Governor Wilson has approved two bills, S9595-C and S10782, relating to auditing of courses by persons sixty years of age and over. The basic bill (S9595-C) amends the Education Law to add to the specification of powers and duties of the Board of Trustees the authority to promulgate regulations for the State-operated campuses which:

may permit persons sixty years of age or over to audit courses given therein without tuition, examination, grading or credit therfor upon a space available basis, as determined by the president of each such institution, provided that such audit attendance does not deny course attendance at a state-operated institution by an individual who is otherwise qualified...

A closely similar provision authorizes community colleges to permit identical audit opportunities, except that the companion bill (S10782) states that the provisions of the basic amendment "shall not affect any state aid to community colleges..."

Copies of both bills are attached for your information. Also attached is a copy of section 059.7 of the Administrative Procedures manual which sets forth the University's general policy on audits.

I'm writing to urge you to study these new requirements and to begin planning promptly to implement them. In many instances you've already offered a similar program; you will now want to review it in light of the legislation.

The planning should include the identification of the courses to be made available for auditing; the time of day and location of the offerings; procedures for advisement, registration, and recording; other rules and regulations for auditing; and the preparation of appropriate public announcements. I'm
Memorandum to Presidents
June 24, 1974

sure you will want to consult with members of the faculty and with students to gain their understanding and acceptance and help assure an hospitable reception for the older adult auditors.

It's my impression that, at the outset, we should interpret the tuition waiver broadly and not plan to establish any special charges for application, registration, laboratory or course supplies, or activities. As we gain experience with this new clientele, we'll undoubtedly wish to reconsider whether certain special fees and charges are desirable.

While we did not propose this legislation, as you know, I do feel that it's entirely in keeping with commitments we've made to lifelong learning especially those in the 1972 Master Plan. I urge you and your colleagues to develop your programs with care and consideration. We'll be laying a certain groundwork in our responses for future programs for older adults.

Vice Chancellor Bruce Dearing will coordinate our efforts in this expanded venture. We'll be pleased, I know, to learn of your plans and to respond to your inquiries.

Thanks very much.

Ernest L. Boyer

Attachments (3)

This memorandum addressed to:

Presidents, State-operated campuses
Presidents, Community Colleges
Deans, Statutory Colleges

Copies for information only sent to:

Chancellor Kibbee
Dean McGrath
Vice Provost Risley
President Miles

Mr. Tobin 6/26/74
To amend the education law, in relation to permitting persons sixty years of age and over to audit courses at community colleges and colleges in the state university of New York
Section 1. Paragraph 1 of subdivision two of section three hundred fifty-five of the education law, as amended by chapter seven hundred forty-nine of the laws of nineteen hundred seventy-three, the second undesignated paragraph thereof having been amended separately by chapter three hundred thirteen of the laws of nineteen hundred seventy-three, is hereby amended to read as follows:

i. To regulate the admission of students, prescribe the qualifications for their continued attendance, regulate tuition charges where no provision is otherwise made therefor by law, and regulate other fees and charges, curricula and all other matters pertaining to the operation and administration of each state-operated institution in the state university, notwithstanding the provisions of any other general, special or local law, rule or regulation, such regulations may permit persons sixty years of age or over to audit courses given therein without tuition, examination, grading or credit thereof for upon a space available basis, as determined by the president of each such institution, provided that such audit attendance does not deny course attendance at a state-operated institution by an individual who is otherwise qualified under the regulations promulgated pursuant to this section. In such regulations the state university trustees shall provide that upon request by a student who is an eligible veteran the payment of tuition and other fees and charges, less the amounts payable for such purposes from scholarships or other financial assistance awarded said veteran pursuant to article thirteen of this chapter, article one hundred thirty of this chapter or any other state or federal aid program, shall be deferred in such amounts and until such times as the several payments of veterans'
benefits under the Veterans' Readjustment Benefit Act of 1956, as amended, are received by the veteran, provided that the veteran has filed a claim for such benefits and presents to the state university proof of eligibility, extent of entitlement to benefits and the need for deferral until the receipt of such benefits. Where an undergraduate state-operated institution of the state university is located adjacent to another institution of higher education and students of such undergraduate state operated institution are, under arrangements made by the state university, taking a substantial portion of their courses at such other institution, the state university trustees may permit the students of such undergraduate state-operated institution, subject to such conditions or limitations as they deem advisable, to participate in the extracurricular activities and utilize services of such other institution if those privileges are extended by such other institution.

