



## UNIVERSITY POLICY

<b>SUBJECT:</b>	STUDENT AFFAIRS	<b>TITLE:</b>	STUDENT RESIDENCE AND IN-STATE TUITION		
<b>CATEGORY:</b> <i>(Check One)</i>	<b>Board of Trustees</b> <input type="checkbox"/>	<b>Presidential</b> <input checked="" type="checkbox"/>	<b>Functional</b> <input type="checkbox"/>	<b>School/Unit</b> <input type="checkbox"/>	
<b>Responsible Executive:</b>	Vice President for Academic Affairs		<b>Responsible Office:</b>	Academic Affairs	
<b>CODING:</b>	00-01-25-15:05	<b>ADOPTED:</b>	11/01/88	<b>AMENDED:</b>	09/08/10
				<b>LAST REVIEWED:</b> 09/08/10	

**I. PURPOSE**

To set policy defining New Jersey residence to qualify students for in-state tuition rates; and to establish procedures for change to New Jersey residence for students previously classified as out-of-state residents.

**II. ACCOUNTABILITY**

Under the direction of the President and the Executive Vice President for Academic and Clinical Affairs, the Vice President for Academic Affairs shall ensure compliance with this policy. The Student Affairs Deans or equivalent, the Admissions Deans or equivalent, and the University Registrar shall implement this policy.

**III. APPLICABILITY**

This policy shall apply to all students of the University who pay tuition to the University.

**IV. DEFINITION**

Domicile: the place where a student has his or her true, fixed, permanent home and principal establishment, and to which, whenever he or she is absent, he or she has the intention of returning.

**V. REFERENCES**

- A. N.J.S.A. 18A:62-4
- B. N.J.A.C. 9A:5-1.1, 1.2 and 1.3
- C. N.J.A.C. 9A:9-2.6

**VI. POLICY**

- A. Eligibility for in-state tuition rates
  - 1. Eligibility for in-state tuition rates is predicated upon the student having a New Jersey domicile.
  - 2. Active-duty U.S. military personnel and their dependents (spouse and dependent children) who are living in New Jersey shall be regarded as residents of New Jersey for the purpose of determining tuition.

3. Students with non-immigrant status, that is, students who are neither U.S. citizens nor permanent residents, are considered to have a permanent residence in their home country which they do not intend to abandon. As a result they do not qualify for classification as in-state residents for tuition purposes. However, students in the following visa classifications may petition for in-state tuition rates, provided that they meet all other NJ residence criteria specified in this policy: A, E, G, V, asylees and refugees.

B. Proof of domicile

1. Students residing in New Jersey for a period of twelve (12) months before first enrolling at UMDNJ are presumed to be domiciled in this State for tuition purposes.
2. Students providing a non-New Jersey permanent address on their applications to UMDNJ, or who indicate a state other than New Jersey as their State of legal Residence (SLR) through a common application service such as AMCAS, ADSAS, or AACOMAS, are presumed *not* to be domiciled in New Jersey unless evidence of establishment of domicile in New Jersey is provided. In the case where *both* a permanent address and an SLR are provided, the SLR will determine domicile. The evidence of establishment of domicile must include all of the following:
  - a. copies of a self-supporting student's New Jersey resident income tax return (bearing a New Jersey address) for the most recent tax year or a parent's\* or legal guardian's New Jersey resident income tax return (bearing a New Jersey address) for the most recent tax year; and
  - b. evidence of ownership of or a current long-term (at least one year) lease on a permanent residence in New Jersey by the student or his/her parent(s)\* or legal guardian(s), which ownership or lease commenced no less than 12 months prior to first enrollment at UMDNJ or 12 months prior to any application for change in residence classification and
  - c. electronic or hard copy of cancelled mortgage or rent check or receipt for cash payments.
3. If the evidence described in Section VI. B. 2. a. above (i.e., New Jersey resident income tax returns) cannot be produced, then the following may be substituted (in addition to the evidence described in Section VI.B.2.b. and VI.B.2.c above, i.e., ownership or lease of a permanent residence):
  - a. (1) current driver's license from New Jersey. Driver's licenses from other states must be replaced by one from New Jersey; and
  - (2) New Jersey vehicle registration if the student owns or leases an automobile.
  - b. If the student will not be operating a vehicle in New Jersey, he or she must submit all of the following in place of a New Jersey driver's license and vehicle registration:
    - (1) a sworn, notarized affidavit that the student will not be operating a vehicle in New Jersey nor will be purchasing a UMDNJ parking hangtag; plus
    - (2) a sworn, notarized statement from the student and/or his or her parent(s) or legal guardian(s) declaring domicile in New Jersey; plus

