



**TO:** The Honorable the Members of the Board of Regents  
**FROM:** Elizabeth R. Berlin *Elizabeth R. Berlin*  
**SUBJECT:** 2017 State Legislative Priorities  
**DATE:** November 10, 2016  
**AUTHORIZATION(S):** *MaryEllen Elin*

**SUMMARY**

**Issue for Decision**

The Regents advance state legislative priorities every year. At the October meeting, the relevant committees of the Board reviewed and discussed proposals to be advanced during the 2017 legislative session. At the November meeting, the relevant committees of the Board will approve certain proposals to be advanced during the 2017 legislative session.

**Reason(s) for Consideration**

Regent's approval of certain legislative priorities.

**Recommendation**

It is recommended that the Regents affirm support for last year's proposals as well as approve the following one page proposals for the 2017 session:

ACCES- Reader's Aid

Cultural Education- Museum Education Act

Professional Practice- Enhanced Discipline Authority of the Licensed Professions



**THE STATE EDUCATION  
DEPARTMENT**

THE UNIVERSITY  
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ALBANY, NY 12234

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COMMISSIONER

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## **Enhancing Educational Supports for Students with Disabilities pursuing Post-Secondary Study**

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### ***THE ISSUE:***

Since enactment in 1936, The Reader's Aid Program has provided funding of up to \$1,000 per student per year to colleges and universities to use on behalf of their students who are blind, deaf, deaf-blind, or hard of hearing. This funding has been used to date to help to meet the costs of note-takers, readers, and interpreter services.

The law, while innovative for its time in recognizing the needs of students with disabilities, must now reflect the challenges faced by such students in the 21<sup>st</sup> century. By limiting funding to be spent by the schools to note-takers, readers, and interpreter services, the current Reader's Aid Program fails to address fully the challenges of today's student as they seek to integrate changing technology with educational goals.

By using existing funding to increase the per student award to the Reader's Aid Program for the first time in over 70 years, participating schools will be better equipped to meet the soaring costs of support services, including interpreter services, for their eligible students.

### ***THE SOLUTION:***

The Regents propose legislation that will address the educational needs of a wider range of students as they pursue a broad spectrum of opportunities to meet their educational goals by:

- Increasing the annual aid cap of \$1,000 to \$4,000 per student;
- Expanding eligibility to include within its provisions non-degree granting proprietary schools in New York State;
- Providing for eligibility for students with learning disabilities and print disabilities; and
- Authorizing the use of up to half of the funds for the purchase of assistive technology that would be owned by the student in order to facilitate their continued education.



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## Expanding Access to Education Programs through Cultural Institutions

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### *THE ISSUE:*

Students from throughout the state must learn how to access, interpret, and analyze information to succeed in the increasingly complex, high-tech world of the 21st century. New York has world-class cultural institutions that have the ability to engage students in unique ways that entertain and excite, helping them to learn critical higher-order thinking skills needed to meet such challenges.

Over 1,500 museums, historical societies, zoos, botanical gardens, aquariums, and cultural arts institutions now provide instruction to over six million children. These cultural institutions receive no direct state support to initiate, expand, and enhance educational services through access to museum collections, scholarship and virtual learning.

Students living in low-income communities in urban, suburban, or rural settings benefit from having access to the type of learning provided by cultural institutions. Fair and equal access to these types of institutions will provide enhanced learning opportunities for these students.

The state should support this programming to better ensure that these unique learning opportunities can be expanded to children and lifelong learners of the state. Cultural institutions, in collaboration with teachers and schools, can design new and innovative museum programs to address such pressing issues as science, anthropology, history, and arts literacy.

### *THE SOLUTION:*

The Department supports enactment of the Museum Education Act supporting the expansion of education programs in cultural institutions.

The Museum Education Act would establish competitive grants to support cultural institutions that seek to establish or improve museum education programs designed to improve and support student learning opportunities, including supporting the development of local curricular aids.

For more information contact the  
Office of Governmental Relations, New York State Education Department, (518) 486-5644



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## **Enhanced Discipline Authority of the Licensed Professions**

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### ***THE ISSUE:***

A 2016 article raised concerns regarding the discipline of nurses who pose a public health and safety risk to those in New York highlighting the real life consequences of the limitations and lack of tools found in current law when it comes to the Department's ability to take quick action in such cases for all licensed professions. The Department seeks legislation to modernize authority over licensed professions to mirror the powers of the Department of Health's Office of Professional Medical Conduct, which already has the authority to issue summary suspensions when it comes to physicians, physician assistants, and specialist assistants.

### ***THE SOLUTION:***

The Department supports legislation that would enhance the discipline authority over all licensed professions it oversees by:

- Authorizing the Commissioner or her/his designee to order a temporary suspension of practice privileges of a licensee or registered entity in extreme cases where there is an imminent danger to the health and/or safety of the public. The licensee would be granted an expedited formal hearing to ensure that he or she has a full opportunity to defend themselves on the pending charges.
- Requiring all licensed professionals to report to the Department any moral character issue(s) upon application for licensure. Currently athletic training, dietetics/nutrition, certified dental assisting and medical physics are the only professions that do not have a moral character requirement upon initial application. A moral character provision should be added to the statutes for these professions to make the requirement uniform across all licensees so that the Department can review this information when making licensure determinations.
- Requiring, at a minimum, that all licensed professionals report to the Department any record of a conviction of a crime in a timely manner. Current law does not require a criminal history background check prior to initial licensure and only requires that licensed professionals report the conviction of a crime upon re-registration every three years (physician, physician assistants and specialist assistants re-register every two years).