**Definition**

**Distance Learning Non-Resident:** A student enrolled at a State University of New York (SUNY) State-operated campus who: a) for a given term is enrolled exclusively in online distance learning course(s);¹ and b) has not had an address within the borders of New York State at any point within July 1st and June 30th of a given State-operated campus fiscal year. Campuses will determine whether a student meets the requirements by requiring documentation, as needed, to demonstrate compliance and to ensure that this definition is narrowly tailored to online-only non-resident students with no physical presence in New York in accordance with subparagraph 4 of paragraph h of subdivision 2 of section 355 of the Education Law.

The distance learning non-resident rate must be charged to all eligible students of the State-operated campuses.

**Distance Learning Courses:** Distance learning courses have been defined for this purpose as courses that use certain technologies to deliver instruction to students who are separated from the instructor and to support regular and substantive interaction between the students and the instructor.

The instruction and interaction may be synchronous (occurs in real time, without time delay), or asynchronous (occurs under time delay, not in real time), or a combination of the two. The technologies may include: the internet; audio conferencing; or one-way and two-way transmissions through open broadcast, closed circuit, cable, microwave, broadband lines, fiber optics, satellite, or wireless communications devices.

¹ For the academic year 2017/18, and for the 2017/18 academic year only, State-operated campuses may request permission from the Chancellor, or designee, to limit the offering of this rate to eligible non-resident students to only those who are matriculated in an exclusively on-line educational program comprised entirely of distance learning courses. Such limitation will be permissible for only the 2017/18 academic year and is intended to allow the State-operated campus the time required to properly align their student tracking systems with the intent of the law.