

RESIDENCY DETERMINATION FOR ADMISSIONS AND RECLASSIFICATION

PURPOSE

It is the intent of the Ohio Board of Regents 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. This rule is adopted pursuant to Chapter 119 of the Revised Code, and under the authority conferred upon the Ohio Board of Regents by section 3333.31 of the Revised Code.

POLICY STATEMENT

Residency determination for admission and reclassification will be made by the Office of Registration and Records. Submission of residency application and the requested documents does not guarantee a change in residency status, because criteria must be met as specified in OAC 3333-1-10.

Students are classified as residents under one of the following three sections: C-1, C-2, or C-3 of the Ohio Board of Regents Guidelines. The type of classification for which a student applies and qualifies is based upon their financial status (i.e., financially dependent or independent). Students who do not qualify under any of these categories are encouraged to check Exceptions.

The following persons shall be classified as residents of the state of Ohio for subsidy and tuition surcharge purposes, according to section (C) of the Ohio Board of Regents Guidelines:

C (1) If you are financially dependent upon a resident of Ohio

A student whose spouse, or a dependent student, at least one of whose parents or legal guardian, has been a resident of the state of Ohio for all other legal purposes for twelve consecutive months or more immediately preceding the enrollment of such student in an institution of higher education.

Minimum Documentation required:

1. Submit a sworn affidavit from the Ohio spouse, parent/legal guardian, which includes the following information:
 - a. Student's name and last four digits of social security number or Student ID number
 - b. Dates spouse, parent/legal guardian has lived in Ohio.
 - c. Number of year's spouse or parent has paid taxes in Ohio.
 - d. Whether or not at least one parent or spouse has claimed the student as a dependent for tax purposes in the previous year.
2. Submit a copy of spouse or parent/legal guardian's federal tax return showing the student was claimed as a dependent in the most recent tax year.
3. Copy of marriage certificate, if dependent on spouse

C (2) If you are financially independent

A person who has been a resident of Ohio for all other purposes for at least 12 consecutive months immediately preceding his or her enrollment in an institution of higher education and who is not receiving, and has not

directly or indirectly received in the preceding 12 consecutive months, financial support from persons or entities who are not residents of Ohio for all other legal purposes.

A. The student is expected to live in Ohio for a full, 12-consecutive months immediately preceding the quarter for which he/she is applying for residency. The expectation is that the student should not be absent from the state any longer than December break, spring break, and 3 weeks during the summer.

B. The student should demonstrate his/her intent to become an Ohio resident by transferring any applicable items of registration to Ohio such as driver's license, automobile registration, and voter registration.

C. The student must demonstrate that during the 12-month period while establishing residency, he or she has had sufficient Ohio-based income to meet all expenses without the need of money from outside the State of Ohio. Documentation of income sources used during the 12-month period is required.

Minimum Documentation required:

To be reviewed for regular residency as an independent student, the student must:

1. Complete the *Residency Reclassification Petition* form
2. submit documentation of his or her income sources
3. submit documentation of intent to establish domicile such as: Ohio Drivers license, Vehicle Registration, copy of lease or rental agreement, copy of Ohio Tax return.

C (3) If you are financially dependent upon a spouse or parent

A dependent student of a parent or legal guardian, or the spouse of a person who, as of the first day of a term of enrollment, has 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.

Minimum Documentation required:

- 1) A statement on company letterhead or a sworn statement from the employer or the employee's representative that includes:
 - a) The name of the employed person
 - b) Student's name and last four digits of social security number
 - c) Date the employment began
 - d) Semester for which the student is applying for residency
 - e) Full-time status/yearly wage salary
- B. A copy of the lease under which the parent, legal guardian or spouse is the lessee and occupant of residential property in the state; a copy of the closing statement on residential real property located in Ohio of which the parent, legal guardian or spouse is the owner and occupant; or if the parent, legal guardian or spouse is not the lessee or owner of the residence in which he or she is established domicile, a notarized letter from the owner of the residence certifying that the parent, legal guardian or spouse resides at that residence.
- C. In addition to the above, a letter from the parent verifying the dependent status of the student (See C (1)) or a copy of Marriage certificate.

Note: Students must apply each semester for C(3) residency by submitting an employment letter before the appropriate deadline until they have lived in Ohio for 12-consecutive months. When employment is not maintained by the person for which C(3) residency was established, the student will remain classified as a non-resident and will have to apply for reclassification after living in Ohio for 12-consecutive months.

