

# RESIDENCY FOR TUITION PURPOSES POLICY

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## I. NON-RESIDENT TUITION POLICY

The University of Alabama defines and determines Residency for Tuition Purposes.

All students who come to the state of Alabama from another state solely or primarily for the purpose of attending school will be considered non-resident students for tuition purposes.

During the admissions process, the default residency classification is non-resident if **any** out-of-state information is received. This includes but is not limited to: transcripts, addresses, or other items included in the admissions application. The out of state classification will remain for the duration of the student's educational career unless appropriate documentation is received demonstrating that the student is a resident for tuition purposes as defined in this policy.

Therefore, classification of students as non-residents shall continue **unchanged** through all registrations at the University unless and until satisfactory evidence is provided supporting that the student's reason for coming to and remaining in the state of Alabama has changed to the extent that the changes meet the criteria in this policy.

**For independent students, residency classification is determined based on their ability to document clearly and convincingly that they meet the criteria summarized below. The residency classification of minors and dependent students is based solely on their supporting person(s).**

**A resident student for the purposes of tuition is one who meets any of the following criteria:**

- Is a regular, full-time employee (not temporary, full-time) of The University of Alabama as verified by The University of Alabama Department of Human Resources prior to the last day of classes of the academic term in question, or is the spouse of such an employee;
- Is able to verify full-time, permanent employment within the state of Alabama and shall commence said employment prior to the last day of classes of the academic term in question, or is the spouse of such an employee. Ownership of a business in Alabama or possession of an Alabama business license does not, in and of itself, qualify as full-time employment within the state of Alabama;
- Is a Veteran or member of the United States Armed Forces and meets at least one of the qualification criteria outlined in Section IV of this policy;
- Demonstrates physical presence in the state of Alabama (or Lowndes/Noxubee county in Mississippi) by means of an established, **domestic domicile** (see Section II. Definitions) for a period of at least one year immediately preceding the first day of classes of the academic term;
- Is employed as a graduate assistant by The University of Alabama as determined by the Graduate School;

## II. DEFINITIONS

- **Independent Student:** An individual who is not claimed as a dependent by his or her parents or any other individual for the tax year immediately preceding the request for resident classification **and** is able to demonstrate financial self-sufficiency for at least the last year. Students who are minors as defined by Alabama state law are not eligible to be considered independent students for the purposes of this policy.

• **Dependent Student:** An individual is presumed to be a dependent of his or her parents if he or she (1) has been primarily involved in educational pursuits as evidenced by being enrolled as a full-time student at any point during the last year, or (2) cannot prove financial self-sufficiency for at least the last year. All students under the age of 24 are presumed to be dependent students unless proven otherwise through appropriate documentation.

• **Domestic Domicile:** That place in which a man or woman has voluntarily fixed the habitation of himself/herself, not for a mere special or temporary purpose, but with the intention of making a permanent home. In reference to this policy, the pursuit of an education is considered a special or temporary purpose. Furthermore, intention cannot be anecdotal or emotional in nature. Intention must be demonstrated clearly with the appropriate supporting documentation.

• **Minor:** An individual who, because of age, lacks the capacity to contract under Alabama law. Under current law, this means a single individual under nineteen (19) and a married individual under eighteen (18), 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 they are living together) or if they are divorced or living separate, then either the parent providing the greater amount of financial support or responsibility of the two. Recent income tax returns and divorce decree may need to be provided. If both parents are deceased or if neither had legal custody then supporting person shall mean: court-appointed guardian or conservator of the student.

• **Veteran:** A person who served in the active military, naval, or air service, and who was discharged or released therefrom under conditions other than dishonorable, as specified in 38 U.S.C. 101(2). Active service includes full-time duty in the National Guard or a Reserve component, other than full-time duty for training purposes.

• **Member of the Uniformed Service:** "Uniformed Services" consist of the armed forces (Army, Navy, Air Force, Marine Corps, Coast Guard, and Space Force), the Commissioned Corps of the National Oceanic and Atmospheric Administration (NOAA) and the Commissioned Corps of the Public Health Services.

