

*North Carolina Residency
for
Tuition Purposes*

A Workshop for Graduate
Students, Faculty and
Staff

Presenters

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Graduate School***

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Chair, RSC, Office of the University Registrar***

***This presentation is available on our web site.**

<http://gradschool.unc.edu/residency>

Outline

- **Part I: Background Information**
- **Part II: Application Process**
- **Part III: Appeals Process**
- **Part IV: Additional Information**

Part I: Background

- **The Statute**
- **Definitions**
- **Determination of intent**
- **Provisions/Benefits**

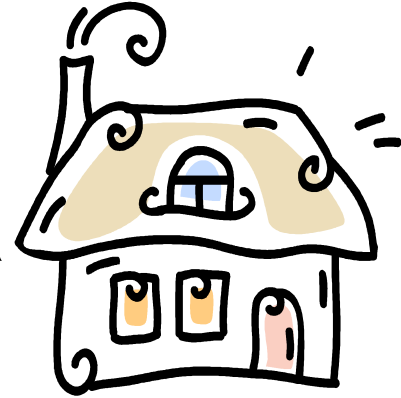


Background: The Statute

Under North Carolina General Statute Chapter 116.143.1, to qualify for in-state tuition an applicant (**legal resident**) must demonstrate a **preponderance of evidence** of:

- Legal capacity to establish a domicile
- Maintenance of 12-month domicile
- Physical Presence with;
- Intent of making North Carolina home and acts to support that intent

Definitions



- A **legal resident** is a person who qualifies as a domiciliary of North Carolina.
- A **domicile** is a person's permanent primary home for legal purposes. A domicile is not a temporary residence established for attending the University after which you intend to depart from the state. A person can have only one domicile, but numerous residences.
- **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 end date predetermined.

