

Petition for Classification as a South Carolina Resident

This form is to be completed by persons seeking classification as a South Carolina resident for admission and/or tuition and fee purposes. Determination of residency depends, in part, upon two principal criteria:

1. continuous presence in the State for the past 12 months, except for temporary periods of absence during which time residency in the State is maintained.
2. a preponderance of evidence initiated at least 12 months before residency is sought that demonstrates that South Carolina is the petitioner's true, fixed, and permanent home and place of habitation; and is the place where the petitioner intends to remain and to which the petitioner expects to return after a temporary absence during which time there has been no intent to establish domicile in another state.

To guarantee timely processing, the residency form must be completed, signed, appended with supporting documents as needed, and returned (emailed, postmarked, or delivered) as follows.

FOR ADMISSION: Applicants wishing to be considered as a resident of the State of South Carolina FOR ADMISSION PURPOSES must be found to possess in-state residency prior to the time a final admission decision is made by the University. Therefore, applicants seeking to have their eligibility for admission determined according to the academic standards used for South Carolina residents should submit ALL documentation postmarked or delivered within 14 calendar days from the date a request for petition is made.

FOR TUITION PURPOSES: Students who are seeking re-classification as in-state residents must submit ALL documentation postmarked or delivered by:

July 1 for Fall Semester

November 1 for the Spring Semester

March 1 for the Summer Semester

Documents received after that date can be guaranteed review only for a later semester. **To expedite processing, we encourage you to scan and email your forms and required documentation to oesadmis@musc.edu.** Alternatively, documents can be mailed to:

University Residency Officer
Office of Enrollment Management
Medical University of South Carolina
45 Courtenay Drive, MSC 203
Charleston, SC 29425-2030

Failure to include all required documents will jeopardize opportunity for a timely review. Petitioners will be notified once by email when documents are found to be missing. Forms or materials submitted after deadlines will be processed as soon as possible but without guarantee for the day of registration for the next semester.

There is no provision for retroactive tuition adjustments except in instances of error by the University. Appeals to the decision of the University Residency Officer must be addressed to University Counsel, 274 Calhoun Street, MSC 204, Charleston, SC 29425-2040. Appeals should include updated or corrected information as well as a copy of the Residency Officer's denial.

A complete copy of the South Carolina Code of Laws pertaining to the determination of residency status, including the regulatory guidelines promulgated by the State of South Carolina Commission on Higher Education, are available on the Web at http://academicdepartments.musc.edu/esl/em/records/forms/petition_sc_resident.html.

Petitioner's Name: _____
Last First M.I.

PVID, or CollegeNet ID: _____ Email: _____ Date of Birth: _____

Permanent Phone: (_____) _____ Present Daytime Phone: (_____) _____

Present Address: _____
Street / Box / Route City State Zip

Permanent Home Address: _____
Street / Box / Route City State Zip

Semester and year you are requesting in-state status to begin: _____

Please indicate the college to which you are applying or in which you are currently enrolled and your status:

- Dental Medicine Medicine Health Professions Status: Part-time Non-degree
 Graduate Studies Nursing Pharmacy Full-time

Citizenship (check only one)

- U.S. citizen
 Not U.S. citizen, but permanent resident of U.S. – **Date permanent resident status granted** _____
 Other: give visa type _____

If you are not a U.S. citizen, attach photocopy of official document verifying immigrant status.

PART 1. Filing Status (check only one)

I am requesting South Carolina resident status as an independent person whom:

- has maintained my primary and permanent domicile in South Carolina throughout my service.
➤ Submit most recently filed federal and state tax returns, along with a current LES reflecting SC as legal residence, previous year's tax return.
- is permanently assigned in South Carolina on active duty.
➤ Submit a copy of orders to South Carolina & most recent LES that shows SC as the member's state of legal residence. Orders must be effective on or before the first day of class for the term.

I am requesting South Carolina resident status as a dependent of _____ **whom:**

Name of parent(s)/guardian(s)/spouse

- has maintained his/her primary and permanent domicile in South Carolina throughout my service.
➤ Submit most recently filed federal and state tax returns, marriage certificate if petitioner is the spousal dependent unless person is named in active orders, previous year's tax return, along with a current LES reflecting SC as legal residence.
- is permanently assigned in South Carolina on active duty.
➤ Submit a copy of orders to South Carolina, most recent LES that shows SC as the member's state of legal residence, evidence of dependency from orders/marriage certificate or taxes. Orders must be effective on or before the first day of class for the term.

- A. Military installation to which you/your sponsor are/is stationed:
Date assignment will begin or began in South Carolina:
- B. Expected length of assignment in South Carolina:
- C. You/Your sponsor's state of legal residence:

Part 2. Certification

I hereby certify that the information I have provided is accurate and that I am making this application in good faith based on a belief that I am a legal resident of South Carolina. I understand that if facts provided are false or concealed, I may be charged for past tuition at non-resident rates; I may be subject to administrative, civil, and financial penalties; and I may be denied transcripts and graduation. Scanned or facsimile copies of signatures shall be considered valid and enforceable.

Signature

Date

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)**.
 - 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.
 - 10. The absence of these indicia in other states during the period for which domicile in South Carolina is asserted.
- B. The source of income and employment including those times when the student is not enrolled should be in South Carolina.
- C. Credentials for residency of independent persons should be those of the applicant and not credentials of the parents.
- D. Marriage to a South Carolina resident is only one indicator of in-state residency and does not automatically classify a person as possessing such.

III. 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.