



TO: Higher Education Committee

FROM: William P. Murphy *William P. Murphy*

SUBJECT: Proposed Amendment of Sections 145-2.1, 145-2.3, and 145-2.9 of the Regulations of the Commissioner of Education Relating to Part-time Study for Undergraduate Students

DATE: December 4, 2025

AUTHORIZATION(S):

Don McGreevey *Beth M. Zuckerman*
SUMMARY

Issue for Discussion

Should the Board of Regents adopt the proposed amendment of sections 145-2.1, 145-2.3, and 145-2.9 of the Regulations of the Commissioner of Education relating to part-time study for undergraduate students?

Reason for Consideration

Review of Policy.

Proposed Handling

The proposed amendment is presented to the Higher Education Committee for discussion at the December 2025 Regents meeting. A copy of the proposed rule (Attachment A) is attached.

Procedural History

A Notice of Proposed Rule Making will be published in the State Register on December 31, 2025, for a 60-day public comment period. Supporting materials are available upon request to the Secretary of the Board of Regents.

Background Information

The 2025-26 Enacted State Budget (Part D of Chapter 56 of the Laws of 2025) consolidated three existing state financial aid programs for part-time students into a single Part-Time Tuition Assistance Program (TAP), as well as expanded eligibility for Part-Time TAP. Specifically, the Budget amended [New York State Education Law § 667-c](#), lowering

the minimum required credit load for the Part-Time TAP from 6 to 3 credit hours. This change affects students enrolled in an approved undergraduate degree program who are taking less than 12 credits per semester.

This new minimum credit hour requirement for Part-Time TAP applies to part-time students who are enrolled in an undergraduate degree program at participating New York institutions, including SUNY, CUNY, and independent colleges. Other requirements are unchanged: Students must still meet other eligibility requirements, including New York State residency, being in good standing on any student loans, and meeting income guidelines. Therefore, the Department proposes to amend section 145-2.1 to reflect this change.

Additionally, the Budget repealed section 666 of the Education Law regarding the Aid for Part-Time Study (APTS) Program. Therefore, the proposed amendment removes references to this section in the Commissioner's regulations in sections 145-2.3 and 145-2.9.¹

Related Regents Items

Not applicable.

Recommendation

Not applicable.

Timetable for Implementation

It is anticipated that the proposed amendment will be presented for permanent adoption at the April 2026 Regents meeting, after publication of the proposed amendment in the State Register and expiration of the 60-day public comment period required under the State Administrative Procedure Act. If adopted at the April 2026 meeting, the proposed amendment will become effective on April 29, 2026.

¹ The 2025-26 State Budget also repealed section 667-c-1 of the Education Law relating to the Part-Time Scholarship (PTS) Program, however, there are no specific references to this section in the Commissioner's regulations.

Attachment A

AMENDMENT TO THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to sections 101, 207, 208, 305, 308, 667-c of the Education Law

1. Subparagraph (ii) of paragraph (1) of subdivision (a) of section 145-2.1 of the Regulations of the Commissioner of Education is amended to read as follows:

(ii) A student shall be considered full-time for a program organized on an academic-year basis only if the student has filed a plan of study with the institution for the entire academic year. Except as otherwise defined in paragraph (4) of this subdivision, part-time study, for general awards, other than tuition awards for veterans and tuition awards for part-time undergraduate students, and for academic performance awards, shall mean enrollment in credit-bearing courses applicable to the students' program, for at least [6] 3, but less than 12, semester hours or the equivalent for a semester of not less than 15 weeks or 100 calendar days, inclusive of examination periods; or at least four, but less than eight, semester hours a quarter. Provided, however, that for the 2020-2021 academic year, a student shall meet the definition of part-time in accordance with this subparagraph where a student is unable to enroll in credit-bearing courses applicable to the student's program for at least 15 weeks for a semester due to the COVID-19 crisis, provided that the student is enrolled in such credit-bearing courses for a minimum of 12 weeks for a semester and meets the semester hour requirements prescribed in this subparagraph.

2. Subdivisions (e) and (f) of section 145-2.3 of the Commissioner's regulations are amended to read as follows:

(e) [Programs approved for part-time tuition awards pursuant to section 666 of the Education Law shall be credit-bearing undergraduate degree, certificate, and

diploma programs offered by an institution authorized to grant degrees, which are registered by the State Education Department pursuant to Part 52 of this Title or other appropriate regulation.

(f)] Programs approved for tuition awards for Vietnam veterans shall be undergraduate programs in degree-granting institutions of at least 12 semester hours or the equivalent which are registered by the State Education Department pursuant to Part 52 of this Title, or noncredit vocational training programs of at least 320 clock hours or the equivalent which have been approved by the commissioner pursuant to Part 162 of this Title.

3. Subdivision (a) of section 145-2.9 of the Regulations of the Commissioner of Education is amended to read as follows:

(a) To be eligible to receive payment for accelerated study beyond the regular program of study for the academic year, except for [part-time awards pursuant to Education Law, section 666, or for] Vietnam veterans tuition awards pursuant to Education Law, section 669-a, a student shall:

(1) ...

(2) ...