



# THE PUBLIC HIGHER EDUCATION EMPOWERMENT AND INNOVATION ACT

## WHAT'S IN THE BILL

### Tuition Policy and Financing

- Allows for differential tuition by campus and program;
- SUNY Board must adopt tuition policy that is fair, equitable and responsible and that includes guidelines for across the board tuition adjustments, differential tuition and enrollment planning;
- SUNY Board must adopt out of state enrollment maximum percentage limitations;
- Invests all tuition, fees and other self-generated revenues in SUNY campuses, students and faculty; and
- Repeals Education Law §355(8-b), enacted in 2009.

### Land Use, Public-Private Partnerships and Construction Fund

- Authorizes the SUNY Board to accept gifts of real property;
- Authorizes SUNY to undertake land leases without special legislation for projects not in conflict with campus missions, subject to approval by a newly chartered State University Asset Maximization Review Board;
- Authorizes SUNY to enter joint ventures and public private partnerships, subject to approval by the State University Asset Maximization Review Board;
- Requires land leases include: MWBE, prevailing wage, union worker rights protection, reverter clauses, and project labor agreements;
- Allows the State University Construction Fund to use expanded delivery methods, including design/build and construction manager at risk;
- Eliminates burdensome and duplicative State Comptroller/Attorney General pre-approval of Construction Fund contracts;
- Waives Construction Fund performance bonds for contracts less than \$250,000;
- Authorizes DASNY (Dormitory Authority) to finance/construct facilities on behalf of State-operated and community college affiliates; and
- Authorizes DASNY to finance/construct community college dormitories directly on behalf of each community college.

### Procurement Efficiencies

- Eliminates burdensome and duplicative State Comptroller/Attorney General pre-approval of SUNY, CUNY and their Construction Funds contracts;
- Broadens SUNY access to the Office of General Services centralized contracts for goods and services; and
- Streamlines approval for residential halls built by SUNY alumni associations.

### Operations Efficiencies

- Provides protection from liability for students participating in clinical internships related to their field of study;
- Provides an Employee Retirement System (ERS) option for medical, dental and optometric interns; and
- Aligns SUNY and CUNY to the eight year master planning process applicable to the independent colleges and universities in NYS.

### Hospital Reforms

- Provisions relating to nurse wage rates and pay differentials;
- Facilitates hospitals participating in joint ventures and managed care to provide health care related services; and
- Eliminates burdensome and duplicative State Comptroller/Attorney General pre-approval of SUNY hospital contracts, including those involving real property transactions.

