NC Residency for Tuition Purposes

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NC Residency for Tuition Purposes

Goals
- Open dialog and information sharing
- Background and Procedures
- Resources used for classification decisions
- Application screenshots
- Tips
- Questions
Applying for NC Residency for Tuition Purposes: Residency Status

Application to Graduate Programs includes residency branching questions for initial tuition classification status

Resident = in-state tuition rate

Non-resident = non-resident tuition rate
Undetermined tuition status = non-resident tuition rate
Applying for NC Residency for Tuition Purposes: Procedure review

Graduate School on-line application
http://gradschool.unc.edu/ (Graduate School website)

Student Life tab: North Carolina Residency – information and link to application (https://apps.research.unc.edu/grad_res/)

login-in page (ONYEN and password)

Start a New Graduate School Residency Application
Manage/View Your Existing Applications

Pay attention to filing period deadlines (census date)
Background & Resources for Classification Purposes

NC State Statute (General Statute section 116-143.1)
The North Carolina General Assembly has enacted a detailed statutory scheme for determining who does and who does not qualify for in-state tuition.

NC State Residence Classification Manual

Local rules – University Registrar’s office

http://registrar.unc.edu/AcademicServices/Residency/index.htm

http://gradschool.unc.edu/studentlife/resources/residency/
NC State Residence Classification Manual: Overview & Definitions

Three broad points may be helpful in understanding and implementing state law governing the determination of residency for tuition purposes at institutions of higher education:

1) The difference between residence and domicile.
“Residence is a place of abode, and may be either permanent or temporary. By contrast, domicile is never temporary; rather, it is one's permanent, established home. To be domiciled in a particular place, one must intend to remain there for an indefinite period of time (permanently), and it is the place where one intends to return if absent. A person may have many residences, but may only have one domicile.”

A domicile is not a temporary residence established for attending the University
2) Demonstrated 12 months of uninterrupted domicile in North Carolina.

Burden of proof that you are domiciled, rather than merely residing, in North Carolina. **The 12-month (365 days) qualifying period begins at the time that a cluster of domiciliary acts is established as confirmed by valid evidence.** The 12-month period must be before the first day of classes of the semester for which you are applying.

3) State law makes the legal residence of an individual's living parents or legal guardian prima facie evidence of the individual's legal residence (dependents).
Additional Definitions

**Capacity:** the legal ability to establish residence unimpeded by other factors, such as age or improper immigration status. Capacity includes the ability to remain in North Carolina permanently through one’s own financial resources.

**Indefinitely:** refers to duration of time having no exact limits. Indefinite does not mean you intend to stay in the state forever, instead it means that you have no predetermined end date.

**Independent:** sufficient funds to live and pay tuition without financial dependence/assistance from parents (official financial aid package exempt); files and claims self on taxes.

**Preponderance of Evidence:** the greater weight of evidence [supporting vs. non-supporting].
Determination of Intent: Cluster of Tangible Activities

- Tax status and dependency
- Federal and State income tax returns
- Employment
- Voter registration and activity
- Jury duty
- Sources of financial support
- Car registration
- Driver's license / State I.D.
- Property ownership
- Time in and out of state
- Ties to community
Determination of Intent: Cluster of Tangible Activities

• No one action by itself guarantees or denies residency for tuition purposes
• List is NOT comprehensive
• North Carolina in NOT a check-list state

  • Tax status and dependency
  • Federal and State income tax returns
  • Employment
  • Voter registration and activity
  • Jury duty
  • Sources of financial support
  • Car registration
  • Driver's license / State I.D.
  • Property ownership
  • Time in and out of state
  • Ties to community
Factors determining financial independence:

• Employment (full- or part- time status) in NC
• Current/prior income
• Sources and extent of financial support (university assignments, parental assistance, other funds in your name, etc.)
• Evidence of not being claimed on parental taxes
• Leases, bank accounts, titles, etc. in student’s name without parents

• *Parent’s health insurance policy – does not impact independence*
Determination of Intent: Cluster of Tangible Activities

Residency is **heavily date driven**.

The classifiers are looking at the dates of a cluster of factual events/activities in support of the claim for in-state residency for tuition purposes.

It is the **accumulation of evidence for the cluster**, not the date one entered the state, that starts the clock.

