be smaller colleges which can use the
22 money. I think a perfect example is the time
23 you and I visited St. John's --

24 MS. ANGLIN: Sure.

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1 SENATOR STAVISKY: -- University,
2 which is across the street from my old
3 district, but they were the beneficiaries of
4 HEcap money.

5 MS. ANGLIN: I think the one -- I
6 think that's a very good question. You and I
7 have spoken about this previously. I think
8 that the one difference we have in the new
9 way that HEcap is being administered is the
10 competitive program, so that campuses have to
11 submit RGAs, they're calling it: Request for
12 Grants Applications.

13 So my guess, based on that, that if a
14 school is unable to meet a three-to-one
15 match, they will not be successful in winning
16 a competition.

17 So the first round that we have, if
18 you remember, was an allocation to each
19 school. So there was flexibility for a

20 waiver in that three-to-one match. Now,
21 under the proposal that the Governor has
22 structured, it's a competitive grant program.
23 So I'm not sure that we would be able to do
24 that at this point.

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1 SENATOR STAVISKY: Right.

2 MS. ANGLIN: But there are different
3 levels of funding in the competitive process
4 that schools can apply for, so it gives some
5 flexibility. And hopefully those who can
6 only make a smaller max will still be able to
7 avail themselves of the funding under the
8 smaller categories.

9 SENATOR STAVISKY: Right. Thank you.

10 SENATOR KRUEGER: Thank you. Just one
11 quick --

12 CHAIRMAN FARRELL: Senator?

13 SENATOR KRUEGER: Thank you. Just one
14 quick question.

15 In your testimony, under the second to
16 last section on Masters-in-Education Teacher
17 Incentive Scholarship Program, you quote that
18 70 independent-sector campuses confer
19 61 percent of the state's bachelor's and
20 graduate education degrees. Now, over the
21 course of several hearings now we have heard
22 concerns about the new ALST test --

23 MS. ANGLIN: The ALST.

24 SENATOR KRUEGER: Yes, ALST, thank

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1 you, and what a low passing rate there is --

2 MS. ANGLIN: Passing rate from the
3 students.

4 SENATOR KRUEGER: Are you seeing that
5 in your 61 percent of the education colleges?

6 MS. ANGLIN: We are seeing it mixed
7 across the board.

8 If you recall, last year we all worked
9 together for the edTPA and the concerns we
10 had for the passage rate of the edTPA, and we
11 received a safety net, a transitional period
12 where students would be able to -- and
13 schools would be able to ensure their
14 students can pass.

15 I heard plenty from our institutions
16 that, as we were going through the whole
17 conversation on edTPA, no one was focusing on
18 the other exams such as the ALST, and there
19 were concerns raised at that point. So when
20 SED made public the scores, which they did in
21 December, I believe, and we looked at how our
22 institutions did, I did reach out to SED and
23 ask whether there would be some type of
24 safety net also or transition period for

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1 these new exams. And I was told that's
2 something that they would look into.

3 So yes, certainly some of the schools
4 it's very much a large concern, that they
5 didn't feel that there was enough preparation
6 time for these exams and that students came

7 in midway and were required to take these new
8 exams. So we would be happy to have the
9 option similar to what we did with the edTPA.

10 SENATOR KRUEGER: So since some of
11 these schools with exceptionally low passage
12 rates are some of the probably best-known
13 education colleges in the world --
14 world-renowned, I would say -- is it possible
15 that this is just a bad test and that we need
16 to fix it?

17 MS. ANGLIN: I -- it's possible that
18 some people might say it's a bad test. I
19 think that you will see that there's a
20 spectrum of the schools that some of them did
21 well, some of them did okay, and some of them
22 didn't do as well. So it's a diverse mix.

23 So I would think that the rollout,
24 some of the materials that were made

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1 available probably a little too late, had an
2 effect on this. So it was a mix that some
3 schools did okay -- students did okay and
4 some did not. But it was not -- I could not
5 see an across-the-board pattern that I could
6 tell you about.

7 SENATOR KRUEGER: And you anticipate
8 that a year from now this problem will be
9 better?

10 MS. ANGLIN: I hope it will be better
11 a year from now as we go through this
12 process. But I think -- like under the

13 edTPA, I don't believe it was just a one-year
14 transition. I think we had a two-year
15 transition, or safety net. Something like
16 that would probably give the students time to
17 adjust to these new certification exams.

18 SENATOR KRUEGER: Thank you.

19 SENATOR STAVISKY: Thank you.

20 MS. ANGLIN: Thank you.

21 CHAIRMAN FARRELL: Thank you.

22 Next, the Honorable Inez Barron,
23 New York City Council. Running for a train.

24 SENATOR KRUEGER: You left the

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1 Assembly, but you just had to come back to
2 Albany in the snow, didn't you.

3 (Laughter; discussion off the record.)

4 CITY COUNCILMEMBER BARRON: I do want
5 to thank NYPIRG for yielding their space to
6 me. Thank you.

7 Good afternoon, Chairs Farrell,
8 DeFrancisco, LaValle and Glick, and members
9 of the Committee on Higher Education. I'm
10 Councilmember Inez Barron, and I have the
11 distinction of serving as the chair of the
12 Committee on Higher Education in the New York
13 City Council. Thank you for affording me
14 this opportunity to present testimony today
15 on the Executive Budget regarding higher
16 education.

17 What is our obligation as a society to
18 provide education opportunities? Is it our

19 responsibility to educate people so that they
20 can function and contribute to society --
21 improving social conditions, advancing
22 technology, sustaining and protecting the
23 environment, reaching goals of peaceful
24 coexistence? I say yes.

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1 If so, then it is required of those of
2 us charged with governing the people to equip
3 them with the tools: academic, trade,
4 artistic, intellectual, cultural and physical
5 to fulfill those objectives.

6 As this society expands in technology,
7 people in this country with only a high
8 school education will have limited access to
9 functioning productively in the emerging
10 economy. The employment trend has shown that
11 employment increases have been concentrated
12 at the lowest earning level and thereby
13 contribute to the expanding income inequality
14 chasm. Today the top 1 percent earn more
15 than the bottom 80 percent combined.

16 The City University of New York, CUNY,
17 was established in 1847 as the Free Academy,
18 with the premise that higher education was
19 not reserved as a privilege for the gentry
20 but a right for all those seeking it, without
21 regard to economic status. The goal of the
22 Free Academy was to provide access and
23 excellence. This shining example of quality
24 higher education existed as tuition-free for

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1 nearly 130 years, even withstanding the
2 economic depths of the Great Depression.

3 Fortunately, I was able to attend CUNY
4 because Hunter College was tuition-free and I
5 met the entrance requirements. Sadly,
6 tuition was imposed in 1976, during the
7 period of the backlash to gains of the civil
8 rights movement. Unfortunately, in 2011,
9 this legislative body adopted what was
10 presented as a "rational tuition policy,"
11 which imposes a yearly increase in tuition at
12 SUNY and CUNY colleges.

13 Today, 56 percent of CUNY's 270,000
14 degree students have household incomes of
15 less than \$30,000. Seventy-five percent are
16 people of color. Thirty-eight percent
17 experience food insecurity. Forty-two
18 percent experience housing insecurity. But
19 to date, CUNY's 24 institutions have produced
20 13 Nobel Prize winners -- five in medicine,
21 three in physics, two in chemistry, two in
22 economics and one in physical medicine.

23 In 1990, the state contributed
24 74 percent in aid to senior colleges and

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1 36 percent to community colleges. Tuition
2 accounted for 21 percent of senior college
3 budgets and 22 percent of community colleges.
4 But today, state aid only accounts for

5 52 percent at senior colleges and 26 percent
6 at community colleges.

7 Tuition contributions have risen to
8 47 percent at senior colleges and 44 percent
9 at community colleges. Recognizing the
10 burden that tuition imposes, and that
11 textbook costs and other fees are denying
12 some students an opportunity to attend
13 college, last year the New York City Council
14 allocated \$10.9 million to establish a
15 merit-based scholarship program which gives a
16 yearly \$800 award to students who maintain a
17 B average. This is a nominal amount, but
18 helps to defray some student costs.

19 President Barack Obama has boldly
20 advanced a plan for free tuition for the
21 first two years of college. The American
22 College Promise is an approach to expanding
23 education opportunities to many who have been
24 locked out. I would encourage the state to

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1 explore ways in which they can partner with
2 the federal government to make this a
3 reality. In conversation with CUNY
4 Chancellor James Milliken last year, he too
5 indicated his support for the concept of free
6 tuition for the first two years of college.

7 In addition to this merit-based
8 approach, I am also advocating for a
9 needs-based scholarship initiative for
10 students not covered by TAP and Pell. The

11 education spectrum is a continuum of
12 education from prekindergarten to
13 postgraduate. At the college level, the
14 enrollees are students who have come through
15 the system and completed secondary education.
16 Yet although New York City students graduate
17 being certified as having met the criteria,
18 woefully, only 21 percent are college or
19 career ready. This failure of schools, which
20 has deprived our children of their
21 constitutional entitlement to a sound, basic
22 education, is due to factors which include
23 inadequate teacher preparation and inadequate
24 funding.

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1 In 2007, after 12 years of litigation,
2 the court held that New York City was
3 entitled to \$5.6 billion to compensate for
4 the decades of underfunding by the state.
5 For the past several years, New York State
6 has ignored and defied that court decree. I
7 continue to call on New York State
8 legislators to honor its obligation as noted
9 in the Campaign for Fiscal Equity settlement,
10 so that New York City students will have
11 sufficient number of properly prepared
12 teachers, smaller class size, current texts
13 and technology, and highly effective school
14 leadership.

15 In CUNY community colleges, 75 percent
16 of the students are New York City graduates,

17 and, sadly, 78 percent of them need at least
18 one remedial course. This lack of adequate
19 preparation has necessitated -- has brought
20 about the need for remedial courses which,
21 for CUNY, have been relegated to community
22 colleges. It should be noted however, that
23 other so-called Ivy League colleges offer
24 remedial classes in their four-year

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1 institutions.

2 These programs are for high-potential,
3 academically underprepared, low-income
4 students at 185 percent of the FPL to gain
5 access to higher education, remain in school,
6 and graduate. These programs offer academic
7 support, counseling, career advisement, and
8 other best practices of successful student
9 performances.

10 The 8,207 students of the Percy Ellis
11 Sutton SEEK program receive a book stipend of
12 \$1,100 and the 2,509 College Discovery
13 students receive \$700. In 2002, my
14 predecessor, Council member Charles Barron,
15 saw the appalling situation of the paucity of
16 black males admitted to and retained in CUNY.
17 He cited this inequity as a reflection of the
18 historical racist policies, both de jure and
19 de facto; the continuing social conditions
20 that perpetuate poverty and income
21 inequality; unemployment and underemployment;
22 an education system that distorts and omits

23 our great African heritage; and underfunding
24 by both city and state.

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1 The result of attempting to address
2 this situation was the creation of the Black
3 Male Initiative. It is a stellar program
4 which operates on all CUNY campuses, is open
5 to all underrepresented groups of students,
6 and is now baselined in the New York City
7 budget.

