

TAP – Tuition Assistance Program

Information included on the following web pages have been taken directly from:

ONLINE PROGRAMS, POLICIES AND PROCEDURES

Guide to Grant and Scholarship Programs

Administered by New York State Higher Education Services Corporation (HESC)

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1. Program Description

Tuition Assistance Program (TAP)

This program provides grant assistance to help eligible *undergraduate* and *graduate* students meet tuition charges. Awards are calculated based on New York State net taxable income.

a. Eligibility Criteria

To be eligible for an award the student must:

- meet one of the United States citizenship requirements;
- meet New York State residency requirements;
- enroll as a full-time student;
- enroll in an approved program of study in a New York State postsecondary institution;
- have a matriculated status;
- be in good academic standing; have at least a cumulative "C" average after receipt of two annual payments
- not be in default on any student loan HESC guarantees;
- have a minimum tuition liability of at least \$200 per academic year (\$100 per semester, \$67 per trimester);
- never have received a TAP award for having attained a prior graduate degree at the same level as for the degree currently being sought (applies to graduate students only); and
- not exceed the income limitations established for the program (contact HESC).
- First-time recipients of an award as of the 1996-97 academic year must have graduated from high school, have a
- GED or other equivalent of a high school certificate or have received a passing score on an approved ability-to-benefit test.

b. Duration

Undergraduate students can receive payments for a total of four academic years (eight semesters). However, undergraduates enrolled in two-year programs cannot receive more than three years of payment.

Undergraduate students can receive payments for a fifth academic year if they are currently enrolled in an approved five-year baccalaureate program or an approved educational opportunity program. (Payments received through the Supplemental Tuition Assistance Program are not counted in determining the number of payments received for TAP.)

Graduate students can receive a total of four academic years of payment. However, a student who has received five years of TAP payment as an undergraduate can receive only three academic years of graduate level TAP payment. In total, a student can receive no more than eight academic years of TAP payment for undergraduate and graduate study.

HESC tracks the number of payments each student has received and will not approve further payment once the limits have been reached.

c. Award Calculation

TAP awards are calculated as an annual entitlement based on New York State net taxable income for the preceding tax year and are prorated and paid on a term basis.

TAP awards are intended to meet part of a student's tuition charges and can never exceed 100% of the student's tuition liability.

In addition to income and tuition liability, the factors listed below also affect the calculation of a TAP award:

- other family members enrolled in postsecondary education;
- other educational benefits received;
- financial independence;
- level of study;
- type of institution; and
- prior payment.

More detailed information on each of the above factors can be obtained by contacting HESC.

d. Application Procedure

Students must submit an application for payment to HESC by May 1 of the academic year for which an award is sought.

Contact HESC or visit their website (www.hesc.com) for detailed information on application procedures.

2. STUDENT INFORMATION

Student Information

There are several specific requirements a student must satisfy to be eligible for state grant and scholarship awards. Initially, students are approved or rejected for an award based on information they submit on the application. Approval for an award is tentative and is based on an assumption that information on the application is correct and that the student will meet other required eligibility criteria. Final approval for an award is contingent upon institutional certification of student eligibility.

Additionally, students must provide other required information to enable HESC to identify students, calculate awards, and forward payment to the appropriate institution.

General Student Eligibility Criteria

Following is a description of student eligibility criteria:

a. Citizenship Requirements

All grant and scholarship programs that HESC administers require the student to meet certain requirements relating to U.S. citizenship. Students will be considered to have fulfilled the citizenship requirement if they meet citizenship requirements for federal program. For details; <http://www.ifap.ed.gov/sfahandbooks/attachments/0203Vol1Ch2.pdf>
If the institution has any information that would cast doubt on an award recipient's ability to meet the citizenship requirement, HESC's Office of Field Services should be notified.

b. New York State Residency Requirements

Eligibility for state-sponsored scholarships and awards is limited to students who meet New York State residency requirements.

Legal Residence. To satisfy residency requirements, the student must be a legal resident of New York State. Legal residence means that the student currently resides in New York State and intends to make the state his/her permanent home. The act of living within the state's boundaries is, in itself, an insufficient demonstration of residency. The student must show having established a domicile or permanent place of abode in New York State. Living in New York State solely to attend a college or other postsecondary institution does not, in itself, establish legal residence.

Legal Residence of Financially Dependent Students. If the student is financially dependent upon his/her parents, HESC presumes the student's legal residence to be that of the parents. If the parents are separated or divorced, HESC presumes the legal residence to be that of the parent who has been awarded custody (or who would have been awarded custody if the student were a minor). If the student's parents reside out of state, HESC presumes, as reported on the FASFA, the student resides out of state. However, if circumstances warrant, a student may apply to HESC for recognition of residence separate from either or both parents. In these cases, students are sent a Residency Questionnaire which is submitted to HESC for review.