Provide as much documentation as possible (electronic uploads)

"The sooner the better"
# Provisions & Benefits

<table>
<thead>
<tr>
<th>Provisions/Benefits</th>
<th>When to Apply</th>
<th>Additional Materials (upload)</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-US citizen</td>
<td>When legal capacity is established</td>
<td>Supplemental form, copy of visa or permanent resident card</td>
<td>Check status of visa classification for ‘no-go’ visas</td>
</tr>
<tr>
<td>Military &amp; Dependent/Spouse</td>
<td>30 days before but no later than first day of classes</td>
<td>Military benefit form and military affidavit</td>
<td>Copy of military orders will not satisfy this requirement</td>
</tr>
<tr>
<td>Veteran Choice Act (effective July 1, 2015)</td>
<td></td>
<td></td>
<td>Handled directly through the Registrar’s office</td>
</tr>
<tr>
<td>Spousal Pair</td>
<td>See filing periods</td>
<td>Spousal supplemental forms, marriage certificate</td>
<td>May take advantage of the length of time domiciled spouse has been in the state</td>
</tr>
<tr>
<td>Employee &amp; Dependent/Spouse (Full time permanent)</td>
<td>30 days before but no later than first day of classes</td>
<td>Letter on official letterhead from University HR</td>
<td>No RA/TA/Post-Doc/Resident/Fellow status</td>
</tr>
</tbody>
</table>
Classification Review Philosophy

- Team of classifiers
- Neutral point of view
- Decisions based on complete information
- ‘Intent’ judged on current evidence
- No quotas

- Feedback as possible

- Appeal process
  - Intent
  - Benefit of the doubt
Applying for NC Residency for Tuition Purposes: Application Screen-shots

Graduate School on-line application

http://gradschool.unc.edu/ (Graduate School website)

Student Life tab: North Carolina Residency – information and link to application

https://apps.research.unc.edu/grad_res/
UNC-Chapel Hill
Graduate School Residency Application

This online application for residency for tuition purposes is for students in programs administered by The Graduate School only. For a listing of these programs, please see the following website (http://gradschool.unc.edu/programs/degreeprograms.html).

All students in other classifications should submit applications following your own program’s processes. This includes all undergraduate and continuing studies students and other students earning the degrees found under "Graduate programs not administered by The Graduate School". Please contact your specific program directly with any questions.

PLEASE REVIEW FILING PERIODS BEFORE SUBMITTING APPLICATION
THIS IS NOT PART OF ADMISSIONS APPLICATIONS

UNC ONYEN: ______________________
Password: ______________________

Login

If you do not have an Onyen account, click here to obtain one using your UNC PID or SS# and birthdate.
The Graduate School - eResidency >> Main Menu

This new online process is faster and easier and provides a quicker response than the paper-based process.

>> Start a New Graduate School Residency Application

>> Manage/View Your Existing Applications
Application Item List

Below is a list of sections required to complete your Graduate School residency application. You can submit the application after each section is marked with a red check. Click the link for each section to edit that section.

**NOTE:** Please enter all information in each section below. Incomplete applications will result in a non-residency status.

- General Information
  - Applying Program & Term
  - Addresses (current address not specified)
- Educations
- Employments
- Visits & Circumstances for Being Out of NC
- Registrations & Taxes
- Personal Property & Finances
- Parent & Guardian
- Citizenship
- Spousal Information
- Spouse Education
- Spouse Employment
- Spouse Registrations & Taxes
- Spouse Citizenship
- Additional Notes
- Attachments

Submit Application  Delete Application

Exit
Residency Application >> Program & Term

Select the Program for which you are applying:

>> Applying Program & Term:

Program: 
Term:  ○ Summer II 2014  ○ Fall 2014

For the term for which you are applying, you are:  ○ 1st year enrolled student  ○ 2nd year or beyond enrolled student

>> Next  Cancel
Residency Application >> Visits & Circumstances For Being Out of NC

Please enter all places in-state and out-of-state you have spent at least 4 consecutive days during the past 3 years. Your response must include your current address, all other places lived, and vacations.

Please list these in chronological order.

**Add Visit/Circumstance**

- **Place** (city & state)
- **Purpose of Visit**
- **From** to **To**

**Add Visit/Circumstance**

**List of Visits & Circumstances**: (click location below to edit)

<table>
<thead>
<tr>
<th>Place</th>
<th>Purpose of Visit</th>
<th>From - To</th>
</tr>
</thead>
</table>

**Return to Item List**  **No Visits and Circumstances**
### Residency Application >> Registration & Taxes

#### Began Legal Residence

When do you claim you began your legal residence (domicile) in North Carolina? (date)

Date: [ ] (click calendar to pick date)

#### Registrations & Taxes

Please give the place(s) and specific dates when you did each of the following during the last 36 months.

