PROCEDURES FOR OBTAINING RECLASSIFICATION FROM OUT-OF-STATE STATUS TO IN-STATE STATUS

1. Student must file a written petition with the Director of Student Accounts or designee containing a statement of reasons to support the student's claim of Pennsylvania domicile.
2. Accompanying the petition shall be any supporting documentation the student may wish to submit. Please review student domicile regulations.
3. The data collection form shall be completed by the student, be notarized and accompany the petition.
4. Petitions, supporting documentation and data collection form should be addressed to:

MILLERSVILLE UNIVERSITY
OFFICE OF STUDENT ACCOUNTS
PO BOX 1002
MILLERSVILLE PA 17551

Effective: March 19, 1985

Policy 1985-03: *Student Domicile Regulations*

See Also:

Adopted: March 19, 1985
Amended:

NOTE: The regulations are also published in the Pennsylvania Code, Title 22, Part XVII, Chapter 507.

A. Definitions

University - any of the 14 universities now constituting the Pennsylvania State System of Higher Education, as enumerated at 24 P.S. §§ 20-2002-A (pocket part), and such other universities as may hereinafter be admitted to the State System of Higher Education in accordance with law.

Domicile - the place where one intends to reside permanently or indefinitely and does in fact so reside.

Tuition Fee - the instructional fee established by the Board of Governors for Pennsylvania residents attending the universities and the tuition assessed residents of other states attending the universities.

Clear and Convincing Evidence - evidence sufficient to convince a reasonable mind that a fact sought to be proved is more likely than not true.

B. Classification

The universities shall, subject to the provisions of these regulations, determine the residential classifications of all students. Students who are domiciled in Pennsylvania shall be assessed the tuition fee applicable to Pennsylvania residents and all other students shall be assessed the tuition fee applicable to non-residents.

C. Determination of Domicile

Domicile is the place where one intends to reside either permanently or indefinitely and does in fact so reside. The presumptions and forms of evidence set forth hereafter shall be considered by the universities in making their determinations.

1. Continuous residence in Pennsylvania for a period of 12 months prior to registration as a student at an institution of higher education in Pennsylvania creates a presumption of domicile. A student is presumed not to be a domiciliary if he/she has resided for a shorter period before attending an institution of higher education, but may rebut this presumption by clear and convincing evidence.

2. Students who are not United States citizens, and have nonimmigrant visas or lack a visa, are presumed not to be domiciled in Pennsylvania, but they may rebut this presumption by clear and convincing evidence.

3. A minor is presumed to have the domicile of his or her parents or guardian. The age of majority for establishing a domicile for tuition purposes is 22; however, a minor may prove financial emancipation and thereby prove Pennsylvania domicile through clear and convincing evidence.

4. A United States government employee or a member of the armed forces who was domiciled in Pennsylvania immediately preceding entry into government service and who has continuously maintained Pennsylvania as his or her declared legal residence shall be presumed to have a Pennsylvania domicile. Nonresidents stationed in Pennsylvania for military service shall be deemed Pennsylvania domiciliaries.

5. A student receiving a scholarship, loan, or grant dependent upon maintaining domicile in a state other than Pennsylvania is presumed to be domiciled in the state from which he/she is receiving financial aid.

6. Evidence

    a. The following factors may be considered as evidence of domiciliary intention but may be given such weight as the finder of fact given the circumstances of the case may assign to them:

        (1) Lease or purchase of a permanent, independent residence within Pennsylvania by the student.

        (2) Payment of appropriate state and local taxes. Special attention should be given to payment of Pennsylvania taxes on income earned during periods of temporary absence from Pennsylvania.

        (3) Transfer of bank accounts, stocks, automobiles, and other registered property to Pennsylvania from another state.

        (4) Procurement of a Pennsylvania driver's license.

        (5) Procurement of a Pennsylvania motor vehicle registration.

        (6) Agreement for permanent, full-time employment in Pennsylvania.

        (7) Membership in social, civic, political, athletic, and religious organizations located in Pennsylvania.

(8) Registration to vote in Pennsylvania.

(9) A sworn statement by the student or his/her parents or guardian in the case of a minor declaring his/her intention to make Pennsylvania his/her residence either permanently or for an indefinite period of time.

(10) A sworn statement from the parents or guardian of a minor setting forth facts to establish the minor's financial independence and separate residence.

b. Each case shall be decided on the basis of all facts submitted, with qualitative rather than quantitative emphasis. No given number of factors is required for domicile, since the determination in each case is one of the subjective intention of the student to reside permanently or indefinitely in Pennsylvania.

