

# Legal Resident Status

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Students are classified as in-state or out-of-state for the purpose of paying University fees. The Office of the Graduate School will make the initial classification at the time a student's application for admission is processed. The burden of proof for establishing residency resides with the applicant. If a student misrepresents his or her status, that student will be responsible for paying the fees that should have been required and will be subject to disciplinary action or dismissal from school. The University Registrar is authorized to change a student's residence status upon receipt of evidence that the student is improperly classified.

The following Institutions of Higher Learning and Mississippi State University policies apply in determining the residential status of students for the purpose of enrolling and paying fees at a state-supported institution of higher learning:

Institutions of Higher Learning

<http://www.ihl.state.ms.us/board/downloads/policiesandbylaws.pdf>

Paragraphs 610 and 611

Mississippi State University

<http://www.msstate.edu/dept/audit/3102.html>

Academic Operating Policy APO 31.02 Legal Resident Status

## Petition for Change of Residency Classification

A person who enters the State of Mississippi from another state and enters an educational institution is considered a non-resident. Any person who has after attaining the age of twenty-one (21) and has since their twenty-first birthday established residency and resided within the State of Mississippi for twelve (12) consecutive months may:

1. upon sworn affidavit and other representation, and
2. who can prove financial independence, petition for a change in residency classification for the purposes of fees and tuition assessment.

Residency changes are not retroactive, and the following conditions apply:

1. The institution may make reasonable inquiry into the validity of the petitioner's claim.
2. A petition for change of residency must be received **prior to the last day** a student may **register** without penalty of the term for which the student is applying for residency.

## Factors Regarding Residency

Although domicile and residency for educational purposes are largely matters of intention, this intention is determined objectively from the facts and circumstances surrounding a claim of in-state residency. Some of the factors relevant to determining residency include:

- Actual physical residence of habitation
- Length of time at actual physical residence-Residence used for income tax, loan, banking and other purposes
- Voter registration
- Motor vehicle registration (Persons moving into the state on a permanent basis have 30 days to register vehicles.)
- Driver's license held (Persons moving into the state on a permanent basis have 60 days to acquire driver's licenses.)
- State to which personal income taxes or other taxes paid
- Status of income sources
- Location of bank, savings, and other accounts

## Responsibility for Reporting Change

It is the individual student's responsibility to report immediately to the Registrar any change, which will affect his or her residence status under these regulations.

## Institutions of Higher Learning (College Board) and University Policies Concerning Nonresident Tuition

In addition to state laws and regulations, the University has established certain IHL Board-approved regulations concerning the payment of non-resident tuition. Mississippi State University (except the College of Veterinary Medicine) may waive a percentage of the non-resident tuition for the following groups of students:

1. Those currently awarded athletic scholarships
2. Those currently awarded band scholarships

3. Those currently awarded choral scholarships
4. All graduate students holding assistantships. (Rules applicable to these awards may be found in the Graduate Assistantship section of this publication.)
5. Children of Mississippi State University alumni. (**Application deadline is April 1.**) (For this purpose, an alumnus or alumna is defined as one who has earned a minimum of 48 MSU undergraduate credit hours or 30 MSU graduate credit hours of coursework or received a degree from Mississippi State University. Graduate students must maintain a B (3.00) grade point average to continue eligibility for this award.
6. Non-resident students who are certified participants in The Academic Common Market

## **Academic Common Market**

Academic Common Market non-resident tuition remission (exemptions) are available for specific academic programs for students from certain states. Application must be made first with the awarding state. The student must be a legal resident of that state and approved for a specific major at MSU. Both undergraduate and graduate students are eligible to apply. A qualified student must maintain full-time status, remain in academic good standing, and comply with all the requirements of the degree program. The waiver is 100 percent of non-resident tuition remission and will remain at this level unless the student's field of study changes or a student no longer has full-time status. If a student changes his/her major from the approved ACM certified major, then he/she must inform the Office of the Provost of the change of status. The student will be responsible for the non-resident tuition for the remaining semesters at MSU. To be eligible for the non-resident tuition remission during the first semester of enrollment, applications and resident verification must be submitted to and approved by the Office of the Provost and Executive Vice President for Academic Affairs prior to the first day of class. For more information about submission and deadlines, please contact that office at (662) 325-3742. Students seeking information on the Academic Common Market waiver should contact:

Academic Common Market  
Southern Regional Education Board  
592 10th Street NW  
Atlanta, GA 30318-5790  
[www.sreb.org](http://www.sreb.org) (<http://www.sreb.org>)