

FREQUENTLY ASKED QUESTIONS AND ANSWERS ABOUT RESIDENCY

Q: I've been classified as out of state for tuition purposes, but I live here. Why?

A: There is a residency section on the Admission application. Your initial tuition status was determined by information you did or did not provide in this section. It could be as simple as the fact that you omitted information needed to accurately determine your tuition status. Consequently, you were classified as out of state until you provide the College with the required information. Please note that you must completely abandon your out-of-state residence in order to qualify for in-state rates, meaning your domiciliary actions (driver's license, car registration, car insurance, etc.), must be maintained in North Carolina.

If you are still deemed out of state and wish to have your status changed, you must complete a Residency Application, which can be downloaded from the Admissions website or obtained from the Admissions office of either campus.

Q: What are the requirements to receive the in-state tuition rates?

A: To qualify for in-state tuition rates, you must demonstrate capacity, presence, intent, and duration as follows:

- 1) Capacity: the ability to make NC a permanent home legally and financially (to remain in NC permanently through your own financial resources)
- 2) Presence: be physically present in NC; the College can't make an accurate determination until you are physically residing in the state.
- 3) Intent: perform various actions (listed below) as evidence of making NC a permanent home (domicile) rather than a mere residence or temporary abode while attending school.
- 4) Duration: maintain a domicile for at least 12 full months prior to the start of the semester for which you claim the in-state rates.

Q: What's the difference between a residence and a domicile?

A: A residence is a place of abode for an undetermined or temporary duration. A domicile is a true, permanent home of indefinite duration where you intend and are able to remain permanently. You can have multiple residences but only one domicile at a time. Furthermore, you can have a residence but not a domicile. You are not guaranteed under the law to always have a state in which you qualify as a resident for tuition purposes.

Q: I have lived and worked in North Carolina for more than a year. Doesn't that qualify me for in-state rates?

A: No. Living and working in NC does not in itself qualify a person for in-state rates. You must prove that you have established and maintained a "domicile" in NC for at least 12 months prior to enrolling at CFCC. Basically, you must convince the College that you intend to remain in NC indefinitely.

Q: How can I show that I intend to live in North Carolina permanently?

A: Evidence of a North Carolina domicile for tuition purposes includes actions that would normally be characteristic and expected of any permanent resident. A variety of evidence is considered when evaluating requests for in-state tuition status; however, no single factor or combination of factors may be considered conclusive evidence of domicile. You may be a legal resident of North Carolina for certain purposes, such as voting, but might not meet all of the requirements under North Carolina law to be a resident for tuition purposes. It is your responsibility to convince the College with verifiable documentation that you have established a domicile rather than a mere residence. Please note that you must completely abandon your out-of-state residence in order to qualify for in-state rates, meaning your domiciliary actions (driver's license, car registration, car insurance, etc.), must be maintained in North Carolina.

Required documentation includes, but not limited to:

- NC state tax return for the most recent year (if you're a dependent on someone else's taxes, that person must have maintained a NC domicile for at least 12 months)
- Financial aid classification—dependent vs. independent (if you claim dependent, the person with whom you are a dependent must have maintained a NC domicile for at least 12 months)

- Driver's license (state law requires residents who drive to obtain a NC driver's license within 60 days of moving into the state)
- State identification card (for those who do not or cannot drive)
- Vehicle registration
- Vehicle insurance
- Property ownership (primary residence, not rental or income property)
- Property taxes (car/home)
- Voter registration
- Jury duty

**It is important to note that even those who meet each of the elements above still may not qualify for in-state tuition.*

Q: How many documents must I provide to show my intent to make NC my domicile?

A: State law mandates that only those who can show 12-months of uninterrupted domicile in North Carolina are eligible for in-state tuition. The 12-month qualifying period begins at the time that a "cluster" of the domiciliary acts is established and confirmed by valid evidence. It is recommended that you bring **all** verifiable documentation listed above to the College with a completed Residency Application to demonstrate that you have met the 12-month duration requirement.

Q: What if I marry a NC resident. Do I automatically qualify for in-state rates?

A: Not necessarily. A married student must establish a domicile by performing various actions within the state. You are not required to meet the 12-month duration requirement as long as your spouse has satisfied this requirement.

Q: What if I'm in the military? Do I qualify for the in-state rates?

