

**In Support Of New York State Legislation A934/S1561, An Act
Relating To State Reimbursement To Counties For Amounts Paid
On Behalf Of Non-Resident Students In Attendance At The Fashion
Institute of Technology**

Referred to: The Legislative Programs, Education & Community Services Committee
(Chairman Harris and Legislators Donaldson, Gregorius, Lopez and Wawro)

Chairman of the Legislative Programs, Education and Community Services
Committee, Wayne Harris offers the following:

WHEREAS, the Fashion Institute of Technology (FIT) is a community college located in New York City where students study design, fashion, art, communications, and business; and

WHEREAS, FIT relies on funding from three sources, which are the local sponsor's share, state support, and student tuition, much like any other community college; and

WHEREAS, FIT is a unique community college in that it grants baccalaureate and masters degrees; and

WHEREAS, a recent court case upheld FIT's designation as a community college, however, the court found that counties should only be required to provide charge back fees for their two-year programs; and

WHEREAS, charge back fees are collected as part of an off-set to the local sponsor's share and are paid by counties whose residents choose to attend an out-of-county community college; and

WHEREAS, in these difficult economic times, counties find it difficult, if not impossible, to pay for the baccalaureate and masters programs; and

WHEREAS, Ulster County paid approximately \$557,440 in 2011-2012 for 52 students, including upper division courses; and

WHEREAS, A.934/S.1561 has been introduced to amend the Education Law in relation to payments to community colleges by New York State and to repeal subdivision 10 of §6305 of the New York State Education Law relating to State reimbursement to counties for amounts paid on behalf of non-resident students attending FIT; and

WHEREAS, this legislation is designed to alleviate the financial burden on New York counties from having to pay chargeback fees to FIT for baccalaureate and masters programs; and

Resolution No. 158 June 18, 2013

**In Support Of New York State Legislation A934/S1561, An Act
Relating To State Reimbursement To Counties For Amounts Paid
On Behalf Of Non-Resident Students In Attendance At The Fashion
Institute of Technology**

WHEREAS, this legislation would provide sufficient funds to FIT by having the State pay the chargeback fees for the baccalaureate and masters programs and ease some of the counties' financial burdens; now, therefore, be it

RESOLVED, the Ulster County Legislature does hereby urge New York State Legislative representatives to promptly compromise both house bills, A934 and S1561, and to support An Act Relating To State Reimbursement To Counties For Amounts Paid On Behalf Of Non-Resident Students In Attendance At The Fashion Institute of Technology; and, be it further

RESOLVED, that the Clerk to the Ulster County Legislature shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senators James Seward, John J. Bonacic, William J. Larkin, Jr., Cecilia Tkaczyk and Senate Higher Education Committee Chair Kenneth LaValle, Assembly Speaker Sheldon Silver, and New York State Assemblymembers Kevin A. Cahill, Claudia Tenney, Frank K. Skartados, Peter Lopez, and Assembly Higher Education Committee Chair Deborah Glick,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 20 NOES: 0
(Legislator Robert Parete arrived at 7:28 PM,
Legislator Mary Wawro arrived at 7:49 PM,
Legislator Harris left at 7:45 PM,
Legislator Briggs left at 8:30 PM,
Legislator Lopez left at 9:30 PM)

Passed Committee: Legislative Programs, Education & Community Services
on June 5, 2013

FINANCIAL IMPACT:
NONE

Resolution No. 158 June 18, 2013

**In Support Of New York State Legislation A934/S1561, An Act
Relating To State Reimbursement To Counties For Amounts Paid
On Behalf Of Non-Resident Students In Attendance At The Fashion
Institute of Technology**

STATE OF NEW YORK

ss:

COUNTY OF ULSTER

This is to certify that I, the undersigned Clerk of the Legislature of the County of Ulster have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 18th Day of June, 2013, and that the same is a true and correct transcript of said resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 20th Day of June in the year Two Thousand and Thirteen.

|s| Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature