

Adopted by the Regents
July 18, 2013

THE UNIVERSITY OF MICHIGAN
REGENTS COMMUNICATION

ACTION REQUEST

Subject: Guidelines for In-State Tuition

Action Requested: Revised In-State Tuition Guidelines

We propose significant revisions to the University's Guidelines for Qualifying for In-State Tuition.

The proposed revisions are attached. If approved, these new Guidelines would become effective in January 2014. The Guidelines were last changed in significant fashion in 2005. The proposed Guidelines seek to accomplish three primary goals. First, the proposed Guidelines seek to simplify the process for establishing eligibility for in-state tuition, by making the Guidelines themselves easier to understand, particularly for students seeking to qualify on the basis of being Michigan residents. Second, the proposed Guidelines significantly expand the ways in which veterans may qualify for in-state tuition. Thus, among other things, under the proposed Guidelines, individuals serving on active duty in the U.S. Army, Navy, Air Force, Marines, National Guard, Merchant Marine, or Coast Guard; reservists in those branches; and individuals who were honorably discharged or received a general discharge under honorable conditions from one of those branches would qualify for in-state tuition, regardless of where they live. Third, the proposed Guidelines provide an alternative test for establishing eligibility for in-state tuition based on attendance at Michigan high schools and Michigan middle or junior high schools and matriculation at the University within 28 months of high school. This option would simplify the process for students who have longstanding ties to the State but who leave the State temporarily after high school. Moreover, students who are not legal residents of the State of Michigan or of the United States may qualify for in-state tuition under this school-attendance-based approach.

Respectfully submitted,



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Provost and Executive Vice President for Academic Affairs

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Attachment

UNIVERSITY OF MICHIGAN GUIDELINES FOR QUALIFYING FOR IN-STATE TUITION

OVERVIEW

You may qualify for in-state tuition in any of the following three ways:

1. **Residence.** By demonstrating that you are a permanent legal resident of the State of Michigan as defined by these Guidelines (see Part I below);
2. **Attendance.** By demonstrating that you attended an accredited Michigan high school and accredited Michigan middle or junior high school (see Part II below); **OR**
3. **Service.** By demonstrating that you or a family member are serving or have served in the U.S. military or Public Health Service (see Part III below).

You may meet the criteria under more than one Part of these Guidelines. However, if you meet the criteria under one of the three Parts, you are not required to determine eligibility under the other two.

I. ESTABLISHING ELIGIBILITY THROUGH MICHIGAN RESIDENCE

You may qualify for in-state tuition by demonstrating that you are a Michigan resident.

A. General Principles

The University of Michigan has autonomous, constitutional authority to establish residency guidelines that apply to the University. The University's residency guidelines are independent of other state rules or regulations governing residency for other purposes, including income and property tax liability or eligibility to vote or drive.

To qualify for in-state tuition at the University of Michigan on the basis of being a Michigan resident, you must establish that Michigan is your permanent legal residence. In other words, you must establish that the State of Michigan is your home and that you intend to remain in the State permanently. This will depend on, among other things, where you live, work, and attend school; where you have lived, worked, and attended school; where your parents or guardians live; and other evidence that you intend to make Michigan your permanent home.

The Board of Regents of the University of Michigan has charged the Residency Classification Office in the Office of the Registrar on the Ann Arbor campus with determining the residency of current and prospective students for all three University of Michigan campuses. If you are seeking in-state tuition on the basis of residence in the State of Michigan and your application, activities, and circumstances demonstrate that Michigan is your permanent legal residence, you will be classified as a resident. If, however, you seek in-state tuition on the basis of residence but your presence in the State is based on activities or circumstances that are determined to be temporary or indeterminate, you will be classified as a nonresident.

B. Process for Establishing Residency

1. Who Must Submit an Application for Resident Classification?

If you seek to qualify for in-state tuition as a Michigan resident and your application, circumstances, or activities suggest that you may have out-of-state activities or ties (as described below), you will be required to apply to be evaluated and classified as a resident or non-resident. This means completing an Application for Resident Classification truthfully and timely and submitting additional documentation. [INSERT LINK TO FORM]

Specifically, you **must** file an Application for Resident Classification if you seek in-state tuition on the basis of Michigan residence and have **any** of the following out-of-state activities or ties:

- you live outside the State of Michigan for any purpose, including, but not limited to, education, volunteer activities, travel, or employment;
- you attended or graduated from a college outside the State of Michigan;
- you lived or worked outside the State of Michigan at any time within the last three years;
- you are not a U.S. citizen;
- your spouse, partner, or parent is in Michigan as a nonresident student, medical resident, fellow or for military assignment or other temporary employment;
- you are 24 years of age or younger and a parent lives outside the State of Michigan;
- you are 24 years of age or younger and attended or graduated from a high school outside the state of Michigan;
- you attended or graduated from an out-of-state high school and have been involved in educational pursuits for the majority of time since high school graduation;
- you attended any University of Michigan campus (Ann Arbor, Dearborn, or Flint) as a nonresident.

