

# Establishing North Carolina Residency for Tuition Purposes for Graduate Students

Under North Carolina law, legal residence means more than simply living in the state. More specifically it means maintaining a domicile (permanent home of indefinite duration) as opposed to a temporary residence incident to enrollment in a college, university or technical institute of the state.

In order to be considered for a reclassification as a legal resident of North Carolina for tuition purposes at the end of a *minimum 12-month period*, that individual must do the following things:

- 1) Maintain and reside in a domicile or permanent home of indefinite duration for at least 12 consecutive months immediately prior to the semester or summer session in which the in-state status can be made effective;
- 2) Perform certain residuary acts, such as get a driver's license, register a motor vehicle, register to vote and file an NC income tax return at the appropriate time;
- 3) Clearly demonstrate a visible means of support substantiating a claim of financial independence as evidenced by cumulative year-to-date wage earning statements. If the applicant is under the age of 24 years of age, a parent's affidavit may be required.

## Residuary Acts Necessary for All Applicants for NC Residency:

- 1) Convert vehicle registration to NC;
- 2) Obtain an NC driver's license;
- 3) Register to vote in NC and vote when possible;
- 4) List personal property at the Wake County Courthouse for taxation; listing is automatic for a motor vehicle at the time the vehicle registration is converted;
- 5) File an NC income tax return as a resident at the next appropriate time, being sure to keep a copy for personal files;
- 6) Retain year-to-date cumulative wage earning statements from all jobs held during the 12-month period. If the education is being financed in part or in whole by loans, copies of loan agreements will need to accompany a residency application.

These actions begin the one-year (twelve-month) waiting period in order to attain residency. The student must demonstrate a cluster (more than one) of the above actions to show residuary intent. It is also especially important for the student to immediately untie any bonds he/she has with other states such as driver's license, automotive registration and voter registration.

## Additional Residuary Actions Necessary for Certain Individuals at the Time of Application:

- (1) Resident aliens who are in possession of Form I-151 or Form I-551 (Alien Registration Receipt Card or "green card") must also complete the Residence Status Supplemental Form and include a copy of the front and back of the Alien Registration Receipt Card. (Please note: International students in possession of a B, F, H (in most cases), J, L or M visa are not eligible for NC residency for tuition purposes.)
- (2) For married couples, if residency is to be based upon the spouse's residuary acts in NC, copies of the spouse's residuary acts and the marriage certificate must be attached.

## Submission and Processing of Residency Applications

- 1) No status change can be made without the submission of a four-page Residence-and-Tuition Status Application. The single-page residency application which comes with the application for admission to Graduate School is not acceptable.
- 2) Please note that an individual may submit the application a maximum of 75 days before the start of the semester in which the in-state status can become effective even though the entire 12-month residency period may not have been satisfied at the time the application is filed. An application submitted earlier than 75 days will be returned.
- 3) In order to avoid being billed as an out-of-state resident, the individual should file for a status change at least 3 weeks before the tuition bills are due so that the Graduate School will have time to process the applications and notify the Cashier's Office as to the status change.
- 4) Incomplete applications will be returned. Omission of any of the requested documentation and/or failure to fill out the application in its entirety will necessitate the return of the application to the student for additional information, further delaying a decision. Any incomplete application returned to the student for additional information then resubmitted to the Graduate School after the end of the semester or summer session will be considered for the next semester or summer session.

An applicant will be notified by letter of any and all actions taken regarding the application. If there are any questions, the applicant will be contacted before any decision is made and will be notified of the decision by letter within approximately 14 days. Please do not call. If denied NC residency for tuition purposes, an appeal of the decision is possible, and the student will be notified by letter from the Appeals Committee on Residency approximately 10 days prior to the scheduled appeal. A five-member committee meets once or twice a month to hear appeals, and at this time, the applicant is given the opportunity to appear in person to clarify points and to present additional arguments in his/her favor.

### Schedule of Application Deadlines

Applications will be accepted for the below listed semesters or summer sessions beginning with the stated date:

a) For Spring, October 1;	c) For 2nd Summer Session, May 1;
b) For 1st Summer Session, March 1;	d) For Fall, June 1.

### Other Information

Decisions on NC residency for tuition purposes are based upon NC General Statute 116-143.1 and on *A Manual to Assist the Public Higher Education Institutions of North Carolina in the Matter of Student Residence Classification for Tuition Purposes* prepared by the General Administration of the University of North Carolina, a copy of which is available for inspection in the Graduate Office, 106 Peele Hall.

More detailed information regarding the establishment of NC residency for tuition purposes may be found on the Graduate School's Home page at <http://www2.acs.ncsu.edu/grad/students/current/resident.htm>.

Residency applications can be obtained either in 106 Peele Hall or by calling 515-2872. The completed application may be mailed to the Graduate School, Box 7102, NC State University, Raleigh, NC 27695-7102 or it may be submitted to 106 Peele Hall for review. Please call the Residency Officer, ~~Ms. Nancy G. Pollock~~, (919) 515-4497, if there are any questions.

Ms. Terry DeRubis