A: Military personnel stationed in NC on active duty may be eligible for in-state tuition. Spouses, dependent children and dependent relatives may also be eligible for in-state tuition. Active duty members of the armed services include those serving in the US Air Force, Army, Coast Guard, Marine Corps, and Navy, the NC National Guard, and any Reserve Units of these military units. Military reservists (other than those of the NC National Guard) must be on active duty to qualify for the in-state tuition benefit. Submit a Military Tuition Waiver form to the Director of Admissions. The form can be downloaded from the Admissions webpage or obtained in the Admissions Office of either campus. Military waivers must be submitted prior to the first day of classes and are valid for one year. If you have been discharged from the military and were currently enrolled in a post-secondary institution and granted the in-state rates, you may continue this benefit if you establish legal domicile with 30 days of the date of discharge. Otherwise, you are subject to the same considerations as any other resident in determining residence status for tuition purposes and must provide evidence of intent and duration to make NC your legal domicile.

Q: Are there any provisions for working students in NC?

A: Yes. North Carolina law provides a special benefit to employers choosing to pay the full cost of the employee's tuition (company sponsorship). Even when the employee does not meet the requirements for in-state tuition, the employer pays the tuition at the in-state rate. The law requires the employee to work at the employer's North Carolina business location. Branches of the armed services are not permitted to benefit from this provision of law. Students wishing to receive the company sponsorship benefit must submit the Company Sponsorship form to the Director of Admissions prior to the first day of the semester. Company sponsorships are valid for one semester only but may be renewed each subsequent semester.

Q: What if I was transferred to NC by my employer? Can I receive the in-state rates?

A: Possibly. If your transfer was mandatory, you and your family may be charged the in-state tuition rate without meeting the 12-month qualifying period. The transferred student must provide evidence of the transfer within 12 months prior to enrollment; written certification by the employer on company letterhead that the student or family member was given a mandatory transfer to NC for employment purposes; the student complied with the Selective Service System, if applicable; and the family member has a familial relationship with the transferred individual, lives in the same residence as the transferred individual, and is financially dependent on the transferred individual (as evidenced by federal tax returns). Contact the Director of Enrollment Management for this provision as there are state limitations to awarding this benefit.

Q: I am not a US citizen. Can I still qualify for the in-state tuition rates?

A: Possibly. If you are not a U.S. citizen but hold eligible immigration status documentation, you may have the capacity to establish legal residence for tuition purposes. This requires a visa and immigration status that grants the legal ability to establish and maintain a bona fide domicile in this country rather than a temporary abode or residence such as a valid A-1, A-2, E-1, E-2, E-3, G-1, G-2, G-3, G-4, H-1B, H-1C, H-4, I, K-1, K-2, K-3, K-4, L-1A, L-1B, L-2, N, O-1, O-3, P-1, P-2, P-3, P-4, R-1, R-2, T-1, T-2, T-3, T-4, T-5, U-1, U-2, U-3, U-4, U-5, V-1, V-2, V-3, NATO-1, NATO-2, NATO-3, NATO-4, NATO-5, or NATO-6 visa status (eligibility for in-state tuition under these visa statuses lasts only so long as the time frame of the authorized stay under the applicable visa status). Such people are subject to the same considerations as U.S. citizens in determining residence status for tuition purposes and must provide evidence of intent to domicile. A Deferred Action for Childhood Arrival (DACA) student does not have the capacity to establish NC as a domicile and therefore does not qualify for the in-state rates. Furthermore, an Employment Authorization Document (EAD or EAC) is a document that provides non-U.S. citizens with the authorization to work in this country. An EAD or EAC, in and of itself, does not confer any immigrant or non-immigrant status and does not give the EAD or EAC holder the legal capacity to establish residency for tuition purposes in this state.

Q: When should I submit my Residency application and supporting documentation?

A: You should submit the application and supporting documentation to the Director of Admissions when you feel you meet the domiciliary requirements. Applications should not be submitted more than 90 days before the start of the semester for which you are claiming the in-state rates and no later than the first ten business days of the semester for which the in-state rates are requested.

Q: What if I disagree with my tuition status after I submit the application?

A: Once you submit your Residency Application and required supporting documentation, you will receive a letter in the mail of the determination of your status. If you wish to appeal that classification, you must contact the Director of Admissions in writing within ten days of the date of the denial letter to request an appeal to the State Residency Appeals Committee. All documentation will then be forwarded to the State Residency Appeals Committee. You are not permitted to be present for the State appeals process, and the decision of the State is final.

Still have questions? Contact

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