Legal Residence of Members of the Armed Forces Stationed in New York State. If the student was a legal resident of New York State when he/she entered into the service and has maintained that legal residence while in the service, HESC presumes the student meets the residency requirement regardless of how long he/she was absent from New York State while on active duty. If the student was not a legal resident of New York State upon entry into the service, he/she is presumed not to meet the residency requirement. Residence in New York State while stationed at a military installation in New York State is not considered to meet the residency requirement, because such residence is essentially involuntary and temporary in nature.

Legal Residence of Dependents of Members of the Armed Forces Stationed in New York State. HESC presumes the student's legal residence to be that of the person upon whom he/she is dependent. A dependent of a member of the armed forces whose legal residence is in another state cannot be considered to meet the residency requirement, even if the dependent has graduated from a high school in New York State. If the student is a dependent of a member of the armed forces who is a legal resident of New York State but is stationed out of state, the student will meet residency requirements by choosing to attend a college or other postsecondary institution in New York State.

Duration of Residency. For grant and scholarship programs requiring award recipients to be New York State residents, the student must be a legal resident of New York State for at least 12 months before the term for which assistance is sought. Undergraduate students who have not been legal residents of New York State for at least 12 months can satisfy this requirement if they are currently legal residents and were legal residents during the last two semesters of high school, regardless of any intervening time spent outside New York State. Graduate students who have not been legal residents of New York State for at least 12 months can satisfy this requirement if they are currently legal residents and were legal residents during the last two semesters of undergraduate study, regardless of any intervening time spent outside New York State. However, nonresidents who begin full-time study in New York State during their first year of residing in New York State are not eligible for state-sponsored student aid, even though they may have resided in New York State for 12 or more months. Veterans or former National Service Volunteers who were legal residents of New York State upon entry into the service can meet the 12-month requirement if they re-establish legal residency within six months of release from active duty, regardless of how long they were absent from New York State and regardless of legal residencies established elsewhere. Students who were residents of New York State before meeting citizenship requirements are considered to meet New York State residency requirements for any term of study beginning after they have met citizenship requirements if they have been residents of the state for at least 12 months.

Exceptions to 12-months rule: To receive assistance through the following programs the student need only be a legal resident of New York State at the start of the term for which assistance is sought:

- Regents Award for Children of Deceased or Disabled Veterans
- Regents Award for Children of Deceased Corrections Officers
- Memorial Scholarship for Families of Deceased Firefighters, Volunteer Firefighters, Police Officers, Peace Officers and Emergency Medical Service Workers.

Loss of Residency. New York State residency is lost when the student discontinues permanent legal residence in the state. The student is ineligible to receive any state-sponsored financial aid award that requires New York State residency for any term of study beginning after residency is lost.

Disputed Residency. In most instances HESC will provide students whose residency it is questioning with a Residency Questionnaire before a final residency determination is made. Students who need to document legal residence must complete this questionnaire and return it to HESC. Students who have been denied an award on grounds of residency before submitting a questionnaire may appeal by submitting the questionnaire. Dependent students who wish to apply for recognition of a residency separate from their parents should submit the questionnaire, which is available from HESC by request.

c. Programs of Study -- Approved and Nonapproved

To be eligible for any state-sponsored scholarship or award, the student must be enrolled in an approved program of study. An approved program is one registered by the New York State Education Department or, where applicable, by the New York State Department of

Health, as of the start of the term for which assistance is sought. The program is specifically approved in writing as eligible for state awards. HESC is guided by lists of approved programs provided by the New York State Department of Education on its semi-annual Inventory of Registered Programs or, where applicable, the New York State Department of Health. The State Education Department approves all programs. Inquiries concerning program registration should be directed to that agency.

Because students are required to be enrolled in an approved program of study to receive state-sponsored awards, the institution must offer - and students must follow - the program consistent with how it was approved. Deviation from program approval standards can jeopardize the approved status of the program.

Collegiate Institutions. Approved programs of study at collegiate level institutions are those leading to a degree or to a diploma or certificate fully creditable to a degree. Diploma and certificate programs must be at least one academic year long for HESC to consider them approved programs of study for award payment purposes.

NOTE: The State Education Department approves programs of study for a specific period of time. Schools should be aware of when program approvals will expire and should not certify students beginning study after a program approval expires unless written arrangements have been made with the State Education Department to have the program approval renewed or extended.

d. Matriculated Status

To be eligible for any state-sponsored grant or scholarship, a student must have a matriculated status. A matriculated student is one:

- who has filed a written admissions application at an institution offering approved programs of study to earn a degree, diploma or certificate;
- whom the institution deems as being qualified of undertaking the course of study for that degree, diploma or certificate;
- whom the institution recognizes as a candidate for that degree, diploma or certificate; and
- who has registered for courses or other academic activity the institution recognizes as contributing toward fulfilling the requirements for that degree, diploma or certificate.

