Basic Checklist

Have you demonstrated **all** of the following?

- Capacity (legal ability to make NC your permanent home)
- Presence (currently residing in NC)
- Intent (performed various actions to make NC your permanent home for indefinite period of time)
- Duration (maintained legal residence for at least 12 months *prior* to the submitting an application for residency classification)

For a copy of the North Carolina statute (G.S. 116-143.1) governing the eligibility for residency, contact the Director of Enrollment Management or the website at


Steps in the Application Process

1) Review the requirements for establishing residence for tuition purposes.

2) Respond to **all** parts of the application. Mark NA for questions that are not applicable.

3) Be completely accurate.

4) Do not leave any question blank.

5) Attach any documentation to your application which you feel will support your claim to NC residence for tuition purposes. Refer to question 20 for required documentation.

6) Remember to sign and date your application.

7) Submit only **one** application per term. Applications MUST be submitted within the first 10 business days of the semester in which you request the in-state status.

8) Return your completed application and supporting documents to the Admissions Office of either campus.
OVERVIEW

Under North Carolina law, a person may qualify as a resident for tuition purposes in North Carolina and thereby eligible for a tuition rate lower than that for nonresidents. This benefit is reserved for those individuals who are actual legal residents of North Carolina; that is, those who have and will continue to contribute to the state. Consequently, the fact that a person has lived and/or worked in the state for 12 months does NOT in itself constitute in-state residency.

The North Carolina General Assembly, by and through its enactment, has indicated that it wants the lower tuition to be available only to NC legal residents. There is no automatic right to be classified as an in-state student, and it is the student’s burden to show the College that he/she is a legal resident for tuition purposes. The following parameters are the basics for determining residency classification:

• **Capacity and Presence**—the student must have the ability to make NC his/her permanent home and must be physically present in the state of NC.
• **Intent**—the student must perform various actions as evidence of making NC his/her permanent home (a place to which he/she intends to always return).
• **Duration**—the student must become a legal resident and remain a legal resident for at least twelve months immediately prior to classification thereby maintaining a domicile (permanent home of indefinite duration).

CLASSIFICATION

The starting point: establishing domicile

A student’s domicile is his/her permanent dwelling place of indefinite duration and is established by:

• Birth or operation of law—a minor (under age 18) is presumed to have the domicile of his/her parents.
• Choice—a person may establish domicile of his/her choice.

Actions and activities: establishing intent

The requisite domiciliary intent is tested by evaluating relevant, objectively verifiable conduct or actions of the student as listed below. **NOTE:** having one or all of the following still may not qualify a person for the in-state rate:

• Living or not living in the home of one’s parents
• Voter registration, voting, and jury duty
• Registering, licensing, and maintaining a motor vehicle
• Driver’s license or state ID card
• Location of permanent employment
• Filing of North Carolina state income tax return
• Places where one resides during periods between academic sessions
• Location of personal property
• Property tax assessment
• Ownership of residential real property that is one’s primary residence (including maintenance and payment)
• Place from which one graduated from high school
• Place of residence prior to enrollment in an institution of higher education
• Memberships in professional associations, unions, civic organizations, etc.
• Sources of one’s financial support
• Citizenship or immigration status

Qualifying period: 12 months

Every applicant must make a statement as to his/her length of residency in the state. A 12-month qualifying period of maintaining a bona fide domicile rather than a temporary residence incident to enrollment is required to qualify as a resident for tuition purposes. It is important to remember that a person can have multiple residences, but can have only one domicile at a given time.

SPECIFIC ISSUES

Special rules and circumstances may affect the assessment of domicile for the following students:

• Minors
• Married persons
• Members of the armed forces
• Aliens and refugees
• Federal law enforcement officers
• Prisoners

Exceptions are also made for certain minors, families transferred by business within the past 12 months (up to 1% of total out-of-state students), students with employer-paid tuition, lawfully admitted public high school graduates, non-profit corporation sponsorships, and emergency workers. Applications for special issues MUST be submitted prior to the first day of the semester.

IMPORTANT NOTES

It is the student’s responsibility to provide the College with the necessary information to prove in-state status. Remember the bottom line:

Capacity + Presence + Intent + 12 Months

For a residency application, contact the Admissions Office or log onto our website at [http://www2.cfcc.edu/admissions/residency-status/](http://www2.cfcc.edu/admissions/residency-status/)