

# Residency/Out-of-State and International Students

Guidelines for determining "In-State" Residency

## ELIGIBLE FOR "IN-STATE" TUITION

A student or prospective student described in either part A or part B below may be eligible for "In-State" tuition rates. Non-resident students described in Part B must submit a written appeal with documentation to the College Registrar to obtain "in-state" tuition rates. The College Registrar will determine whether or not a student meets the criteria and the decision is final.

## Resident Student

A Resident Student shall be charged the in-state tuition rate established by the Board of Trustees for the Alabama Community College System.

A Resident Student is an applicant for admission who is a citizen of the United States or a duly registered resident in the State of Alabama for at least 12 months immediately preceding application for admission,

Minor dependents seeking admission, the parents, parent, or legal guardian of such minor dependent must have resided in the state of Alabama for at least 12 months immediately preceding application for admission. If the parents are legally separated or divorced, residence will be determined by the residency of the parent to whom the court has granted custody.

- **MINOR:** An individual who because of age lacks the capacity to contract under Alabama law. Under current law, this means a single individual under 19 years of age and a married individual under 18 years of age, but excludes an individual whose disabilities of non-age have been removed by a court of competent jurisdiction for a reason other than establishing a legal residence in Alabama.

**SUPPORTING PERSON:** Either or both of the parents of the student, if the parents are living together or if the parents are divorced or living separately, then either the parent having legal custody or, if different, the parent providing the greater amount of financial support. If both parents are deceased or if neither has legal custody, support person shall mean, in the following order: the legal custodian of the student, the guardian, and the conservator.

In determining Resident Student status for the purpose of charging tuition, the burden of proof lies with the applicant for admission.

- A. An individual claiming to be a resident shall certify by a signed statement each of the following:
  1. A specific address or location within the state of Alabama as his or her residence.
  2. An intention to remain at this address indefinitely.
  3. Possession of more substantial connections with the state of Alabama than with any other state.
- B. Though certification of an address and an intent to remain in the state indefinitely shall be prerequisites to establishing status as a resident, ultimate determination of that status shall be made by the institution by evaluating the presence or absence of connections with the state of Alabama. This evaluation shall include the consideration of all of the following connections:

1. Consideration of the location of high school graduation or GED within three years of application for admission.
2. Payment of Alabama state income taxes as a resident.
3. Ownership of a residence or other real property in the state and payment of state ad valorem taxes on the residence or property.
4. Full-time employment in the state.
5. Residence in the state of a spouse, parents, or children.
6. Previous periods of residency in the state continuing for one year or more.
7. Voter registration and voting in the state; more significantly, continuing voter registration in the state that initially occurred at least one year prior to the initial registration of the student in Alabama at a public institution of higher education.
8. Possession of state or local licenses to do business or practice a profession in the state.
9. Ownership of personal property in the state, payment of state taxes on the property, and possession of state license plates.
10. Continuous physical presence in the state for a purpose other than attending school, except for temporary absences for travel, military service, and temporary employment.
11. Membership in religious, professional, business, civic, or social organizations in the state.
12. Maintenance in the state of checking and savings accounts, safe deposit boxes, or investment accounts.
13. In-state address shown on selective service registration, driver's license, automobile title registration, hunting and fishing licenses, insurance policies, stock and bond registrations, last will and testament, annuities, or retirement plans.

## Non-Resident Student (additional persons for resident tuition)

A Non-Resident Student, one who does not meet the standard of having resided in the state of Alabama for at least 12 months immediately preceding application for admission, shall be charged the in-state tuition rate established by the Board of Trustees for the Alabama Community College System under the following circumstances provided such student is a citizen of the United States.

- a. The dependent student (as defined by Internal Revenue Codes)
  - b. whose supporting person is a full-time permanent employee of the institution at which the student is registering; or
  - c. whose supporting person can verify full-time permanent employment in Alabama and will commence said employment within 90 days of registration; or
  - d. whose supporting person is a member of the United States military on full-time active duty stationed in Alabama under orders for duties other than attending school, as required by ACT 2013-423; or
  - e. whose supporting person is an accredited member of a consular staff assigned to duties in Alabama.
- a. The student is not a dependent (as defined by Internal Revenue Codes) who
  - b. is a full-time permanent employee of the institution at which the student is registering or is the spouse of such an employee; or
  - c. can verify full-time permanent employment within the State of Alabama or is the spouse of such an employee and will commence said employment within 90 days of registration with the institution; or
  - d. is a member of or the spouse of a member of the United States military on full-time active duty stationed in Alabama under orders for duties other than attending school; or

- e. is an accredited member of or the spouse of an accredited member of a consular staff assigned to duties in Alabama.

In determining Non-Resident Student status for the purpose of charging tuition, the burden of proof lies with the applicant for admission. The college may request proof that the applicant meets the stipulations noted above prior to admission.

Students who reside in Franklin, Marshall, Moore, Lawrence, Lincoln, Wayne, or Giles counties in Tennessee will be assessed tuition at the "in-state" rate upon submission of documentation verifying residency.

## II. OUT OF STATE STUDENT

Any applicant for admission who does not fall into one of the categories noted above shall be charged a minimum tuition of two times the resident tuition rate charged by that institution. All international students who hold an F-1 visa are assessed at the out-of-state rate and are not eligible for in-state rates.

Students initially classified as ineligible for resident tuition will retain that classification for tuition purposes until they provide documentation that they have qualified for resident tuition. Upon approval, they will receive in-state tuition from that point forward. Tuition will be refunded retroactively for one semester only.