

TRUMAN STATE UNIVERSITY
RESIDENCE AND EDUCATIONAL FEE RULES

In order to cooperate as fully as possible with the Missouri Coordinating Board for Higher Education (CBHE), the following rules shall apply at Truman State University for the determination of the residence of any student or prospective student in regard to eligibility for in-state fees. It is the duty and responsibility of each student seeking admission to the University to apply and register under the proper residence and to pay the proper amount of fees.

Purpose of Rules. The purpose of the rules established by the Coordinating Board for Higher Education (CBHE) is to determine a student's eligibility for in-state college fees. The rules do not determine "residence" for any other purpose. A student may be a "resident" for the purpose of voting, welfare benefits, car registration, and unemployment benefits and still not qualify for in-state college fees. The courts have held repeatedly that states may impose more stringent requirements for in-state college fees than for other benefits of residency.

Categories of Students. Students seeking to qualify for in-state fees are classified by the rules as 1) adults, 2) emancipated minors, or 3) unemancipated minors.

A. Definitions. Adult students are those who are 21 years of age or older. Emancipated minor students are those under 21 years of age who are either married or otherwise completely alienated from parental care and support. Unemancipated minor students are those under 21 years of age who still receive parental care and support. Minor students still claimed as dependents on their parents' income tax returns may not be considered emancipated.

Students who are classified as dependents by the federal government for federal financial aid purposes are considered to be unemancipated students.

B. Treatment. Adult students and emancipated minor students are treated the same under the tests of eligibility for in-state fees. Unemancipated students are presumed to be residents of the same state as their parents. In cases where parents are divorced and one parent resides in the state of Missouri and is legally obligated to pay child support or provide educational support to the minor student, the student may use the residency status of the parent residing in Missouri.

College as Reason for Presence. Living in Missouri for educational purposes only, for any length of time, does not establish residency for tuition purposes. The rules provide that "Attendance at an institution of higher education shall be regarded as a temporary presence within the State of Missouri; therefore, a student neither gains nor loses resident status solely by such attendance. "Therefore, if a student's primary purpose in coming to Missouri was to attend college, the student could not gain residency for in-state fees under most circumstances.

Full-time Occupation as Reason for Presence. The rules provide that persons whose primary purpose in coming to Missouri was to accept full-time employment or to devote full-time to a business or profession are eligible for in-state fees, along with their spouses and unemancipated children, without any waiting period. If the business activity is less than full-time, or if there is some doubt about the primary purpose of the move to Missouri, then the other tests for residency, which are described below, should be used.

University Staff or Children or Spouses of University Staff. Any full-time academic or administrative, service, or support staff member of this University, or the unemancipated minor child, or spouse of such staff mem-

ber shall qualify for resident status when enrolling as a student of the University. If the student has previously attended as an out-of-state student, he/she will need to submit the Application Requesting Consideration for In-State Fees, to initiate the change in residency status.

Graduates of Missouri High Schools. A graduate of a high school located in Missouri is presumed to be a Missouri resident as long as the parents (or legally appointed guardian or custodian) are residents of Missouri at the time of the student's graduation from high school, and are residents at the time the student matriculates at Truman, for as long as the student remains continuously enrolled at Truman State University (Fall and Spring Semesters).

Military Assignment as Reason for Presence. Members of the U.S. military service who are stationed in Missouri for full-time military duty (but not assigned to attend college) are eligible for in-state fees, along with their spouses and unemancipated minor children, without any waiting period.

However, persons who are assigned by the military to attend Missouri colleges or universities as full-time students are classified as if they have no connection with the military forces. Students neither gain nor lose resident status solely as a consequence of military service, which relates to the determination of in-state fees for students immediately following their departure from military service.

This section does not apply to students who are in the Reserves and who request a transfer to a Reserve Unit in the State of Missouri.

Other Reasons for Presence or Change of Reason. The rules provide that if a person's primary reason in coming to Missouri is not one described above, or if the original reason was to attend a Missouri college or university and the reason for being in Missouri has changed, then the permanency of the student's continuation in Missouri becomes important, and the student must demonstrate "Presence within the State of Missouri for a period of twelve (12) months and sufficient proof of an intent to make the State of Missouri a permanent home for an indefinite period." As a result, an uninterrupted presence in Missouri for at least one year, while not enrolled as a student, is a basic requirement for students in this category. If the uninterrupted presence is satisfied, then the student's intent to make Missouri a permanent home is considered. Naturally, full-time employment in Missouri for an extended period of time in a career position will be persuasive. For students who originally came to Missouri to attend college, but then left college for full-time employment, the length of time actually out-of-school and on-the-job will be more significant than their statement of intention about remaining in Missouri.