Other circumstances also may require you to file an Application for Resident Classification.

If Michigan is in fact your permanent legal residence, as demonstrated by your admissions application, activities, and circumstances, you have **none** of the out-of-state activities or ties listed above, and your admissions application truthfully asserts that Michigan is your permanent legal home, you may claim Michigan as your legal residence and will not be required to complete an Application for Resident Classification. The University in its discretion may require you to complete an Application for Resident Classification and submit supporting documentation to determine whether you are a resident or nonresident under the University's Guidelines. The University also reserves the right to audit your information and re-classify you as a non-resident.

2. How Will Your Application For Resident Classification Be Evaluated?

If you are required to file an Application for Resident Classification, the University's Residency Classification Office will evaluate the information you provide to determine whether you have presented clear and convincing evidence demonstrating that Michigan is your permanent legal residence. The next sections of these Guidelines are designed to explain in greater detail the standards the Residency Classification Office will apply as your Application for Resident Classification is considered.

a. Circumstances that may demonstrate permanent Michigan residence

The following circumstances and activities, though not conclusive or exhaustive, may lend support to a claim that Michigan is your permanent legal residence:

- Both of your parents or parents-in-law (or in the case of divorce, one parent or parent-in-law) are permanent legal residents of Michigan as demonstrated by permanent employment in the State, establishment of a primary household in Michigan, and severance of out-of-state ties. You must also show that you have severed all out-of-state ties that suggest another state is your legal residence.
- You are employed in Michigan in a full-time, permanent position, your employment is the primary purpose for your or your family's presence in the State, and you have severed any out-of-state ties that suggest another state is your legal residence.
- Your spouse or partner is employed in Michigan in a full-time, permanent position, your spouse or partner's employment is the primary purpose for your family's presence in the State, and you have severed all out-of-state ties that suggest another state is your legal residence.

b. Circumstances that do not demonstrate permanent Michigan residence

The circumstances and activities listed below are most often temporary or indeterminate and do not demonstrate permanent residence in Michigan. Individuals whose claim to Michigan residence is based **solely** on one or more of the following will generally not be found to be Michigan residents for tuition purposes:

- you are enrolled in a high school, community college, or university in Michigan;
- you are in a medical residency program, fellowship, or internship in Michigan;
- your employment in Michigan is temporary or short-term or of the type usually considered an internship or apprenticeship;
- your spouse or partner's employment in Michigan is temporary or of the type usually considered an internship or apprenticeship;
- your spouse or partner's employment in Michigan is permanent but you are in the State for temporary reasons;
- your employment position in Michigan is normally held by a student;
- you have paid Michigan income tax or filed Michigan resident income tax returns;
- your relatives (other than parents) live in Michigan;
- you own property or pay Michigan property taxes;

- you possess a Michigan driver's license or voter's registration;
- you possess a Permanent Resident Alien visa;
- you have continuous physical presence in Michigan for one year or more;
- you sign a statement of intent to be domiciled in Michigan.

c. Immigrants and Aliens

If you are a permanent resident alien, an asylee or refugee, or possess an A, E, G, or I visa, you may be eligible for in-state tuition if you provide official documentation establishing your immigration status and demonstrate that Michigan is your permanent legal residence as defined under these Guidelines. Dependent children who hold an E visa are not eligible to be considered for resident classification. Individuals holding temporary visas, including, but not limited to F, H, J, K, L, Parolee, TN, and TD visas, are not eligible for in-state tuition as a Michigan resident.

d. Dependent Students

You are presumed to be a dependent of your parents if you are 24 years of age or younger and (1) have been primarily involved in educational pursuits, or (2) have not been financially self-supporting through employment.

1. If you are a dependent student, and both your parents are legal residents of another state, you are presumed to be a nonresident.
2. If you are a dependent, your parents or parents-in-law are divorced, and at least one parent or parent-in-law is a permanent legal resident of the State of Michigan (as defined in these Guidelines), you are presumed to be a resident if you can demonstrate that (a) Michigan is your permanent legal residence and (b) you have severed all out-of-state ties.
3. If you are a student living in Michigan with your parents and a permanent legal resident of this State as defined by these Guidelines, you are presumed to retain resident status eligibility even if your parents leave the State if all of the following are true: (1) you have completed at least your junior year of high school before your parents' departure; (2) you remain in Michigan, enrolled full-time in high school or an institution of higher education; and (3) you have not taken steps to establish a legal residence outside Michigan or any other action inconsistent with maintaining a permanent legal residence in Michigan.

e. Michigan Residents and Absences From the State

You may be able to retain your eligibility for resident classification under the conditions listed below if you are a permanent legal resident of Michigan under these Guidelines and leave the State for certain types of activities. However, if you have been absent from the State, you must file an Application for Resident Classification by the appropriate filing deadline to request resident classification and demonstrate your eligibility.