• **Covered Individual:** As defined by the Department of Veterans Affairs, a "covered individual" means a person who is pursuing a course of education at an educational institution under chapter 30, 31, 32, 33, or 35 of this title, or chapter 1606 or 1607 of title 10.

## III. NON-RESIDENT RECLASSIFICATION

To be considered a resident student for tuition purposes, one must prove by clear and convincing evidence that:

1. A specific address or location within the State of Alabama is their primary established domestic domicile; and
2. The specific address or location within the State of Alabama has been their domestic domicile for at least one year preceding the first day of classes of the academic term in question; and
3. They intend to remain there indefinitely, as established by having more substantial connections to Alabama than to any other state; and
4. They have not come to the state primarily for the purpose of education. Students who are currently enrolled in a full-time course

load or who have been enrolled in a full-time course load within the last year are presumed to be in Alabama solely for the purpose of education, and therefore, will not be considered for reclassification.

If a non-resident student seeking reclassification is a minor or dependent student, then his or her supporting person(s) must meet these criteria. Though certification of an address and intent to remain in the state indefinitely are prerequisites to establishing one's status as a resident, ultimate determination of that status shall be made by the University by its evaluation of the presence or absence of connections with the state of Alabama.

## IV. VETERANS AND MEMBERS OF THE UNITED STATES ARMED FORCES

For purposes of admission and tuition, The University of Alabama shall consider that the term "resident student" includes any of the following:

A. One who, at the time of registration, satisfies **one** of the following conditions:

1. Military personnel on active duty, along with their spouse or dependent child(ren), who are either stationed in Alabama for reasons other than attending school or whose State of Residence on their Leave and Earnings Statement (LES) is Alabama;
2. Has been a member of the Alabama National Guard for a period of at least 2 years immediately preceding the academic term in which the student qualifies for resident tuition, and continues to be a member of the Alabama National Guard while enrolled at the The University of Alabama;
3. Is receiving or entitled to receive benefits under the **Post-9/11 GI-Bill ®** or **Montgomery GI-Bill ®** programs, or other federal law authorizing veterans' educational benefits, **and** is physically present in the state of Alabama (as evidenced by documentation of one's physical address in Alabama while enrolled) **and** satisfies at least **one** of the following conditions:
  - a. A Veteran receiving an honorable discharge, from a period of active duty service of 90 days or more;
  - b. A spouse, dependent child, or qualifying foster child using transferred benefits from the transferor's honorable discharge, from a period of active duty service of 90 days or more;
  - c. A spouse, dependent child, or qualifying foster child using benefits under the Marine Gunnery Sergeant John David Fry Scholarship;
  - d. A spouse, dependent child, or qualifying foster child using benefits transferred by a member of the uniformed service who is serving on active duty.
4. Is a veteran of the Armed Forces of the United States, not eligible under subsection 3 above, provided that the veteran is physically present in the state of Alabama (as evidenced by documentation of one's physical address in Alabama while enrolled) **and** satisfies at least **one** of the following conditions:
  - a. The veteran has served on active duty for a continuous period of time, not less than 2 years, and has received an honorable discharge as verified by a United States Department of Defense Form 214 within 5 years of enrolling at The University of Alabama;
  - b. Has been a member of a reserve component of the Armed Forces of the United States for a period of at least 2 years

immediately preceding the academic term in which the student qualifies for resident tuition and continues to be an active drilling member of their respective Reserve Unit while enrolled at The University of Alabama;

c. The veteran has been assigned a service-connected disability by the United States Department of Veterans Affairs.

5. Effective August 1, 2022: is a "covered individual" as defined by the Department of Veterans Affairs who is a dependent spouse or child, or the surviving spouse or child, of a veteran **AND** receiving United States Department of Veterans Affairs Chapter 35 education benefits.

