



RESIDENCY POLICY

Board of Governors for Higher Education State of Rhode Island and Providence Plantations

Adopted: 12/02/71 (BR) 07/02/1981 (BG)
Amended: 05/22/80 (BR) 04/16/1993 (BG)
09/27/1995 (BG)
01/15/1998 (BG)
06/30/2003 (BG)

A. CHARGES FOR TUITION AND FEES

1. A student who is a resident of the State of Rhode Island shall be classified as a "resident student" and shall pay tuition and fees prescribed by the Board of Governors for in-state students in public higher education.

A student who is not a resident of the State of Rhode Island shall be classified as a "non-resident student" and shall pay tuition and fees prescribed by the Board of Governors for out-of-state students in public higher education.

2. An international student who meets the following requirements to establish Rhode Island residency shall pay tuition and fees prescribed by the Board of Governors for in-state students:

Individuals and their children who have been granted Temporary Protected Status* by the INS and who present evidence of being domiciled in Rhode Island for at least one year (until their status has been finally determined by the INS).

Individuals and their children who have been granted Refugee Settlement Status* or Political Asylum* by the INS and who give evidence of being domiciled in Rhode Island for one year.

3. Nothing in these regulations shall be construed to revoke, amend or otherwise affect any agreement relating to student tuition and fees now in effect or entered into in the future pursuant to the provisions of the New England Board of Higher Education Compact.

B. DEFINITIONS

1. For the purpose of determining in-state and out-of-state classifications, the word residency shall mean domicile: the legal, documented, true and permanent home and place of habitation. For the unemancipated student, the domicile will be that of the parents and/or guardians. For the emancipated student, the domicile will be that of the student.

A non-resident student who reaches 18 years of age, while a student, does not by virtue of the fact alone become a resident student.

The ownership of real or personal property in the state and/or the payment of municipal and/or state taxes in Rhode Island and/or marriage to a Rhode Island resident shall be evidence of, but shall not alone establish residency.

2. The term, emancipated student, shall mean a student who has attained the age of 18 years and whose parents and/or guardians:
 - (a) have entirely surrendered the right to the care, custody and earnings of such student; and
 - (b) have not claimed the student as a dependent for tax purposes for two years; and
 - (c) do not provide regular financial assistance to the student; and
 - (d) whose income was not taken into account by any private or governmental agency furnishing financial education assistance to the student, including scholarships, loans, or otherwise.

If any of the aforesaid tests are not met, the student shall be presumed to be unemancipated.

C. CRITERIA

1. Unemancipated Students
 - a. Any unemancipated student whose parents and/or guardians have been residents of the state for one year immediately preceding the first class day of the first semester of the student's registration in a public college or university shall be classified as a resident student as long as the parents and/or guardians continue to be residents of the state.
 - b. Any unemancipated student who initially was classified as a non-resident student may thereafter obtain re-classification only if the student's parents and/or guardians establish and maintain residence in Rhode Island for a period of at least one year prior to the first class day of the semester for which the student seeks to be re-classified as a resident student.
 - c. The residency of an unemancipated student, including those whose parents and/or guardians are divorced or legally separated, shall follow that of the parent or guardian who has legal custody or the parent or guardian who is responsible for the financial support of the student, whichever favors the student's request for resident student status.
 - d. An unemancipated student under guardianship shall be required to present satisfactory documentary evidence of the appointment of the guardian in addition to a certification of the residency of the guardian, which shall be considered the residency of the student unless there are circumstances indicating that such guardianship was created primarily for the purpose of conferring resident student status on the student.

S-5.2

- e. An unemancipated student whose parent or guardian is a member of the Armed Forces and stationed in the state pursuant to military orders shall be entitled to the classification as a resident student during any semester the first class day of which is encompassed by the orders.
2. Emancipated Students
- a. Any emancipated student may be classified as a resident student if the student meets the following tests:
 - 1) At the time of emancipation, the student's parents and/or guardians were residents of Rhode Island for one year immediately preceding the first class day of the first semester of the student's registration at a public college or university; or

Having become emancipated, the student establishes and maintains residency in Rhode Island for one year immediately preceding the first day of the first semester of the student's registration at a public college or university; and
 - 2) The student does not hold residency in another state or foreign country; and
 - 3) The student is and continues to be a resident of Rhode Island.
 - b. Any emancipated student who initially was classified as a non-resident student may thereafter obtain re-classification as a resident student only if the student establishes and maintains residency in Rhode Island for a period of at least one year prior to the first class day of the semester for which re-classification as a resident student is being sought.
 - c. A student from another state or foreign country who is enrolled at a public college or university for more than six credits per semester shall be presumed to be in Rhode Island primarily for educational purposes and will be presumed to have not been a resident of the state during the time so enrolled. Continued presence in Rhode Island during vacation periods or occasional interruptions in the course of study will not, of itself, overcome these presumptions.
 - d. A member of the Armed Forces on active duty or his or her spouse stationed in the state on military orders shall be entitled to classification as a resident student during any semester the first class day of which is encompassed by the orders.

