

# SUNY DAY '08

## SUNY Flexibility – The 2008-09 Executive Budget Article VII Language

*“Over-regulation pervades every aspect of SUNY’s operation, in ways large and small”*

*The Challenge and The Choice, The Wharton Commission’s 1985 report on the State University*

*“... comparison of governance structures in peer states revealed that SUNY’s classification as a state agency is extremely unusual...virtually every individual the Commission consulted on this matter urged the State to unshackle SUNY, end micromanagement and free the system to focus on achieving excellence”.*

*Preliminary Report, New York State Commission on Higher Education December 2007*

Governance and regulation affect every aspect of SUNY’s ability to meet its mission of providing an excellent, affordable and accessible higher education to the people of New York. SUNY is asking the Legislature to support the Governor’s 2008-09 Executive Budget Proposal which will allow the University to better serve the State of New York by eliminating burdensome and unnecessary regulations.

For SUNY Universities and Colleges, the proposals include flexibility in procurement and land use as follows:

- Exempting SUNY and CUNY from obtaining prior review from the Attorney General or State Comptroller when purchasing goods and services, entering into revenue contracts, contracts relating to real property transactions and other contracts. This pre-audit requirement is an anomaly as most public university systems nationwide are only subject to post-audit of expenditures.
- Enabling college foundations and alumni associations to save money by providing them with access to the state’s centralized commodity and services contracts through the Office of General Services (OGS).
- Permitting SUNY to sell or lease state land to public or private entities for fair market value after approval of the state Budget Director and SUNY Board of Trustees with notice given to the State Comptroller, OGS and the State Legislature. This aspect of flexibility would enable the campuses and SUNY to move more expeditiously on entrepreneurial projects that benefit the campus and the surrounding communities.
- Empowering the State University Construction Fund to use any project delivery method, including but not limited to design/build and construction manager at risk. In addition, Fund procurement procedures would be similar to those recommended for the University and be consistent with other public authorities.

For SUNY Hospitals, additional flexibility will enable them to deliver services in the highly competitive and highly selective health care arena. The proposals include:

- Permitting SUNY’s hospitals to contract for the purchase of goods and services without prior approval by the Attorney General or State Comptroller.
- Allowing SUNY’s health care facilities to enter into contractual agreements for the acquisition of facilities suitable for the delivery of health care, either directly or through joint or cooperative arrangements, without prior approval by the Attorney General or State Comptroller.