Students enrolled in one of the following programs for the educationally and economically disadvantaged are considered to be matriculated solely by virtue of their acceptance into the program:

- College Discovery (CD)
- Educational Opportunity Program (EOP)
- Higher Education Opportunity Program (HEOP)
- Search for Education, Elevation and Knowledge (SEEK)

Students enrolled in noninstructional external degree programs approved by the New York State Commissioner of Education are also considered matriculated.

Deferred Major. To be considered matriculated for financial aid purposes, the New York State Education Department requires that the student declare a major by the beginning of the sophomore year if enrolled in a two-year degree program or by the beginning of the junior year if enrolled in a baccalaureate program. Students who later change their majors are still considered to be matriculated.

Retroactive Matriculation. Retroactive matriculation by the institution establishes a student's eligibility for state awards retroactively only if such action was necessary to correct administrative error or delay in reviewing the credentials of a student who was originally eligible for matriculation.

Conditional Matriculation. Conditional matriculation does not satisfy matriculation requirements if a student was accepted into a program of study based on his/her satisfactory completion of any special requirements establishing qualification to pursue the program of study successfully. However, any student required to complete certain courses to make up deficiencies in background or training may be considered matriculated, provided acceptance into the program was not conditional upon completing those requirements.

Nonmatriculated Status. Students are considered nonmatriculated in the following circumstances:

- students enrolled in courses solely for teacher certification, licensure or other external requirements (for example, students enrolled in Fifth Pathway programs). Exception: The New York State Education Department has approved for state financial aid awards students enrolled in teacher certification programs that result in a certificate and a provisional teaching license;
- individuals enrolled in courses solely for personal or cultural enrichment; or
- individuals enrolled in postdoctoral programs.

e. Full-time Status

With the exception of awards made for accelerated summer study and awards made through the APTS or Vietnam/Persian Gulf Veteran Tuition Assistance Programs, students must be in full-time status to seek a state-sponsored grant or scholarship.

Definition. The New York State Commissioner of Education **defines full-time status at collegiate institutions as enrollment for at least 12 semester hours of matriculated credit for a term of at least 15 weeks, including exam periods, or the equivalent. (Credits must fulfill Major, Minor, Core or Elective requirements to meet the minimum 120 credits required for graduation. Electives that exceed the minimum 120 credits cannot be included in meeting full-time study requirements for state-sponsored financial aid.)** The Commissioner defines a semester hour as a credit, point or other unit granted for the satisfactory completion of a course that requires at least 15 hours of 50-minute instruction periods and at least 30 hours of supplementary assignments. For trimester-based institutions, an acceptable equivalent is enrollment for at least eight semester hours of credit for a term of at least 10 weeks, including exam periods. "Equivalents" can also include independent study, practice teaching, graduate assistantship, thesis or dissertation research, preparation for language or qualifying exams and noncredit remedial courses. These "equivalent" activities

must be required as an integral part of the student's program of study. Three hours of "equivalent" activity per week is required for each credit. Half-time study is defined as enrollment for at least six semester hours but less than 12 semester hours or the equivalent.

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Attendance at an intersession or miniterm may not be combined with an adjacent regular term to achieve full-time status unless formally linked by the State Education Department in a simulated term arrangement. However, if an institution offers more than one summer session, all attendance at these sessions is combined into a single summer term for award purposes.

Education Law has been amended to allow students to qualify for accelerated (summer) study only upon the completion of 24 credits in the prior two semesters. This requirement will be implemented for terms beginning after Jan. 1, 2007; therefore, students attending the summer term for the 2006-07 academic year, either part time or full time, will not need to meet the 24-credit requirement.

Repeated Courses. *Courses in which the student has already received a passing grade cannot be included in meeting full-time study requirements for state-sponsored financial aid.* Repeated courses may be counted toward full-time study requirements if a student repeats a failed course, if a student repeats the course for additional credit, or when a student has received a grade that is passing at the institution but is unacceptable in a particular curriculum.

Remedial Courses. For payment purposes, remedial courses may be counted toward full-time study requirements. However, the student must also be registered for nonremedial credit-bearing courses equal to at least half the minimum full-time study requirements (for example, six credits at a semester institution). During the first term of study, nonremedial credit-bearing courses need equal only one-fourth the minimum full-time study requirement (for example, three credits at a semester institution).

Students who meet the other eligibility criteria can receive assistance through the STAP program if they are enrolled in a program consisting of all remedial courses in the summer term before or after their first year of college study in New York State on either full-time or half-time basis.

Time of Assessment. Students can achieve full-time status for a particular term if they register for sufficient credits before the certification status date (date in the term when the student will be liable for full tuition for courses taken during that term-- normally the end of the drop/add period) and provided that the student has not withdrawn or dropped below full-time status before the first day of classes. Additionally, students must have accrued a tuition liability for each of the credits constituting the full-time study requirement.