C (4) A veteran and the veteran's spouse and any dependent of a veteran

A veteran and the veteran's spouse and any dependent of a veteran, who meets the following conditions:

- A. Resides in Ohio as of the first day of the term in which residency status is requested
- B. Veteran either served one or more years on active duty and was honorably discharged or received a medical discharge due to military related service; or the spouse or dependent of a veteran who was killed while serving on active military duty or a veteran who has been declared missing in action or a prisoner of war.

The following documents are required:

- 1) Proof that the veteran (and student) resides in Ohio, which can include any combination of the following:
 - a) A copy of a rental agreement/lease for an apartment or home
 - b) A copy of the closing statement verifying the purchase of a home
 - c) Sworn affidavit from the lease holder or owner of the home in which the veteran resides
 - d) A copy of the veteran's DD Form 214
 - e) An eligible spouse must also provide proof of marriage.
 - f) An eligible dependent child must also provide a copy of the parent's most recent federal income tax form showing dependency.
 - g) Or copy of the DD Form 1300 for a veteran who was killed while serving on active military duty or has been declared missing in action or a prisoner of war.

The following persons shall be classified as residents of the state of Ohio for subsidy and tuition surcharge purposes, according to section (E) of the Ohio Board of Regents Guidelines:

E (1) Based upon employment for part-time students

A person who is living and gainfully employed on a full-time or part-time and self-sustaining basis in Ohio and who is pursuing a part-time program of instruction at an institution of higher education shall be considered a resident of Ohio for these purposes.

IMPORTANT - PLEASE NOTE:

Students must apply every semester for E-1 classification.

Students who have received E-1 classification DO NOT automatically convert to regular resident status after living in Ohio for 12 months. Students must complete a new "Petition for Ohio Residency" after his/her 12 month review period.

Minimum Documentation required:

- 1) Submit a letter from the student's employer on official company letterhead or notarized that indicates
 - a) Student's name and last four digits of social security number
 - b) Semester for which the student is applying for Conditional Residency
 - c) Date the employment began
 - d) Number of hours student is working per week.
 - e) Rate of pay per hour.
- 2) Three of the student's most recent pay stubs. If the student's employment income includes wages such as tips, the tips must appear on the paystubs as taxable income.

E (2) For active duty military personnel

A person who enters and currently remains upon active duty status in the United States military service while a resident of Ohio for all other legal purposes and his or her dependents shall be considered residents of Ohio for these purposes as long as Ohio remains the state of such person's domicile.

Minimum Documentation required: Submit either (1) or (2) and then (3) if a dependent

- 1) Ohio Home of Record – enlistment papers, DD214 (discharge papers), State of Legal Residency Form dated at least 12-months prior to intended enrollment, or a letter from the base personnel officer verifying Ohio Home of Record.
- 2) W-2 and/or most recent Leave and Earnings Statement (LES).
- 3) (Dependents Only) In addition to the above, a letter from the spouse or parent/legal guardian verifying the dependent status of the student (See C(1)) or a copy of marriage certificate that includes:
 - a) Student's name and last four digits of social security number
 - b) Dates parent or spouse has lived in Ohio
 - c) Number of years parent or spouse has paid taxes in Ohio
 - d) Whether or not at least one parent or spouse has claimed the student as a dependent for tax purposes in the previous year.
- 4) Copy of marriage certificate (for spouse only)

E (3) For active duty military personnel stationed in Ohio

A person on active duty status in the United States military service who is stationed and resides in Ohio (and his or her dependents) shall be considered residents of Ohio for these purposes.

Minimum Documentation required:

- 1) A copy of student/parent/legal guardian's current active duty permanent change of station military orders verifying military transfer.
- 2) (Dependents Only) In addition to the above, a letter from the parent verifying the dependent status of the student (See C(1)) that includes:
 - a) Student's name and last four digits of social security number
 - b) Dates parent or spouse has lived in Ohio
 - c) Number of years parent or spouse has paid taxes in Ohio
 - d) Whether or not at least one parent or spouse has claimed the student as a dependent for tax purposes in the previous year.
- 3) Copy of marriage certificate. (for spouse only)

E (4) For Ohio residents transferred outside the United States by their employer

A person who is transferred by his or her employer beyond the territorial limits of the fifty states of the United States and the District of Columbia while a resident of Ohio for all other legal purposes and his or her dependents shall be considered residents of Ohio for these purposes as long as Ohio remains the state of such person's domicile as long as such person has fulfilled his or her tax liability to the state of Ohio for at least the tax year preceding enrollment.