8 The evidence of success of these
9 programs is encouraging. Compared to
10 non-program students, the one-year retention
11 rate is 9 percentage points higher. The
12 three-year graduation rate is 8 percent
13 higher, and the transfer to bachelor's
14 programs is 23 percent higher. At Baruch's
15 Opportunity Program, 89 percent earned
16 passing grades even though they were not
17 eligible for admission through the regular
18 admission process. Seventy-nine percent of
19 SEEK students and 80 percent of College
20 Discovery students earned a GPA of 2.0 or
21 better, and 43 percent of SEEK and 50 percent
22 of College Discovery students earned a 3.0 or
23 better. SEEK student Mark Smiley graduated
24 with a 3.99 grade point average and won a

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1 \$300,000 scholarship to medical school.
2 I call upon the New York State
3 Legislature to restore the proposed cuts to

4 these exemplary effective programs. The ASAP
5 program has gained national recognition but
6 is unjustifiably eliminated from the budget.
7 SEEK, College Discovery, the Joseph Murphy
8 Institute, childcare centers, and ATTAIN Labs
9 are all targeted for reduction, and it is up
10 to the Legislature to restore the funding and
11 consider increases needed to keep pace with
12 inflation.

13 The overall funding to community
14 colleges is proposed for a \$3.4 million cut.
15 And this represents 26 percent of the total
16 budget for community colleges, currently at
17 \$845.4 million. We cannot operate our higher
18 educational institutions based on raising
19 tuition that students pay. In fact, we
20 should be moving in the other direction of
21 reducing tuition costs until ultimately
22 higher education is tuition-free, an
23 entitlement of birth.

24 The Governor's plan to shift from

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1 funding based on enrollment to
2 performance-based will undermine the goal of
3 using education as an equalizer. This
4 corporate model will join policies that
5 perpetuate inequality in our society.

6 As a former New York City elementary
7 school principal, I certainly know the value
8 of preparing academic plans and setting
9 performance objectives. I was required to

10 meet or surpass the annual yearly progress
11 targets set by the state. But the Campus
12 Performance Improvement Plan, being the basis
13 of determining 10 percent of a college's
14 funding allocation, is divisive and furthers
15 the schism between schools. The impact of
16 providing greater financial allocations to
17 some schools over others will certainly
18 affect the ability of a school to provide
19 additional resources, greater variety of
20 course offerings, smaller classes, more
21 instructional staff and other educational
22 support. Likewise for the proposal to give
23 financial incentives to campus presidents for
24 their participation in START-UP NY.

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1 I think that the New York DREAM Act
2 should be a stand-alone bill, not tied to the
3 political positions regarding tax credits.
4 The higher education budget should also
5 increase funding to address the issue of a
6 lack of advancement of blacks and Latinos on
7 the tenure track to full professors. Over
8 the last 20 years there has only been a
9 1 percent increase in black faculty at CUNY,
10 and no significant pool of PhDs. There needs
11 to be a vibrant, aggressive recruitment plan.

12 The efforts on behalf of reducing
13 sexual assault on college campuses, providing
14 resources to survivors, and creating a safe
15 college environment must continue. Only

16 5 percent of persons who are assaulted report
17 the crimes to the authorities. Some of the
18 reasons cited were they did not think it was
19 important enough, they had been drinking, the
20 victims felt they would be treated like
21 criminals. We must expand the outreach to
22 students as to what constitutes sexual
23 assault and what bystanders should do.

24 In conclusion, I support CUNY's budget

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1 request, and I also oppose any cuts to the
2 SUNY Hospital. And I thank you for this
3 opportunity. If there are any questions, I
4 will be glad to answer them.

5 CHAIRMAN FARRELL: Thank you.

6 Any questions?

7 SENATOR KRUEGER: Thank you very much
8 for coming up and staying all day.

9 CITY COUNCIL MEMBER BARRON: Thank you.
10 I appreciate it. Thank you so much.

11 CHAIRMAN FARRELL: Bye-bye.

12 CITY COUNCIL MEMBER BARRON: Bye-bye.

13 CHAIRMAN FARRELL: Next, Aileen Sheil,
14 chair, board of directors, NYPIRG.

15 MS. SHEIL: Hi, everybody.

16 Good afternoon. My name is --

17 CHAIRMAN FARRELL: Good afternoon.

18 Who's that fellow next to you?

19 MS. SHEIL: Oh. Blair Horner, our
20 legislative director.

21 CHAIRMAN FARRELL: He used to be --

22 no, but no.

23 MS. SHEIL: We snapped him back.

24 Good afternoon. My name is Aileen

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1 Sheil. I'm the chairperson of the student
2 board of directors for NYPIRG, the New York
3 Public Interest Research Group, and also a
4 student at Queens College. Our board of
5 directors is comprised of public and private
6 college and university students elected from
7 campuses with NYPIRG chapters from throughout
8 the state.

9 We appreciate this opportunity to
10 share our perspectives on the 2015-2016
11 budget for higher education in New York
12 State. In addition, our hard copy offers
13 comments on other aspects of the Executive
14 Budget for fiscal year 2015-2016 that we're
15 submitting for the record. My verbal
16 comments of course will focus on higher
17 education, but we welcome questions on the
18 other topics if you may have any.

19 As you know, the demographics of
20 college students have changed and continue to
21 change as well. There are more women and
22 more nonwhites attending college now. There
23 are more students attending college than ever
24 before, both full-time and part-time. In

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1 recent years there has been a faster growth

2 in the enrollment of college students who are
3 over the age of 25 than those between 18 and
4 24.

5 As the college student population has
6 changed, its financial aid needs do as well.
7 Unfortunately, instead of making college more
8 affordable, state policies have made it less
9 so. At the same time the ability of the
10 typical New York family to absorb these costs
11 has been limited.

12 A recent survey found that the income
13 growth from 1979 through 2011 showed that the
14 wealthiest 1 percent of New Yorkers saw an
15 income growth of 241 percent, while the
16 bottom 99 percent saw an income growth of
17 only 8.5 percent. Moreover, the lower the
18 income, the more stagnant the wages.

19 This combination has eroded college
20 affordability. Stagnating state support plus
21 rising tuition that outpaces family income
22 growth has resulted in rising debt for
23 college students. For example, 60 percent of
24 New York college graduates now carry debt

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1 loads that exceed \$25,000.

2 Ensuring that TAP offers financial aid
3 to those students most in need, as well as
4 ensuring that the program is adapting to the
5 changing demographics of New York's college
6 student body, are important reforms that
7 should be put in place this year. We thank

8 the Legislature and the Governor for making
9 some progress in enhancing TAP as part of
10 last year's budget.

11 In our testimony, we detail
12 recommendations to modernize and reform TAP.
13 NYPIRG is part of the Reform TAP Coalition,
14 and we've attached the platform which
15 outlines the recommendations for the TAP. If
16 you guys have any questions on that we can go
17 into that as well, but for the sake of time,
18 the attachment is there.

19 Additionally, NYPIRG urges you to
20 address an important injustice affecting the
21 children of undocumented immigrants. In
22 2002, then-Governor Pataki and the
23 Legislature agreed to grant undocumented
24 students access to in-state tuition rates.

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1 Moreover, in most instances, these
2 college-ready students have gone through the
3 state's K-12 education system, representing a
4 significant investment in their education.
5 If the state denies these students
6 eligibility to TAP, what's the logic in that?
7 Allowing in-state public college tuition
8 while denying financial assistance is simply
9 indefensible.

10 The Governor took a positive step by
11 including the DREAM Act in the Executive
12 Budget, a step towards making a brighter
13 future a reality for thousands of New

14 Yorkers. However, the Executive Budget cuts
15 funding for many opportunity programs such as
16 ASAP, College Discovery, SEEK, and CUNY
17 LEADS. We echo CUNY and the PSC in thanking
18 you for your support of these programs last
19 year, and urge you to recognize their
20 strength again this year by restoring their
21 funding cuts.

22 We also applaud your \$75 increase per
23 FTE in community college-based aid in last
24 year's budget and call on the Legislature to

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1 fulfill its legal requirement to fund
2 community colleges at 40 percent of their
3 costs.

4 The Executive also proposes that the
5 state supplement the federal Pay As You Earn
6 program. Under the plan, these college
7 graduates would be eligible for state support
8 for two years as long as they earn under
9 \$50,000 annually. A college graduate would
10 still have to make the 10 percent payments
11 out of their pocket. Under the Executive's
12 Get On Your Feet Loan Forgiveness Program,
13 the state would then pay the difference
14 between the standard repayment and the Pay As
15 You Earn program for two years.

16 While the program is limited, it is
17 worth supporting. However, there is a
18 technical flaw in the way the proposal is
19 drafted. The Executive's proposal calculates

20 the \$50,000 threshold for the college
21 graduate, the graduate's spouse, and the
22 college graduate's parents. The proposal
23 should not include the parents' income.

24 Thank you for the opportunity to

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1 testi fy.

2 MR. HORNER: Five minutes.

3 CHAIRMAN FARRELL: Thank you very
4 much. I got nervous when I saw the paper.

5 MR. HORNER: No, we decided, as Aileen
6 mentioned, to attach our comments for the
7 areas of the budget that we care about beyond
8 transportation and deliver it today as a
9 written document. So if you have any
10 questions on anything, we can do that. But
11 we haven't testified at four or five
12 different hearings. We just came to this
13 one.

14 CHAIRMAN FARRELL: It's not 4:00 yet.

15 SENATOR KRUEGER: Thank you.

16 CHAIRMAN FARRELL: That's it. Thank
17 you very much.

18 MR. HORNER: Thank you.

19 MS. SHEIL: Thank you.

20 CHAIRMAN FARRELL: Donna Gurnett,
21 executive director, Association of
22 Proprietary Colleges.

23 (Discussion off the record.)

24 CHAIRMAN FARRELL: Ms. Gurnett?

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1 MS. GURNETT: Chairman Farrell,
2 members of the Legislature, I thank you very
3 much for this opportunity to be here today.
4 My name is Donna Gurnett, and I'm the
5 executive director of the Association of
6 Proprietary Colleges.

7 APC represents 23 degree-granting
8 colleges throughout New York State on 34
9 campuses. We offer associate's, bachelor's,
10 and master's degrees in programs such as
11 criminal justice, allied health degrees,
12 business administration, the business of
13 fashion, marketing, advertising, fine arts,
14 web design, and photography.

15 Our members have deep roots in their
16 communities. On average our members have
17 been in existence for over 80 years. We
18 educate over 40,000 students and employ over
19 6,500 people. Ninety percent of our
20 students are from New York and stay in
21 New York after graduation to live and work.
22 And our members recently reported that
23 72 percent of their graduates find jobs in
24 their field within six months.

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1 So what does an APC student look like?
2 Well, based on 2012 IPEDS data, 70 percent of
3 APC students are women, 24 percent are black,
4 17 percent are Hispanic, 42 percent are
5 white. Approximately 80 percent receive Pell
6 awards, and over 25,000 full-time enrollees

7 receive some TAP awards of some measure.

8 Last year you recognized the needs of
9 the needy and the low-income students by
10 raising TAP awards from \$5,000 to \$5,165. We
11 thank you very much for this increase. It
12 was appreciated and very well received, but
13 unfortunately it was not available to all
14 students.

15 I mentioned a few different points in
16 my written remarks, but today I'd like to
17 talk specifically about the inequality in TAP
18 awards for students who attend colleges that
19 offer only two-year degrees.

20 In 2010, TAP was reduced by
21 20 percent, from \$5,000 to \$4,000, for
22 students who attend two-year degree programs.
23 Now, colleges that also offer four-year
24 degrees were not impacted by this cut. And

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1 of course community colleges are part of the
2 SUNY and CUNY systems, so they were also not
3 impacted by this cut.

