

501-02 RESIDENCY REQUIREMENTS—PROCEDURE

1. PURPOSE

The Registrar/Director of Enrollment Services, or designee, determines residency.

2. PROCEDURE

1. The question of residency must be put to each student at the time of admission based upon information supplied on College applications, residency statements, affidavits, and additional information provided by the student. Registration and payment of fees will be in accordance with the residency assigned at the time of official admission.
2. The College notifies a student of his/her residency status upon admission.
3. The Registrar/Director of Enrollment Services or designee is responsible for making the initial residency classification.
4. An appeal of the initial classification may be made to the Registrar/Director of Enrollment Services. The appeal must be in writing, signed by the student, and accompanied by a petition to include sworn statement of all relevant facts. The appeal must be filed with Registration and Enrollment Services within ten (10) days of notification of residency classification. Failure to properly file a request for review within the time limit constitutes a waiver of review for the current enrollment period.
5. Definition of Terms:
 - a. Armed Forces of the United States: The Army, the Navy, the Air Force, the Marine Corps, the Coast Guard, the commissioned corps of the United States Public Health Service and the National Oceanographic and Atmospheric Administration, the National Guard and any military reserve unit of any branch of the armed forces of the United States.
 - b. Continuous Attendance: Enrollment at an Arizona educational institution for a normal academic year since the beginning of the period for which continuous attendance is claimed. Enrollment in summer sessions or other such inter-sessions beyond the normal academic year is not required in order to maintain continuous attendance.
 - c. Domicile: A person's true, fixed, and permanent home and place of habitation. It is the place where one intends to remain and to which one expects to return when one leaves without intending to establish a new domicile elsewhere.
 - d. Emancipated Person: A person who is neither under a legal duty of service to parents, nor entitled to the support of such parents under laws of the state.

- e. Parent: Father or mother, custodial parent, or legal guardian of a non-emancipated person. Circumstances must not indicate that guardianship was created primarily for the purpose of conferring the status of an in-state student on the non-emancipated person.

6. In-State Student Status:

- a. Except as otherwise provided in this article, no person having a domicile elsewhere than in this state is eligible for classification as an in-state student for tuition purposes.
- b. A person is not entitled to classification as an in-state student until domiciled in this state for 1 year (previous 12 months) unless he/she meets one of the following requirements:
 - 1. His/her parent's domicile is in this state and that parent is entitled to claim him/her as an exemption for state and federal tax purposes.
 - 2. He/she is an employee or spouse of an employee transferred to this state for employment purposes.
 - 3. He/she is an employee of a school district in this state and is under contract to teach on a full-time bases or is employed as a full-time noncertified classroom aid at a school within the district. In-state tuition is only for courses necessary to complete the requirements for certification by the state board of education to teach in a district in this state. No family members are eligible for instate unless the family member is otherwise eligible for classification as an in-state student.
 - 4. The person's spouse has established domicile in this state for at least one year and has demonstrated intent and financial independence and is entitled to claim the student as an exemption for state and federal tax purposes or the person's spouse was temporarily out of state for educational purposes, but maintained a domicile in this state. If the person is a noncitizen, the person must be in an eligible visa status pursuant to federal law to classify as an in-state student for tuition purposes.
- c. The domicile of a non-emancipated person is that of his/her parent.
- d. A non-emancipated person, while in continuous attendance toward the degree for which currently enrolled, does not lose in-state classification if his/her parent moves from this state.
- e. A person who is a member of the armed forces of the United States stationed in the state pursuant to military orders or his/her spouse or dependent child (as defined in Section 43-1001) is entitled to classification as an in-state student. The student, while in continuous attendance toward the degree for which currently enrolled, does not lose in-state student classification.
- f. Beginning in the fall semester of 2011, a person who is honorably discharged or retired from the armed forces of the United States on either active duty or reserve or national guard status, shall be granted immediate classification as an in-state student and, while continuously enrolled, does not lose in-state student classification if the person has demonstrated objective evidence of

intent to be a resident of Arizona that, for the purposes of this section, includes at least one of the following:

1. Registered to vote in this state.
 2. An Arizona driver license
 3. Arizona motor vehicle registration
 4. Employment history in Arizona
 5. Transfer of major banking services to Arizona
 6. Change of permanent address on all pertinent records
 7. Other materials of whatever kind or source relevant to domicile or residency status
- g. A person who, while using educational assistance under 38 United States Code chapter 30 or chapter 33, enrolls in the College within three years after the veteran's discharge from active duty service of ninety or more days or within three years of after the service member's death in the line of duty, or remains continuously enrolled beyond the three-year period following the discharge or death shall be granted immediate classification as an in-state student and does not lose in-state classification if the person has demonstrated objective evidence of intent to be a resident of the state that includes at least one of the above documents stated in 6.f.(1) through (7).
- h. A person who is a member of an Indian tribe recognized by the United States Department of the Interior whose reservation land lies in the state and extends into another state and who is a resident of the reservation is entitled to classification as an in-state student.
7. Permanent Resident/Alien Status: A permanent resident alien is entitled to classification as an in-state student if such person has been granted permanent resident status in accordance with all applicable laws of the United States and has met all other requirements for residency. Students with Refugee /Amnesty status may also be classified with in-state status.
8. No emancipated person can establish a domicile in the state while attending any educational institution in this state as a full time student.
9. A person who has been domiciled in this state immediately prior to becoming a member of the Armed Forces of the United States shall not lose in-state status by reason of his/her presence in any other state or country while a member of the Armed Forces of the United States.
10. Kane County, Utah students who are lawfully present in the U.S. pay a tuition rate equivalent to in-state tuition up to 6 credit hours per term.
11. Dual Enrollment and CAVIAT students who are lawfully present in the U.S. have tuition accounted for equivalently to in-state tuition.

3. BACKGROUND

1. References: A.R.S. 15-1802; 8 U.S.C. Section 1623

2. Revision history: 04/2004, 05/11/2011 (reformatted), 1/29/15 (updated to reflect A.R.S. 15-1802), 12/09/2015
3. Legal review: none
4. Sponsor: Registration and Enrollment Services

Adopted by College Council: 12/09/15

COCONINO COMMUNITY COLLEGE