



**UUP TALKING POINTS
2010-2011 EXECUTIVE BUDGET
SUNY FLEXIBILITY**

I. GOVERNOR'S PROPOSAL

The legislation submitted by the Governor with his budget calls for the enactment of a Public Higher Education Empowerment and Innovation Act.

The Act provides SUNY with full authority to raise tuition without legislative approval, and impose differential tuition which is currently prohibited under current law.

It eliminates the current requirement for State appropriation of tuition and other SUNY revenues.

It also permits the University to lease campus properties, enter into contracts and variations of public/private partnerships with limited oversight.

II. UUP POSITION AND TALKING POINTS

- **UUP opposes the Governor's proposal to grant SUNY the authority to raise tuition without legislative approval.**
- **UUP also opposes the Governor's proposal to grant SUNY the authority to impose differential tuition.**
 - UUP cannot support these proposals which would clearly shift the burden to fund SUNY's academic programs from the State to the students and their families. Under these proposals, SUNY is given the authority to institute across-the-board tuition increases up to 2 ½ times the five year rolling average of the Higher Education Price Index (HEPI).
 - The authority granting SUNY the flexibility to impose differential tuition is not subject to the HEPI cap or any other limitation – other than SUNY Board guidelines.
 - In effect, the Governor grants SUNY authority to exceed the HEPI cap for any specific campus or program, under the guise of differential tuition, and to whatever level the Board determines.
 - UUP believes that the State should have the primary responsibility to fund public higher education.
 - Under the Governor's proposals no current student or applicant could possibly know how University tuition decisions will affect their subsequent ability to pay.
 - In that context, how can either the Governor or SUNY market this as a rational and predictable tuition policy?

- We know that access and affordability are not mutually exclusive. If the Governor's proposals are enacted, we run the very real risk of disenfranchising applicants from low and moderate income families.
- Finally, these proposals set the stage for the eventual break up of the SUNY System. Competition among the campuses for students will certainly occur. Some campuses will be able to compete; others will not.
- **UUP opposes the elimination of State appropriations for SUNY's expenditure of tuition, student fees and other campus revenues.**
 - This proposal permits SUNY to comingle tuition with other campus revenues and to spend these dollars without any oversight or limitation.
 - This will greatly diminish accountability for SUNY spending decisions.
 - The transparency of SUNY operations will be virtually eliminated.
 - In effect, under the Governor's proposals, our public academic institutions will have the unrestricted freedom of SUNY's private Research Foundation – which has been highly criticized for the secrecy of its operations.
- **UUP has serious reservations concerning proposals to provide SUNY the authority to enter into contracts, leases, public/private partnerships and joint ventures – in the absence of sufficient oversight.**
 - These provisions repeal statutes requiring that contracts and other related transactions be approved by the State Comptroller and Attorney General.
 - Leases and public/private partnerships which currently require legislative approval would be subject to a three person board consisting of one representative from each of the two majorities in the legislature and one appointed by the Governor. While this maintains some oversight, to ensure the propriety of those transactions additional oversight mechanisms will be imperative.
 - Where employee protection language is provided, the language is insufficiently protective and requires substantial modification. In the absence of such modification, outsourcing becomes probable.
 - In summary, UUP can not support these provisions, as drafted. Oversight will need to be enhanced and employee protections strengthened.