4 The majority of this impact is felt
5 primarily by 7,000 students enrolled in APC
6 member colleges that only offer two-year
7 degrees. These are some great colleges such
8 as the Art Institute of New York City, Elmira
9 Business Institute, Island Drafting and
10 Technical Institute, Mandl, the New York
11 Career Institute, Utica School of Commerce,
12 and Wood Tobe-Coburn.

13 Now, these schools serve primarily
14 non-traditional students. These are students
15 who are minority students, students with
16 disabilities, students who struggled while
17 they were in high school and had lower GPAs,
18 single parents, students who are the first
19 generation in their family to attend
20 college -- exactly the type of student that
21 TAP awards were designed to help, and exactly
22 the type of students that APC colleges do
23 such a great job in educating.

24 Now, in my written testimony I have

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1 noted some graduation rates for our students,
2 but I do want to just point out a few things.
3 For instance -- and these are graduation
4 rates just for associate degrees --
5 28.6 percent of all students graduate on time
6 from APC colleges with their associate's
7 degrees. Now, this compares with 11.7
8 percent from SUNY, 3 percent from CUNY, and
9 19.8 percent from independent nonprofit
10 colleges.

11 Thirty-three percent of students with
12 a high school GPA of between 70 or 80 percent
13 graduate on time from APC colleges. Again,
14 this compares with 4.7 percent from SUNY,
15 2.8 percent from CUNY, and 18.3 percent from
16 independent nonprofit colleges. And our
17 minority students do very well as well:
18 27.4 percent of Hispanic students graduate

19 from an APC college on time. This compares
20 with 5.4 percent from SUNY, 2 percent from
21 CUNY, and 12.3 percent from the independent
22 nonprofit colleges.

23 And 26.6 percent of black students
24 graduate from APC colleges on time. Again,

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1 this compares with 3.6 percent from SUNY,
2 2.1 percent from CUNY, and 13.6 percent from
3 independent nonprofit colleges.

4 Now, these two-year programs are very,
5 very important. They're a steppingstone for
6 these students. For some of them it's the
7 first time that they've been able to get into
8 school, and so they go on to -- they graduate
9 and then they go on to attend a four-year
10 program. Or it's also an important pipeline
11 for employees for local businesses.

12 These reduced TAP awards mean that the
13 students that attend these colleges are more
14 likely to have to work while they're in
15 college, and that means it takes them longer
16 to complete school. And they also need to
17 take out additional student loans to cover
18 the cost of tuition, books, and materials
19 needed for their degree.

20 So in closing today, I'd like to ask
21 you to fully fund the TAP awards of students
22 that are attending colleges that only offer
23 two-year programs and restore TAP parity
24 between the two- and four-year programs.

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1 So this concludes my testimony, and
2 I'm happy to answer any questions you may
3 have.

4 CHAIRMAN FARRELL: Thank you very
5 much.

6 MS. GURNETT: You're welcome.

7 CHAIRMAN FARRELL: Questions?

8 Thank you.

9 MS. GURNETT: Thank you.

10 CHAIRMAN FARRELL: Lesley
11 Massiah-Arthur, associate vice president for
12 government relations, Fordham University.

13 Hello.

14 MS. MASSIAH-ARTHUR: Hello.

15 CHAIRMAN FARRELL: You may know my
16 daughter's been going to your school since
17 she's been 5 years old.

18 MS. MASSIAH-ARTHUR: As a matter of
19 fact, I remember playing with your daughter
20 and making flowers with her in the back of
21 the Assembly chamber. So I would like to
22 think that she is the one who's getting
23 older, and not us.

24 (Laughter.)

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1 MS. MASSIAH-ARTHUR: I have submitted
2 my formal testimony, and I will do all of us
3 the benefit of not reading that testimony
4 tonight. I am Lesley Massiah-Arthur,

5 associate vice president for government
6 relations at Fordham University.

7 I come here today representing 15,000
8 Fordham University undergraduate and graduate
9 students as well as those students who come
10 to our campus to take advantage of our
11 support and opportunity programs.

12 What I'm asking you to do today is to
13 be bold, to be as bold as the students who
14 attend our institutions, to be as dynamic as
15 the students who choose to be first-time
16 members of their family to get college
17 educations. And I ask that we have a budget
18 that defines itself as being the opportunity
19 budget, to be able to raise funds to provide
20 those opportunities for our students.

21 Specifically, I ask the Legislature to
22 consider raising the maximum TAP award to
23 \$6,500; to reinstate Graduate TAP for our
24 graduate students -- more specifically, in

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1 terms of our opportunity programs, whether
2 it's the Higher Education Opportunity
3 Program, our STEP, our Science and Technology
4 Entry Program, or its collegiate counterpart
5 C-STEP. We support HEOPPO and APACS and are
6 asking you to go beyond what was requested by
7 the Regents, the 10 percent, what has been
8 requested by the Governor, 3 percent, and go
9 beyond, to that of 30 percent.

10 The opportunity programs have not

11 received significant increases in funding.
12 The last major increase that occurred was for
13 STEP and C-STEP, and that occurred in 1996,
14 in which we were able to double the amount of
15 the appropriation.

16 With regards to TAP, we are very much
17 in support of the Governor's recommendation
18 to increase TAP to accommodate DREAM Act
19 students. We do ask for one correction,
20 though. While the budget does increase
21 funding for TAP for DREAM Act students, the
22 legislation as written allows DREAM Act
23 students to be able to have access to the
24 opportunity programs -- but the budget does

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1 not provide for any increase to accommodate
2 those new students. So in effect, you have
3 existing students potentially competing
4 against new students for very limited funds.
5 So we hope that you are able to make that
6 correction.

7 Most importantly, we ask you give our
8 students a chance. Every day at some level I
9 run into an HEOP student, I run into a C-STEP
10 student, and they tell me how important it is
11 for them to get this education. We've been
12 told oftentimes that, including things like
13 TAP, that we increase the appropriation every
14 year simply because it is a requirement due
15 to the number of students who get the
16 program.

17 But the fact of the matter is that TAP
18 does not provide the type of funding support
19 that it used to. In 1994, TAP covered close
20 to 35 percent of the weighted average tuition
21 for an independent college or university.
22 Ten years ago it provided about 28 percent.
23 Today, we're looking at close to about
24 20 percent. So while the appropriation

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1 itself goes up, what it actually provides in
2 support hasn't.

3 And to that end, I implore the
4 Legislature that in an era where we're
5 talking about having close to a \$5 billion
6 surplus, that this is the time to be bold,
7 and that this is the time for New York State
8 to renew the compact that it has with its
9 private colleges and universities. So on
10 behalf of our students and on behalf of my
11 colleagues, I ask that you take this into
12 consideration.

13 Thank you.

14 CHAIRMAN FARRELL: Thank you.

15 Just for the record, our little
16 exchange at the beginning -- I'm talking
17 about my 10-year-old daughter who goes to
18 your summer school and your swimming class
19 year-round.

20 MS. MASSIAH-ARTHUR: Exactly. I knew
21 that. I just --

22 CHAIRMAN FARRELL: Not an adult child.

23 MS. MASSIAH-ARTHUR: No, I did know
24 that. I just -- as I said, I can't believe

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1 that she's 10. Because I do remember.

2 CHAIRMAN FARRELL: I know you know it,
3 but you want it on the record.

4 Questions? Thank you very much.

5 MS. MASSIAH-ARTHUR: Thank you.

6 (Discussion off the record.)

7 CHAIRMAN FARRELL: Richard Wells,
8 president, Police Conference of New York.

9 Hi, how you doing?

10 MR. WELLS: Good afternoon.

11 CHAIRMAN FARRELL: Good afternoon.

12 MR. WELLS: My name is Richard Wells,
13 and I am the president of the Police
14 Conference of New York, a labor organization
15 that represents 25,000 police officers in
16 this state.

17 The issue I am focusing on is benefit
18 equity for the State University Police
19 Department. Currently, the State University
20 Police Department is the only police
21 department in New York, out of 564 in
22 existence, without a police retirement plan.

23 The Legislature worked diligently to
24 correct this inequity last session by passing

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1 a bill that would have allowed SUNY officers
2 the option of transferring into the Police
3 and Fire Retirement System from the Employees

4 Retirement System. We thank you for this
5 action.

6 Unfortunately, the Governor vetoed the
7 bill, noting that due to its cost he could
8 not take up the issue outside of the budget.
9 We were then very disappointed when the
10 Governor failed to include the measure in his
11 budget.

12 With the passage of Tier 6, all newly
13 hired State University officers must work
14 until they're 63 years of age. Now, I'm 63,
15 and while I like to think I'm in good shape,
16 I certainly shouldn't be out on a campus
17 protecting young people who are in their
18 teens and early twenties. Tier 6 requires
19 newly hired 21-year-olds to work 42 years;
20 that's twice as long as a municipal police
21 officer.

22 Police in the P&F were exempted from
23 this change, and with good reason.
24 Furthermore, death and disability benefits

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1 for SUNY officers are inferior to those
2 received by other police officers. It is
3 indefensible and highly offensive to assign
4 inferior death and disability benefits to one
5 department of police. SUNY officers
6 frequently work side-by-side with their state
7 police and municipal counterparts, doing the
8 same job, at the same time, protecting the
9 same people. Why should the benefits be

10 different?

11 Unequal pension and disability
12 benefits are the main contributing factor to
13 turnover in the SUNY system. The crisis is
14 so bad on some campuses that SUNY
15 administration officials have fully supported
16 legislative efforts to create pension and
17 disability parity for their officers.

18 SUNY is currently losing millions of
19 dollars recruiting, hiring and training
20 officers who quickly leave for other police
21 departments, and who can blame them? More
22 than 95 percent of municipal police
23 departments in this state offer their
24 officers a 20-year retirement plan. The

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1 remaining percentage allow retirement after
2 25 years. A 25-year plan would allow SUNY to
3 stay competitive.

4 SUNY officials have used the term
5 "critical" when talking about police staffing
6 levels at numerous campuses. They know they
7 have to deal with the attrition problem now,
8 because the problem is only going to get
9 worse as Tier 3 and 4 officers hit retirement
10 age.

11 Compounding that problem is the fact
12 that the improving economy will lead to more
13 municipal police departments lifting hiring
14 freezes that had been in place for the last
15 several years. The SUNY system is the

16 perfect place for local police departments to
17 recruit. State University police officers
18 receive expensive, high quality training and
19 experience at SUNY's expense, making it the
20 perfect training ground for other
21 departments. This is a ridiculous waste of
22 state resources.

23 Inclusion of parity legislation in the
24 budget would put an end to an enormous amount

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1 of fiscal waste at an already underfunded
2 system. It costs SUNY more than \$85,000 per
3 officer to recruit, train, and equip someone
4 who stays on the job for only a few years.
5 Schools are also spending additional dollars
6 backfilling empty positions by paying
7 overtime to the officers they manage to keep.
8 The cost of retirement equity is offset by
9 these crucial savings.

10 Further, the Governor has routinely
11 mentioned the importance of diversity in law
12 enforcement, and we applaud him for that.
13 This is particularly important on SUNY's
14 multicultural campuses. The University
15 Police Department strives for diversity in
16 its ranks so the force reflects the
17 population they serve.

18 However, many police departments are
19 seeking qualified women and minority
20 officers, and SUNY police officers are often
21 targeted for recruitment by municipalities

22 because they are well-trained and very
23 unhappy with the lack of parity with their
24 fellow officers.