Students Who Fail to Attend. To receive state-sponsored student aid, New York State Education Law specifies that students attend school full time as defined by the Commissioner of Education. Since there is no law or regulation requiring degree-granting institutions to monitor attendance, the Commissioner had defined full-time attendance as enrollment for 12

or more credits per semester. Accordingly, while HESC expects schools to make a good-faith effort to ensure that students who never actually attend are not certified for awards, HESC will allow the certification of students who register for sufficient credits and incur a full tuition liability but fail to attend classes. However, when certifying students on this basis, the school should be able to demonstrate that through its normal practices and procedures it was unaware that the student never attended classes; that there has not been a refund or forfeit of any other financial aid funds for nonattendance; and that it has made arrangements to collect full tuition liability for that term.

Students Not Charged Full-time Tuition. If the following types of activities are required as integral to the student's program of study and contribute to the full-time study requirement and no tuition is charged for the activity, the student is exempted from the requirement of having a tuition liability for each of the full-time credits:

- independent study
- graduate assistantship
- thesis or dissertation research
- preparation for language or qualifying examinations
- remedial courses

However, awards based on tuition liability cannot exceed the actual tuition liability. Registration fees and other fees are not considered tuition.

Medical/Health Waiver. The full-time study requirement can be waived if the student absolutely cannot engage in full-time study because of health or medical reasons. The student must present to the school for approval satisfactory medical evidence substantiating that serious illness or other adverse physical condition requires restricting the student's program of study. If approved, the work of two or more terms of study may be combined into a regular full term of study (12 credits or more at a semester-based institution). Situations like these require the institution to certify the student's eligibility for an award during the term when the student has accumulated enough credits for a term award.

Students With Disabilities. Effective with the 1998-99 academic year, students who are disabled, as defined by the 1990 federal Americans with Disabilities Act (ADA), do not have to attend school full time to be eligible for TAP awards. These students are eligible for a partial TAP award if they are attending part time (at least three credits per semester or the equivalent). The student must still meet all other TAP eligibility requirements. In addition, the TAP certifying officer must be able to document that the student is disabled as defined by the ADA. Those records can be obtained from the designated campus ADA representative.

f. High School Graduation Requirement

To be eligible for any state-sponsored grant or scholarship award, students who were first-time recipients of any state grant or scholarship in the 1996-97 academic year or thereafter must have graduated from high school, have a GED or other equivalent of a high school certificate, or have received a passing score, as determined by the United States Secretary of Education, on a federally approved exam that demonstrates that the student can benefit from the education being offered.

g. Good Academic Standing

To receive state-sponsored grants or scholarships, the student must be in good academic standing. For financial aid purposes, good academic standing consists of two components:

1. *Pursuit of Program*--a requirement that a student receive a passing or failing grade (A-F letter grade) in a certain percentage of courses each term, depending on the number of state awards the student has received. The percentage is determined according to the following schedule:

| Number of payments | Must receive a grade for |
|--------------------|---|
| 1, 2 | 50 % of minimum full-time requirement (six credit hours on a semester calendar) |
| 3, 4 | 75 % (nine credit hours) |
| 5 or more | 100 % (12 credit hours) |

2. For half-time accelerated payments, the above percentages are applied to the minimum half-time requirement (six credits on a semester calendar) to determine pursuit of program. The pursuit of program requirement is continuous as a student passes from undergraduate to graduate study; payments a student received as an undergraduate are added to graduate payments to determine the number of payments.
3. *Satisfactory Academic Progress*--a requirement that students accumulate a specified number of credits and achieve a specified cumulative grade point average each term, depending on the number of state award payments students have received. Institutions are required to use a standard of Satisfactory Academic Progress, approved by the New York State Commissioner of Education, when determining academic progress. NOTE: After students have received the equivalent of four semester payments of any state award, students must maintain a GPA of at least 2.0 on a 4.0 scale.

Satisfactory Academic Progress – Baccalaureate Programs

| | 6 | 12 | 18 | 24 | 30 | 36 | 42 | 48 | 54 | 60 |
|--|-----|-----|-----|-----|-----|-----|-----|-----|-------|--------|
| Before being certified for this payment | 1st | 2nd | 3rd | 4th | 5th | 6th | 7th | 8th | 9th** | 10th** |
| A student must have accrued at least this many credits | 0 | 3 | 9 | 21 | 33 | 45 | 60 | 75 | 90 | 105 |
| With at least this grade-point average | 0 | 1.1 | 1.2 | 1.3 | 2.0 | 2.0 | 2.0 | 2.0 | 2.0 | 2.0 |

Determining Number of Payments. HESC uses a payment point system to determine the number of state award payments students have received.

