



OACRAO RESIDENCY WORKSHOP

TUESDAY, JUNE 4, 2019

TRACY N. SOWARDS

COLUMBUS STATE COMMUNITY COLLEGE, RESIDENCY PROGRAM COORDINATOR

RESIDENCY 101

FOR BEGINNERS...

AND THOSE WHO COULD USE A REFRESHER



RESIDENCY 101

OAC 3333-1-10 Ohio student Residency for state subsidy and tuition surcharge purposes

(1) It is the intent of the chancellor of the Ohio department of higher education in promulgating this rule to exclude from treatment as residents, as that term is applied here, those persons who are present in the state of Ohio primarily for the purpose of receiving the benefit of a state-supported education.

(2) This rule is adopted pursuant to Chapter 119. of the Revised Code, and under the authority conferred upon the chancellor of the Ohio department of higher education by section [3333.31](#) of the Revised Code.

RESIDENCY 101

DEFINITIONS (REFER TO HANDOUT)

- Resident
 - Financial Support
 - Institution of Higher Education
 - Domicile
 - Dependent
 - Residency Officer
 - Community Service Position
 - Alien
 - Immigrant
 - Nonimmigrant
- 


RESIDENCY 101

GENERAL RULE: Students have lived in Ohio for the 12 months prior to enrolling at the college or university and do not get income from out of state sources.


EXCEPTIONS TO THE GENERAL RULE: THE E-1 GROUP

- Part-time student
- Active Duty Military
- Employer transferred
- Community Service
- Marital Hardship
- National Guard

ONCE A RESIDENT, ALWAYS A RESIDENT?

- It depends. See Section F
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RESIDENCY 101

- Initial status is based on application information
 - Non-resident status does not automatically update
 - Intent can change over time
 - Term “Resident” in this policy is not the same as “resident” employed elsewhere under state law.
 - Some residency classifications may be conditional and need to be revalidated.
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RESIDENCY CLASSIFICATIONS

C.1. – Dependent Student

Student is dependent on spouse, parent or legal guardian who has been a resident of Ohio for at least previous twelve months immediate preceding the term of enrollment:

- Spouse of an Ohio Resident
- Dependent with at least one parent who is an Ohio Resident
- Dependent of a legal guardian who is an Ohio Resident

Documentation:

- Proof of dependent status
- Proof of domicile for at least previous 12 consecutive months
- Proof of marriage (if based on spouse)

RESIDENCY CLASSIFICATIONS

C.2. – Independent Student

- Has been a resident of Ohio for at least twelve consecutive months immediately preceding their enrollment in an institution of higher education
- Is not receiving, or indirectly receiving, financial support from persons or entities who are not residents of Ohio for all other legal purposes.
- Has been self-sustaining for at least twelve consecutive months immediately preceding enrollment.

Documentation:

- Proof of financial independence from persons/entities who are not Ohio residents
- Proof of domicile for at least previous 12 consecutive months
- Evidence that person is living as a resident of Ohio (e.g., driver's license, voting registration, state benefits, OH taxes)

RESIDENCY CLASSIFICATIONS

C.3. – Dependent student following relocated parent, guardian or spouse.

- Parent, guardian, or spouse has, as of the first day of a term of enrollment, accepted full-time, self-sustaining employment and established domicile in the state of Ohio for reasons other than gaining the benefit of favorable tuition rates.
- Previous 12 month domicile requirement does not apply.
- Conditional – tuition is based on the parent/guardian/spouse employment.

Documentation:

- Full-time employment (sworn statement from the employer or employer's representative on letterhead certifying that the parent, legal guardian or spouse is employed full-time in Ohio.
- Copy of the lease or closing statement showing the parent, legal guardian, or spouse is the lessee or owner AND occupant of that OH property. If the parent, legal guardian or spouse is not the lessee or owner, a letter from the owner certifying that the parent, legal guardian or spouse resides at that residence.

RESIDENCY CLASSIFICATIONS

C.8. – “Forever Buckeye”

- Graduated from an OH high school as an OH resident, or
- Completed the final year of instruction at home (under ORC 3321.04) as an OH resident
- Applies immediately upon appropriate documentation.

