



Out-of-State Study

CEO: 12-03

To: Chief Executive Officers/Presidents of Institutions of Higher Education

From: Barbara Hochberg, Director of Grant and Scholarship Programs
New York State Higher Education Services Corporation (HESC)

Date: June 11, 2012

Subject: Out-of-State Study

The enacted 2011-12 New York State Budget amended the New York State Education Law to expand participation in the Tuition Assistance Program (“TAP”) to certain full-time resident undergraduate students not formerly eligible for awards. As a result, previously ineligible students attending your institution may now be eligible for TAP awards.

This Memorandum provides the additional standards for out-of-state study and for foreign study programs as authorized by 8 NYCRR §2408.15. All terms herein shall have the same meaning as set forth in 8 NYCRR §2400.2.

An educational institution’s out-of-state study program or foreign study program (the “program”) must meet the following additional criteria in order to be eligible for Tuition Assistance Program award payments pursuant to Education Law sections 661(4)(b) and 661(4)(b-1):

1. The out-of-state study program or foreign study program must have been an integral part of the curriculum of the educational institution for each approved program for at least one year before any student enrolled in such a program can be eligible for an award. Students who participate in such programs must follow and satisfy the same program requirements as their counterparts learning at the educational institution in New York.
2. Out-of-state study in the United States must be at an accredited institution. Foreign study programs must be specifically authorized and formally approved by the same accrediting agency, or agencies, which provided the current accreditation(s) to your educational institution. Such authorization and approval must include the name of the foreign or out-of-state institution providing the approved program and all addresses at which educational instruction will be

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provided.

3. The foreign or out-of-state institution must have a written agreement with the educational institution.
4. The written agreement between the foreign or out-of-state institution and the educational institution must include, but is not limited to, the educational institution's requirements, and the foreign or out-of-state institution's reasonable translation of those requirements, regarding:
 - a. awarding of credit
 - b. grading
 - c. standards of progress
 - d. standards of conduct
 - e. full-time status

Alternatively, the educational institution must provide a certified statement describing its process for verifying and documenting the foreign or out-of-state institution's compliance with its requirements regarding 4(a) through 4(e). All such requirements may not be less than those required of a student studying at the New York location of the educational institution.