Minimum Documentation required:

- 1) Statement on employer's letterhead indicating the employee was an Ohio resident at the time of being transferred.
- 2) Copy of the employee's Ohio tax return for the previous tax year.
- 3) (Dependents Only) In addition to the above, a letter from the parent verifying the dependent status of the student (See C(1)) that includes:
 - a) Student's name and last for digits of social security number
 - b) Dates parent or spouse has lived in Ohio
 - c) Number of years parent or spouse has paid taxes in Ohio
 - d) Whether or not at least one parent or spouse has claimed the student as a dependent for tax purposes in the previous year.
- 4) Copy of marriage certificate. (for spouse only)

E (5) For migrant workers

A person who has been employed as a migrant worker in the State of Ohio and his or her dependents shall be considered a resident for these purposes provided such person has worked in Ohio at least four months during each of the three previous years.

Minimum Documentation required:

- 1) Statement from Ohio bureau of Employment services along with statement from employer(s) verifying the parent/student has been working in Ohio at least four months during each of the three previous years.
- 2) (Dependents Only) In addition to the above, a letter from the parent verifying the dependent status of the student (See C(1)) that includes:
 - a) Student's name and last for digits of social security number
 - b) Dates parent or spouse has lived in Ohio
 - c) Number of years parent or spouse has paid taxes in Ohio
 - d) Whether or not at least one parent or spouse has claimed the student as a dependent for tax purposes in the previous year.
- 3) Copy of marriage certificate. (for spouse only)

E (6) For Community Service

A person who was considered a resident under this rule at the time the person started a community service position as defined under this rule, and his or her spouse and dependents, shall be considered residents of Ohio while in service and upon completion of service in the community service position.

Minimum Documentation required:

- 1) A sworn statement from the community service group or a signed statement on letterhead verifying Ohio home of record for the individual.
- 2) (Dependents Only) In addition to the above, a letter from the parent verifying the dependent status of the student (See C(1)) that includes:
 - a) Student's name and last four digits of social security number
 - b) Dates parent or spouse has lived in Ohio
 - c) Number of years parent or spouse has paid taxes in Ohio
 - d) Whether or not at least one parent or spouse has claimed the student as a dependent for tax purposes in the previous year.
- 3) Copy of marriage certificate (for spouse only).

E (7) For Marital Hardship

A person who returns to the state of Ohio to marital hardship, takes or has taken legal steps to end a marriage, and reestablishes financial dependence upon a parent or legal guardian (receives greater than 50% of his or her support from the parent or legal guardian), and his or her dependents shall be considered residents of Ohio.

Minimum Documentation required:

- 1) Copy of court papers verifying the couple has taken legal steps to end the marriage.
- 2) Proof of Ohio domicile:
 - a) Signed copy of rental agreement of lease.
 - b) Copy of closing statement on a home.
 - c) If living with someone, a sworn statement from the owner of the residence certifying that you reside at that residence and the date you began living there.
- 3) A sworn affidavit from the parents stating the following:
 - a) The student's name and last four digits of social security number.
 - b) Whether or not they are providing more than 50% of the financial support for the student.
 - c) Length of time they have lived in Ohio and paid taxes.
 - d) Whether they are U.S. citizens, permanent resident alien, or what their status is in the U.S.

E (8) For National Guard

A person who is a member of the Ohio National Guard and who is domiciled in Ohio, and his or her spouse and dependents, shall be considered residents of Ohio while the person is in the Ohio National Guard.

Minimum Documentation required:

- 1) Copy of enlistment papers or letter from the base personnel officer verifying service in the
- 2) (Dependents Only) In addition to the above, a letter from the parent verifying the dependent status of the student (See C(1)) that includes:
 - a) Student's name and last four digits of social security number
 - b) Dates parent or spouse has lived in Ohio
 - c) Number of years parent or spouse has paid taxes in Ohio
 - d) Whether or not at least one parent or spouse has claimed the student as a dependent for tax purposes in the previous year.
- 3) Copy of marriage certificate. (for spouse only)

Senate Bill 53

In-state tuition rates and subsidies can be granted to residents of contiguous states who are employed in Ohio and whose employers contract to pay their tuition fees.

Minimum Documentation required:

- 1) Third party billing must be established between Edison State Community College and the Ohio based employer.
 - a) A sworn statement from the employer or the employer's representative on company letterhead certifying that the student is employed full-time in Ohio.

Forms: Residency Reclassification Petition found under "Forms" at www.edisonohio.edu/registration-and-records/

PERSONS AFFECTED

All Edison State Community College students.