Time of Assessment. Good academic standing must be evaluated each term. Students must meet both Pursuit of Program and Satisfactory Academic Progress requirements for that term to be considered in good academic standing.

Loss of Good Academic Standing. Students who lose good academic standing in a term when they received a state grant or scholarship are not eligible for an award for the next term.

Reinstatement of Good Academic Standing. Students who have lost good academic standing may restore this standing in one of the following ways:

1. make up past academic deficiencies by completing one or more terms of study without receiving any state grants or scholarships;
2. be readmitted to school after an absence of at least one year; or
3. transfer to another institution.

One-time Waiver. New York State Commissioner of Education regulations permit students to receive a one-time waiver of the good academic standing requirement as an undergraduate and a one-time waiver as a graduate student. The institution issues the waiver if there are extenuating circumstances. The institution is required to publish and adhere to criteria under which it will grant a waiver. Institutional personnel are required to discuss the waiver with the student before granting one. The waiver is not automatic and must be done in accordance with the institution's published criteria. Improperly granting waivers can result in an audit disallowance against the institution.

HESC maintains a record of all good academic standing waivers granted and preprints a "W" on the payment roster for students previously granted a waiver. These students cannot be granted any additional waivers. The school grants a waiver by entering a "W" in the waiver column on the payment roster.

h. C Average Requirement

Students Affected. Effective with the 1996-97 fall term, students who in prior terms have received the equivalent of two or more full years of state-funded student financial aid must have and maintain a cumulative GPA of C (2.0 on a 4.0 grading scale) or better to be eligible for continued state-funded assistance. These students would have accumulated 24 or more payment points in prior terms. All state grant and scholarship programs except STAP are subject to this requirement.

Readmitted Students. Students who have received two or more years of payment of any state awards and who are readmitted to an institution they previously attended must have a cumulative GPA of C or better to receive any further state-sponsored student aid. If students return without any transfer credits from another institution, the cumulative GPA would be based on prior grades earned at the institution. If students return with transfer credits, prior grades earned at the institution may be combined with a presumed grade of C for transfer credits to determine students' cumulative GPA.

Transfer Students. Students who have previously received payment of state awards at one institution and are transferring to another institution may be presumed to have a grade of C for all transfer credits.

Students Changing Programs of Study. The C-average requirement cannot be circumvented by a change in the program of study. If a student, after receiving two years of state-funded student aid, did not achieve a C-average (2.0) in the last program of study, the student cannot regain eligibility by changing a program of study.

Regaining Eligibility. Students who are denied an award for failing to achieve a cumulative GPA of C can regain award eligibility by completing appropriate coursework -- without state support -- to achieve a cumulative GPA of C. Students cannot regain eligibility by remaining out of school for a period of time.

Waiver of the C-Average Requirement. The C-average requirement may be waived for undue hardship based on:

- the death of a student's relative;
- the student's personal illness or injury; or
- other extenuating circumstances.

A waiver must be documented and must relate to circumstances that have affected the student's ability to achieve a cumulative C average as of the end of a particular semester or term.

The C-average waiver is separate from the one-time good academic standing waiver and may be granted more than once if circumstances warrant.

Schools must maintain documentation of why waivers are granted but do not have to report the waiver in the certification process. Students lacking a C-average who are found to be ineligible for a waiver should be decertified for not being in good academic standing.

Minimum Tuition Requirement

To qualify for a tuition-based award (TAP), the student must incur a tuition liability of at least \$200 per academic year prorated by term, \$100 per semester or \$67 per trimester.

Students with a term tuition liability less than those above are not eligible to receive a TAP award.

There is no minimum tuition requirement for any other grant or scholarship program HESC administers.

i. Guaranteed Student Loan Default

Students who are in default on any student loan that HESC guarantees are not eligible for any state-sponsored grant or scholarship.

j. Special Eligibility Conditions

The following can affect student eligibility to receive state awards:

Prior Graduate Degree Restriction. Students may receive a TAP award to pursue only one graduate degree of the same type. Types of graduate degree are:

- Masters,
- First Professional (Medicine, Dentistry, Law, etc.), and
- Doctoral (Ph.D., etc.).

Students cannot receive a TAP payment for a second graduate degree of the same type if they have received any TAP payments toward the first graduate degree of the same type. This provision does not apply to undergraduate degrees.

Any scholarship or other academic performance award students may have received toward the first graduate degree does not affect the degree prohibition. Similarly students who are ineligible for TAP because of the Prior Graduate Degree Restriction can still receive an academic performance award.

If students received a TAP payment for graduate study leading to a degree but the degree was not awarded, they can receive a TAP award to resume study leading to the same type of graduate degree.

If students are simultaneously matriculated for two graduate degrees of the same type, TAP can only be paid until the first degree is granted. Students may not receive a TAP award for any remaining study for the second graduate degree of the same type.