D. PROCEDURES FOR INSTITUTIONS

1. The institutional Residency Officer shall classify each person accepted by a public college or university as a resident or non-resident student. Said classification shall be based upon all relevant information made available to the Residency Officer, including, but not limited to, information submitted by or on behalf of the student. The Residency Officer may, as a condition of registration, require such written documents and other relevant evidence as are deemed necessary or helpful to determine the residence of the applicant.

S-5.3

2. Any student who has been classified as a non-resident student and who claims that his or her status has changed during attendance at the institution may request the Residency Officer for a re-classification, submitting relevant evidence in support of this claim.

Based upon relevant evidence, the institution may request the Residency Officer to re-classify a student, if the student's status has changed during attendance at the institution.

If the Residency Officer determines that the student has become a resident, the student shall be classified as a resident student effective as of the beginning of the semester next following the determination. Decisions on classification will be communicated to the student in written form. Requests for a change of classification will not be considered more than once in any semester.

3. Any student who is classified as a non-resident student by the Residency Officer may, by filing a written request with the Residency Officer within thirty days of receipt of notification of the classification, appeal the Residency Officer's decision to the Board of Residency Review. The Residency Officer shall thereupon transmit the record together with such additional written information as the student may furnish or the board may require. The Board of Residency Review shall hold an informal hearing. The Decision of the Board of Residency Review shall be final.

E. PENALTIES

Misrepresentation of facts in order to qualify for resident student classification shall be considered cause for the recapture of back-due tuition and/or for suspension or permanent exclusion from a public college or university. Moreover, it may subject the student to criminal persecution.

*Temporary Protected Status is granted by the Immigration and Naturalization Service to individuals who were forced to leave their native land because of political upheaval, severe economic hardship or natural disaster. People with this status often receive work permits. TPS is subject to renewal by the INS every eighteen months.

*Refugee Settlement Status is given to those individuals who were admitted into the United States as refugees through the United Nations Higher Commission for Refugees. People in this category often come to the United States from refugee resettlement camps in another country. On occasion refugee resettlement status is granted directly to individuals by the United States government. Once an individual takes "residency" in the United States, the process of applying for a green card begins and can last for several years.

*Political Asylum is granted by the INS to those individuals who fear being prosecuted if they return to their native country. Asylum, which is granted on a permanent basis, leads to an individual eventually being granted his/her green card. There is usually a 9-10 year wait between granting of asylum and the receipt of a green card.



**UNIVERSITY OF RHODE ISLAND APPLICATION
RHODE ISLAND RESIDENCY
FOR
TUITION PURPOSES**

INSTRUCTIONS:

All students applying for in-state status must submit the attached Application for Classification as a Rhode Island Resident Student for Purposes of Registration and Fee Assessment accompanied by the documentation requested below. Incomplete applications will be returned unless a written explanation is included for each item of documentation you are unable to provide. Classification as a Resident Student becomes effective with the beginning of the term following the Determination of Residency.

If you are claiming recognition as a **DEPENDENT STUDENT**, you may disregard the accompanying Confidential Statement of Resources. But do provide the following:

1. A photocopy of each of the following items:
 - a. Page 1 of your parents' Federal Income Tax Return for the most recent year.
 - b. Both Parents' Rhode Island driver's licenses and vehicle registrations.
 - c. All Trusts, Wills, Support or Custody Decrees or Agreements affecting you.
 - d. Your parents' current rental lease(s) or evidence of property ownership.
2. A certified copy of your parents' latest R. I. State Income Tax Return. (You may obtain a copy form the R. I. Division of Taxation. One Capitol Hill, Providence, RI 02908.)
3. Notarized statement from the Town Clerk indicating the original date of your voter registration of both parents.

If you are claiming recognition as an **INDEPENDENT STUDENT**, please provide the following:

1. A photocopy of each of the following items:
 - a. Photocopy of your Federal Income Tax Return for the last two years.
 - b. Your parents' Federal Income Tax Return for the last two years or a notarized statement from your parents that you were not claimed as a dependent on their Federal Income Tax Return for the last two years and that they have no intention of such claim in the future.
 - c. A certified copy of your parents' latest R. I. State Income Tax Return. (You may obtain a copy form the R. I. Division of Taxation. One Capitol Hill, Providence, RI 02908.)
 - d. Your Rhode Island driver's license and vehicle registration(s).