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1 Also, this measure would mitigate the
2 increasingly untenable campus safety issue
3 created by fewer officers being assigned to
4 each shift. It is a simple fact that
5 campuses are much safer with a stable police
6 force.

7 The Governor has shown that he clearly
8 believes in the strength and ability of the
9 men and women policing SUNY campuses. In
10 recent years he's not only added a new sexual
11 assault policy but many new responsibilities
12 to the force, including serving new
13 businesses that are a part of START-UP NY, an
14 expanded role in fighting the heroin
15 epidemic, new sexual assault reporting
16 measures, mandatory active shooter training,
17 and the deployment to natural disasters.

18 The attrition crisis these campuses
19 face, and the growing instability of the
20 police workforce, has the potential to upend
21 these policies and programs.

22 Please, we are asking you to take
23 affirmative action to correct this gross
24 inequity. I am here today to request your

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1 full consideration of adding legislation to

2 the proper level of funding to the final
3 enacted budget to correct this problem once
4 and for all.

5 I thank you for your time, and I can
6 answer any questions.

7 CHAIRMAN FARRELL: Questions?

8 Thank you very much.

9 MR. WELLS: Thank you.

10 CHAIRMAN FARRELL: Michael Molina,
11 president, APACS.

12 The next one will be Natalia
13 Aristizabal -- I think I messed that up. But
14 you can come on down because you'll be up
15 next. And after that will be Gerald
16 Schoenle, also next.

17 Nice trip down, wasn't it?

18 MR. MOLINA: Yeah, sure was. I got a
19 workout in.

20 CHAIRMAN FARRELL: Whoever designed
21 those stairs didn't like people.

22 MR. MOLINA: Yes.

23 (Laughter.)

24 MR. MOLINA: Thank you very much,

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1 Chairman Farrell and members of the
2 committee. I will be, in the interests of
3 time, as brief as possible.

4 CHAIRMAN FARRELL: Thank you.

5 MR. MOLINA: My name is Michael
6 Molina. I am the president of the
7 Association for Program Administrators of

8 CSTEP and STEP Programs, Inc. And APACS is
9 the professional association of CSTEP and
10 STEP directors and staff throughout New York.

11 I am here today -- first of all, thank
12 you for giving me the opportunity to speak
13 with you. And I'm here today to make three
14 requests.

15 First of all, I just would like to say
16 that we're very pleased that the Governor has
17 seen fit to offer us a 3 percent increase in
18 funding. That makes 6 whole percent increase
19 in funding over the last three years. But we
20 just really think that that's not enough.

21 We're here today to ask that an
22 additional \$4.17 million be allocated for
23 CSTEP and STEP programs. This will allow us
24 to us serve an additional 3,000 to 4,000

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1 students, and it will allow the programs to
2 grow -- for new programs to be funded, which
3 is something that is very important today, it
4 seems, to the New York State Education
5 Department.

6 So again, we request an additional
7 \$4.17 million in addition to the 3 percent
8 increase that has been proposed in the
9 Executive Budget.

10 Request number two is sensitive, but
11 let me just say that we have been stuck in
12 bureaucratic quicksand with the New York
13 State Education Department for the last

14 several years on a number of areas. We are
15 asking for a legislative mandate today
16 requiring the SED to defer the CSTEP and STEP
17 requests for proposals for one year.

18 So about two weeks ago, SED released
19 its request for proposals for CSTEP. It has
20 yet to release the request for proposals for
21 STEP. We're knocking on the door of March,
22 and the potential for long delays is staring
23 at us.

24 Just as an example, even in this

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1 current funding cycle, for the past five
2 years this body has delivered on-time budgets
3 on April first. In contrast, STEP and CSTEP
4 programs get their contracts -- have gotten
5 their contracts the last five years in
6 December and January. So we have essentially
7 half of the fiscal year passing before we are
8 given contracts and are able to execute them
9 and get money rolling to programs throughout
10 the state.

11 So we're very concerned that with this
12 late release of RFPs for CSTEP and for the
13 STEP RFP, which has yet to be released -- and
14 again, we're knocking on the door of March,
15 and these programs and institutions, they
16 need to know by July 1st whether they're
17 funded or not and at what rate. And really
18 they need to know way before that because,
19 you know, you don't start -- you don't

20 conduct a program, you don't just start it on
21 July 1st. There's a planning process that
22 takes several months, and we need time to be
23 able to prepare programs and activities and
24 so forth for our CSTEP and STEP students.

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1 I found it interesting that earlier
2 this afternoon the SED representative talked
3 about the importance of summer programs in
4 terms of helping students to acclimate to a
5 new academic environment, but in fact the
6 very RFP proposal that they request creates a
7 situation where you're not going to have
8 funding decisions until probably July, August
9 or September, and CSTEP and STEP programs
10 will not be able to conduct their summer
11 programs and prepare for their academic year
12 programs.

13 And finally, we also ask for a
14 legislative mandate to require SED to
15 reconsider a very ill conceived enrollment-
16 based funding formula that they have devised
17 for the new RFP period. And why are we
18 asking for this? Well, we're asking for it
19 because essentially what this new funding
20 formula does is it is biased against any
21 CSTEP program with more than 200 students.
22 It essentially cuts you before -- in funding
23 before you have put pen to paper.

24 And we feel that that's unacceptable.

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1 We don't need less money for the same number
2 of students, we need more money for the same
3 number of students.

4 We're particularly concerned because
5 we have CSTEP and STEP programs in CUNY and
6 SUNY institutions that have, on average, 300
7 to 400 students in their programs. And it's
8 not as if these programs are not successful,
9 not effective, not efficient -- in fact, they
10 are highly successful programs. But again,
11 because of an ill-conceived funding formula
12 that's being proposed by RFP, there is a
13 great potential for highly effective programs
14 with 200 or more students to lose funding and
15 to not be able to serve the students that
16 they've served up to this point.

17 So I'm going to cut it short there. I
18 think you know about CSTEP and STEP success.
19 I have attached fact sheets for your
20 consideration. We've been very consistent
21 for the last 10 to 15 years. Over 70 percent
22 of our CSTEP grads pursue careers in STEM,
23 health and licensed fields. Over 95 percent
24 of our STEP students graduate from high

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1 school and go on to college. I think that if
2 Carmen Fariña could sit here and say "I
3 graduate 95 percent of my students," I think
4 you'd name a bridge after her, or a highway
5 or a street or something.

6 So, you know, I think the facts speak

7 for themselves in terms of CSTEP and STEP. I
8 like to think that we're one of the jewels of
9 New York State. And you created us, in your
10 great wisdom. Twenty-eight years ago, Ken
11 LaValle and of course Arthur Eve sponsored
12 the legislation that created us. So we're
13 your program, and I think that's how the
14 Governor sees it.

15 So today we really ask for your
16 support of these three proposals. And again,
17 in the interest of time, I'm going to stop
18 now and take any questions.

19 CHAIRMAN FARRELL: Thank you very
20 much.

21 MR. MOLINA: Thank you, sir.

22 SENATOR KRUEGER: I have a question.

23 MR. MOLINA: Yes.

24 SENATOR KRUEGER: Hi. Sorry, I -- I

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1 caught up reading. I had this for a minute.

2 So the Department of Education is
3 changing the RFP process so that you can only
4 have smaller STEP programs, not larger? Is
5 that my understanding?

6 MR. MOLINA: Well, yes. In other
7 words, there's a deescalating -- they're
8 using an enrollment-based formula that gives
9 you less money in ranges of your enrollment.
10 So for zero to 100 students, you get one
11 figure. From 100 to 200, you get another
12 figure. And the numbers keep going down.

13 SENATOR KRUEGER: So there's an
14 assumption of an economy of scale, that the
15 larger you are, the less money you should
16 need for every additional student. And
17 you're arguing that that's not true.

18 MR. MOLINA: Right.

19 SENATOR KRUEGER: Seventy percent of
20 your graduates go into STEM?

21 MR. MOLINA: Seventy percent of our
22 CSTEP students pursue careers in STEM and
23 CSTEP-targeted fields, yes.

24 SENATOR KRUEGER: And what percentage

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1 of your students actually do go on and
2 complete college, do you know?

3 MR. MOLINA: For CSTEP, I don't know
4 the percentage, but it's a very high
5 percentage. I don't know the answer to that
6 right now.

7 SENATOR KRUEGER: Okay. You can get
8 back to me another time.

9 MR. MOLINA: I will. Absolutely.

10 SENATOR KRUEGER: Thank you very much.

11 CHAIRMAN FARRELL: Thank you.

12 Questions?

13 MR. MOLINA: Thank you very much.

14 CHAIRMAN FARRELL: Thank you.

15 Natalia Aristizabal. If I say it one
16 more time I'm going to choke on my tongue.

17 MS. ARI STI ZABAL: That was very close,
18 don't worry.

19 CHAIRMAN FARRELL: All right.
20 Pronounce your name for me, please?
21 MS. ARI STI ZABAL: Sure.
22 A-wrist-i -zabal .
23 CHAIRMAN FARRELL: A-wrist-i -zabal .
24 Okay. I was close by about five words.

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1 MS. ARI STI ZABAL: So first of all, I
2 want to thank you for the opportunity to be
3 here on the panel, to be able to testify.
4 Good afternoon. My name is Natalia
5 Aristizabal. I am the lead organizer for
6 Make the Road New York and a Queens College
7 graduate. Make the Road is a membership
8 organization of the more than 16,000
9 low-income families and 600 small businesses
10 based in New York City and Long Island.
11 We strongly support the New York State
12 DREAM Act. This bill would provide a
13 long-term economic and fiscal boost to our
14 state while helping 110,000 young people
15 realize their full potential. It would also
16 do so by allowing undocumented students of
17 New York to access state financial aid,
18 including TAP, on an equal basis with all
19 other students. It would also create a DREAM
20 fund for eligible immigrant use.
21 So I'm here today not only to make a
22 case about the New York State DREAM Act, but
23 also an expansion of TAP. For the past
24 10 years I have been working in Queens and

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1 Brooklyn with immigrant youth and low-income
2 youth. I myself came from a single-parent
3 household, the first one to graduate. And my
4 mother was not able to help me with tuition.

5 Over the years, I have seen a lot of
6 students who excel not only academically but
7 are dedicated, with an entrepreneur mind,
8 that come through the doors of Make the Road
9 New York. They not only survive high school,
10 but they make the best out of it and out of
11 after-school programming.

12 I have seen the same students struggle
13 the last two years of high school because of
14 the college application process. Besides all
15 the work that it takes, there is another
16 obstacle -- the cost. It's usually at that
17 moment when they realize that not only do
18 they not have a Social Security number but
19 that they cannot apply for financial aid.

20 Off the top of my head, I can think of
21 Lupe, who had about a 90 percent average in
22 high school. In her last semester, she got
23 depressed and didn't apply for college. Or
24 Antonio or Mateo, who were only able to

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1 pursue college because they were able to get
2 a one-year scholarship due to their merits,
3 but then would have to figure out how to pay
4 the remaining years.

5 Students who also come from a
6 one-parent household where the average income
7 for their family is about \$20,000. These
8 students are eager to go to college and
9 contribute back to their community. As a
10 matter of fact, they already do, because they
11 are active with us at the organization.

12 This year Governor Cuomo has included
13 the New York State DREAM Act in his 2015
14 state budget proposal, bringing it closer to
15 becoming a reality. It is critical that this
16 piece of legislation is in the final budget.
17 It should not, however, be linked to the
18 education tax credit that will direct
19 taxpayer subsidies to private schools and
20 undermine public education in New York.