<table>
<thead>
<tr>
<th>Event</th>
<th>State (NC) &amp; Date (mm/dd/yy or mm/yy)</th>
<th>State &amp; Date (mm/dd/yy or mm/yy)</th>
<th>State &amp; Date (mm/dd/yy or mm/yy)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Registered to Vote</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Voted</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Called to serve jury duty</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Acquired Driver's License or State ID</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Renewed Driver's License</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Purchased property as principal dwelling</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dates of such ownership</td>
<td>From: [ ]</td>
<td>From: [ ]</td>
<td>From: [ ]</td>
</tr>
<tr>
<td></td>
<td>To: [ ]</td>
<td>To: [ ]</td>
<td>To: [ ]</td>
</tr>
<tr>
<td>Motor Vehicles - Owned</td>
<td>Type: [ ]</td>
<td>Type: [ ]</td>
<td>Type: [ ]</td>
</tr>
<tr>
<td>Motor Vehicles - Registered</td>
<td>Type: [ ]</td>
<td>Type: [ ]</td>
<td>Type: [ ]</td>
</tr>
<tr>
<td>Motor Vehicles - Insured</td>
<td>Type: [ ]</td>
<td>Type: [ ]</td>
<td>Type: [ ]</td>
</tr>
<tr>
<td>Filed State Income Tax Return</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Was claimed as a dependent</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Start Date of Lease/Mortgage</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Date/Address Moved to NC:

Date: [ ] (mm/dd/yy or mm/yy)
Please provide any additional circumstances, events, or acts including employment, community service, memberships, professional, civic, religious and social organizations that demonstrates how you have made and continue to make North Carolina your permanent home.
Residency Application >> General Information

All documents supporting a student’s application for NC residency for tuition purposes may be uploaded as attachments as part of this online application. It is strongly suggested that all documentation that can help support an application be included. This will present a clearer case of one’s residency qualifications.

- North Carolina driver's license or state identification card
- Rental leases or property deeds
- Sources of financial support
- Vehicle registration and insurance
- North Carolina state taxes (not W-2s)
- Visas/immigration status documents
- Military affidavits
- Employment letter (only if full-time permanent employee in the UNC system)

DO NOT attach any credit/debit card information.

If you feel you qualify for a spousal benefit, Fill out this supplemental form and attach it to this submission on this page.

You may add and remove attachments as needed. If there are no attachments, please click the no attachments button.

Documents can be uploaded as pdf, TIFF, or JPEG formats
Please note: Scanned TIFF or JPEG images must be at least 300 dpi

>> Add Attachment:

Click Browse to select a file:  
Browse...

>> Upload  Reset

>> Return to Item List  No Attachments
Applying for NC Residency for Tuition Purposes: After Submission

- Student will receive email notification that the application has been received and is in process
- Student will be notified by email if additional information is needed for final decision
- Student (and academic program) will receive email notification once a decision has been made
- Student has the option to appeal an unsatisfactory decision through the registrar’s office (Residency Status Committee)
Grounds for Appeal

• The decision is inconsistent with the law or manual policy
• The manual provisions, as currently stated, do not address a legal issue presented by the institutional decision
• New case law has been established
• The decision is not supported by the evidence presented
• An audit of the institution leads to the review of evidence
Appeal Process

• Reply via email to the decision with requesting an appeal; must be received within 15 days of decision
• Student will receive an email stating the request has been received and the application information will be forwarded to the Residency Status Committee (Registrar’s Office)
• A committee representative will contact student regarding an appeal date; all appeals are face-to-face proceedings
• Each appeal is heard by a three (3) member panel
Preparing for an Appeal Hearing

• Read the provided information on available websites:
  Graduate School:
  http://gradschool.unc.edu/studentlife/resources/residency/

  Registrar’s office:
  http://registrar.unc.edu/AcademicServices/Residency/index.htm

• Review application material and gather information that can authenticate claims

• Initial classifiers DO NOT overturn decisions
Misconceptions

• Homeownership guarantees residency status for tuition purposes  
  FALSE

• I must have a NC driver’s license  
  FALSE

• I cannot leave the state of NC during the first 12-month period  
  FALSE

• I must attend a church or have some religious affiliation  
  FALSE
Misconceptions

• After my 1st year I am guaranteed residency status for tuition purposes
  
  FALSE

• Completing the ‘checklist’ guarantees residency status for tuition purposes
  
  FALSE

• I do not need to know how I file my taxes
  
  FALSE
Suggestions and Tips

• Find out if academic program has a guidance template
• Use information available through GPSF
• Apply only when tangible actions (cluster) have been taken
• Apply only once the 12-month (365 days) physical presence requirement has been met
• Establish financial independence
• Provide accurate and detailed information (proof read)
Contacts & Resources

- Leslie Lerea, Associate Dean, Student Affairs, Graduate School (lerea@unc.edu)
- Graduate School (grad_residency@unc.edu)
- Kimberly Rempson, Vice Chair, Residency Status Committee, Office of the University Registrar (962-5540)

- Graduate School NC Residency for Tuition Purposes website: http://gradschool.unc.edu/studentlife/resources/residency/
- The NC State Residence Classification Manual can be found on The Graduate School website: http://registrar.sites.unc.edu/files/2012/06/Residence_Manual_Aug_2010.pdf
Questions?

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