D. Procedures for Reclassification

Any student may challenge the university's determination of his/her domicile and may appeal the university's disposition of his/her challenge to the Office of the Chancellor. Challenges shall be made in accordance with the following-stated procedures:

1. Any student who is dissatisfied with the university's determination of his/her classification may challenge it by filing a written petition with the university officer or committee designated by the university president to consider such challenges within 30 days after issuance of the determination. The petition shall contain a statement of reasons in support of the student's claim of Pennsylvania domicile and any supporting documentation the student may wish to submit. Untimely petitions shall not be considered.

2. The university shall date stamp all petitions on the date of receipt.

3. The student shall also execute a data form, which shall be provided to the university by the Office of the Chancellor.

4. When a student's petition is denied, the university officer or committee that considered it shall issue a written statement of the reasons for its decision and transmit it to the student's last known address by means of first class mail. The date of mailing shall be set forth on the face of the written decision but failure to do so shall not invalidate the decision.

E. Appeals

1. Any student who is dissatisfied with the decision made by such officer or committee in response to his/her petition, may appeal it by sending a written appeal to the Office of the Chancellor, Pennsylvania State System of Higher Education, 2986 North Second Street, Harrisburg, PA 17110.

2. The written appeal must be received by the Office of the Chancellor within 30 days of the date the university's decision was mailed to the student. The written appeal shall set forth the reasons why the student feels the university's decision is erroneous.

3. The Office of the Chancellor shall notify the university of the appeal. Upon such notice, the university shall transmit to the chancellor or his/her designee, copies of the student's data form and its statement of reasons. Additionally, the chancellor or his/her designee may require the student and the university officer or committee to meet to stipulate as to all undisputed facts.

4. The student and the university may submit written arguments in support of their positions to the chancellor or his/her designee in accordance with such limitations as that office may prescribe.

5. The chancellor or his/her designee shall issue a written decision granting or denying the student's appeal and shall transmit it to the student and the university by first class mail.

6. Within the State System of Higher Education the decision of the chancellor shall be final.

F. Effective Dates of Reclassification

1. Any reclassification that occurs because a petition or appeal is granted shall be effective the date it is determined that the student became a Pennsylvania domiciliary. If a petition or appeal was filed while the student was not enrolled, the reclassification shall be effective the next semester or term in which the student is taking course work.

2. Involuntary reclassifications made in accordance with § 153.7(2) shall be effective as of the date on which the university determines that the student has changed permanent residences and is no longer a Pennsylvania domiciliary. Students who change domiciles between semesters or terms shall be reclassified the next semester or term of enrollment.

3. The chancellor may, for good cause and at his/her discretion, vary the effective dates of reclassifications.

G. Change of Domicile

1. A student who changes his or her domicile from Pennsylvania to another state shall promptly give notice to the university.

   A university may reclassify a student in the event it believes he or she is no longer a Pennsylvania domiciliary. The student may challenge such a determination under the procedures provided herein.

RESIDENCY CLASSIFICATION DATA COLLECTION FORM

INSTRUCTIONS: Please complete all parts of this form. If you do not do so, your request for reclassification will not be processed. Some of the informational requests in this form will require you to provide copies of documents such as leases and tax return forms. Please be sure that these items are attached to the form when you return it. In addition to the information you are providing in this form, you may provide as much other information as you wish. The information you provide will be treated confidentially. If you need more space for any of the questions, please use Page 6 of this form and attach additional sheets as needed.

If you are in need of assistance, please contact the university officer responsible for processing your request.

I. DIRECTORY INFORMATION

UNIVERSITY: _____

NAME: _____

STUDENT NUMBER: _____ BIRTH DATE: _____

LOCAL ADDRESS: _____

_____

_____

LOCAL TELEPHONE NUMBER: _____

HOME ADDRESS (IF DIFFERENT FROM LOCAL ADDRESS): _____

_____

MARITAL STATUS: ( ) MARRIED ( ) SINGLE

ACADEMIC CLASSIFICATION:

( ) FRESHMAN	( ) GRADUATE
( ) SOPHOMORE	( ) CONTINUING EDUCATION
( ) JUNIOR	( ) TRANSFER
( ) SENIOR	( ) OTHER _____

Were you domiciled in Pennsylvania for at least one year prior to your current enrollment at the University? ( ) YES ( ) NO

CITIZENSHIP: Are you a U.S. Citizen? ( ) YES ( ) NO

If your answer is NO, then please declare the country of which you are a citizen and your Immigration and Naturalization (VISA) classification. _____

_____

II. RESIDENTIAL HISTORY

A. Please provide every address at which you resided eighteen months before your enrollment at the University. Include local addresses if you were enrolled at another college, university or post-high school institution.

FROM	TO	ADDRESS

B. Please provide every address at which you resided since your enrollment at the university, the dates of residence and the person(s) with whom you resided.