21 The New York State DREAM Act will
22 provide a huge economic boost to our state.
23 A recent study indicates that the passage of
24 the federal DREAM Act would add \$329 billion

♀ 365

1 to the U.S. economy by 2030. With again
2 approximately 110,000 Dreamers in New York
3 State, this could represent approximately
4 \$17.2 billion in increased economic support
5 for upstate.

6 This increase, however, is largely
7 contingent upon young immigrants having
8 access to higher education. With Congress
9 moving towards a fast track to a path to
10 legalization for undocumented students, and

11 President Obama's executive order, which
12 provides about 2.5 million youths and young
13 adults with deferred action for childhood
14 arrivals, or also known as DACA, all we need
15 to do is prepare this workforce for the
16 future.

17 The Office of the State Comptroller
18 further confirms that a disproportionate
19 return on investment in New York would be
20 created by opening TAP to current
21 undocumented students, estimating that those
22 who complete a bachelor degree will
23 contribute an extra \$60,000 each year to
24 New York through state taxes. The

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1 \$27 million for the DREAM Act that the
2 Governor put in the budget proposal pales in
3 comparison to the economic benefit that the
4 bill will reap if passed.

5 I'm also here not only to urge you in
6 this committee, and the Governor, to include
7 the New York State DREAM Act in the budget,
8 but also to make sure it doesn't hurt any
9 other public school students and also to ask
10 for an expansion of TAP.

11 In my last two years of college, I was
12 already working on Make the Road New York,
13 and I had to work to sustain myself. And I
14 always thought that was best way to help my
15 mom. Because my income was over \$15,000 a
16 year, I stopped receiving TAP. Not only did

17 I have to pay rent in New York City and all
18 my expenses, but I now had to pay for
19 tuition.

20 I of course got government loans,
21 because I was able to do it. And I want to
22 emphasize that undocumented students cannot
23 access government loans or private loans. I
24 am currently still paying back my loans. But

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1 the reality is that the income bracket to
2 receive TAP should be higher.

3 And that is not the only issue with
4 TAP. We need to look deeply into the whole
5 program and revise it. The State of New York
6 created TAP in 1974 to provide need-based aid
7 to state college students. Since then, which
8 was 40 years ago, TAP has helped 4 million
9 students pursue higher education. But too
10 many of today's college students are not well
11 served by TAP, and the program is due for a
12 reform.

13 The New York State DREAM Act and TAP
14 reform will position New York as a leader on
15 the East Coast in terms of providing
16 educational opportunity to Dreamers and
17 low-income students. It would expand the
18 state's high-skills workforce and provide us
19 with a comparative advantage in the region
20 when federal immigration legalization is
21 inevitably to occur.

22 Thank you for your time.

23 CHAIRMAN FARRELL: Thank you.

24 Questions? Yes.

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1 ASSEMBLYMAN LUPINACCI: Good

2 afternoon.

3 I just had a quick question. I know
4 as the DREAM Act stands now, it's a two-year
5 residency requirement. Would you be open to
6 supporting it if the rules were changed?
7 Like, say, for instance, if it went to four,
8 six, or eight years that a student was here,
9 do you think that's open for negotiation or
10 reinterpretation? Or do you think it's best
11 stayed as it is now, for the two-year period?

12 MS. ARISTIZABAL: Currently the way
13 that the DREAM Act stands, it's the broader
14 way possible to support as many undocumented
15 students as we can. I believe that it's a
16 conversation that I would have to have with
17 the coalition and with Dreamers themselves.
18 But if it means passing the New York State
19 DREAM Act -- maybe not linked to anything
20 else, but on its own -- I think it's worth
21 revising.

22 ASSEMBLYMAN LUPINACCI: Thank you.

23 CHAIRMAN FARRELL: Thank you.

24 A question?

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1 SENATOR KRUEGER: Hi.

2 MS. ARISTIZABAL: Hi.

3 SENATOR KRUEGER: So Dreamers are

4 here. Will they just be here if we never let
5 them go to college, they'll just have a
6 harder time getting a job?

7 MS. ARI STI ZABAL: They will be here --
8 I don't know if I understood your question
9 correctly.

10 SENATOR KRUEGER: Okay. So they're
11 here.

12 MS. ARI STI ZABAL: Yes.

13 SENATOR KRUEGER: So you're urging the
14 DREAM Act so they can go to college.

15 MS. ARI STI ZABAL: Correct.

16 SENATOR KRUEGER: If we don't pass the
17 DREAM Act, they don't get to go to college.

18 MS. ARI STI ZABAL: Correct.

19 SENATOR KRUEGER: So then they'll have
20 a harder time getting a job and paying their
21 taxes, don't you agree?

22 MS. ARI STI ZABAL: Absolutely agree.

23 They would also have a lower income.

24 I came to the United States as an

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1 undocumented student. I was able to fix my
2 status. I was able to go to college. I now
3 earn what a college-degree graduate makes, on
4 average. I have to pay higher taxes. I
5 don't get taxes back, I actually pay taxes.

6 And I am an example of what would
7 happen to an undocumented student if they
8 have access to college. And I actually now
9 lobby for that, and for the right of other

10 students to have the experience that I had.

11 SENATOR KRUEGER: Thank you.

12 CHAIRMAN FARRELL: Thank you.

13 Gerald Schoenle, SUNY Chiefs

14 Association.

15 ASSEMBLYMAN OAKS: A while ago we were

16 joined by Assemblyman Ed Ra.

17 CHAIRMAN FARRELL: Good afternoon,

18 sir.

19 MR. SCHOENLE: Good afternoon.

20 I'm Gerry Schoenle. I'm the chief of
21 police at the University of Buffalo. But I'm
22 here today to speak to you as a
23 representative for the New York State SUNY
24 Chiefs of Police Association, which I'm the

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1 president of that group.

2 I'd like to speak to you briefly to
3 talk to you about the pension and equity.
4 You heard a little bit about that from the
5 union, and I'm going to try not to be
6 redundant on that. But I'd like you to
7 understand the problems that we're having at
8 the college campuses.

9 I'm representing 28 chiefs of police
10 at the campuses throughout New York State,
11 and we're all facing some significant
12 problems with our officers leaving to go to
13 other agencies.

14 Just to tell you a little bit about
15 the New York State University Police, there

16 are 590 sworn police officers on our
17 28 campuses. And we're actually a pretty
18 young police department; we've only been a
19 police department for 15 years. Prior to
20 that, we were public safety. Prior to that,
21 security. It's a long history of evolving.
22 But we're pleased today that SUNY has made
23 the decision, and rightly so, to have a
24 full-service police department protecting all

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1 of our students, faculty, and staff.

2 Just a little word on my background.
3 I've been in law enforcement for 37 years.
4 I've worked for five different agencies.
5 Most of the time, I did 20 years with the
6 Buffalo Police Department. I ran a county
7 police academy for Erie County for five
8 years. My job before coming to SUNY, I was
9 the assistant chief of police for Arlington,
10 Texas. So I've been in law enforcement for
11 quite a long time.

12 And in some of the side jobs that I've
13 had, as an adjunct professor for SUNY; as an
14 accreditation assessor, which I still am, for
15 the New York State Division of Criminal
16 Justice Services; and also for IACLEA, I do
17 administrative studies on police departments
18 as well as doing accreditation assessments at
19 the national level.

20 So I do these at the state and
21 national level. And I can see that we have a

22 crying need here to address this problem. We
23 have hundreds of police departments in
24 New York State, but there's only one that is

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1 not part of the police and fire system.

2 So what happens is we get trained
3 officers that it costs us about \$100,000 --
4 \$85,000 to \$100,000 to get an officer hired,
5 trained, fully equipped, six months through a
6 police academy, three months through a field
7 training officer program. And by the time
8 they're ready to go after a year, in their
9 second year, many of them are looking to get
10 jobs in other departments where they can have
11 enhanced benefits.

12 The pay is fairly comparable now, but
13 the benefits are not. And as was mentioned
14 by the union representative there, an officer
15 hired today would have to work to age 63 to
16 get the full benefits, where with comparable
17 police departments now it's mostly 25 years.
18 So it's a huge difference right now, and
19 what's happening is that we're losing these
20 officers on a regular basis.

21 In the chancellor's statement this
22 morning she noted that we've lost 64 officers
23 since 2008. That's a significant number of
24 officers. And you could pretty much figure

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1 that's only almost \$100,000 an officer. And

2 what happens is we have to train these
3 officers. And we lose them for a year, now
4 we're behind the eightball, and we have to
5 bring another person on board, go through
6 this whole process over again. We're not
7 keeping experienced people to protect our
8 college campuses.

9 Just to give you an idea of what our
10 structure looks like at the University of
11 Buffalo, we have 60 sworn police officers,
12 60 student assistants that help us out in
13 different ways. And out of the 60 sworn
14 officers, 43 are patrol officers, four are
15 investigators -- we have an investigative
16 supervisor -- nine lieutenants, five civilian
17 dispatchers, a deputy chief, an assistant
18 chief that handles special events -- as we
19 have more special events than anybody in the
20 state -- and we have a chief of police.

21 So we're a very busy police
22 department, and all of our campuses are. And
23 we recognize the professionalism that you
24 need in a modern-day police officer,

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1 especially in university policing. One of
2 the things we pushed for in recent years is
3 accreditation. Our department at UB was the
4 first to become state-accredited, and now
5 we're currently the only one that's also
6 nationally accredited in New York State.

7 But now, today, we've been pushing

8 other departments and been assisting other
9 police departments at these 28 campuses; now
10 we have a third of our campuses that are
11 accredited through the Division of Criminal
12 Justice Services. And the chancellor has
13 issued a directive supporting us to become
14 fully accredited with all 28 campuses within
15 the next five years. Which is a great
16 accomplishment, because statewide there's
17 only 25 percent of police departments that
18 are accredited.

19 And in this day and age, to just put
20 this in perspective, you can think of all the
21 things that are going on in our country, all
22 the problems that we've had throughout -- you
23 know, Ferguson and Cleveland and on and on.
24 And what I can determine, most of these

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1 police departments are not accredited police
2 departments. Not to say it couldn't happen.
3 But if you adhere to the best practices in
4 your profession, your chances of lawsuits and
5 your chances of having professionalism in
6 things such as use of force or sue policies,
7 it's going to be greatly diminished where you
8 have to deal with these problems.

9 So it's been a big push. We have this
10 professional department now, with our
11 590 officers statewide, and unfortunately we
12 can't get this one next step.

13 I had an officer contact me last week,

14 and he called me and said, "I just wanted to
15 let you know why I had to leave, Chief." He
16 left us just after January. On a personal
17 level, he said he was -- he had two job
18 opportunities in the past year to go to other
19 police departments, and he turned them down
20 because he really liked working for SUNY, he
21 liked working at UB, he was a really good
22 officer. And then the pension bill wasn't
23 passed, and he said he just really had to
24 look out for himself and his family and he

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1 had to leave us. He left with a heavy heart,
2 and he really wanted to stay.

3 And we just can't retain these younger
4 officers. So it's going to become a big
5 problem. Right now it's not a huge problem
6 for Albany or Stony Brook or University of
7 Buffalo, our bigger police departments. But
8 for our small departments, it's become pretty
9 much a crisis. To give you one quick
10 example, SUNY Morrisville, they're down
11 50 percent right now. They currently have
12 only three officers working, and two of those
13 three have less than three years of
14 experience. So they can't even staff their
15 officers 24/7 on a small campus like that.

