



TO: The Honorable Members of the Board of Regents

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

SUBJECT: Proposed Amendment of Section 145-2.4 of the Regulations of the Commissioner of Education Relating to the Deferment of the Declaration of a Major by Matriculated Students for State Financial Aid Purposes

DATE: February 2, 2023

AUTHORIZATION(S): *John M. Bellotti*

SUMMARY

Issue for Decision (Consent)

Should the Board of Regents adopt the proposed amendment of section 145-2.4 of the Regulations of the Commissioner of Education relating to the deferment of the declaration of a major by matriculated students for state financial aid purposes?

Reason(s) for Consideration

Review of Policy.

Proposed Handling

The proposed amendment is submitted to the Full Board for adoption as a permanent rule at its February 2023 Board of Regents meeting. A copy of the proposed amendment is included (Attachment A).

Procedural History

The proposed amendment was presented to the Higher Education Committee for discussion at the October 2022 Regents meeting. A Notice of Proposed Rule Making was published in the State Register on October 19, 2022, for a 60-day public comment period. The Department received no comments on the proposed amendment after publication in the State Register. Therefore, an Assessment of Public Comment is not required and no changes to the proposed amendment are needed. A Notice of Adoption will be published in the State Register on March 1, 2023. Supporting materials for the

proposed amendment are available upon request from the Secretary to the Board of Regents.

Background Information

Section 145-2.4(f) of the Commissioner's regulations provide that students who are enrolled in a two-year or four-year college program leading to an associate's or bachelor's degree may defer the declaration of their major course of study if approved by the school. This allows students to remain enrolled in one or more of an institution's approved programs.

For state financial aid purposes, however, two-year degree students must declare a major within 30 days of the end of the institution's add/drop period of the sophomore year. Similarly, four-year degree students must declare a major within 30 days of the end of the institution's add/drop period of the junior year of a baccalaureate program. This is designed to ensure that students are able to complete the major course of study requirements for the degree within the timeframe specified in the academic program.

Students participating in early college high school initiatives who graduate from high school with both a high school diploma as well as a substantial number of college credits often matriculate with enough college credits such that the matriculating institution classifies them as a sophomore or junior upon entry. Thus, under the existing regulation, "early college" students would be required to declare a major within 30 days of the end of their first add/drop period - sometimes as early as the first semester after enrollment - or risk being ineligible for state financial aid the following year.

Proposed Amendment

The proposed amendment to section 145-2.4(f) of the Commissioner's regulations provides students who have successfully earned college credits while still in high school and have enrolled in a two-year or four-year college program, with an additional semester, if needed, to declare a major so as not to jeopardize their state financial aid. Under the proposed amendment, two-year degree students who reach sophomore year status upon enrollment in accordance with the institution's policies would be required to declare a major within 30 days of the end of the institution's add/drop period in the semester *after* first-time enrollment. Additionally, four-year degree students who reach junior year status upon enrollment in accordance with the institution's policies would be required to declare a major within 30 days of the end of the institution's add/drop in the semester *after* first-time enrollment.

In both such cases, while the student is granted a deferment of an additional semester to declare a major, a major must be declared within 30 days of the end of the add/drop period of the next semester after reaching their sophomore year or junior year status, respectively. In all instances, the regulations expressly provide that the student is free to subsequently change his or her major during their enrollment.

Related Regents Items

October 2022: [Proposed Amendment of Section 145-2.4 of the Regulations of the Commissioner of Education Relating to the Deferment of the Declaration of a Major by Matriculated Students for State Financial Aid Purposes](https://www.regents.nysed.gov/common/regents/files/1022hed2revised_0.pdf)
(https://www.regents.nysed.gov/common/regents/files/1022hed2revised_0.pdf)

Recommendation

It is recommended that the Board of Regents take the following action:

VOTED: That section 145-2.4 of the Regulations of the Commissioner of Education be amended, as submitted, effective March 1, 2023.

Timetable for Implementation

If adopted at the February 2023 meeting, the proposed amendment will become effective on March 1, 2023.

Attachment A

AMENDMENT TO THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to Education Law sections 207 and 661.

1. Subdivision (f) of section 145-2.4 of the Regulations of the Commissioner of Education shall be amended to read as follows:

(f) (1) Matriculated students may defer declaration of a specific major and still be considered [to be] enrolled in one or more of an institution's approved programs provided that the matriculating institution approves the student's deferment. For State financial aid purposes, a student must declare a major within 30 days of the end of the institution's add/drop period of the sophomore year in a 2-year program or within 30 days of the end of the add/drop period of the junior year of a baccalaureate program so that the student is able to complete the requirements for the degree within the timeframe specified in the academic program as registered with the commissioner.

Provided, however, that:

(i) for four-year programs, students who reach their junior year status upon first-time enrollment because of college credits earned during high school may declare a major when they matriculate as a first-time college student. However, such students must declare a major within 30 days of the end of the add/drop period in the semester after the one within which the student reached their junior year status. Junior year status is determined by the institution.

(ii) for 2-year programs, students who reach their sophomore year status upon first-time enrollment because of college credits earned during high school may declare a major when they matriculate as a first-time college student. However, such

students must declare a major within 30 days of the end of the add/drop period of the next semester after reaching sophomore-year status. Sophomore year status is determined by the institution.

(2) In each case, the cumulative transcript for the student must designate the student's enrollment in a program that has been registered by the State Education Department and appears on the Inventory of Registered Programs as a program eligible for State student aid. While a declaration must be made at specified points as noted above, students [are; of course, free to] may change their choice of major during their program of study.