

BUSINESS IN 2025

WEEKLY WEBINAR SERIES



Your Host



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TODAY'S AGENDA

Kerry Langan – (12 p.m.)

- Welcome and agenda

Katherine Hajjar – (12 p.m. - 12:10 p.m.)

- Administration Memo on “Ensuring Transparency in Higher Education Admissions”

Samuel Wiles – (12:10 - 12:20 p.m.)

- NLRB Acting General Counsel’s Position on States Taking on the NLRB’s Labor Relations Oversight

Lindsay McKenna – (12:20 -12:30 p.m.)

- Overview of the Electronic Wills Act

Kerry Langan – (12:30PM)

- Questions / wrap up

Administration Memo on “Ensuring Transparency in Higher Education Admissions”



Katherine Hajjar

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Overview

- On August 7, 2025 the Administration issued an Executive Memorandum titled “Ensuring Transparency in Higher Education Admissions.”
- The Memorandum stems from the Administration’s priorities with respect to race in admissions following the Supreme Court’s decision in *Students for Fair Admissions*.
- The Memorandum directs the Secretary of Education to implement new regulations aimed at requiring colleges and universities to provide more admissions data to IPEDS and NCES.
- The Memorandum also directs that this information be open to the public and that colleges and universities provide data from the previous five years.

Administration Memorandum to Department of Education

On Aug. 7, 2025, the President issued a Memorandum to the Secretary of Education (“Memorandum”) titled “Ensuring Transparency in Higher Education Admissions.”

The Memorandum directs the Secretary of Education to, within 120 days, “**expand the scope** of required reporting to provide adequate transparency into admissions....” To that end, it directs the Secretary to “**increase accuracy checks** of submitted data to ensure the validity of [the Integrated Postsecondary Education Data System] IPEDS data.” (Emphasis added.)

The Memorandum mandates the Secretary to “revamp the online presentation of IPEDS data, such that it is easily accessible and intelligibly presented for parents and students” and to, if necessary, “overhaul the IPEDS data collection portal to remove inefficiencies and better streamline the process to more efficiently organize and utilize the data received from the institutions.”

Notice Seeking Public Comment

Shortly after the President issued the Memorandum, the Department of Education issued a notice seeking public comment indicating it plans to seek data based upon students' race, sex, high school GPA, test scores, time of application, types of application (early decision, early access or regular decision), ranges of family income, Pell Grant eligibility, parental education and financial aid status.

The Notice signals that a new IPEDS “Admissions and Consumer Transparency Supplement” (ACTS) survey component would be the means to collect this data, but not necessarily every institution would be required to participate.

Selective vs. Non-Selective Admissions

The Notice explains that four-year institutions with “selective” admissions, as opposed to trade schools and community colleges, “have an elevated risk of noncompliance with the civil rights laws” and “in awarding scholarships because of their selectivity” and therefore would be subject to the ACTS survey component.

The ACTS survey would seek data on undergraduate and graduate students for the five prior academic years to help “establish a baseline of admissions practices from before” the Supreme Court’s decision in *Students for Fair Admissions*.

Increased Oversight and Public Involvement

- The Notice seeks public input regarding:
 - (1) whether there are certain academic institutions or characteristics of academic institutions that make them at **high or low risk of noncompliance** to help the Department identify whether it should narrow or expand the scope of institutions required to complete the ACTS survey;
 - (2) whether **open enrollment institutions** (community colleges and trade schools) are “at-risk of noncompliance with respect to **scholarship awarding practices** that provide preferential treatment based upon race;” and
 - (3) the anticipated amount of time it would take to collect and submit the data requested by the ACTS survey.
- Colleges and universities should be prepared for increased government oversight as to their admissions and institutional aid practices.
- IPEDS data will be broader and more accessible, meaning colleges and universities should also plan for complaints from students, parents, and/or the public.

NLRB Acting General Counsel's Position on States Taking on the NLRB's Labor Relations Oversight



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Overview of the Electronic Wills Act



Lindsay McKenna

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Electronic Will Act

A “will is the most important thing to develop and sign.”

Assemblywoman Mary Beth Walsh, NYS Assembly S07416 Chamber Discussion, June 17, 2025

- Benefits

- Accessibility
- Video depiction and time stamp audit trail

- Risks

- Fraud, undue influence, and capacity issues
- Recognition by other states
- Plan for addressing hacking, forgotten passwords, and logistics of storing the digital file



Best Practices for Avoiding Liability in Hiring and Termination

Labor and Employment Law Fall 2025 Breakfast Briefing

Albany • November 4

Binghamton • October 30

Buffalo • October 16

Corning • September 16

Long Island • October 9

New York City • October 23

Rochester • September 18

Saratoga Springs • October 21

Syracuse • October 8

Utica • October 14

Westchester • September 30

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Questions



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Kate Hajjar, khajjar@bsk.com

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Sexual Harassment Prevention Training

To combat harassment in the workplace, every New York State employer must provide harassment prevention training for all employees annually.

For more information on Bond’s online sexual harassment training [click here](#) or email bndonline@bsk.com

Thank You

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It is not to be considered as legal advice.
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