16 So it's really becoming a crisis for
17 our smaller campuses that we have to find a
18 way to address, and they're looking at
19 creative ways to try to do this.

20 You know, modern-day policing, there's
21 more requirements on us every day. Mental
22 health issues are probably number one,
23 followed up by sexual assault, training on
24 Narcan, which is a drug that addresses heroin

♀ 378

1 overdoses.

2 Just last night, in fact, I was woken
3 up early this morning by one of my assistant
4 chiefs. We had a call that one of our
5 students off campus was having a problem, a
6 serious respiratory problem, probably in
7 respiratory arrest. They were trying to
8 locate the student. The parents had called
9 us and told them that he was suicidal.
10 Through the good work of our officers, they
11 were able to bring in the outside department,
12 because it was off campus, and they were able
13 to administer this Narcan drug and save this
14 student's life.

15 And this is the kind of training our
16 officers have. And all 28 of our campuses
17 now all have this Narcan there.

18 Emergency management, which is a huge
19 function for university police. We have to
20 be proficient at that for things like these
21 storms that we're having every day lately.
22 And things like active shooter, that we pray
23 won't happen on our college campuses.

24 But what I'm really saying to you, in

♀ 379

1 a nutshell, is we really need to have the
2 best and the brightest as university police
3 officers. And I think we're doing a good job
4 of that in our hiring process, but it's
5 really hard for us to compete when we have
6 our officers leaving at the way they are
7 right now on a regular basis.

8 I don't know what else we can do
9 except give them pension equity. It just
10 makes sense to me. I can't see why a young
11 officer would stay when they can have this
12 opportunity to go to another department with
13 a much better system.

14 And just quickly, I would just like to
15 say that I'd like to urge the Legislature to
16 add legislation and funding to the 2015-2016
17 budget to correct this situation. I know
18 you've been very supportive of the
19 University Police and of SUNY, and we
20 appreciate that, but I'd like you to consider
21 just it for the benefit of all our campuses.

22 Thank you. And if you have any
23 questions, I'll be happy to answer them.

24 ASSEMBLYMAN OAKS: I'll just say

♀

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1 quickly that your representatives made a
2 strong case on this last year, and I think
3 the visuals and whatever were presented very
4 strongly, you know, by your organization.

5 And, you know, you mentioned it's only
6 been 15-plus years or so with the

7 designation -- obviously that's been the
8 problem, but hopefully this is an area that
9 can be rectified.

10 So thank you for your presentation.

11 MR. SCHOENLE: Thank you for your
12 comment.

13 CHAIRMAN FARRELL: Any further
14 questions?

15 SENATOR KRUEGER: No from the Senate.
16 Thank you.

17 MR. SCHOENLE: Thank you for your
18 time.

19 CHAIRMAN FARRELL: Thank you.

20 Thomas Pinto, parent of teacher
21 candidate.

22 And next will be Lori Mould.

23 Good afternoon.

24 MR. PINTO: Thank you, Chair Farrell,

♀

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1 as well as respective legislators, for having
2 me appear before you today to discuss teacher
3 certification.

4 I am a parent of a 2014 teacher
5 candidate graduate. Again, my name is Tom
6 Pinto, and the issue I will be addressing
7 affects thousands of candidates from public
8 and private colleges across the state.

9 I urge you to encourage your
10 colleagues to also read the testimony, and/or
11 watch it, as I think you will be very shocked
12 and appalled at some of the actions by SED

13 that I will be speaking to.

14 As part of his Executive Budget,
15 Governor Cuomo proposed closing teacher prep
16 programs based on failure rates on the four
17 tests -- four new certification tests
18 introduced last year.

19 However, these exams are indisputably
20 unfair for 2014 and 2015 graduates.
21 Candidates are severely suffering, as they
22 are being denied certification through no
23 fault of their own. Rather, SED is
24 completely at fault, as I will prove with

♀

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1 irrefutable evidence, in contrast to baseless
2 assertions from SED.

3 People can misrepresent facts, but
4 facts don't lie. I trust that you will fully
5 agree that relief for candidates must be
6 included in the Executive Budget through
7 reinsertion of the previous certification
8 tests.

9 To begin, it's important to realize
10 that when criticism was aimed at edTPA, which
11 is one of the four new tests, SED vehemently
12 denied that problems existed. However, after
13 the good work of many of you and others, the
14 department finally abandoned its persistent
15 but completely unsupportable stance by
16 allowing candidates to use one of the
17 previous tests as a safety net in place of
18 edTPA for certification purposes. This

19 showed that criticism levied against edTPA
20 was indeed warranted.

21 The other new tests were introduced
22 months later and have proven to be just as
23 rushed and unfair. In fact, two of them --
24 ALST and EAS -- are being failed at even

♀

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1 higher rates statewide and are causing
2 thousands upon thousands of candidates to be
3 unfairly denied certification, putting their
4 lives and those of their families in
5 emotional and financial turmoil.

6 SED is once again denying that
7 problems exist, but the facts indisputably
8 prove otherwise -- so much so that
9 legislators have described the situation as,
10 and I quote, "a grave injustice." Another
11 quote, "grossly unfair." Again, those are
12 the words of your colleagues.

13 At the core of the matter is the fact
14 that evidence unquestionably reveals that SED
15 did not give colleges and hence students
16 nearly enough time to prepare for the tests.
17 This is based on the actual receipt of
18 preparation material by colleges.

19 Candidates typically begin learning
20 certification content material sophomore year
21 as part of their methods classes. This was
22 impossible for 2014 and 2015 graduates, since
23 prep materials were not provided until fall
24 2013. For months, SED had been

1 disingenuously pointing to 2009 and 2010 as
2 start dates for the new exams. However, at
3 that time they merely began to discuss the
4 new tests and did not actually approve them
5 and provide prep material until much later,
6 including not until fall semester of 2013 for
7 EAS and ALST.

8 In addition, in January 2012 SED
9 announced that draft frameworks of the tests
10 and scoring rubrics would be posted for the
11 purpose of, and I quote, "to enable program
12 administrators and faculty to adjust their
13 curricula and prepare their candidates to
14 pass the exams." But again, materials were
15 not delivered until well over a year later.

16 So you don't have to look any further
17 than SED's own timetable and their own words
18 for proof that they did not enable colleges
19 to prepare candidates in time.

20 On top of this, call it a smoking gun
21 or whatever you wish, but SED has had the
22 audacity to publicly claim otherwise, despite
23 past SED Commissioner King's right-hand man,
24 Deputy Commissioner John D'Agati, admitting

1 to me, during a phone conversation I had with
2 him in 2013 about SED's late preparation, he
3 said, and I quote, "Speaking candidly, they
4 promised more than they could deliver."

5 "They" referring to Pearson, the test
6 administrator.

7 Now, I appreciate his candor to me,
8 but don't all residents, don't all
9 constituents deserve to hear the truth? It's
10 not an exaggeration to say that this is a
11 state cover-up of epic proportions, given the
12 dire consequences. I personally am looking
13 at a potential loss of more than \$100,000.
14 For families with candidates at private
15 colleges, the amount could be triple that.

16 Furthermore, candidates are facing a
17 lifetime of diminished wages and financial
18 struggle. Put yourselves in our shoes and
19 imagine your anxiety and your anger.

20 Prep materials have not only been late
21 but also extremely minimal, to the extent
22 that faculty are so in the dark that many of
23 them have resorted to taking the tests
24 themselves on their own dime to become

♀

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1 familiar with their content and design.

2 SED has also been proclaiming the need
3 for more rigorous standards, but this too is
4 disingenuous. They fully know high standards
5 are not being debated. Claims about rigorous
6 standards are nothing more than a smoke
7 screen by SED to distract attention from
8 their obvious late and insufficient
9 preparation.

10 In fact, SED's actions are attested to

11 in three separate bills sponsored last spring
12 by the Higher Education Chairs LaValle and
13 Glick, as well as Senator Lanza, and
14 cosponsored by more than 30 of your
15 colleagues, including Education Committee
16 Chairs Flanagan and Nolan, which stated in
17 identical language, and I quote, "It is
18 unfair to change certification requirements
19 for teacher candidates who entered teaching
20 programs under a different set of
21 requirements and are now close to reaching
22 certification."

23 But these words are just cosmetic if
24 you don't follow them up with action via the

♀

387

1 Executive Budget.

2 A recent Sunday front-page
3 investigative feature on January 18th in the
4 Journal News of Putnam, Rockland, and
5 Westchester counties made even more evident
6 SED's failures. SED's refusal to own up to
7 the rushed and flawed introduction of the
8 test is no different than their actions with
9 Common Core. But while the Governor came to
10 the aid of K-12 students and their families
11 regarding Common Core, he has inexplicably
12 left candidates and their families to suffer.

13 He even acted against candidates by
14 presenting misleading information in his
15 State of the State address which denigrated
16 them. Perhaps the Governor is uninformed, or

17 is being misled by SED, but his criticism of
18 teacher prep programs and candidates is
19 simply not credible.

20 Data compellingly reveals that there
21 is no merit to his reference in the State of
22 the State that the 32 percent failure rate on
23 ALST is proof that New York has too many
24 ineffective teacher prep programs producing

♀

388

1 unqualified candidates. The precise language
2 from the State of the State is as follows:
3 "Between September 2013 and August 2014, the
4 Board of Regents administered the Academic
5 Literacy Skills Test to approximately 11,000
6 teachers. To demonstrate partial
7 proficiency, a candidate must perform
8 first-year college-level tasks that rely on
9 literacy skills aligned to 8th-grade level
10 Common Core standards. To demonstrate full
11 proficiency, a candidate must perform
12 first-year college-level tasks that rely on
13 literacy skills aligned to 11th- and
14 12th-grade Common Core standards. Yet the
15 overall statewide pass rate was only
16 68 percent overall, and only 7 percent
17 demonstrated full proficiency." End of
18 excerpt.

19 The following information completely
20 discredits the Governor's contention. First,
21 the literacy skills are aligned with Common
22 Core, which he -- as well as most, if not all

23 of you -- continues to acknowledge it's flawed.
24 Legislation that he supported bans school

♀ 389

1 districts from including scores from Common
2 Core-based tests in students' permanent
3 records. And districts are banned from
4 emphasizing test scores when making student
5 placement decisions. The Governor even ran a
6 campaign ad dedicated to his stance.

7 Now I state, logically, if the flaws
8 in Common Core make tests based on them
9 unfair for K-12 students, they do likewise
10 for college students. Flawed standards don't
11 practice age bias.

12 Secondly, 312 students from the highly
13 regarded and rated Teachers College, the
14 graduate school of education which is part of
15 Columbia University, were among the 11,000
16 candidates that the Governor referred to when
17 citing the 32 percent failure rate for ALST.
18 In the 2015 U.S. News & World Report ranking
19 of graduate schools of education, Teachers
20 College ranked No. 1 in New York State for
21 both "Elementary and Secondary Education --
22 Teacher Education."

23 Yet according to results from the
24 ALST, 32 percent of its candidates, of the

♀ 390

1 candidates from Teachers College, are
2 illiterate in terms of 11th- and 12th-grade
3 literacy skills, and 9 percent don't even

4 meet 8th-grade standards. These candidates
5 are from an Ivy League graduate school. Just
6 think of that.

7 On their own, these results show the
8 absurdity of using ALST to judge colleges and
9 candidates. And alignment with Common Core
10 and lack of preparation make the other new
11 tests equally inappropriate measures.