Incarcerated Students. Incarcerated students in federal, state, or other penal institutions are not eligible for TAP or any academic performance award effective with the 1995-96 school year. This restriction also applies to local jails and institutions.

Required Student Data

When applying for state grants or scholarships, students must furnish the following items of information. HESC requires this information to process student applications, determine eligibility and calculate awards.

a. Social Security Number

The Social Security number is a unique number that identifies a student and enables HESC to maintain a record of all payments a student receives. HESC also uses it to verify income information. All student records are accessed and maintained via the Social Security number. HESC cannot process an application for any state grant or scholarship award without a valid Social Security number.

Students who do not have a valid Social Security number should obtain one before submitting an application. HESC will not extend application filing deadlines to enable a student to obtain a Social Security number.

b. Marital Status

Students applying for state grants or scholarships must report their current marital status-- married or unmarried (single, divorced, widowed, or separated). Students who have been married, widowed or separated/ divorced must also provide the date of this event.

A student's marital status can be a factor in award calculation and in determining financial independence.

HESC cannot process student applications for state awards unless students provide marital status information.

If separation/divorce occurs after the tax year on which an award is based (for example, 2001 for 2002-2003 academic year), applicants must include the spouse's Social Security number on the application.

c. Educational Plans

State grants and scholarships are paid through the participating institution. Accordingly, students must indicate the institution where the student will be enrolled for each term of the academic year. Students don't actually have to be accepted at a particular institution to submit an application for payment. However, since award funds will be sent to the institution on the application, students should be fairly certain of their education plans before applying. Students who change their plans after submitting an application can change their college code on the ETA or submit the change on HESC's Website at HESC.org.

For award calculation purposes, HESC will presume the first New York State institution listed on the FAFSA to be the college the student will attend. This will be preprinted on the Express TAP Application (ETA). A school code list is provided with the ETA, and students may make any appropriate changes when returning the ETA to HESC for processing.

d. Level of Study

Students applying for any state grant or scholarship must report their levels of study*. There are two levels of study-- undergraduate and graduate. The level of study indicated will determine the TAP award payment schedule. The level of study also determines the conditions that must be met for financial independence claims for applicants younger than 22 years old. Similarly most of the state grant and scholarship programs are specifically intended for either undergraduate or graduate study.

* Students who report one level of study on the TAP application but are enrolled in a different level of study, will be decertified. It is the student's responsibility to report the correct level of study when he/she applies for TAP.

Undergraduate Study. This level refers to matriculation in a program of study leading to an associate or baccalaureate degree or in a diploma or certificate program creditable toward an associate or baccalaureate degree.

Graduate Study. This level refers to matriculation in a program of study leading to a degree above the baccalaureate level-- masters degree, first professional degree, doctoral degree or a diploma or certificate program creditable to one of these degrees.

Concurrent Enrollment. If a student is taking both graduate and undergraduate courses, the degree for which the student is matriculated determines whether the program of study is considered undergraduate or graduate.

Combined Degree Programs. The level of study for students enrolled in a program of study leading to both an undergraduate and a graduate degree will vary and will depend on the manner in which the institution(s) organizes the program.

HESC will consider students undergraduate for that segment of the program in which:

- the institution formally recognizes the student as being in undergraduate status; and
- the institution charges the student undergraduate tuition.

The student will be considered a graduate student for that segment of the program in which:

- the institution formally recognizes the student as being in graduate status; and
- the institution charges the student graduate tuition.

If the combined degree program requires more than four years to complete, the student cannot receive more than four years of undergraduate awards unless the New York State Education Department formally approves the undergraduate segment of the program as a five-year baccalaureate program. If not so designated, the student can receive undergraduate awards for no more than four years of study. Awards for subsequent study will be at the graduate level.

When certifying eligibility for state awards for students enrolled in combined degree programs, the institution must be certain that the level of study is consistent for all sources of financial aid. The institution cannot certify students, for example, for an undergraduate TAP award and a graduate level scholarship or student loan during the same term.

Students' level of courses for which they are registered does not determine their level of study. Undergraduate students may be registered for graduate level courses and graduate students may be registered for undergraduate level courses, provided the courses are required or recommended for their program of study.

Students can be considered enrolled at the graduate level even if the undergraduate degree has not yet been formally awarded.

e. Five-year Programs

Normally students may receive up to four years of assistance through state-sponsored student aid programs for undergraduate study. Under certain circumstances, however, students may receive a fifth year of payment for undergraduate study through the following programs:

- Tuition Assistance Program
- Regents Award for Children of Deceased or Disabled Veterans
- Memorial Scholarship for Families of Deceased Firefighters, Volunteer Firefighters, Police Officers, Peace Officers and Emergency Medical Service Workers.
- Vietnam/Persian Gulf Veteran's Tuition Award
- Regents Professional Opportunity Scholarship
- Scholarships for Academic Excellence

Five-year Baccalaureate Programs. Students enrolled in a baccalaureate program that normally requires five years of study to complete and which the New York State Education Department has specifically approved as a five-year undergraduate program can receive a fifth year of undergraduate payment. Pharmacy and Architecture are examples of these programs. Combined degree programs and five-year cooperative programs, which are equivalent to only four academic years of study, are examples of programs that do not qualify as approved five-year undergraduate programs.