Documentation:


- Proof of HS graduation or home schooling in OH as a resident of OH, and
- Proof of domicile in OH

ADDITIONAL CRITERIA

Additional criteria which may be considered in determining residency:

- Subject to OH tax liability
- Qualifies to vote in OH
- Eligible to receive OH public assistance
- Has an OH driver's license or OH state id card
- Car registered in OH

Criteria which may show lack of residency:

- Filed taxes as a resident of another state or country
 - Claimed as a dependent by resident of another state or country
 - Is registered to vote in another state
 - Receives public assistance as a resident of another state
 - Has student loan benefits tied to residency in another state or country
 - Permanent address is another state or country
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EXCEPTIONS TO THE GENERAL RESIDENCY RULE

E.2. – Person who entered military duty and remains in active duty status while a resident of Ohio and his/her dependents

- Ohio must remain home of record

Documentation:

- Current Leave & Earning Statement (LES) showing Ohio as home of record
- Proof of dependency or marriage (if spouse)

E.3. – Person on active military duty status stationed and residing in Ohio and his/her dependents

- While OH is state of domicile

Documentation:

- Active duty orders
- Proof of Ohio domicile
- Proof of marriage (if spouse) or dependency

EXCEPTIONS TO THE GENERAL RESIDENCY RULE

E.4. – Employer transfer beyond territorial limits of US and District of Columbia

- OH must remain employee's state of domicile
- Fulfill tax liability to OH for at least the year preceding enrollment
- Applies to student and spouse/dependents

Documentation:

- Statement on employer's letterhead indicating employee was an OH resident at time of transfer
- Copy of OH tax return for previous year (if dependent, must be claimed as such)
- If spouse, copy of marriage certificate

EXCEPTIONS TO THE GENERAL RESIDENCY RULE

E.5. – Migrant Workers

- Has been employed as a migrant worker in OH and his/her dependents
- Has worked in OH at least four months during each of the three years preceding the proposed enrollment.

Documentation:

- Proof of OH work for at least four months each of past three years.
- Dependents must document dependency.
- Marriage certificate (if spouse).

EXCEPTIONS TO THE GENERAL RESIDENCY RULE


E.6. – Community Service*

- Was OH resident at time service started.
- Retains OH as home of record during service term.
- Residency re-established for student and spouse/dependents upon completion of service

Documentation:

- Sworn statement from community service group verifying OH as home of record.
- Dependents must document dependency.
- Marriage certificate (if spouse).
- Documentation of re-establishment of residency in OH.

*Volunteering or working for: VISTA, AmeriCorps, City Year, Peace Corps, Teach for America, or any similar program as determined by the chancellor of the Ohio Department of Education; or an elected or appointed public official (not to exceed 24 consecutive months).



EXCEPTIONS TO THE GENERAL RESIDENCY RULE

E.7. – Marital Hardship

- Returning to OH due to marital hardship
- Takes or has taken legal steps to end marriage
- Reestablishes financial dependence upon a parent or legal guardian (greater than 50% of support)
- Applies to returning person and his/her dependents

Documentation:

- Proof of OH domicile of the parent/guardian
- Proof that returning person/dependents are residing in OH
- Documentation of re-establishment of residency in OH.
- Dependents must document dependency.
- Documentation of legal steps to end marriage.

EXCEPTIONS TO THE GENERAL RESIDENCY RULE

E.8. – Ohio National Guard

- Member of OH National Guard and their spouse/dependents.
- Resident while in OH National Guard service.
- If not living in OH, status is provisional based on continued service.

Documentation:

- Enlistment papers (DD Form 4/1) or letter from base personnel officer verifying current service.
- Documentation of dependency or marriage.

TO BE OR NOT TO BE - A RESIDENT

(F) Procedures

What if my parents/guardian move out of Ohio?

F1: A dependent under C1 who is enrolled when parents/guardian move from OH is still a resident during **continuous full-time enrollment** *and* **until completion of any one academic degree program**

We've moved, am I still a resident?

F2: If resident status is based on C1 or C2, you can leave and return within twelve months without relinquishing resident status.

F3: If you qualified for residency based on C3, status is lost immediately if the employed person accepts employment and relocates outside OH less than twelve months after initially moving to OH.

TO BE OR NOT TO BE - A RESIDENT

I've lived in Ohio a year. Why am I still being charged as a non-resident?

F4: Reclassification as an Ohio resident for tuition purposes is **NOT** automatic. **You must apply for reclassification and demonstrate eligibility under one of the C or E classifications.**

When can I apply for reclassification?

F5: Residency status is determined for the term; deadlines for submitting petitions and documentation are set by your college/university.

Residency reclassification is not retroactive to prior terms.