12 In introducing the safety net for
13 edTPA, past SED Commissioner King said, and I
14 quote, "We've raised the bar for the teaching
15 profession, and at the same time we've
16 ensured a smooth transition for teachers who
17 have worked so hard to join the profession."
18 End of quote.

19 However, this smooth transition can
20 only be realized if a safety net is offered
21 for all of the new tests. Giving 2014 and
22 2015 graduates a choice between the previous
23 and the new tests, including in combination,
24 would be a simple remedy to this travesty.

♀

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1 In conclusion, knowing the facts
2 herein, it is imperative that you ensure that
3 relief for candidates be included in the
4 Executive Budget. The facts are in plain
5 view, including SED's own document and words.
6 After all the recent talk about three men in
7 a room, and following the Governor's
8 inappropriate joke of "three amigos," here's
9 an opportunity to demonstrate that state

10 government is open, honest, and fair.
11 Teacher candidates and their families have
12 been held captive to political agendas and
13 made to suffer for far too long.

14 Senator Latimer has already written to
15 the Governor to request the reinsertion of
16 the previous tests based on what he described
17 as, and I quote, "certification requirements
18 that are grossly unfair." Assemblywoman
19 Paulin made the same request in a letter to
20 Regents Chancellor Tisch in which she
21 described the situation as -- again, I
22 quote -- "a grave injustice concerning 2014
23 and 2015 teacher candidate graduates."

24 Following my radio appearance on

♀

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1 Capitol Pressroom, Assemblyman Ra contacted
2 me to say he fully supports such relief. And
3 after meeting with me, Assemblywoman Glick
4 said she doesn't disagree with anything I
5 said. This broad support and agreement
6 clearly shows that this issue transcends
7 parties and legislative houses.

8 It is also important to realize that
9 this past December -- December 5th, to be
10 exact -- during a meeting I had to discuss
11 this issue with Elana Sigall, the Governor's
12 self-appointed deputy secretary of education,
13 she said that I made a very strong case.

14 At this time your full support,
15 leadership, and action are needed to make the

16 agreed-upon relief a reality. I urge you to
17 demonstrate that Albany is truly committed to
18 doing what is right and just by ending this
19 major state disgrace now.

20 I thank you for your time, your
21 consideration, and am glad to answer
22 questions now or afterwards.

23 CHAIRMAN FARRELL: I thank you very
24 much.

♀

393

1 But this hearing is about the budget,
2 and it's about the things we see in and out
3 of it that we want to work at, that's why
4 we're here. This issue you brought up here
5 is not ours. I don't know if you have a
6 lawyer or don't have a lawyer, but if you
7 were to come in to me and talk to me about
8 this, my first words would be "Get a lawyer."
9 Because this is not the place for this.

10 MR. PINTO: Well, I submitted my --
11 Chairman Farrell, I submitted my testimony
12 many days in advance.

13 CHAIRMAN FARRELL: This testimony
14 here?

15 MR. PINTO: Yes, sir.

16 CHAIRMAN FARRELL: We don't read
17 these. We just -- you send them to us
18 because we take them, make copies of it, and
19 hand them out. But if -- had I read it,
20 which I don't read any of these, I would have
21 said this doesn't belong here.

22 MR. PINTO: But it -- it --

23 CHAIRMAN FARRELL: I'm just saying it
24 now because I don't want to be here a year

♀ 394

1 from now, assuming I'm going to be here a
2 year from now, and get this same letter or
3 something similar to this.

4 MR. PINTO: But is not in the
5 Executive Budget where the Governor is
6 calling for the action on the teacher ed
7 programs, in terms of closing them?

8 CHAIRMAN FARRELL: What I was hearing
9 from you was something that needs a lawyer to
10 talk to, not about us.

11 SENATOR KRUEGER: I rarely disagree
12 with my respected colleague Denny Farrell,
13 but I actually do think this is a budget
14 issue, because the Governor is choosing to
15 put almost all education policy changes,
16 including teacher evaluation and other
17 programmatic changes in teacher education,
18 within the budget.

19 I would agree with Denny that those
20 issues shouldn't be within the budget, they
21 should be separate policy questions for the
22 Education chairs to move legislation through,
23 but I agree the Governor does appear to want
24 to make every change in education and

♀ 395

1 teachers and policy about teachers and

2 training within this one budget document.

3 So I do appreciate your testifying
4 today. My colleague George Latimer made sure
5 to bring to my attention your issues on
6 behalf of large numbers of students who are
7 required to go through these exams and are to
8 become certified as teachers. But as you
9 said over and over again, these exams
10 aren't -- they aren't the right tests.

11 I mean, clearly, if all of these
12 students from very well respected schools are
13 flunking at incredibly high levels, the
14 tests are not the right tests and/or we
15 failed to give the graduate schools the prep
16 materials to make sure that they were
17 teaching these students appropriately.

18 The one thing I can say to you right
19 now is my understanding is you can retake the
20 test. So even if you completed your degree
21 program and you did not pass the test, you do
22 have the right to take the test again and
23 hopefully be more successful on a second try.
24 It's not a great answer, but it is one

♀

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1 answer.

2 MR. PINTO: Well, Senator Krueger --
3 and I appreciate your comments. But in
4 response to that specific point that you just
5 brought up, I would like to state that it's
6 not as simple as that. As a matter of fact,
7 it's far from as simple as that.

8 There is a deadline by which EAS and
9 ALST have to be passed, and that is
10 June 30th, in order to be able to use the
11 safety net that was implemented for edTPA.
12 Which is a little hidden unknown fact which
13 SED never stated when they introduced -- and
14 in fact, a member of the Regents said we
15 would do, meaning the Regents.

16 And this is a quote in terms of a
17 Hunter college student who took a CST test,
18 which is one of the new tests -- she did not
19 get her result. Pearson says "We provide the
20 results within 30 days," and that's what SED
21 promises. She did not get her results, she
22 wrote to Pearson, and this is what Pearson
23 tells her, quote: "We are waiting for the new
24 standards that the New York Department of

♀

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1 Education are establishing for this
2 particular exam. All you can do is wait. We
3 don't have an exact date for when these
4 scores will be released."

5 Pearson has been an abomination.
6 Okay? Pearson paid an \$11.7 million
7 settlement to the Attorney General's office
8 for inappropriate actions. Pearson has not
9 met deadlines to introduce the prep
10 materials, the scoring rubrics, they are late
11 in providing the score reports to candidates.
12 There is chaos.

13 So students cannot simply retake the

14 test. That's simple. And it gets back to
15 the core point, with all due respect:
16 Candidates were not given enough time to
17 prepare and pass the test. SED can point all
18 they want to the money that has been spent
19 from Race to the Top funds and so forth,
20 additional money that they gave -- you can
21 put all the resources that you want into
22 something.

23 If I give you, you know, gallons of
24 paint and say, Okay, paint my house, and I

♀ 398

1 say you have to have it done in an hour -- I
2 gave you all the resources, right? But I
3 didn't give you enough warning. It might be
4 a silly analogy, but I think it puts into
5 light the situation that candidates are
6 facing. This is completely unjust. As
7 Assemblywoman Paulin described it, it's a
8 grave injustice.

9 And again, with all due respect,
10 Chair Farrell, I ran this by a number of
11 legislators in terms of my plans --

12 CHAIRMAN FARRELL: Has any of them put
13 a bill in?

14 MR. PINTO: Excuse me?

15 CHAIRMAN FARRELL: Has any of them put
16 a bill in?

17 MR. PINTO: I mentioned in my
18 testimony that three bills were introduced
19 with identical language stating that --

20 CHAIRMAN FARRELL: What happened to
21 the bills?

22 MR. PINTO: A safety net was
23 introduced for edTPA, and that action helped
24 by -- introducing those bills helped the

♀ 399

1 edTPA safety net be introduced, but then
2 these other tests came to light.

3 CHAIRMAN FARRELL: But I'm now falling
4 into the trap. I don't really want to hear
5 this.

6 I have someone who wants to talk to
7 you. Mr. Ra.

8 ASSEMBLYMAN RA: Just quickly, and you
9 were just getting into it, I just want this
10 to be clear on the record here.

11 There's the edTPA, correct? And this
12 was what the safety net was for. And then
13 there's also these additional certification
14 exams that aren't affected by the actions
15 that the Regents took last year. And there
16 we're experiencing -- teacher candidates are
17 experiencing similar issues with regard to
18 not having the resources taking these; is
19 that correct?

20 MR. PINTO: That is correct,
21 Assemblyman Ra. There are four certification
22 tests which have to be passed.

23 EdTPA generated all of the attention
24 when it was first introduced, because it's a

♀ 400

1 complete departure from the previous test.
2 It's portfolio-based, students have to make
3 videos and so forth. It's not sitting down
4 at a computer or written-based test. So that
5 generated all of the attention.

6 And again, SED said, No, it's fine,
7 there's no problems. Finally, when evidence
8 mounted and mounted and mounted and they
9 said, Okay, we're going to introduce a
10 safety-net test -- as it's turned out, the
11 other tests are just as problematic if not
12 more so. They are being failed at higher
13 statewide rates, 32 percent on ALST,
14 23 percent on EAS. CST, the results aren't
15 in yet.

16 So to have the Governor within his
17 Executive Budget saying that we are going to
18 close -- or calling for, in his budget,
19 calling for the closure of teacher prep
20 programs based on the results from this test,
21 is completely unfounded and baseless.

22 And again, I point to the results from
23 the Teachers College candidates. And if you
24 read my testimony, I did not refer to them,

♀

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1 but there's examples in there from NYU. NYU
2 is the number-one college for teacher
3 preparation for undergraduates. This is not
4 just graduate students, this is more
5 undergraduates, in fact.

6 There is data in here that is pretty

7 much parallel to that for NYU and Teachers
8 College from SUNY Stony Brook. I know the
9 chair of the Higher Education Committee, the
10 Senate chair, Mr. LaValle, has deep ties to
11 that. I know the new speaker of the
12 Assembly, Mr. Heastie, is a graduate of Stony
13 Brook. That is an esteemed institution. The
14 thought that 32 or some odd percent of their
15 candidates are illiterate on an 11th-grade
16 level and whatever percent, 16 or so on an
17 8th-grade level, is ludicrous.

18 And this is what we're basing the
19 closure of colleges, our teacher prep
20 programs -- but more to the point, what I am
21 here for, candidates and families are having
22 their lives turned upside down, and SED is
23 flat, at best, being disingenuous. At best.
24 And at worst, lying. Lying to me and lying

♀

402

1 to you.

2 And that's based on documents and
3 that's based on what Mr. D'Agati said. And
4 they need to be held accountable for that.
5 They simply need to be held accountable. And
6 you have individuals who, day by day, more
7 candidates are walking away from the
8 profession because they're failing this test
9 and they're just giving up.

10 And to say, well, just go take it
11 again, to throw \$300 one time, another \$100
12 on an ALST -- this isn't pocket change for a

13 lot of individuals. They are being -- having
14 their lives turned upside down, and the
15 complete testing is in chaos, absolute chaos.

16 And there simply has to be legislative
17 action, and even more immediately through the
18 Executive Budget. In good conscience, how
19 anyone could allow this is beyond me.

20 ASSEMBLYMAN RA: Thank you, Mr. Pinto.

21 SENATOR KRUEGER: Thank you.

22 CHAIRMAN FARRELL: Thank you.

23 MR. PINTO: Thank you for your time.

24 CHAIRMAN FARRELL: To close, Lori

♀

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1 Mould, president; Marc Cohen; Rey Muni z III,
2 and Devin Sonne, SUNY Student Assembly.