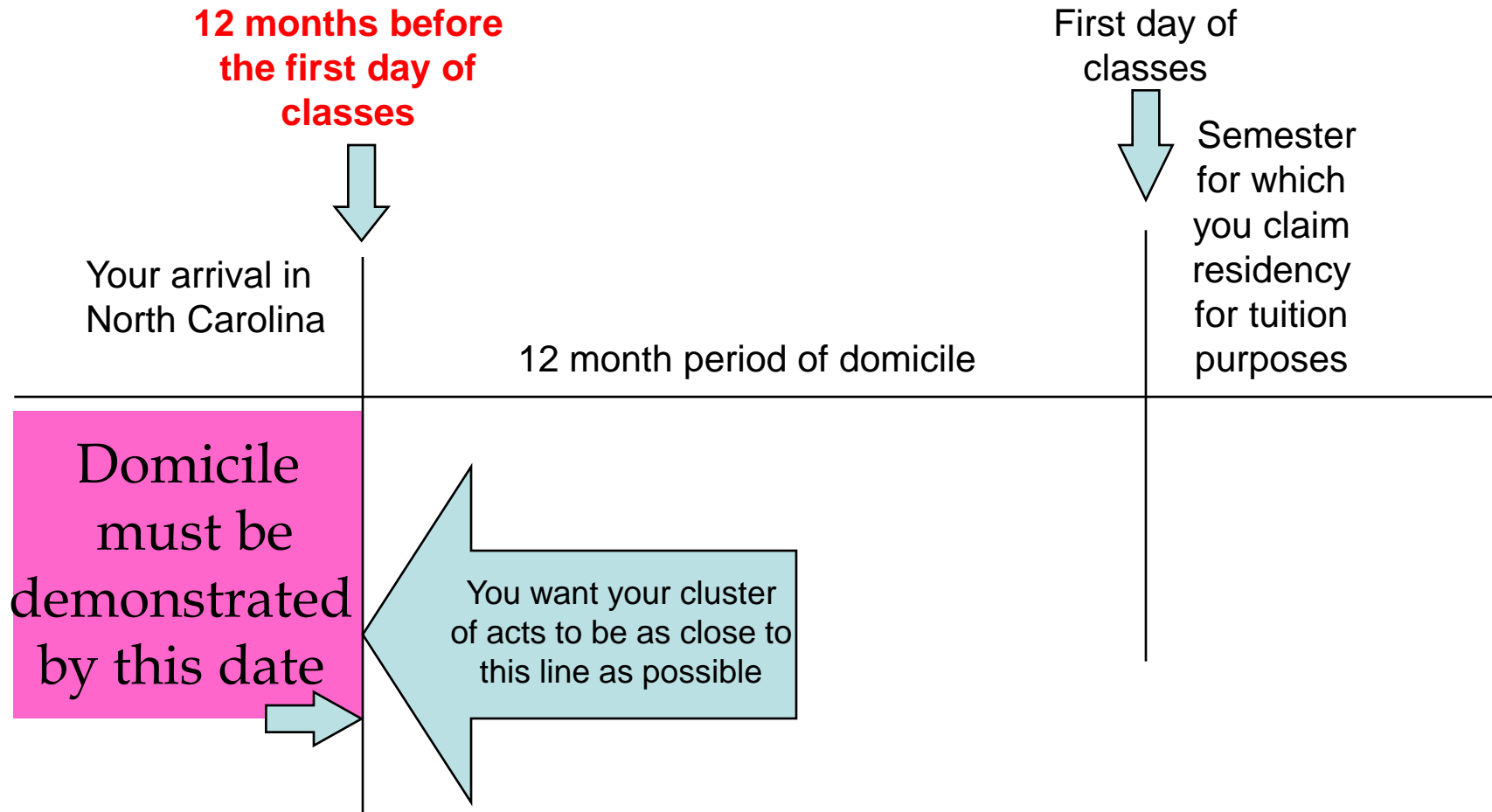
Definition: Preponderance of Evidence

Preponderance of Evidence is the greater weight of evidence. Residency is **heavily date driven**. The classifier is looking at the dates of a **cluster of factual events/activities** in support of the applicants claim for in-state residency for tuition purposes.

It is the accumulation of evidence for your cluster, not the date you entered the state, that starts the clock. (It is possible for your dates to coincide)

In other words “The sooner the better”

Cluster of Events



Determination of Intent

Determination of Intent takes into consideration the following items which may be significant in determining “domiciliary intent”; however, **THE BELOW IS NOT A CHECKLIST**. **Not one element by itself guarantees or denies residency and these items are not comprehensive of evidence that could be used in support of a case.**

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

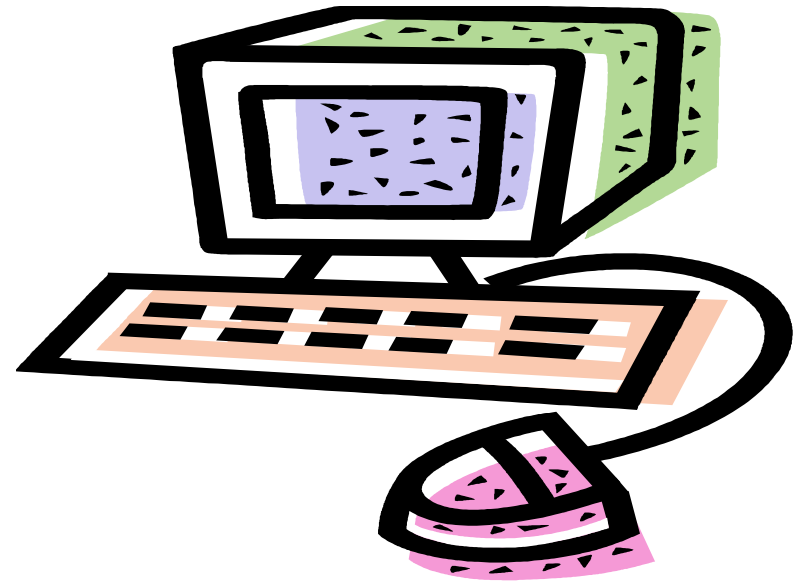


Provisions/Benefits

PROVISION/BENEFIT	WHEN TO APPLY	ADDITIONAL MATERIALS (may be uploaded)	NOTES
Non- U.S.	When legal capacity established	Supplemental form, Copy of Visa or permanent resident card	“No Go” visa classifications include B, C, D, F, J, M, P, Q, S and TN
Teacher	30 days before but no later than first day classes	Teacher’s Benefit form and Principal’s Declaration for In-State Tuition Benefit for N.C. teachers	Must be paid on the North Carolina Teacher Salary Schedule by a North Carolina Public School
Military + Dependent/Spouse	30 days before but no later than first day classes	Military Benefit Form and Military affidavit	A copy of your military orders will not satisfy this requirement
Spousal Pair	See filing periods	Spousal Supplemental form, marriage certificate	Any information you provide is voluntary
Employee + Dependent/Spouse (Full-Time Permanent)	30 days before but no later than first day classes	Letter on official letterhead	No TA,RA, Post-Doc or Resident/Fellow

