Policy Name: State Residency

Policy
State Residency Requirements

Definitions
Domicile: A person's true, fixed and permanent living place. Domicile is the place to which a person intends to return after temporary absences. A person may have only one domicile at a time.

Determination of In-State Tuition
Statute: Students shall be eligible to pay in-state tuition if they meet the criteria of M.S. 135A.031, subd. 2. (You can conduct a search from this site by choosing "Retrieve a section" and typing in the statute number 135a.031).

Demonstrating domicile: Students may establish eligibility for in-state tuition by demonstrating domicile in Minnesota before the beginning of any semester or quarter. Students have the burden of proving domicile for purposes of in-state tuition.

1. Students who seek to qualify for in-state tuition must first meet the following threshold requirements:
   a. Students must have resided in Minnesota for at least one calendar year immediately prior to applying for in-state tuition.
   b. Residence in Minnesota must not be merely for the purpose of attending a college or university.

2. Each of the following additional facts and circumstances will be considered when responding to a petition for in-state tuition. No one of these factors is either necessary or sufficient to support a claim for in-state tuition.
   a. Continuous presence in Minnesota during period when not enrolled as a student.
   b. Sources for financial support are generated within Minnesota.
   c. Domicile in Minnesota of family, guardian or other relatives or persons legally responsible for student.
   d. Ownership of a home in Minnesota.
   e. Permanent residence in Minnesota.

3. The following circumstances, standing alone, shall not constitute sufficient evidence of domicile to affect eligibility for in-state tuition under these regulations but may be considered as part of the demonstration of the facts and circumstances listed above.
   a. Voting or registration for voting.
   b. The lease of living quarters.
c. A statement of intention to acquire a domicile in Minnesota.
d. Domicile of student's spouse in Minnesota.
e. Automobile registration.
f. Other public records, e.g., birth and marriage records.

Exceptions
Individuals in the following categories shall qualify for in-state tuition rates;

1. Students who qualify under a Board-approved agreement between a governmental subdivision and a college or university.

2. Students who are recognized as refugees by the Office of Refugee Resettlement of the U.S. Department of Health and Human Services.


Purpose
Compliance with MnSCU statutes 2.2 to establish in-state tuition for students.

Responsibility
Dean of Student Services  Ensures compliance with policy. Assist personnel with questions about policy.

Enrollment/admissions personnel  Process applications according to policy.

References
MnSCU board policy 2.2, M.S. 135A.031, subd. 2

Steward: Chief Student Services Officer
Approval Date: May 1, 2005
Implementation Date: May 1, 2005
Revised Policy Format Only: July 31, 2012