Opportunity Programs. Students currently enrolled in approved programs of study for the educationally and economically disadvantaged can receive a fifth year of undergraduate payment. Approved educational opportunity programs are: College Discovery (CD), Educational Opportunity Program (EOP), Higher Educational Opportunity Program (HEOP) and Search for Elevation, Education and Knowledge (SEEK). Prior enrollment in one of these programs does not qualify a student for a fifth year of payment. Enrollment must be current.

Students can receive five or more years of payment through a combination of different programs. The five-year program designation only applies to students receiving a fifth year of payment through a single program. For example, scholarship winners who received four years of scholarship payment but were ineligible for TAP during one of those years because of income could receive a TAP award for a fifth year of undergraduate study even if they're not enrolled in an approved five-year program.

f. Income Reporting

HESC bases TAP awards on students' taxable income and, depending on circumstances, students' parents' and/or spouses' income. HESC ignores family assets such as savings and home equity, and liabilities such as medical expenses except as reflected in taxable income.

Contact HESC for more information on income requirements.

g. Financial Independence

Description. A student must apply for TAP as either a dependent student, which requires parental income information, or an independent student, which does not require parental income information. Applicants must report parental income unless the student meets certain

conditions established in law and regulation that show the student to be financially independent of the parents. These conditions apply only to the TAP program and differ from the conditions used in defining "financial independence" for other aid programs such as Pell Grants or for public assistance.

Applicant Categories. To determine financial independence applicants fall into one of the following categories:

- Applicants 35 years old or older as of June 30 preceding the academic year for which assistance is being sought (June 30, 2001, for 2002-2003 academic year) are considered financially independent regardless of any other conditions.
- Applicants between 22 and 35 years old as of June 30 are considered independent if they meet all of the basic conditions (see basic conditions).
- Applicants who were married on or before December 31 of the preceding calendar year (December 31, 2001, for 2002-2003 academic year) are considered independent if they meet all of the basic conditions (see basic conditions).
- Applicants who were previously approved as independent students are considered independent if they meet all of the basic conditions.
- Graduate students are considered independent if they meet all of the basic conditions.
- Single undergraduates younger than 22 years old as of June 30 who are not in one of the above categories are considered independent if they meet both the basic and the special conditions.

Basic conditions. Basic conditions applicants must meet to be considered financially independent are:

- During the preceding year and during both calendar years of the current academic year (for example, 2001, 2002, and 2003 for the 2002-2003 academic year), the applicant has not and will not reside with parents (or in a building or apartment owned or leased by the parents) for more than six weeks, even if applicants have paid rent to the parents.

Applicants who have served on active duty with the U.S. Armed Forces or other National Volunteer Service will satisfy this requirement if they lived with parents for no more than six months immediately after being discharged.

- During the preceding tax year-- on which an award is based-- and the following year (for example, 2001 and 2002 for awards made for 2002-2003 academic year) neither parent has nor will claim the applicant as a dependent for federal or state income tax purposes.
- During the preceding year and during both calendar years of the current academic year, the applicant has not received and will not receive financial assistance or support from parents in excess of \$750, including gifts and loans.

For applicants who are veterans and have been honorably discharged from the United States Armed Forces, only the basic condition relating to tax dependency is relevant. The basic conditions regarding residency with the parents and receiving financial assistance from the parents are, by law, not applicable.

Special Conditions. To be considered financially independent, certain applicants younger than 22 years old must satisfy at least one of the following conditions:

- Each parent is either deceased, totally or permanently disabled or has been declared incompetent by judicial action.
- Applicant currently receives public assistance. Public assistance does not include food stamps, unemployment insurance, or aid as a dependent child under the Aid to Families with Dependent Children (AFDC) program.
- Applicant is a ward of the court. Ward of the court does not include status as an inmate in a correctional facility.
- There has been an involuntary dissolution of the applicant's family, resulting in relinquishment of parental responsibility and control.
- Applicant is a veteran and has been honorably discharged from the armed forces.

In most of the above situations, documentation confirming the student's claim of financial independence will be readily available. However, in some instances, students encounter difficulty in documenting involuntary dissolution of the family. In these situations the applicant's condition must be authenticated (sworn statement) by a reputable third party who has direct knowledge of the applicant's circumstances. Such a person might be a clergyman, a legal aid representative or a social worker.