Additional Factors for Consideration. If the continuous presence for twelve months (while not enrolled in any Missouri institution of higher education) requirement is applicable and satisfied, the state rules call for the following factors to be given heavy weight in evaluating the student's intent to make Missouri a permanent home: 1) continuous presence in the State of Missouri during those periods not enrolled as a student; 2) presence within the State of Missouri upon marriage to a Missouri resident and the maintenance of a common domicile with the resident spouse; 3) substantial reliance on sources within the State of Missouri for financial support; 4) former domicile within the state and maintenance of significant connections while absent; and 5) ownership of a home within the State of Missouri. The rules calls for the following factors to be given less weight in evaluating the student's intent: voting or registration for voting; part-time employment; lease of living quarters; a statement of intention to establish a domicile in Missouri; automobile registration or operator's license obtained in Missouri; and payment of income, personal and property taxes in Missouri.

Continuous Enrollment: A student who is determined to be eligible for in-state tuition remains eligible for in-state tuition as long as the student remains continuously enrolled at Truman. Continuous enrollment means that the student enrolls in at least one credit hour during a fall or spring semester during an academic year,

July 1 through June 30 of the subsequent year.

Credit for Payment of Missouri Income Taxes. The payment of Missouri income taxes by a student does not provide eligibility for in-state fees, but a credit against the out-of-state fees is authorized by the rules. The same credit against out-of-state fees is available for Missouri income taxes paid by the parents of unemancipated minor students. In order to receive tuition credit, submit a photocopy of the immediate past year's Missouri income tax return to the attention of the Registrar. Include a note indicating the name and student identification number of the enrolled student for which the credit should be applied. In the case where more than one student is enrolled at the University, the tuition credit will be divided evenly between the students, unless a preference is specified. Income tax credit for one calendar year may only be applied to the following academic year (Summer, Fall, Spring). For example, 2008 Missouri Income Taxes (which will normally be filed prior to April 2009) may be applied to Summer 2009, Fall 2009 and Spring 2010 Semesters.

Truman State University Procedure. The Board of Governors has adopted the CBHE rules for the determination of student residency and has authorized the Registrar to decide whether or not students are eligible for in-state fees. Students may appeal a decision of the Registrar to the Associate Vice President for Enrollment Management by filing a written request within two weeks. Following action on the appeal by the Associate Vice President for Enrollment Management, the student may appeal within two weeks after receipt of the decision to the Provost, whose decision is final on behalf of the University.

Burden of Proof. The rules provide that the burden of proof for establishing residency is on the student, which means that the student must show the necessary proof to qualify himself or herself as a resident for in-state fees under the CBHE rules. In case of reasonable doubt, the application for in-state fees will be denied.

Summary is Not Complete. This summary is designed as an overview, and several provisions of the CBHE rules have been abbreviated or omitted. For example, there are special rules for noncitizens. The summary should be helpful in dealing with inquiries about eligibility, but all applications for residency status will be reviewed against the complete set of rules. Information in response to questions that have arisen have been added for further clarification.

Implications of Change of Residency: A change of residency status to in-state can change a student's scholarships and financial aid. Students should consult with Financial Aid to learn how the change in status will affect scholarships and financial aid.

A written application and supporting documentation are required prior to a decision being reached regarding eligibility for in-state fees. The completed Application Requesting Consideration for In-State Fees should be submitted to: Registrar Truman State University 104 McClain Hall Kirksville, MO 63501 660-785-4143

Common Questions:

How does the University determine a student's residency?

Initial residency status is determined based on the information on the application for admission. The University uses parents' address, citizenship, and the location of the student's high school to determine residency. Students who believe that the University should have classified them as Missouri residents are encouraged to submit an application for a change in residency status.

I believe that my residency has changed or that I have been misclassified, what do I do?

You should complete the application for a change in residency status.

I am under 21, my parents are divorced, one lives in Missouri and the other lives out of state, and I attended high school out of state, can I be classified as an in-state resident?

The state guidelines indicate that your residency is determined by the parent who has legal custody over you. If your parents have a joint custody agreement and the parent who is a Missouri resident is obligated to provide you with educational support, you can apply to be classified as a Missouri resident.