1. Absence for Active Duty Military Service (U.S. Army, Navy, Air Force, Marines, Coast Guard, Merchant Marine, Officers in the Public Health Service), Non-Administrative Missionary Work, Peace Corps, AmeriCorps, or Similar Philanthropic Work

If you are a permanent legal resident of Michigan as defined by these Guidelines when you enter active military duty, missionary work, Peace Corps, or similar service, you are presumed to retain your eligibility for resident classification if you (1) are on continuous active duty or in continuous service and (2) continuously claim Michigan as your state of legal residence for income tax purposes. If you are a dependent child of such an individual, you are presumed to be eligible for resident classification if both of the following are true: (1) you are coming to the University of Michigan directly from high school or have been continuously enrolled in college since graduating from high school; and (2) you have not claimed residency for tuition purposes elsewhere.

2. Absence Because of Temporary Foreign Assignment

If you are a dependent student and you and your parents are permanent legal residents of Michigan immediately preceding an absence for a temporary foreign assignment with a parent's Michigan employer, you may retain your eligibility for resident classification if both of the following are true: (1) your family members hold temporary visas in the foreign country, and (2) you return directly to Michigan and remain in the State for educational purposes after leaving the foreign country.

3. Temporary Absence of Less Than One Year

If you are independently a permanent legal resident of Michigan immediately preceding a temporary absence of less than one year, you are presumed to retain eligibility for resident classification provided that, immediately upon your return to Michigan, you sever any out-of-state ties that suggest another state is your legal residence.

3. What Documents Must You Submit With Your Application For Resident Classification?

Along with your completed Application for Resident Classification form, you must submit additional documents.

a. All Applicants. All applicants must submit the following additional documents with an Application for Resident Classification:

- copies of your driver's license and the license(s) of the person or persons upon whom you are basing your claim to resident eligibility;
- copies of the front and signature pages of the most recent year's federal and state income tax returns and W2 forms for you and the person or persons upon whom you are basing your claim to resident eligibility; and
- any other documentation that supports your claim to resident eligibility.

b. Dependents. If you are claimed as a dependent on federal or state income tax returns, or are presumed to be a dependent under these Guidelines, you must also submit the following documents:

- copies of the front and signature pages of your parents' most recent year's federal and state income tax returns, along with accompanying W2s (and Schedule C and E if self employed) along with your parents' most recent pay stubs showing Michigan income taxes being withheld.

c. Applicants Claiming Residency on the Basis of Employment. If you are seeking to establish that you are a Michigan resident on the basis of your permanent employment in the State, or the permanent employment of your parent, spouse, or partner, you must also submit the following documents:

- a signed letter from the employer, written on letterhead (including phone number), stating the position, status, and dates of employment; and
- a copy of the most recent pay stub showing that Michigan taxes are being withheld.

d. Applicants Born Outside the United States. All applicants born outside the United States seeking to establish eligibility for in-state tuition based on Michigan residency must also submit documents verifying U.S. citizenship or lawful permanent residence in the U.S.

4. Will You Be Required To Submit Additional Documentation?

In addition to the documentation required above, the Residency Classification Office may request additional documentation after the initial review of your application.

5. What Happens To Materials Submitted With An Application For Resident Classification?

Applications and accompanying documentation will be retained by the University of Michigan in accordance with its policies and procedures. All information will be kept confidential to the extent permitted by law.

6. What Information Does the Residency Classification Office Consider?

In making residency determinations, the University considers all information provided with your Application for Resident Classification and any other available information it determines to be relevant.

7. How Do You File An Application for Resident Classification?

Before filing an Application for Resident Classification, you must read Part VI below. Applications for Resident Classification are available at the Residency Classification Office, University of Michigan Office of the Registrar, 1210 LSA Building, 500 S. State St., Ann Arbor, MI 48109-1382, phone (734) 764-1400. Business hours are 8:00 a.m. to 5:00 p.m. weekdays. Applications can also be downloaded at ro.umich.edu/residency-application.pdf. Completed applications should be submitted to the Residency Classification Office.