Claims of involuntary dissolution of the family are evaluated on a case by case basis. Following, however, are several circumstances that would indicate involuntary dissolution.

- Parents do not reside in the United States or any of its possessions or protectorates, and parents are not citizens and do not provide any support to the student.
- Abandonment by the parents (i.e. parents' whereabouts unknown and lack of parental contact can be authenticated).
- Evidence of parents mentally and/or physically abusing the applicant.

The following conditions do not in and of themselves satisfy the special conditions for financial independence:

- applicant is a veteran
- applicant's spouse older than 22 years
- applicant is incarcerated
- applicant is self supporting
- Students who are approved for financial independence will receive TAP awards based on their own income (and if married, spouse's income). Parental income need not be reported to calculate a TAP award. However, independent students receive TAP awards under separate payment schedules, and the amount of the TAP award will differ from those awards paid under the schedules established for dependent students.

Independence For Less Than A Full Year. In some instances, students may not meet all of the basic conditions necessary to qualify for financial independence for the entire academic year. They may, however, qualify for financial independence for all terms beginning after January 1 of the academic year, if the following conditions are met:

- Student lived with parents for more than six weeks and/or student received more than \$750 in financial assistance during previous year but not during two subsequent years (for example, for 2002-2003, the student lived with parents and/or received \$750 assistance in 2001, but not in 2002 or 2003).
- Parents claimed the student as a tax dependent for the previous year but not in the next year (for example, claimed in 2001 but not in 2002 for 2002-2003).
- If the student was younger than 22 years old as of June 30, the student must also meet special conditions as of January 1.

If parental income is reported, the student can receive an award as a dependent student for all terms beginning before January 1 and as an independent student for all terms beginning on January 1 or thereafter. If parental income is not reported, the student can only receive an award as an independent student for all terms beginning January 1 or thereafter.

3. Certification Procedures

Definition of Certification

Certification refers to the institution's responsibility for determining and reporting to HESC information on students' fulfilling eligibility criteria for awards for which HESC has approved students. Institutions are also responsible for reporting students who have failed to satisfy eligibility criteria. The institution discharges this responsibility by either certifying or decertifying students on payment rosters.

Status of Student

HESC places all students approved for an award on a payment roster. The school must then determine their eligibility. Once the school decides whether a student is eligible, the student's award status for the term will be one of the following:

a. Certified

The school has determined that the student satisfies the eligibility criteria for the award for that term.

b. Decertified

The school has determined that the student does not satisfy the eligibility criteria for the award for that term.

c. Pending

The school is temporarily unable to determine the student's eligibility for an award for that term. The school will not certify that student until the eligibility uncertainty is resolved.

Certification Status Date

The school cannot certify a student for a particular term until the certification status date, the date the student would have incurred full tuition liability for the term.

When students are enrolled in a program of study that the State Education Department has formally approved to operate on a "simulated semester" basis, students must register for and incur tuition liability for enough credits for full-time study at the outset of the term. However, students cannot be certified for awards until they have begun study for the second module of the simulated term.

When Students' Eligibility Is Assessed

Students must meet citizenship, residency, high school graduation and good academic standing requirements as of the first day of classes for a particular term to be certified as eligible for an award for that term.

Students must meet matriculation requirements, approved program requirements, full-time study requirements and tuition liability requirements some time between the first day of classes and the certification status date for a particular term to be certified for an award for that term.

Students enrolled in a "simulated semester" must register for sufficient credits for full-time study at the outset of the term.

4. Certifying Officer

Colleges and other postsecondary institutions participating in New York State-sponsored student aid programs are responsible for ensuring that program funds entrusted to their care are used consistently with the legislative purpose in establishing these programs. Institutions also must ensure the funds are used consistent with applicable regulations promulgated by the State Education Department, HESC and, where applicable, other state and federal agencies governing the administration of these programs.

To fulfill this responsibility, the institution's chief executive officer designates a staff member to serve as certifying officer. The institution's chief executive officer may change who is designated as certifying officer at any other time by notifying HESC's Office of Field Services in writing.

Responsibilities of the Certifying Officer

As the designated representative of the educational institution, the certifying officer is specifically responsible for:

- attesting to the accuracy of information submitted to HESC on student eligibility or ineligibility for an award;
- training and monitoring the activities of other institutional personnel directly involved in certifying student awards;
- providing policy guidance to other institutional personnel in activities related to certifying student awards (for example, faculty or other academic personnel who are responsible for determining good academic standing, etc.);
- ensuring that certification activities are carried out in a prompt and timely manner to facilitate delivering awards to students and returning overpayments to HESC; and
- if the certification process at the school is automated, the certifying officer is responsible for ensuring that the certification system is accurate and has been adequately tested as required by the EFAN Agreement.

The Certifying Officer at Marist College is located in the Registrar's Office.