- e. Current rental lease, and leases covering your residency at addresses listed in Part III, #14 on the attached Application for Classification as a Rhode Island Resident Student. If formal leases are unavailable, a notarized statement from the landlord detailing dates and remittances may be substituted.
 - f. Copies of all loan agreements in their entirety (signatures of all parties to these agreements must show clearly.)
2. A notarized statement from the Town Clerk indicating the original date of your voter registration.

IMPORTANT INFORMATION

- 1. MATERIALS SHOULD BE SUBMITTED AS A SINGLE, COMPLETE PACKET.
- 2. BE SURE TO INCLUDE A FULL EXPLANATION FOR EACH ITEM OF DOCUMENTATION NOT SUBMITTED.
- 3. CLASSIFICATION BECOMES EFFECTIVE WITH THE BEGINNING OF THE TERM FOLLOWING THE DETERMINATION OF RESIDENCY.
- 4. STUDY THE REGULATIONS DEFINING RESIDENT AND NON-RESIDENT STUDENTS CAREFULLY. THE BURDEN OF PROOF IS UPON THE PERSON MAKING THE CLAIM.

Return the completed application to:

**University of Rhode Island
Residency Officer
Undergraduate Admissions
Newman Hall, 14 Upper College Road
Kingston, Rhode Island 02881-1310**

**Rhode Island Residency Application
For Tuition Purposes**

Student's Name: _____

Mailing Address: _____

Social Security #: (optional)

URI ID#:

Date of Birth: _____ Date First Entered URI: _____

Phone: _____ E-Mail address: _____

Please type or print all responses clearly. Attach a separate sheet if more space is needed.

PART I

1. I hereby request that I be classified as a "Resident Student" for the academic term beginning _____, 19____.
2. My request is based upon the fact that I am dependent upon my parents (or guardian) for support and my parents (or guardian) are legal residents of Rhode Island. **YES** _____ **NO** _____.
If yes, complete Part II below.
3. My request is based upon the fact that I am an emancipated student, independent of my parents, and have established my legal residence in Rhode Island. **YES** _____ **NO** _____.
If you answered yes, skip Part II and complete Part III below.

PART II - DEPENDENT STUDENT

4. My Father's full name: _____

5. My Father's present address and Phone#: _____

6. My Mother's full name: _____

7. My Mother's present address and Phone#: _____

8. My RI parent(s) own or rent a home in Rhode Island at the following address:

9. My RI parent(s) are registered voters in the town/city of: _____
and have lived in that town/city since (date): _____

10. My RI parent(s) have maintained their legal residence in Rhode Island since (date): _____

11. My RI parent(s) filed a state income tax form for the year 19 _____ as residents of the State of
_____.

NOW GO TO PART IV AND COMPLETE THE CERTIFICATION

PART III - INDEPENDENT STATUS

12. My home address now is _____

13. I have lived there since _____

14. Below are listed all other addresses at which I have resided during the last 24 months:

_____ From _____ To _____

_____ From _____ To _____

_____ From _____ To _____

15. My residence in Rhode Island began on (date): _____, and has continued without lengthy interruption except for (dates): _____

16. (If married): My spouse's full name is: _____

17. I shall file a Rhode Island income tax return for year 19 _____ as a Resident or Non-Resident

18. I filed a state income tax report for year 19 _____ in the State of _____.

19. My automobile driver's license was issued by the State of _____ on (date) _____. My automobile registration number is (State) _____ (Number) _____.

20. I financed my studies this past year from the following sources:

Savings \$ _____ *Loans _____ \$ _____

Earnings \$ _____ *Scholarships _____ \$ _____

Spouse's Earnings \$ _____ *Gifts _____ \$ _____

G. I. Benefits \$ _____ *Other _____ \$ _____

***Attach a separate sheet and list all loans, scholarships, gifts, and other income fully.**

21. In the space below (or on a separate sheet) I wish to add the following information which may be helpful in establishing my right to classification as a Rhode Island Resident Student on the rolls of the University:

NOW GO TO PART IV AND COMPLETE THE CERTIFICATION

PART IV - CERTIFICATION

22. I declare Rhode Island to be my state of legal residence. I certify that formation offered in support of this application is true and correct.

Signed: _____
(To be signed in presence of Notary Public)

23. Notarization: (To be completed by a Notary Public). Subscribed and sworn to before me this _____ day of _____, 19 _____.

Notary Public: _____

My commission expires: _____

WARNING: Section 11-18-1 of the General Laws of Rhode Island provides severe penalties for giving a false document to a public official.

Return the completed application to:

**Residency Officer
Undergraduate Admissions
Newman Hall, 14 Upper College Road
Kingston, Rhode Island 02881-1310**