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\* N.J.A.C. 9A:9-2.6 (see EXHIBIT B) defines "dependent" and "independent" students. "Independent" students may not rely on a parent's income tax return or permanent residence for proof of student's domicile.

(3) if a U.S. citizen, the student's New Jersey voter registration card (application for voter registration card is not sufficient); or if a permanent resident alien, a copy of the student's permanent residency card *and at least three (3) of the following*: the student's banking documents; utility bills; documents from the previous institution of higher education indicating that institution's recognition of the student's New Jersey domicile; New Jersey employment documents; any other documents identifying a social or economic relationship with New Jersey.

4. Students who are U.S. military personnel on active duty and living in New Jersey, or who are spouses or dependent children of active-duty U.S. military personnel living in New Jersey must present official documentation of active-duty military status and residence in the State for the student or his/her spouse or parent, and documentation of the spousal/parental relationship (e.g., marriage license, birth certificate) if applicable.
5. The University may require student to submit any additional supplementary information that it deems necessary to support the student's claim of domicile in New Jersey.

C. Application for change in residence classification

1. A student may request reconsideration of domiciliary status at any time. If a request for reconsideration results in a decision of eligibility for in-state tuition, the in-state rate will not be retroactive but will apply to charges for the next academic term. Application should be made as soon as possible prior to the start of classes for any given term for which in-state tuition is requested by a previously classified out-of-state student.
2. Application for reclassification of residence must be made on the attached form (EXHIBIT A) which must be signed, notarized and submitted with proof of domicile according to Section VI. B. above to the student's Student Affairs Dean or equivalent.
3. A written decision concerning an application for reclassification of residency shall be sent by the Student Affairs Dean or equivalent to the applicant. Requests for clarification of the decision and/or for the opportunity to submit additional evidence proving New Jersey domicile must be submitted to the Student Affairs Dean or equivalent within two weeks of receipt of a denial of requested reclassification. If additional evidence is submitted, the Student Affairs Dean or equivalent shall review it and respond again. Following the final decision by the Student Affairs Dean or equivalent, the student may submit a written appeal of a denial to the University Registrar within two weeks of the date of the final written decision by the School. The decision of the University Registrar shall be final.

- D. A student who knowingly provides erroneous information concerning domicile in an attempt to obtain in-state tuition rates will be charged out-of-state tuition rates for each term or semester attended, and may be subject to disciplinary action up to and including dismissal in accordance with the School's student disciplinary procedures.

VII. EXHIBITS

- A. Application for Reclassification as a New Jersey Resident for Tuition Purposes
- B. N.J.A.C. 9A:9-2.6 Dependent/independent student defined

By Direction of the President:

**Signature on file**

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Vice President for Academic Affairs



EXHIBIT A (continued)

3. If the student will not be operating a vehicle in New Jersey, he/she must submit all of the following in place of a New Jersey driver's license and vehicle registration:

		SUBMITTED	
		YES	NO
A.	A sworn, notarized affidavit that he/she will not be operating a vehicle in New Jersey, nor will be purchasing a parking hangtag	<input type="checkbox"/>	<input type="checkbox"/>
<b>and</b>			
B.	A sworn notarized statement from student or parent(s) or legal guardian(s) declaring domicile in New Jersey	<input type="checkbox"/>	<input type="checkbox"/>
<b>and</b>			
C.	If U.S. citizen, a New Jersey voter registration card (not the application for a card)	<input type="checkbox"/>	<input type="checkbox"/>
<b>or</b>			
If permanent resident alien, a copy of student's permanent residency card			
<b>plus at least three (3) of the following items:</b>			
1.	Copies of banking documents	<input type="checkbox"/>	<input type="checkbox"/>
2.	Utility bills	<input type="checkbox"/>	<input type="checkbox"/>
3.	Any documents from student's previous institution of higher education indicating recognition of New Jersey domicile	<input type="checkbox"/>	<input type="checkbox"/>
4.	New Jersey employment documents	<input type="checkbox"/>	<input type="checkbox"/>
5.	Any other documentation of a social or economic relationship with New Jersey	<input type="checkbox"/>	<input type="checkbox"/>

If above items are not submitted, please explain: \_\_\_\_\_

\_\_\_\_\_

**APPLICANT'S NOTARIZED AFFIRMATION:**

*I do hereby affirm that I am a resident of the state of New Jersey, that I have my true, fixed, permanent home and principal establishment in New Jersey, that it is my intention to remain in New Jersey indefinitely, and that all information provided on this form and attachments thereto is accurate, complete and true to the best of my knowledge. I understand that knowingly providing false information will disqualify me from consideration for New Jersey resident status and may result in disciplinary action, up to and including dismissal, in accordance with the School's student disciplinary procedures.*

\_\_\_\_\_  
**STUDENT SIGNATURE**

\_\_\_\_\_  
**DATE**

\_\_\_\_\_  
**NOTARY SIGNATURE**

\_\_\_\_\_  
**NOTARY NAME**

\_\_\_\_\_  
**DATE**

**RETURN COMPLETED FORM AND NECESSARY DOCUMENTATION TO YOUR STUDENT AFFAIRS DEAN OR EQUIVALENT**

**FOR OFFICIAL USE ONLY:**

**APPROVED:**  **DISAPPROVED:**

**NAME:** \_\_\_\_\_

**SIGNATURE:** \_\_\_\_\_

**EFFECTIVE TERM/YEAR:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

## EXHIBIT B

### N.J.A.C. 9A:9-2.6 Dependent/independent student defined

- (a) The term independent, when used with respect to a student, means any individual who:
1. Is 24 years of age or older by December 31 of the award year; or
  2. Meets at least one of the requirements in (b) below.
- (b) A student meets the requirements for independent status if such individual:
1. Is an orphan or ward of the court or was a ward of the court until age 18;
  2. Is a veteran of the Armed Forces of the United States;
  3. Is a graduate or professional student;
  4. Is a married individual;
  5. Has legal dependents other than a spouse who live with the student and receive more than half of their support from the student;
  6. Is currently serving on active duty in the United States Armed Forces for other than State purposes or training; or
  7. Is a student for whom a financial aid administrator makes a documented determination of independence by reason of other unusual circumstances as provided under Title IV of the Higher Education Act of 1965, as amended, [20 U.S.C. § 1087vy](#), and its implementing regulations and rules. For purposes of receiving State financial assistance as an independent student due to unusual circumstances, the following conditions apply:
    - i. Determinations of independence must satisfy all applicable Federal standards set forth under Title IV of the Higher Education Act of 1965, as amended, and its implementing regulations and rules;
    - ii. Individual determinations of independent student status for State student aid programs shall be made in a manner consistent with the institutional policies regarding the awarding of all need-based financial aid, including Federal and State aid; and
    - iii. The institution shall share with the Higher Education Student Assistance Authority any material findings or audit exceptions related to the determination of dependency status at any time they are revealed in the course of an audit or program review.
- (c) A dependent student shall be any student who does not meet any of the eligibility criteria listed in (a) or (b) above for independent student status.