II. ESTABLISHING ELIGIBILITY BY ATTENDING MICHIGAN SCHOOLS

You also may qualify for in-state tuition by demonstrating **all** of the following: (1) you attended an accredited Michigan high school for at least three years and thereafter (a) graduated from an accredited Michigan High School or (b) received a Michigan General Educational Development High School Equivalency Certificate (GED); (2) you attended an accredited Michigan middle or junior high school for the two years preceding high school; **and** (3) you are commencing your education at the University within twenty-eight months of graduating from the Michigan high school or receiving your GED.

To establish eligibility by demonstrating attendance at Michigan schools, you must complete the following form truthfully and timely. [INSERT LINK TO FORM] You do not need to be a legal resident of the State of Michigan or United States to qualify under Part II.

III. ESTABLISHING ELIGIBILITY THROUGH SERVICE

You also may qualify for in-state tuition, without regard to your legal residence, by demonstrating any of the following:

- (1) you are serving on active duty in the U.S. Army, Navy, Air Force, Marines, National Guard, Merchant Marine, or Coast Guard;
- (2) you are a reservist in one of those branches;
- (3) you were honorably discharged or received a general discharge under honorable conditions from one of those branches or their reserve component;
- (4) you are serving as an officer in the U.S. Public Health Service;
- (5) you are the spouse or dependent child of someone living or stationed in Michigan who is serving in the U.S. Army, Navy, Air Force, Marines, National Guard, Merchant Marine, or Coast Guard, whether on active duty or as a reservist; **OR**
- (6) you are the spouse or dependent child of someone living or stationed in Michigan who is serving as an officer in the U.S. Public Health Service.

To establish eligibility by demonstrating service, you must complete the following form truthfully and timely. [INSERT LINK TO FORM]

IV. DEADLINES

It is important to file your materials in a timely fashion. You may apply for in-state tuition for any term in which you are enrolled or intend to enroll. Late applications will be assessed a nonrefundable \$300 late fee and will be accepted up to the last published day of classes of the term for which you are applying. Late applications received after the last day of classes will be treated as applications for the following term. In all cases, decisions will be based only on those facts that are in place by the original filing deadline for the term under consideration.

- Fall Term: all required materials must be received by 5:00 p.m. on September 30 of that term.
- Winter Term: all required materials must be received by 5:00 p.m. on January 31 of that term.
- Spring, Spring/Summer, and Summer Terms: all required materials must be received by 5:00 p.m. on July 31 of that term.

If the deadline falls on a weekend or University holiday, all required materials must be received by 5:00 p.m. on the next business day.

These deadlines apply to all University of Michigan schools, colleges, and campuses. For the On-Job or On-Campus program only, filing deadlines are 30 calendar days after the first scheduled day of classes of the term for which you are applying.

V. APPEALS

If your request for in-state tuition is denied, you may file an appeal as described below.

The Board of Regents has charged the Appeal Committee with reviewing decisions about eligibility for in-state tuition. The Appeal Committee is chaired by the Vice President and Secretary of the University and includes two other University administrators, a faculty member, and a student. Staff of the Residency Classification Office are not members of the Appeal Committee.

Any appeal must be in writing and must be received by the Appeal Committee no later than 5:00 p.m. on the 30th calendar day following the date of the letter denying your request for in-state tuition. If the deadline falls on a weekend or University holiday, your appeal must be received by 5:00 p.m. on the next business day.

The mailing address for the Appeal Committee is as follows:

[INSERT]

If there is additional information you would like the Appeal Committee to consider beyond the materials you have already submitted, you should submit that additional information, in writing, with appropriate supporting documentation, with your written appeal. The Appeal Committee may consider the appeal letter and additional documentation along with all the information in your original request.

Personal contact with a member of the Appeal Committee about the subject of your appeal could disqualify him or her from participating in the decision regarding your appeal. The Appeal Committee does not meet in person with students, and appearances on behalf of students are not permitted at appeal meetings.

After the Appeal Committee has completed its deliberations, you will receive the Committee's final decision in writing. This will conclude the appeal process for the term covered by the application. The University will not conduct any further review of the decision.

VI. MISREPRESENTATIONS, FALSIFICATIONS, OMISSIONS; AUDITS; AND ADVERSE CONSEQUENCES

Individuals who provide false or misleading information or who omit relevant information in an attempt wrongly to obtain in-state tuition will be subject to severe legal and disciplinary measures, including but not limited to expulsion from the University and retroactive tuition charges. The University routinely audits information and documentation submitted with requests for in-state tuition to ensure compliance.

VII. WHERE CAN YOU OBTAIN ADDITIONAL INFORMATION?

For questions on in-state tuition, please contact:

Office of the Registrar
1210 LSA Building
500 South State Street
Ann Arbor, MI 48109-1382
Phone: (734) 764-1400