

HIGHER EDUCATION INFORMATION MEMO

APRIL 1, 2024

Article 129-A and 129-B Full Compliance Reporting Deadline: DUE July 1, 2024

By July 1, 2024, New York's colleges and universities must submit a copy of all written rules and procedures necessary to demonstrate compliance with Article 129-A and Article 129-B of the New York State Education Law.

The July 1, 2024 submission is distinct from the annual Article 129-A and 129-B certifications that colleges and universities are accustomed to filing with the New York State Education Department (NYSED). Instead, this year's July 1 submission, which will go to NYSED for review, marks the second required filing of policies and procedures since the first submissions of such documents that occurred on July 1, 2016.

The NYSED website, as of the date of this post, promises that detailed information on how to submit materials will be posted on its website. It is likely that NYSED will want submissions via the IRS Data Exchange (IDEx) portal, which is the same portal that it currently uses to collect annual Certificates of Compliance with Articles 129-A and 129-B.

This spring, colleges and universities should start identifying, collecting and organizing the documents that they think will demonstrate their compliance with the requirements of Article 129-A and Article 129-B. These documents will include, among other things:

- Rules for the maintenance of public order;
- Procedures for investigating hate crimes;
- Rules governing the advertising, marketing or merchandising of credit cards on campus;
- Fire safety disclosures for residential students;
- Definition of affirmative consent;
- Amnesty provision for drug and alcohol use;
- Students bill of rights;
- Notice of rights to victims of sexual violence;
- A policy on transcript notations;
- Evidence of biannual climate assessments; and
- Sexual and interpersonal violence prevention programming for new students.

Bond will continue to update clients and provide information as NYSED updates its guidance on exactly what is expected and required. If you have questions about identifying what policies and procedures need to be collected or any other questions associated with the July 1 deadline, please contact [E. Katherine Hajjar](#), [Seth F. Gilbertson](#) or any attorney in Bond's [higher education practice](#).

