

Interpretation of Residency Requirements

I. Definition of Terms

- A. STUDENT shall mean any person enrolled for studies in the Medical University of South Carolina.
- B. RESIDENCE or RESIDE shall mean continuous and permanent physical presence within South Carolina. (Temporary absences for short periods, e.g. vacations, shall not affect the establishment of residence.)
- C. DOMICILE shall mean a person's true, fixed, principal residence; it shall indicate the place where such person expects to remain and to which the person expects to return upon leaving without establishing a new domicile in another state. Housing provided by the university does not constitute a place of principal residence.
- D. IN-STATE RATES shall mean charges for tuition and fees established for persons who are domiciled in South Carolina according to the "STATEMENT governing South Carolina domicile." OUT-OF-STATE RATES shall mean charges for tuition and fees established for persons who are not domiciled in South Carolina according to the STATEMENT.
- E. INDEPENDENT PERSON shall mean a person in his/her majority (18 years or older) or an emancipated minor for whom 50% or more support is his/her own earnings or income from employment, investments, or payments from trusts, grants, scholarships, loans or payments of alimony or separate maintenance resulting from court order.
- F. DEPENDENT or DEPENDENT PERSON shall mean one for whom more than 50% financial support is from a parent, spouse, or guardian and who qualifies as a dependent on the federal tax return of the parent, spouse or guardian. DEPENDENT or DEPENDENT PERSON shall not mean a person who is the recipient of alimony or separate maintenance payments resulting from court order.
- G. MINOR shall mean a person who has not reached the age of eighteen years.
- H. EMANCIPATED MINOR shall mean a minor whose parents have entirely surrendered the right to care, custody and earnings of the minor and are no longer under any legal obligation to support or maintain the minor.
- I. PARENT shall mean a person's natural or adoptive mother or father; or if one parent has custody of the child, that parent having custody; or if there is a guardian or other legal custodian, that guardian or legal custodian. Guardianship or legal custodianship created primarily for the purpose of conferring South Carolina domicile for tuition and fee purposes on the dependent person shall not be given such effect.
- J. SPOUSE shall mean husband or wife of a married person.

II. Indicators of Legal Domicile

- A. Before applicants are eligible for in-state consideration they must reside in the state for at least twelve months after taking positive steps which reflect intent to establish a permanent home in South Carolina. Examples of evidence usually include the following:
 - 1. Financial independence from parents residing in another state or country during the 12 months immediately preceding the date of matriculation.
 - 2. Reliance on South Carolina resources for financial support.
 - 3. Designating South Carolina as the permanent address on all academic and employment records, including pertinent military records (if applicable).
 - 4. Possession of a South Carolina drivers license **(in possession for at least one year)**.
 - 5. Possession of a vehicle registration certificate **(in possession for at least one year)**.
 - 6. Verification that a South Carolina income tax return has been filed for the prior year.
 - 7. Evidence of housing occupancy in petitioner's name **(for at least one year)**. When filling as an independent, you must have a place to live (owning/renting from a third party, not a family member) for 12 months prior to the semester you are wanting in-state residency. You cannot live in university housing while establishing residency or at any point thereafter.
 - 8. South Carolina employment for at least 37.5 hours/week for at least one year or verification from employer that employment will continue for at least one year.
 - 9. Licensing for professional practice (if applicable) in South Carolina.
- B. The absence of these indicia in other states during the period for which domicile in South Carolina is asserted.

III. The source of income and employment including those times when the student is not enrolled should be in South Carolina.

IV. Credentials for residency of independent persons should be those of the applicant and not credentials of the parents.

V. Marriage to a South Carolina resident is only one indicator of in-state residency and does not automatically classify a person as possessing such.

VI. Non-Indicators of Legal Domicile

- A. Residence status may not be acquired by an applicant or a student while residing in South Carolina for the primary purpose of enrollment in an institution or for access to state-supported programs designed to serve South Carolina residents.
- B. Persons classified as exemptions (or dependents) for federal income tax purposes of guardians or legal guardians who are domiciliaries of another state are ineligible to pay in-state tuition and fees.
- C. Merely residing in the State for twelve months is not sufficient to qualify a person for in-state tuition and fees.

- D. Foreign students are presumed not to be domiciliaries. However, certain types of visas may qualify a person for in-state. Aliens should consult with the Office of Enrollment Management regarding their individual situation.

Note: When an applicant/student is granted residency, based on employment status, military status, or status as a full-time faculty member or dependent of a South Carolina university, he/she may be subject to an annual review of status.