B. To be eligible for resident tuition as provided for in subsection A, and to maintain eligibility, the student shall:

1. Have secured admission to and enrolled full-time or part-time at The University of Alabama
2. Maintain full-time or part-time enrollment at The University of Alabama
3. Satisfy the admission and retention standards at The University of Alabama

C. A student who has previously met the requirements of this section shall continue to be classified as a resident student as long as the qualifying student maintains physical presence in the State of Alabama while enrolled at The University of Alabama. If an individual provided for in subsection A is released or discharged dishonorably, such release shall be grounds for revocation of in-state resident status for tuition purposes.

## V. INTERNATIONAL STUDENTS

International students who apply for residence reclassification must have the ability to remain indefinitely in the United States and otherwise meet the requirements of the Alabama Code and Board Rule 202.

A person must be a Permanent Resident Alien, Political Asylee, Political Refugee, or who hold an A, E, G, H, I, L, O, P, R, TC, TD or TN visa to be eligible for review as an in-state resident for tuition purposes. In addition, the criteria for residency for tuition purposes must be demonstrated sufficiently.

Students who hold a B, F, J, or M visa are not eligible to establish Alabama residency unless their supporting person meets the criteria in this policy for residency for tuition purposes. Full-time employees of a company party to an Alabama Free Trade Agreement may be eligible to establish residency based on that employment.

## VI. APPLICATION PROCESS FOR RECLASSIFICATION

Students who wish to apply for reclassification of residence must submit an Application for Reclassification of Residency to The Office of the University Registrar prior to the deadlines listed below for the term in question. Applications received by the Priority Deadline for the term in question will have an initial decision rendered prior to tuition and fees coming due for the term. Students are responsible for the payment of tuition and fees according to the deadlines set by the Office of Student Account Services. These deadlines will not be extended while a student's residency reclassification application is being reviewed. **Applications submitted after the respective final deadline will be considered for the next semester.** Requests for reclassification for past semesters will not be considered.

<b>Term</b>	<b>Priority Deadline</b>	<b>Final Deadline</b>
Fall	July 1	First Day of Classes for Full Term
Spring	November 1	First Day of Classes for Full Term
Summer	April 1	First Day of Classes for Interim Term

The student bears the burden of proving that he/she is a resident student in accordance with the University's Residency for Tuition Purposes Policy based on the application and supporting documentation provided.

If a student who has been previously denied in-state residency reclassification has a change in his/her status (e.g., a reason for being in the state other than to attend school, or it is his/her intent to remain in the state indefinitely), then a new Application for Reclassification of Residency may be submitted to the Office of the University Registrar. **Only those students whose circumstances have changed in a significant way and are able to provide sufficient additional documentation for review will be considered.** Otherwise, no further reclassification requests will be considered.

Requests for reclassification of residence are independent of other student service area deadlines. Student class schedules, billing schedules, and payment deadlines can not be held or altered due to a pending appeal of a denied request. Similarly, review and decisions regarding reclassification requests are not made according to timelines and deadlines for other processes on campus including, but not limited to: billing schedules, payment deadlines, scholarship acceptance deadlines, and housing and residential life deadlines.

## **VII. APPEALS**

If a student's request for reclassification of residence for tuition purposes is denied, he/she may request an appeal of the decision. The Residency Appellate Review Committee reviews and renders decisions on appeal requests.

To initiate the appeal process, a student must submit a written request. Any and all additional supporting documentation relevant to the request must also be included with the written request. All appeal requests must be received by the Office of the University Registrar no later than 4:45 p.m. on the 30th calendar day following the date of the letter denying your application for reclassification. Appeal requests may be mailed, emailed to [residency@ua.edu](mailto:residency@ua.edu), or hand delivered to room 206 in the Student Services Building. The mailing address for the Office of the University Registrar is as follows:

Residency Appellate Review Committee  
Office of the University Registrar  
Box 870134  
Tuscaloosa, AL 3547-0134