In formulating the curriculum of each and every state-operated institution in the state university for professional education in medicine there shall be required and included in such curriculum and in the plans and recommendations of the state university trustees formulated and transmitted in pursuance of the provisions of section three hundred fifty-four of this chapter, courses and facilities, which include the establishment and maintenance of a department of family practice under the direction of a qualified family practitioner, courses of study under the supervision of qualified family practitioners, a family care program of study and clinical experience, a program of preceptorships, a program of internships or family practice residencies in the hospital or hos-
pitals affiliated with such respective school or such other techniques
as in the judgment of the trustees shall be best suited to encourage
and to implement the study and preparation, by students desiring
the same, for the family practice of medicine.
§ 2. Subdivision one of section sixty-three hundred three of such
law is hereby amended by adding thereto a new paragraph, to be
paragraph d, to read as follows:

d. Notwithstanding the provisions of any other general, special
or local law, rule or regulation, community colleges may permit
persons sixty years of age or over to audit courses given therein
without tuition, examination, grading or credit therefor upon a
space available basis, subject to the provisions of section sixty-three
hundred four of this chapter, as determined by the president of each
such institution, provided that such audit attendance does not deny
course attendance at a community college by an individual who is
otherwise qualified under the regulations and the provisions of
section sixty-three hundred four of this chapter.
§ 3. This act shall take effect on the first day of September next
succeeding the date on which it shall have become a law.
STATE OF NEW YORK

10782

IN SENATE

May 2, 1974

Introduced by Sen. FLYNN—read twice and ordered printed, and when printed to be committed to the Committee on Higher Education

AN ACT

To amend the education law, in relation to the auditing of courses at community colleges by persons sixty years of age or over

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Paragraph d of subdivision one of section sixty-three hundred three of the education law, as added by a chapter of the laws of nineteen hundred seventy-four, entitled "An Act to amend the education law, in relation to permitting persons sixty years of age and over to audit courses at community colleges and colleges in the state university of New York", is hereby amended to read as follows:

d. Notwithstanding the provisions of any other general, special or local law, rule or regulation, community colleges may permit persons sixty years of age or over to audit courses given therein

ExPLANATION — Matter in italics is new; matter in brackets [ ] is old law to be omitted.
without tuition, examination, grading or credit therefor upon a space available basis, subject to the provisions of section sixty-three hundred four of this chapter, as determined by the president of each such institution, provided that such audit attendance does not deny course attendance at a community college by an individual who is otherwise qualified under the regulations and the provisions of section sixty-three hundred four of this chapter. The provisions of this paragraph shall not affect any state aid to community colleges granted pursuant to article one hundred twenty-six of this chapter.

§ 2. This act shall take effect on the same date as a chapter of the laws of nineteen hundred seventy-four, entitled "An Act to amend the education law, in relation to permitting persons sixty years of age and over to audit courses at community colleges and colleges in the state university of New York".
To: Chief Administrative Officers

The Chief Administrative Officer of each campus shall determine who may attend courses as auditors and shall establish rules and regulations concerning such course auditors.

Established rules and regulations must include the following:

Course auditors shall:

1. Not be charged any tuition or fees.
2. Not be enrolled and listed in registers for such course.
3. Attend without credit.
4. Attend without formal recognition.
5. Not be required to meet the requirements of the course.

Exception - No person shall be allowed to be a course auditor in any foreign study program or course.

Sincerely yours,

Samuel B. Gould
President