FROM	TO	ADDRESS AND WITH WHOM

C. Do you currently lease property? ◯ YES ◯ NO

D. Do you currently own real estate? ◯ YES ◯ NO

NOTE: If you lease or own property, please attach a copy of your lease agreement, mortgage or deed to this form.

III. ACADEMIC HISTORY

A. Please provide the names and addresses of all colleges, universities or other post-high school institutions you ever attended, the dates of attendance and the dates of graduation. If any of the listed institutions is a state or public college, then indicate whether you were classified as an in-state student or out-of-state student (IN – in-state, OUT - out-of-state).

FROM	TO	NAME AND ADDRESS OF INSTITUTION	DATE OF GRADUATION	IN	OUT

B. Please provide the names and address of every high school or equivalency program you ever attended, as well as your dates of attendance and graduation.

FROM	TO	NAME AND ADDRESS OF INSTITUTION	DATE OF GRAUDATION

IV. EMPLOYMENT HISTORY

A. Are you currently employed on a full-time basis? (◯) YES (◯) NO
If so, please provide the name, address and telephone number of your current employer:

_____

_____

B. Please provide the names and addresses of all employers, full-time or part-time, for whom you have worked since your enrollment at the university and the 18 months before your enrollment.

FROM	TO	NAME AND ADDRESS

V. FINANCIAL HISTORY

A. TO BE ANSWERED BY ***ALL APPLICANTS***

1. In the space below, please list your sources of financial support, starting with the year before your enrollment to the present.

AMOUNT	NAME OF SOURCE	ADDRESS	RELATIONSHIP

B. TO BE ANSWERED ONLY BY ***FRESHMAN***, ***TRANSFERS*** AND OTHER ***NEWLY- ENROLLED*** STUDENTS.

1. Did anyone, other than yourself, claim you as a tax dependent for Federal income taxes the year before your enrollment? (◯) YES (◯) NO

   If your answer to Question 1 is YES, please list by name, address and relationship in the space below the person(s) who claimed you as a tax dependent.

NAME	ADDRESS	RELATIONSHIP

NOTE: Please provide a copy of the tax form of the person(s) listed above or an explanation as to why you cannot do so:

_____

_____

C. TO BE ANSWERED BY ***ALL OTHER STUDENTS***, INCLUDING READMITTED STUDENTS.

1. This year will anyone, other than yourself, claim you as a tax dependent for Federal income taxes? (◯) YES (◯) NO
   If your answer to Question 1 is YES, please list by name, address and relationship in the space below the person(s) who will be claiming you as a tax dependent.

NAME	ADDRESS	RELATIONSHIP

2. At any other time during your enrollment has anyone, other than yourself, claimed you as a dependent for Federal income taxes? (◯) YES (◯) NO

If your answer to Question 2 is YES, please list by name, address, relationship and year the person(s) claimed you as a tax dependent.

NAME	ADDRESS	RELATIONSHIP	YEAR

NOTE: Please provide copies of the income tax form(s) of the person(s) listed above or provide an explanation as to why you cannot do so:

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_____

3. Have you ever received any form of financial aid (loan, scholarship, grant) from a state other than Pennsylvania either directly or through a bank, or from any U.S. territory, district, possession or reservation? ( ) YES ( ) NO

a. If your answer to the above question was YES, then please provide the dates, amounts, sources and forms of such financial aid.

SOURCE	AMOUNT	FORM	DATE

Please attach any of the following items that you may have:

- Current Pennsylvania driver's license
- Pennsylvania voter registration card
- Pennsylvania issued ID
- Payment of State and local taxes
- Agreement for employment
- Current pay stub
- Pennsylvania vehicle registration
- Current year's lease
- Transfer of bank accounts or other registered property to Pennsylvania
- Membership in organizations located in Pennsylvania

VI. STATEMENT:

Please provide a brief explanation as why you believe that you should be considered *domiciled* in Pennsylvania. Pursuant to 22 Pa. Code § 507.1, "domiciled" means "the place at which one intends to reside, either permanently or indefinitely, and does, in fact, so reside."

_____

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VI. VERIFICATION

Please sign in the space provided below **and** have this form notarized.

I certify that the foregoing responses and accompanying documents are true and correct. I am aware that my responses are being made to Commonwealth officials who may rely upon them to perform their official duty of determining my residential classification. I am further aware that provision of false or misleading answers is punishable by law as a criminal offense under 18 Pa.C.S. § 4904 of the Pennsylvania Crimes Code.

_____
Signature

SWORN AND SUBSCRIBED BEFORE ME,
THIS _____ DAY OF _____, 20___.

_____
Notary Public