



The State University
of New York

Office of the Chancellor

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MEMORANDUM

March 10, 2026

TO: Members of the Board of Trustees

FROM: Dr. John B. King Jr., Chancellor

SUBJECT: Regulatory Update for Certificate of Residency Applications for Community Colleges

Action Requested

The proposed resolution authorizes the Chancellor of the State University of New York, or designee, to review appropriate policies related to the certificate of residency application process and make any adjustments – including appropriate filing of Rule Making – required to (i) ensure that said policies conform with pending statutory changes, and (ii) are modified in a timely manner and in a way that is most beneficial for the continued success of SUNY students.

Resolution

I recommend that the Board of Trustees adopt the following resolution:

Whereas Section 6305 of the Education Law requires community college students who reside in New York State, but outside of the sponsorship area of the community college they chose to attend, to submit a Certificate of Residence from their county of residence in order to receive the benefit of being charged the resident rate of tuition to which they are legally entitled and;

Whereas in the State of the State policy agenda outlined on January 10, 2026, Governor Hochul introduced and championed efforts to “reform the certificate of residency submission process to simplify requirements and ensure students are not liable for

large financial sums if their certificate of residency is only a few days or weeks late,” and

Whereas the Executive Budget Education, Labor, and Family Assistance Article VII legislation (Part D) released on January 20, 2026 includes language directing the State University of New York Board of Trustees to promulgate regulations making these changes; and

Whereas the State University of New York Board of Trustees is committed to increasing the affordability and accessibility of higher education for all New Yorkers; and

Whereas the State University of New York Board of Trustees seeks to provide conditional authorization to the Chancellor, or designee, to commence Rule Making to ensure that SUNY is prepared to begin implementation processes immediately in the event that the Enacted Budget includes this initiative, including any amendments that may be made prior to enactment; now therefore, be it

Resolved that, in the event that the final Enacted Budget includes language approving and authorizing revisions to the Certificate of Residency process, the Chancellor, or designee, be, and hereby is, authorized and directed to prepare and file, in accordance with the provisions of the State Administrative Procedure Act, a Notice of Proposed Rule Making to implement such revisions; and be it further

Resolved that the Chancellor is required to bring any recommendations for final adoption of this Rule before this Board for approval prior to finalizing.

Background

Community college students who are residents of New York State, but reside outside of the sponsorship area of the community college they chose to attend, must submit a Certificate of Residence from their home county to their college in order to receive the benefit of paying the approved resident rate of tuition. However, the process to receive such Certificate has been historically difficult and confusing for students. In addition, if a student misses the current deadline of 30 days after the start of classes by even one day, they can be charged the non-resident tuition rate. The non-resident rate can be more than

double what the students expected and were prepared to pay – a disproportionate penalty.

The 2026/27 Executive Budget Education, Labor, and Family Assistance (ELFA) Article VII introduced legislation that would direct the SUNY Board of Trustees to promulgate regulations to allow for (i) a schedule of late fees, and exemptions thereof for student submitting a certificate of residence form after the established deadline, and (ii) a reconciliation process for impacted colleges and counties to ensure that proper billing occurs following the eventual submission of pertinent certificates of residence.

To have the new regulations in place for the Fall semester, this resolution would authorize the Chancellor to commence the rulemaking process upon the occasion of the passage of the enacted budget legislation.