



NEW YORK STATE SENATOR

David Carlucci

## Senator Carlucci Announces Mandate Relief Bill for Community College Costs

DAVID CARLUCCI June 15, 2012

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*Prevents County Charge-backs to Town Governments, Increases State Aid for Tuition Fees*

**NEW CITY** – Senator David Carlucci (D-Rockland/Orange) today announced he has co-sponsored a comprehensive mandate relief bill (S.7152) that seeks to alleviate out-of-county community college tuition costs for Rockland County, as well as prevent charge-back fees from being implemented onto its Towns.

At a press conference outside of Clarkstown Town Hall, Senator Carlucci was joined by Rockland's four Town Supervisors, as well as Ramapo Town Attorney Michael Klein, in a show of local support for reforming an outdated system. The Town Supervisors also wasted no time in blaming the County Executive and County Legislature for approving a charge-back to raise \$1.8 million dollars in revenue from the Towns.

"County and local governments throughout New York State should not be burdened with paying the unaffordable tuition costs of community colleges in these trying economic times," **said Senator Carlucci.** "This mandate relief legislation will allow the state to cover a portion of these costs instead of the County, while at the same time ensuring that our Towns are protected from any unwarranted charge-backs."

Under the guise of the community college charge-back provisions contained in the State's Education Law, the county of residence of a student attending FIT is required to reimburse FIT for a significant portion of that student's tuition. Counties are also allowed to charge back this cost to their Towns.

FIT is unique, however, in that it offers baccalaureate and masters degree programs in addition to its community college offerings.

"Simple logic dictates that Rockland County government is responsible for the funding of Rockland Community College," **said Clarkstown Supervisor Alex Gromack.** "It is unacceptable for the County to force the Towns to pay for their expenses while they continue to collect all the revenue. This is another desperate attempt by the County Executive to shift more costs to the Towns; instead of fixing their problems they shift their problems. The County needs to stop coming up with ways to tax the residents of Rockland and come up with real solutions to fix county government."

According to the legislation that the Senator has co-sponsored, the first part of the plan would provide that New York State cover the costs for the charge-back fees for baccalaureate and masters degree program towards FIT, or what are referred to as upper division degrees. This would significantly ease counties' financial hardships for paying the entire tab, and only require them to pay a fraction of the normal cost. It would, however, still require counties to pay their obligation for the lower level charge-back fees, which are paid to all other community colleges for two year degrees.

The bill provides for a phased takeover of these costs by the state. By March 31, 2012, New York State would pay 50% of their costs and by June 1, 2013, the state will make the remaining 50% payment to FIT. Furthermore, the state by June 1, 2014 would pay 100% of such costs.

The legislation would also remove the authority for the counties to charge the cities and towns charge-back fees for resident students who attend out-of-county community colleges.

This issue has taken hold in other suburban counties facing similar financial difficulties in New York. In a recent court case back in 2011, the Town of North Hempstead on Long Island sued Nassau County over its decision to implement community college charge-backs. The court found that while FIT's designation as a community college should be upheld, the court found that counties should only be required to provide charge-back fees for their two-year programs.

Both the Fashion Institute of Technology (FIT) and the State University of New York (SUNY) have offered their own memorandums of support, urging for the passage of the Senate bill.

**Andy Stewart, Orangetown Town Supervisor, said,** "Orangetown finances summer camp for kids – we cannot afford to pay college tuition fees and it is not within the Town's mission to

do so. These chargebacks are pure budget opportunism by the County executive and legislature.”

**Howard T. Phillips, Haverstraw Town Supervisor, said,** “Basic accounting principles: if you have to pay for the expenditure, you receive the revenue. Haven’t they done enough damage to the county taxpayer already?”

**Geoff Finn, Stony Point Town Supervisor, said,** “The Town of Stony Point will take all necessary and appropriate steps to prevent any unwarranted costs being imposed on its taxpayers. The Town should not have to pay for the County’s failures.”

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*Photo: Senator David Carlucci joins with Clarkstown Supervisor Alex Gromack, Stony Point Supervisor Geoff Finn, Haverstraw Supervisor Howard T. Phillips and Orangetown Supervisor Andy Stewart at a press conference calling for mandate relief and an end to county chargebacks of community college tuition fees.*