3 SENATOR KRUEGER: Hello.

4 MS. MOULD: Good afternoon. We would
5 like to thank Chairman Farrell and the
6 members of the Senate and Assembly for the
7 opportunity to speak with you today. And the
8 fact that it's such a late hour even makes it
9 more of an opportunity.

10 It's a privilege to speak on behalf of
11 the nearly half-million students for the
12 State University of New York. I'm Lori
13 Mould, I'm a grad student at SUNY Empire
14 State College and an alum of Genesee
15 Community College, and I'm pleased to be
16 joined by fellow students Devin Ellen Sonne,
17 from Mohawk Valley Community College, and
18 Marc Cohen and Rey Muni z III, both from the

19 University at Albany. And together we will
20 specifically address ways in which we can
21 work together to continue to enhance the
22 services provided to our students to ensure
23 their continued success.

24 It is the mission of the Student

♀

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1 Assembly of the State University of New York
2 to empower the students of SUNY, through
3 advocacy, to seek continued access to
4 quality, affordable higher education and to
5 support the goals and initiatives identified
6 by the students of SUNY as paramount to their
7 success. We are here to discuss the role
8 that SUNY will play in the future of
9 New York.

10 It is no secret that the financial
11 burdens incurred to complete a college degree
12 are growing exponentially. From tuition,
13 fees, student loan interest rates, housing
14 costs, food, and travel, students and their
15 families have to stretch themselves to the
16 limit to insure the monies that are needed to
17 complete their degrees. To secure it,
18 actually.

19 It is problematic that many students
20 have indebted themselves by borrowing
21 thousands of dollars at astronomical interest
22 rates. The statistics show that this
23 generation of students has a steeper hill to
24 climb than other generations in the history

♀

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1 of American higher education.

2 With that being said, we are here to
3 discuss the needs of our students and how we
4 can combat the hardships that our students
5 are facing. Investment in SUNY is not a
6 one-way revenue stream. We generate \$5 in
7 spending for every \$1 that the state invests.
8 SUNY provides students with various services
9 and supports that are directly responsible
10 for ensuring that students have access,
11 completion, and ultimately success throughout
12 their educational endeavor.

13 We are the future of New York, and we
14 have come here today requesting that you help
15 us advocate for our students.

16 I now yield to Representative Devin
17 Ellen Sonne.

18 MS. SONNE: Hello there.

19 SUNY has a long and proud tradition of
20 outstanding community college education.
21 Throughout the state, community colleges
22 perform a myriad of functions from educator
23 and developer, to incubator and economic
24 driver. They bring culture and diversity to

♀

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1 our communities and provide New Yorkers with
2 the opportunity to learn, grow, and most
3 importantly, succeed.

4 Community colleges are a point of

5 access for hundreds of thousands of people
6 who are looking to better themselves. These
7 are people who want to start a business or
8 learn a trade. They want to transfer on to
9 four-year universities or receive a
10 certificate that will allow them to gain
11 employment or earn a promotion.

12 In short, community colleges are an
13 unparalleled source of opportunity. A study
14 conducted by the New York Association for
15 Community College Presidents states that the
16 economic impact of community colleges is over
17 \$15 billion annually. As many of you know,
18 our community colleges rely on various
19 sources of funding to thrive. These include
20 state funding, county funding, and of course,
21 tuition dollars.

22 Despite the increasingly important
23 positions that community colleges play, it
24 has been evident for years that the state has

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1 consistently failed to pay its equal share of
2 base aid. This is simply unacceptable.
3 Community colleges are forging new
4 partnerships every day that function as
5 economic catalysts.

6 Whether you are studying viticulture
7 at Finger Lakes or engineering science at
8 Mohawk Valley, it is clear that our programs
9 are an overwhelming success. They are
10 steadily producing a job-ready workforce for

11 New York State, and yet they have
12 consistently been forced to function without
13 the funding that they are due.

14 In order to adjust to this, tuition
15 increases have become all too common. This
16 is not a burden that students are even
17 remotely capable of bearing. This is an
18 issue that will eventually affect our entire
19 system. Community colleges are, by their
20 nature, accessible and affordable. When the
21 affordability factor is compromised, so too
22 is enrollment. Fewer students enrolling and
23 fewer students completing two-year degrees
24 means fewer students transferring on to

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1 four-year degree programs and eventually
2 migrating into the professional workforce.
3 We simply cannot allow this to happen.

4 We understand that budgets are tight.
5 As students, tight budgets and limited funds
6 are a fact of life. We also understand our
7 obligation to pay our debts. We are here to
8 ask that the state meet their statutory
9 obligation and increase base aid funding to
10 community colleges to sufficient levels.

11 Restoring sufficient funding is
12 clearly not something that we expect the
13 Legislature to do in just a single session.
14 As such, for this year, we are only asking
15 for a \$250 increase per full-time equivalent
16 to the community college base. It is time to

17 step up to the plate and follow the legal
18 prescriptions set forth and to stop piling
19 the burden on top of our students. With
20 proper funding, there is no limit to the role
21 that community colleges can play in the
22 future of New York's economy.

23 I now yield my time to Director Rey
24 Muniz III.

♀

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1 MR. MUNIZ: Thank you.
2 Another very important item we would
3 like to tackle today would be the
4 increasingly important issue of textbook
5 affordability. Consider the following: the
6 annual average costs of textbooks is over
7 \$1,200. That is equivalent to roughly 27
8 tanks of gas, or 111 full meals. The cost of
9 textbooks has risen 812 percent in just
10 35 years. And more than 65 percent of
11 students have forgone the purchase of a
12 textbook due to the price, and 94 percent of
13 those students believe that that will
14 negatively impact their grades.

15 Due to financial aid schedules,
16 insufficient award amounts, and varying
17 degrees of textbook availability, this is
18 often a cost that the student will bear
19 directly. Not only does this put students at
20 a distinct disadvantage based upon
21 socioeconomic status, but it threatens to
22 negatively impact completion rates. Despite

23 some minor efforts, this challenge has
24 largely gone unanswered. Now it is time that

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1 we address this issue in a substantive
2 manner, identifying key areas for investment.

3 First, we ask that this assembly pass
4 bill A1178, the Textbook Affordability Act,
5 which authorizes the creation of a task force
6 to identify key textbook cost reduction
7 strategies. This includes investigating open
8 access texts, print-on-demand technologies,
9 digital textbooks, and greater collaboration
10 between faculty, publishers, and college
11 bookstores.

12 We believe that investment into the
13 findings of this task force will be a bold
14 stride in leadership on the part of the
15 Legislature and a giant step forward for
16 struggling students.

17 I now yield my time to Senior Director
18 Marc Cohen.

19 MR. COHEN: Thank you.

20 The State University of New York has a
21 long and distinguished track record of
22 student excellence. SUNY has become
23 synonymous with new ideas, progress and
24 innovation, and is continually recognized for

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1 its commitment to diversity and access. One
2 of the most successful examples of this is
3 the Educational Opportunity Program, commonly

4 known as EOP. EOP supports worthy students
5 who come from disadvantaged economic
6 backgrounds and allows them to pursue an
7 education that might otherwise be unavailable
8 to them.

9 EOP is something that all SUNY
10 students can be proud of. It speaks to our
11 strong belief in equality and inclusion and
12 our firm conviction that everyone who is
13 willing to work hard, regardless of economic
14 status, should be able to receive a degree.
15 In many instances, it allows students to
16 break a cycle of generational financial
17 dependency by becoming well-educated and
18 employable. Their success serves to
19 strengthen their families, our various
20 communities, and ultimately the entire state
21 of New York.

22 This year's agenda is Opportunity for
23 All. Unfortunately, EOP funding is under
24 attack, having been cut significantly from

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1 the Executive Budget. We cannot permit those
2 funding cuts. As of the end of last year, we
3 have 9,359 students enrolled in this program.
4 More than 9,300 students who are working
5 tirelessly towards finishing a degree that
6 they otherwise might never have had the
7 opportunity to receive.

8 With the proposed budget cuts in
9 place, some of these students will not be

10 able to continue their education. They will
11 be left without the necessary assistance for
12 their success.

13 We are respectfully requesting that
14 this body restore the \$1.3 million that was
15 cut from this program. It is in everyone's
16 best interest to assist these students along
17 their pathway to success. I yield to
18 director Muni z.

19 MR. MUNI Z: Amidst an upward trend in
20 non-traditional educational tracts, many
21 college students are representing a growing
22 student demographic: Parents. In order to
23 accommodate growing demand, SUNY childcare
24 centers throughout the system have been

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1 expanding programs, accepting more charges,
2 and stretching every single dollar to the
3 max.

4 For years, childcare centers have been
5 woefully underfunded, unable to service the
6 high demand. Despite the fact that these
7 programs are already struggling, the
8 Executive Budget has consistently cut
9 hundreds of thousands of dollars annually
10 from program funding. We would like to thank
11 the members of this legislature for restoring
12 that funding year after year. Today,
13 however, we are here to tell you that these
14 dollars are simply insufficient.

15 Across the system, childcare programs

16 are sinking. Desperate parents who are
17 trying to receive an education to help
18 provide for their families are forced to drop
19 out due to the abject lack of affordable
20 child care. In underfunding this program, we
21 do them a great disservice. We ask that this
22 year, the Legislature support a net increase
23 to SUNY childcare funding to help put these
24 programs back on track to assist thousands of

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1 parents every year.

2 And now I yield my time to President
3 Mould.

4 MS. MOULD: We understand the fiscal
5 constraints of the state, and every semester
6 we have as students a list of tough choices
7 that we have to make. Should we buy that
8 textbook, or more importantly buy groceries
9 and pay our rent? Should we really add
10 another \$10,000 in debt to our plate?

11 These are the choices that we have to
12 make. We are not here to ask for a handout,
13 but instead we are here to request that the
14 state strengthen its partnership with SUNY.
15 SUNY will continue to be the driver behind
16 the New York State economy. Every dollar
17 that SUNY receives is an investment that has
18 tangible, measurable returns. We are a
19 system of almost a half million students who
20 create tens of thousands of jobs, provide an
21 educated workforce, world-renowned research,

22 and offer unparalleled opportunities for
23 every New Yorker.

24 We are poised to reach new heights,

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1 and to show the nation what it looks like to
2 do public higher education the right way.
3 Let's continue to make SUNY synonymous with
4 success. Let's invest in our students'
5 future.

6 We, the students of SUNY, are asking
7 you to stand by our side, continue to expand
8 our partnership, and to help us reach
9 ever-higher levels of accomplishment. Once
10 again, we thank all of you for this
11 opportunity to speak today, and we look
12 forward with great anticipation to the
13 future.

14 CHAIRMAN FARRELL: Thank you.

15 Questions?

16 SENATOR KRUEGER: Thank you for being
17 here all day.

18 MS. MOULD: Thank you for being here
19 all day.

20 CHAIRMAN FARRELL: Have a good
21 evening.

22 MS. MOULD: Thank you.

23 SENATOR KRUEGER: Thank you.

24 CHAIRMAN FARRELL: We are closed until

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1 the 25th -- of October, was it? No.

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(Laughter.)

CHAIRMAN FARRELL: -- the 25th of
February, when we'll be having our tenth
meeting. Thank you.

(Whereupon, at 4:59 p.m., the budget
hearing concluded.)

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