

University of Louisiana System

**Title: *STUDENT RESIDENCE
REGULATIONS***

Effective Date: April 27, 2007

Cancellation: July 1, 2003

Chapter: Finance and Business

Policy and Procedures Memorandum

I. Requirements

Because resident classification is an important part of fee determination, admission regulations and other policies of the System institutions, it is important that System institutions have fair and equitable regulations which can be administered consistently and still respect the interests of both the students and the taxpayers of Louisiana. It is the responsibility of the student to provide System institutions with such evidence as deemed necessary to establish his residence status.

II. Definition of Residency

Pursuant to House Concurrent Resolution No. 226 of 1986, the following definition of residency shall apply for fee assessment purposes effective the fall semester, 1987:

A resident student for tuition purposes is defined as one who has abandoned all prior domiciles and has been domiciled in the State of Louisiana continuously for at least one full year (365 days) immediately

preceding the first day of classes of the term for which resident classification is sought. "Domicile," as the term is used in the context of residence regulations, is defined as an individual's true, fixed, and permanent home and place of habitation at which the individual remains when not called elsewhere for labor, studies, or other special or temporary purposes, and the place to which the individual returns after an absence. A nonresident student for tuition purposes is a student not eligible for classification as a resident.

The individual's physical presence within this state for one year must be associated with the substantial evidence that such presence was with the intent to maintain a Louisiana domicile. Physical presence within the state solely for education purposes without substantial evidence of the intent to remain in Louisiana will not be sufficient for resident classification regardless of the length of time within the state.

However, discreet categories of individuals may be defined as special residents if such action is deemed to be in the best interest of Louisiana and approved by the Board, or as mandated from time to time by federal or state government.

III. Determination of Status

The residence status shall be determined in accordance with Board rules and shall be based upon evidence provided in the application for admission and related documents. The office of the registrar and/or admissions officer shall determine residence status after the completed application for admission has been submitted. The rules shall be based primarily on the location of the home and the place of employment. Residence status may not be acquired by an applicant or student while residing in Louisiana for the primary purpose of attending school. Residence status, for fee purposes only, will be granted to non-resident graduate students registered for three semester hours or less and undergraduate students registered for six semester hours or less in any session, or all non-resident students enrolled in up to six semester hours of graduate or undergraduate courses offered through web-based or other electronic instruction, when domiciled outside of the state of Louisiana and not enrolled in any other courses at the university. The following conditions may be used in determining residence status:

- A. An applicant living with his/her parents is classified as a resident if the parents have established a bona fide residence in Louisiana. Ordinarily a parent is considered to have established a residence in

Louisiana if actually residing and employed full time in the State. A parent who is unable to be employed or who is a housewife may be considered to have established a residence in Louisiana if there is convincing evidence that the person continuously resides in Louisiana. If only one parent qualifies as a resident of Louisiana, the student shall be classified as a resident provided that student resides with the parent who is a resident of Louisiana. An individual who resides in Louisiana and is employed full-time in another state, may be classified as a resident. In such case, appropriate documentary evidence shall be presented.

- B. A student residing with his/her parents who enrolls as a non-resident shall be classified as a resident if the parents move to Louisiana and acquire residence as defined in these regulations.
- C. A student may be declared a resident if either parent is a graduate of the institution that he/she attends. A student that graduates with an associate or higher degree may be classified as a resident for subsequent enrollment at that same institution (applicable only to U.S. citizens). (Revision approved 3/26/99)
- D. A person may be classified as a resident of Louisiana at the end of twelve consecutive months of residence if employed in Louisiana and if during that period he/she has not been registered in an educational institution for more than six semester hours or its equivalent in any semester. A person who is unable to be employed and who has not been registered in any educational institution for more than six semester hours or its equivalent in any semester may acquire residence in Louisiana if there is convincing evidence of continuous residence in Louisiana for twelve consecutive months immediately preceding registration.
- E. A student who is married to a Louisiana resident may acquire the residence status of his/her spouse.
- F. A person who resides in Louisiana for at least two years, exclusive of military service, and then moves to another state or foreign country shall retain the right to enroll, along with any of his/her dependents as a resident for a period equal to the number of years the person resided in Louisiana, but the right shall expire upon the person's residing for a period of two years in another state or foreign country. For students affected by hurricanes Katrina and Rita, requests for waivers may be considered on a case by case basis until Fall, 2012.
- G. Members of the full-time armed forces (not reserve or guard) currently stationed in Louisiana and their dependents shall be classified as Louisiana residents. Those who were stationed in Louisiana immediately prior to release from active duty may enroll

themselves or their dependents as residents during a period not to exceed six months after the date of release provided that the term of active duty shall have been no less than 12 consecutive months.

- H. A member of the full-time armed forces who was a resident of Louisiana immediately prior to entering the armed forces shall retain the right, along with any of his/her dependents to be classified as a resident as long as he/she is in the armed forces and for a two-year period after leaving the armed forces.
- I. A resident of Louisiana shall not lose the right to be classified as a resident during periods of employment in a foreign country.
- J. An alien who has been lawfully admitted to the United States for permanent residence as an immigrant (proof of such status shall be possession of his Form I-151-Alien Registration Receipt Card or passport officially stamped "approved as resident alien") and who has established residence under any of the foregoing provisions shall be declared a resident of the State.

IV. Non-U.S. Resident

A student who is a non-U.S. citizen may be entitled to resident classification if the student has been lawfully admitted to the United States for permanent residence (refugee, person who is married to a U.S. citizen, "temporary" or amnesty alien, etc.). This granting of resident status for fee purposes shall be in accordance with all applicable laws of the U.S. and relative requirements of the System's Student Residence Regulations.

Students and their dependants (INS approval) present in the United States under terms of any one the following visa classifications:

Visa Category E - Treaty trader or investor

G - Representative of international organization

H-1B – Temporary worker in a specialty occupation (H-1A and H-4 may also apply to qualify for exemption.)

I - Foreign information media representative

K – Fiancée (Residency approved with proof of marriage to U.S. citizen.).

L - Intra-company transferee/foreign employer

who demonstrate a Louisiana domicile for at least one full year (and meet System regulations) prior to the first day of class of the beginning of the semester will be eligible for an exemption of the non-resident fees while holding such a visa.

Students holding the following visa classification:
Visa Category A - Government officials
will be immediately eligible for an exemption of the non-resident fees while holding such a visa.

Students holding the following visa classifications:
Visa Category B - Visitor for business/pleasure
C - In transit
D - Crewman
F - Academic student
H - Temporary worker
J - Exchange visitor
M - Vocational/ non- academic student
are not eligible to establish Louisiana domicile nor be exempted from non-resident fees unless otherwise permitted by law, by System policy, or other regulations.

It is to be noted that the domicile of a dependent or an unmarried minor is regarded to be that of the parent with whom such a dependent or minor maintains his/her place of abode.

V. Appeal Committee

The president of each institution shall be authorized to appoint a Residence Rules Appeal Committee. Any student classified as a non-resident may appeal his classification to this committee. Interpretations on residence qualifications may be submitted to Board Staff for clarification.

VI. Incorrect Classification

All students classified incorrectly as residents are subject to reclassification and payment of all non-resident fees not paid. If incorrect classification results from false or concealed facts by the student, the student is also subject to university discipline.

Review:

Vice Presidents for Academic Affairs

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