

**New York State Higher Education Services Corporation
Special Meeting of the Board of Trustees
Minutes
May 31, 2019
3:00 p.m.**

The special meeting of the HESC Board of Trustees, held by videoconference, was officially called to order at 3:05 p.m. by Mr. Abraham M. Lackman, Interim Chair of the Board.

The following members of the Board were in attendance in Albany: Mr. Hank Bennett, designee of Dr. Kristina Johnson, Chancellor of the State University of New York (SUNY); and Ms. Petra Maxwell, designee of Ms. Mary Ellen Elia, Commissioner of the New York State Education Department (SED).

Board members in attendance at the NYC videoconference location were: Mr. Abraham M. Lackman, Interim Chair of the HESC Board of Trustees and Senior Officer of Civic Affairs, Simons Foundation; Dr. Victor D. Alicea, President, Boricua College; Mr. Michael Braun, President, SUNY Student Assembly; Ms. Laura Bruno, designee of Dr. Felix Rodriguez Matos, Chancellor of the City University of New York (CUNY); and Mr. Marc M. Jerome, President, Monroe College.

The following Board members were also in attendance via videoconference at multiple other locations: Dr. Anthony G. Collins, President, Clarkson University; Ms. Gabriella Felipe, Student, Utica College; and Ms. Colleen Wright, Interim Director of Financial Aid and Student Employment, Cornell University.

Present for HESC in NYC was Dr. Guillermo Linares, President of HESC. Present for HESC at the Albany location was Ms. Cheryl Fisher, Secretary to the Board. Also present for HESC in Albany were: Mr. Joe Agresta; Ms. Anne Doyle; Ms. Barbara Hochberg; Mr. David Salway and Mr. Warren Wallin; as well as Ms. Cori Biviano, Mr. Joshua Farrell and Ms. Aleah Wendell.

Chair's Opening Remarks

Mr. Lackman extended his appreciation to the City University of New York for use of the facility for the videoconference. He explained that he called this special meeting of the Board of Trustees upon the written request of Ms. Laura Bruno, Mr. Marc Jerome and Mr. John D'Agati.

Approval of Minutes

Chairperson Lackman next requested a motion to adopt the draft minutes from the August 1, 2018 Board meeting. Mr. Marc Jerome moved to adopt the minutes and Mr. Michael Braun seconded the motion. The motion passed by voice vote. The minutes were adopted without change.

Mr. Lackman introduced Ms. Fisher to present the draft Resolution to the Board.

Resolution

Ms. Fisher stated that the Resolution before the Board would authorize HESC to proceed with the promulgation of the rules necessary to implement the

Jose Peralta New York State DREAM Act (DREAM Act), which was enacted as part of the State Budget. She explained that the DREAM Act expands the eligibility criteria for awards to students as delineated in the two statutes provided to the Board.

Section 2201.1 of HESC's regulations addresses eligibility; and section 2407.1 of HESC's regulations addresses eligibility for students attending colleges that register their programs of study with HESC, rather than SED. The amendments made to section 2201.1 are mirrored for section 2407.1.

The first amendment incorporates language from the Aid to Localities budget enacted as Chapter 53 to clarify that HESC can share application information with participating colleges only to the extent necessary to determine eligibility and process awards. HESC is working with the sectors to utilize a college identification number other than an SSN.

The second amendment repeals the old residency provisions and defines the statutory term "legal resident of the state" as students who live in NY and are either: (i) US citizens, (ii) permanent lawful residents, or (iii) paroled refugees - the same students who were eligible for awards prior to the DREAM Act. Students who are not legal residents of the state are delineated in the statute as: students granted U-Visas, T-Visas, Temporary Protected Status, or are without lawful immigration status; as well as: students who are either US citizens, permanent lawful residents, or paroled refugees who live outside NYS. To be eligible for an award, these students must: attend a NYS high school for at least two years, graduate from a NYS high school, and apply to college for undergraduate study

within five years of receiving a NYS high school diploma (within 10 years for graduate study); or attend an approved NYS program for a NYS high school equivalency diploma, receive a NYS high school equivalency diploma, and apply to college for undergraduate study within five years of receiving a NYS high school equivalency diploma (within 10 years for graduate study); or be eligible for in-state tuition at a SUNY or CUNY college. Students without lawful immigration status are required to file an affidavit with their college stating that they filed an application to legalize their immigration status or will do so as soon as they are eligible to do so.

Ms. Fisher explained that, if the resolution is adopted, the regulation would be effective upon filing with the NYS Department of State later today; that the rulemaking process would continue with the opportunity for public comment; and that the Board would not need to reconsider the regulation unless substantive changes were made based on the comments received. Ms. Fisher clarified that the public comment period is 60 days.

A question was initiated by a non-Board member; however, Ms. Fisher clarified that the matter before the HESC Board of Trustees was reserved for Board members only and that HESC would be pleased to address any comments or questions outside of the meeting.

Upon calling for a motion, Mr. Lackman recognized Dr. Alicea, offering him the opportunity to make the motion to approve the resolution as a part of the historic process of implementation of the DREAM Act, and requested that Dr. Alicea's comments be noted in the minutes of the meeting.

Dr. Alicea expressed his overwhelming pleasure and honor to make the motion to approve the resolution before the Board, congratulating the Governor and Legislature for moving the measure forward. He relayed his pleasure at being part of the HESC Board that moved the measure forward toward implementation.

Mr. Lackman called for a second of the motion, provided by Mr. Marc Jerome. The resolution passed unanimously.

Again, recognizing the historic nature of today's Board action, Mr. Lackman called on Dr. Linares, newly confirmed as President of HESC, for comments.

Dr. Linares acknowledged that today marks a momentous occasion for NYS, welcoming Dreamers and their families. Dr. Linares stated that the DREAM Act was the first bill that he introduced when he was elected as a NYS Assemblyman, along with Senator Perkins. As an original sponsor, he worked in 2011 and 2012 with many sectors in support of Dreamers. He acknowledged the work of other legislative colleagues in support and sponsorship of the bill, Assembly members Moya and De La Rosa, Senator Sepulveda and the late Senator Jose Peralta, in whose name the bill was signed into law by the Governor.

Dr. Linares acknowledged Assembly Speaker Heastie and Senate Majority Leader Stewart-Cousins, as well as the Governor who, he stated, all supported the measure becoming a reality and dedicated funding to its implementation. In closing, Dr. Linares commented that it is a proud day for all New Yorkers, especially those who are immigrants to NYS, and he thanked the Board for the opportunity to speak.

Mr. Lackman closed by recognizing and congratulating Dr. Linares as leader of HESC and Dr. Alicea as a HESC Board member with respect to this measure that they both have fought for, for so long.

Adjournment

Chairman Lackman asked for a motion to end the meeting. The motion was made by Mr. Michael Braun and seconded by Dr. Victor Alicea. The meeting was adjourned at 3:17 p.m.