



**TO:** The Honorable the Members of the Board of Regents

**FROM:** John L. D'Agati 

**SUBJECT:** Application for Authority to Operate as a for-profit Degree-Granting Institution in New York State: New York Film Academy – Provisional Authority to Confer Degrees

**DATE:** November 29, 2018

**AUTHORIZATION(S):** 

#### **SUMMARY**

#### **Issue for Decision (Consent Agenda)**

Should the Board of Regents grant provisional authority to confer degrees to New York Film Academy (NYFA) and approve a master plan amendment for NYFA to offer programs leading to the Bachelor of Fine Arts (B.F.A.) degree?

#### **Reason(s) for Consideration**

Required by State Statute and State regulation.

#### **Proposed Handling**

The question will come before the full Board at its December 2018 meeting, where it will be voted on and action taken.

#### **Procedural History**

NA

#### **Background Information**

New York Film Academy (NYFA), currently operating as a non-degree postsecondary school licensed by the Department's Bureau of Proprietary School Supervision (BPSS), has submitted a proposal to operate as a New York State degree-granting institution. NYFA proposes to initially offer the following two-degree programs:

- Bachelor of Fine Arts (B.F.A.) in Filmmaking
- Bachelor of Fine Arts (B.F.A.) in Acting for Film

The B.F.A. in Filmmaking is a 9-term conservatory-based, full-time undergraduate study program designed to be completed in three years, including fall, spring, and summer terms. The objective of this program is to teach students the art and craft of filmmaking through lectures, seminars, and total immersion workshops. Students are expected to master the skills of writing, directing, filming, and editing films.

The B.F.A. in Acting for Film is an 8-term conservatory-based, full-time undergraduate study program designed to be completed in three years, including fall, spring, and summer terms. The objective of this program is to teach students the art and craft of acting through hands-on classroom education, and intense acting seminars. Students are expected to acquire a sound understanding and appreciation of performing as visual artists in the motion picture arts and to learn to integrate knowledge and professional experience.

NYFA's current facilities include two buildings in Manhattan, one at 17 Battery Place and another at 26 Broadway. These facilities consist of 130,000 square feet and include 38 classrooms, 4 movement studios, 3 voice practice rooms, 6 shooting studios, 2 performance/screening spaces, 1 theatre, 3 equipment rooms, 1 library, 9 computer labs, administrative offices, and lounges for faculty and students.

NYFA expects its year one enrollment to be 100 students, split evenly between the two programs, and for enrollment to grow steadily each year. NYFA's expected year five enrollment is 206, again split evenly between the two programs. They expect about 55% of their students to come from foreign countries.

In addition to the New York campus, NYFA also operates campuses in Los Angeles, California and Miami, Florida, both of which are authorized to grant degrees in their respective states. The Los Angeles campus offers the Associate of Fine Arts, Bachelor of Arts, Bachelor of Fine Arts and Master of Fine Arts degrees, as well as non-degree programs. This campus is under the oversight of California's Bureau of Private Postsecondary Education. The Miami campus offers the Bachelor of Fine Arts and Master of Fine Arts degrees, as well as non-degree programs. This campus is under the oversight of the Commission for Independent Education of the Florida Department of Education. NYFA offers additional workshops and other non-degree programs at locations around the world.

The Department completed its review of NYFA's academic program proposals and has determined that the proposed programs meet the standards for program registration. Additionally, NYFA has received positive reviews from the external site reviewers from the Tisch School of the Arts at New York University: the Academic Director and Arts Professor (Acting), and an Associate Professor (Film & Television Production). NYFA has demonstrated that it possesses adequate physical and financial resources to carry out the proposed degree programs.

Consistent with the master planning process described in Education Law §237 and §137 of Chapter 82 of the Laws of 1995, the Department solicited input from existing degree-granting institutions concerning the need for a new college in New York State and its impact on existing institutions and programs. The result of the Department's canvass included three objections to the NYFA proposal. Consistent with past practice, the Department requested that NYFA address and resolve these objections and/or concerns directly with the New York State institutions that initially lodged them. As a result of communications between NYFA and these institutions, all three institutions that initially objected withdrew their objections and concerns.

### **Related Regents Items**

N/A

### **Recommendation**

The Department recommends that the Board of Regents take the following action:

VOTED: That the Board of Regents grant the New York Film Academy (NYFA) provisional authority to confer the B.F.A. degree and approve the master plan amendment for NYFA to offer registered curricula in Filmmaking and Acting for Film. The provisional period will be for five years from the date of approval by the Board of Regents.

### **Timetable for Implementation**

If the Board of Regents grants NYFA provisional authority to confer degrees and approves the master plan amendment, the Department will consent to the Department of State amending NYFA's corporate purposes to include authority to award the B.F.A. degree and will register the proposed programs.

In accordance with §3.58(b)(1) of the Rules of the Board of Regents, NYFA must apply to the Department for permanent authority to confer degrees at least twelve months prior to the expiration of the provisional period (December 10, 2022). The Board of Regents will then make a determination on whether to grant NYFA permanent authority to confer degrees, extend the provisional authority to confer degrees, or deny continuing degree-conferring authority past the term of provisional authority. If NYFA does not apply for permanent authority to confer degrees, the provisional authority to confer degrees will expire at the end of the term of provisional authority.

The Department will monitor NYFA's progress toward meeting the requirements for permanent authority to confer degrees pursuant to §3.58(b)(2) and (d) of the Rules of the Board of Regents.