RESIDENCY PANEL DISCUSSION

2019 OACRAO RESIDENCY WORKSHOP WELCOME!



TRACY N. SOWARDS
PROGRAM COORDINATOR - RESIDENCY
COLUMBUS STATE COMMUNITY COLLEGE

MICHELLE CHAVANNE
GENERAL COUNSEL



Ann M Latham, MA
Associate Registrar
University of Cincinnati

Dawn E. Evans
Program Manager- Residency
University of Cincinnati

LISA N. DELANEY
ASSISTANT REGISTRAR



RESIDENCY



HOT

TOPICS

- MILITARY AND VETERAN STUDENTS

MILITARY AND VETERAN STUDENTS AND DEPENDENTS

Columbus State Community College has a new online [application](#) with specific questions to identify Military and Veteran students and their dependents. It is a more concise application and process than the standard Residency Reclassification Application.

MILITARY AND VETERAN STUDENTS AND DEPENDENTS RESIDENCY CLASSIFICATIONS

C.4. – A veteran, veteran's spouse and any dependent of the veteran, who meets both of the following conditions:

- The veteran either (i) served one or more years on active military duty and was honorably discharged or received a medical discharge that was related to the military service or (ii) was killed while serving on active military duty or has been declared to be missing in action or a prisoner of war.
- The veteran has established domicile in this state as of the first day of term of enrollment in an institution of higher education. If the spouse or a dependent seeks residency, the veteran **and** the spouse or dependent seeking residency status have established domicile in this state as of the first day of a term of enrollment. If (a.ii) above applies, only the spouse or dependent seeking residency status must have established domicile in OH.

Documentation:

- Proof of Ohio Domicile
- Military DD-214 showing one or more years of active duty and honorable discharge or service-related medical discharge
- If spouse, copy of marriage certificate
- If dependent child, copy of parent's tax return for prior year.

MILITARY AND VETERAN STUDENTS AND DEPENDENTS RESIDENCY CLASSIFICATIONS

C.5. – A veteran who is the recipient of federal veterans' benefits under the "All-Volunteer Force Educational Assistance Program," 38 U.S.C. 3001 et seq., or "Post-9/11 Veterans Educational Assistance Program," 38 U.S.C. 3301 et seq., or any successor program, if all following criteria met:

- The veteran served at least ninety days on active duty
- Enrolled in a state institution of higher education
- Lives in OH as of the first day of a term of enrollment

Documentation:

- Proof of Ohio Domicile
- Proof of required service
- Certificate of Eligibility
- If spouse, copy of marriage certificate
- If dependent child, copy of parent's tax return for prior year.

MILITARY AND VETERAN STUDENTS AND DEPENDENTS RESIDENCY CLASSIFICATIONS

C.6. - A recipient of the federal “Marine Gunnery Sergeant John David Fry” scholarship or transferred federal veterans’ benefits, if all following criteria met:

- The veteran served at least ninety days on active duty
- Enrolled in a state institution of higher education
- Lives in OH as of the first day of a term of enrollment

Documentation:

- Proof of Ohio Domicile
- Proof of required service
- Certificate of Eligibility
- If spouse, copy of marriage certificate
- If dependent child, copy of parent’s tax return for prior year.

MILITARY AND VETERAN STUDENTS AND DEPENDENTS RESIDENCY CLASSIFICATIONS

C.7. - A person who is using federal veterans' educational assistance under the "Vocational Rehabilitation and Employment", 38 U.S.C. 3101 et seq, if all following criteria met:

- The person enrolls in a state institution of higher education.
- The person lives in the state as of the first day of a term of enrollment in the state institution of higher education.

Documentation:

- Proof of Ohio Domicile
- Certificate of Eligibility



Questions?



ODHE UPDATES

MICHELLE CHAVANNE, mchavanne@highered.ohio.gov

OHIO DEPARTMENT OF HIGHER EDUCATION, GENERAL COUNSEL

- Revised rules and other updates.
- How to refer a student to me.
- How to contact me with questions regarding Residency.

RESIDENCY LISTSERV, oaacroresidency@lists.service.ohio-state.edu

CONTACT INFORMATION

TRACY N. SOWARDS, tsowards@csc.edu

ANN M. LATHAM, lathamah@ucmail.uc.edu

DAWN EVANS, evans2dn@ucmail.uc.edu

Lisa Delaney, delaney.177@osu.edu

MICHELLE CHAVANNE, mchavanne@highered.ohio.gov