

## AMENDMENT OF THE RULES OF THE BOARD OF REGENTS

Pursuant to sections 207 and 216 of the Education Law.

Subdivision (c) of section 3.29 of the Rules of the Board of Regents is amended and a new subdivision (d) is added to read as follows:

(c) The commissioner, pursuant to Education Law, section 216, may consent to the amendment of the certificate of incorporation or articles of organization of [a corporation] an entity formed under the Business Corporation Law, Limited Liability Company Law, or Not-for-Profit Corporation Law, whose purposes include the operation of a program or programs of postsecondary education, to include the word “college” or “university” in the corporate name, provided that:

(1) such [corporation] entity has been authorized by the Board of Regents to issue one or more academic degrees;

(2) the program or programs leading to such authorized degree or degrees have been registered by the department;

(3) such [corporation] entity possesses full and current accreditation from an institutional accrediting agency recognized for this purpose by the United States Department of Education;

(4) the [corporation] entity and any school or educational program which it may conduct shall be subject to and comply with all of the statutory provisions, rules of the Regents and regulations of the commissioner which would be applicable to a corporation created by the Regents pursuant to section 216 of the Education Law for the same purpose or purposes; [and]

(5) for the use of the term “university”, the entity shall meet the definition of “university” defined in subdivision (l) of section 50.1 of this Title; and

[(5)] (6) the proposed amendment of the certificate of incorporation or articles of organization specifically states that within thirty days after receipt by the [corporation] entity of an order by the Board of Regents directing such action, the holders of the majority of all the outstanding shares of the [corporation] entity entitled to vote upon an amendment of [this]the certificate of incorporation or articles of organization will cause to be filed with the Secretary of State a certificate of amendment to the certificate of incorporation or articles of organization changing the [corporate] entity’s name to delete therefrom the word [“college.”] “college” or “university.” Such an order of the Board of Regents shall be made upon a finding that the [corporation] entity does not comply with one or more of the requirements of paragraphs (1) through [(4)] (5) of this subdivision.

(d) The commissioner, pursuant to Education Law, section 216, may consent to the amendment of the certificate of incorporation or articles of organization of a teaching hospital or academic medical center formed under the Business Corporation Law, Limited Liability Company Law, or the Not-for-Profit Corporation Law to include the word “university” in the entity’s name, provided that:

(1) such entity has at least two residency programs accredited by the Accreditation Council on Graduate Medical Education, or an equivalent accrediting agency acceptable to the department, or which are part of such a program through affiliation(s) approved by the Accreditation Council on Graduate Medical Education, or an equivalent agency acceptable to the department;

(2) such entity employs professional teaching staff with academic appointment or title from a New York State registered medical school for medical education of students from such medical school who are accountable to the dean of such medical school;

(3) such entity otherwise demonstrates a commitment to graduate medical education satisfactory to the department; and

(4) the proposed amendment of the certificate of incorporation or articles of organization specifically states that within thirty days after receipt by the entity of an order by the Board of Regents directing such action, the holders of the majority of all the outstanding shares of the entity entitled to vote upon an amendment of the certificate of incorporation or articles of organization will cause to be filed with the Secretary of State a certificate of amendment to the certificate of incorporation or articles of organization changing the entity's name to delete therefrom the word "university." Such an order of the Board of Regents shall be made upon a finding that the entity does not comply with one or more of the requirements of paragraphs (1) through (3) of this subdivision.