



## **AP 5015 Residence Determination**

### **References:**

OAR 589-002-0200  
Senate Bill 312 Resident Tuition for Native American/Alaska Native Graduates of Oregon High Schools  
Senate Bill 234 Federal Vocational Rehabilitation Education Benefits for Military Dependents

### **Definition of Residency**

When determining in-state tuition and fees, Rogue Community College defines a resident as someone whose permanent residence has been in Oregon for no less than 90 continuous days immediately preceding the first day of classes for the quarter in which residency is being established. Permanent residence is defined as the home a person intends to return to after any absence, and in which one's dependents reside for an unlimited period of time.

### **Residency Determination**

A student's residence determines the tuition the student will pay for classes. The college has three tuition schedules: in-state, out-of-state, and international. Documentation may be required to establish residency. Items that may be considered valid proof of residency include an Oregon driver's license, property tax bill or utility bills (dated 90 days prior to the first day of the term).

Students who cannot provide any one of the appropriate documents will be charged tuition as determined by the College Registrar, or designee.

In-state: A student's billing method will be in-state if one of the following requirements is met:

- Has maintained a permanent address in Oregon for at least 90 continuous days prior to the first day of the school term.
- Is a resident of Oregon who left the state for summer employment.
- Is a resident of California, Idaho, Nevada or Washington.
- Is a nonresident Native American or Alaska Native undergraduate and graduate students who graduated from an Oregon public or private high school.



The following veteran's, active duty military services member or dependents of military services members shall be charged the in-state tuition rate, or otherwise considered a resident, for tuition and fees purposes:

- A veteran using educational assistance under either chapter 30 (Montgomery GI Bill - Active Duty Program) or chapter 33 (Post-9/11 GI Bill), of title 38, United States Code, who lives in Oregon while attending a school located in Oregon (regardless of the student's formal State of residence) and enrolls in the school within three years of discharge or release from a period of active duty service of 90 days or more.
- Anyone using transferred Post-9/11 GI Bill benefits (38 U.S.C. § 3319) who lives in Oregon while attending a school located in Oregon (regardless of the student's formal state of residence) and enrolls in the school within three years of the transferor's discharge or release from a period of active duty service of 90 days or more.
- Anyone described above while remaining continuously enrolled (other than during regularly scheduled breaks between courses, semesters or terms) at the same school. The person so described must have enrolled in the school prior to the expiration of the three year period following discharge or release as described above and must be using educational benefits under either 31 chapter 30 or chapter 33 of title 38, United States Code.
- Anyone using benefits under the Marine Gunnery Sergeant John David Fry Scholarship (38 U.S.C. § 3311(b) (9)) who lives in Oregon while attending a school located in Oregon (regardless of his or her formal State of residence). • Anyone using transferred Post-9/11 GI Bill benefits (38 U.S.C. § 3319) who lives in Oregon while attending a school located in Oregon (regardless of the student's formal state of residence) and the transferor is a member of the uniformed service who is serving on active duty
- A permanent resident of Oregon or a dependent of an Oregon permanent resident service member who is currently stationed for military duty outside of Oregon.

Out-of-state: Students who list their permanent addresses outside of Oregon must pay out-of-state tuition. This includes:

- Students who list their parents' address as outside Oregon and who are claimed as dependents by their parents on their income tax return.



- Alaska residents who wish to receive the Alaska Permanent Fund Dividend while attending RCC and must maintain their out-of-state residency status.
- Non-citizens on a visitor's visa.

#### International

- Students who are citizens of another country and are attending RCC on a student visa will pay the international tuition rate.

### **Right To Appeal**

Students who have been classified as non-residents have the right to a review of their classification. Any student, following a final decision of residence classification by the College Registrar may make written appeal to the Vice President of Student Services within 7 working days of notification of final decision by the college regarding classification.

### **Appeal Procedure**

The appeal is to be submitted to the College Registrar which must forward it to the Vice President of Student Services within 7 working days of receipt. Copies of the original application for admission, the residency questionnaire, and evidence or documentation provided by the student, with a cover statement indicating upon what basis the residence classification decision was made, must be forwarded with the appeal.

The Vice President of Student Services shall review all the records and have the right to request additional information from either the student or the Admissions Office.

Within 10 working days of receipt, the Vice President of Student Services shall send a written determination to the student. The determination shall state specific facts on which the appeal decision was made.

### **Reclassification**

The Request to Establish Residency Status form is to be submitted to the Enrollment Services department.

Requests must be submitted prior to the quarter for which reclassification is to be effective. Extenuating circumstances may be considered in cases where a student failed to petition for reclassification prior to the residency determination date. In no case, however, may a student receive a non-resident tuition refund after the date of the first census.

Documentation will be required of the student in support of the reclassification request.



The College Registrar will make a determination, based on the evidence and notify the student not later than 10 days of receipt of the petition for reclassification.

Students have the right to appeal according to the procedures above.

### **Non-Citizens**

Rogue Community College will admit any non-citizen who is 18 years of age or a high school graduate. International students attending on a student visa must meet additional admission requirements. See AP 5012 – International Students

The initial residency classification will be made at the time the student applies for admission. Students may submit prior to the quarter the Request to Establish Residency Status form to the Enrollment Services department. Final residency determination is made by the College Registrar. Students may appeal the decision.

International students on a visitor's or student visa do not become residents, regardless of the length of their residency within the state.

**Rescinds Procedure Number: None**

**Approved: June 2, 2020**