



The State University
of New York

Office of the Chancellor

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MEMORANDUM

April 28, 2026

TO: Members of the Board of Trustees
FROM: Dr. John B. King Jr., Chancellor
SUBJECT: Regulatory Update for Tuition Liability

Action Requested

The proposed resolution authorizes the Chancellor or designee to initiate Rulemaking to provide increased flexibility for State-operated campus presidents to address student tuition liability in the case of circumstances beyond a student's control that may cause undue hardship.

Resolution

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

Whereas Part 302.2 of Title 8 of the New York Codes, Rules and Regulations sets forth tuition liability and refund requirements for students at State-operated campuses of the State University of New York; and

Whereas current regulations authorize State-operated campus presidents to waive tuition liability when a student has withdrawn through circumstances beyond the student's control in the case of undue hardship, but only if the student left the course within the first half of the semester; and

Whereas in the State of the State policy agenda outlined on January 10, 2026, Governor Hochul introduced and championed efforts "to permit tuition liability to be waived over a broader period

of time, understanding that emergencies can occur at any time”;
and

Whereas this recommendation was supported by the New York State Office of the Attorney General as a way to lower student debt; 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; now, therefore, be it

Resolved that the Chancellor or designee is authorized and directed to prepare, in accordance with the provisions of the State Administrative Procedure Act, a Notice of Proposed Rulemaking, and, if no comments are received during the requisite public comment period, a Notice of Adoption, to amend 8 NYCRR Part 302.2(b)(6) to read as follows (brackets denote old material to be deleted; underlining denotes new material to be added); and, be it further

Resolved that if any comments are received during the requisite public comment period, the Chancellor shall bring any recommendations for final adoption of this Rulemaking before this Board for approval.

Section 302.2 – Tuition liability; refunds for cancelling registration

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(b) Exceptions.

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(6) Notwithstanding any other provisions for refund, when a student has withdrawn through circumstances beyond the student's control, under conditions in which the denial of refund would cause undue hardship, the chief administrative officer of the unit may, in his or her discretion, determine that no liability for tuition has been incurred by the student, provided the student [has not completed more than one half of the term,] has not received or will not receive academic credit for the term, and provided further that the request for refund is made within one year after the end of the term in

question. Such action, including the reason therefor, shall be in writing.

Background

Under current policy, students become liable for the payment of tuition expenses on a graduated schedule, typically resulting in the student being fully liable for the cost of tuition after thirty days. Current regulations authorize State-operated campus presidents to waive tuition liability in a situation where the student was unable to continue the course and would not receive credit for the course in the case of an emergency such as a serious medical issue or family crisis, but only if the student left the course within the first half of the semester.

This regulatory change would clarify that campus presidents have the authority to use their discretion regardless of when in the semester the emergency occurs. Consistent with Governor Hochul's State of the State agenda and the Office of the Attorney General's student debt liability efforts, this reform is designed to better support student retention, minimize financial losses for students, and demonstrate understanding regarding students' lives outside of academics.