Part II: Application Process

- **Online Residency Application for Graduate Students Only**
- **Filling out the Application**
- **After Submission**





**BEFORE YOU DO ANYTHING
PLEASE READ THE WEB
SITE!**

<http://gradschool.unc.edu/residency>

Online Residency Application

- Online Residency Application (admitted and enrolled Graduate School students only)

gradschool.unc.edu/residency

- Pay attention to filing periods
- You will need your ONYEN and your password
- Prescreen questions determined how much info we will need

Applications can take up to two weeks or more to be processed



New

PDF Uploading

- Some applicants may now upload PDF versions of supplemental materials such as:
 - Copies of Drivers License/State I.D.
 - Federal and State Income Taxes
 - Visas and Green Cards
 - Military Affidavits
 - Teacher Certifications
 - Employee Letters (only full-time permanent of UNC institutions and UNC Hospitals)

If requested, fax (919.966.4010) or mail additional materials to the Residency Coordinator at the Graduate School, 200 Bynum Hall, CB 4010 Chapel Hill NC 27599

Filling Out the Application

- Answer all questions consistently and accurately
- Keep a copy of the application for future reference/applications.
 - In the online application your information is stored
- Provide supporting documentation, i.e. copy of driver's license/state ID and taxes if asked
- Utilize the additional comments section to explain any discrepancies and provide any additional information.

After Submission

- ↓ You will receive an email notification that your application is in process
- ↓ If additional information is needed you will be contacted via email
- ↓ When your application is processed, you and your department will receive an email decision

Decisions may be delayed if application is incomplete or additional information is requested.

Part III: Appeals Process

- **Grounds for Appeal**
- **How to Appeal**
- **Preparing for an Appeal**



Grounds for Appeal

- **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 come about**
- **The decision is not supported by the evidence**
- **An audit by the institution leads to review of evidence**

Grounds for Appeal

If you have not lived here, or established yourself, for the requisite 12-month period you will not be a resident unless you satisfy the requirements for a certain benefit or provision

How to Appeal

- Reply via email to your initial decision with your intent to appeal within 15 days of receipt.
- You will receive an email stating your information will be forwarded to the **Residency Status Committee (RSC)**.
- A Committee representative will contact you regarding a hearing date, please respond within allotted time period.
- Three members of the RSC will read your application, ask questions, and give you an opportunity to make a statement.

Preparing for the Appeals Hearing

- Read the web site and Manual
 - <http://gradschool.unc.edu/residency>
 - Registrar's web site
<http://regweb.oit.unc.edu/residency/index.php>
- Review your application and gather information that can authenticate your claims.
- You may contact the initial classifier
 - Note: Initial classifiers do not overturn decisions

Part IV: Additional Information

- **Dispelling Misconceptions & Myths**
- **Resources**
- **Questions**



Dispelling Misconceptions and Myths

- Homeownership guarantees residency **FALSE**
- I must have a Driver's License **FALSE**
- I cannot leave during the first 12-months **FALSE**
- I must attend a church **FALSE**

Dispelling Misconceptions and Myths

- **After my first year I'm guaranteed residency FALSE**
- **If I complete the checklist, I will get residency FALSE**
- **I do not need to know how I file my taxes FALSE**
- **I've always lived in NC and still need to complete a residency application TRUE**

Resources

- Graduate School NC Residency for Tuition Purposes Web Site <http://gradschool.unc.edu/residency>
- *Non Graduate School Students* submit a paper form to your admission office
- “The Manual” can be found in reference libraries, admissions offices and the Registrar’s Office SASB Building (also online)
- Speak with the residency classifier who made the initial decision (**Shalonda Arnold is the contact person for the Graduate School 843-9899**)
- Contact **Kimberly Rempson, Senior Vice Chair for Residency, Registrar’s Office (962-5540)** with questions about scheduling an appeal.
- Registrar’s web site <http://regweb.oit.unc.edu/residency/index.php>
- Here is a link listing all of the 17-UNC Campuses and links to their websites. <http://www.northcarolina.edu/content.php/campus/campusmap.htm>

Questions?

- Questions related to the process?
- Questions related to you?

**Always ask your questions.
Refer to the resources listed.**

