

RESIDENCY REGULATIONS (condensed)

(The residency rules and regulations may be subject to change)

Students who do not qualify as bona fide residents of the State of Hawai'i, according to the University of Hawai'i rules and regulations in effect at the time they register, must pay the nonresident tuition. An official determination of residency status will be made prior to enrollment. Applicants may be required to provide documentation to verify residency status. Once classified as a nonresident, a student continues to be so classified during his/her term at the college until he/she can present clear and convincing evidence to the residency officer that proves otherwise.

Some of the more pertinent University residency regulations follow. For additional information or interpretation, contact the residency officer in the Admissions Office. The complete rules and regulations are available at the Admissions Office.

DEFINITION OF HAWAI'I RESIDENCY

A student is deemed a resident of the State of Hawai'i for **tuition purposes** if the student (19* or older) or the student (under 19*) and his/her parents or legal guardian have:

- (1) **Demonstrated intent** to permanently reside in Hawai'i (see below for evidences);
- (2) Been **physically present** in Hawai'i for the 12 consecutive months prior to the first day of instruction, and subsequent to the demonstration of intent to make Hawai'i his/her legal residency; and
- (3) The student, whether adult or minor, has **not been claimed as a dependent for tax purposes** for at least 12 consecutive months prior to the first day of instruction by his/her parents or legal guardians who are not legal residents of Hawai'i.

To demonstrate the intent to make Hawai'i your legal residency, the following evidence apply:

- A. Filing Hawai'i resident personal income tax return.
- B. Voting/registering to vote in the State of Hawai'i.

Other evidence, such as permanent employment and ownership or continuous leasing of a dwelling in Hawai'i, may apply, but **no single act is sufficient to establish residency in the State of Hawai'i**.

Other legal factors in making a residency determination include:

- A. The 12 months of continuous residence in Hawai'i shall begin on the date upon which the first overt action (see evidences) is taken to make Hawai'i the permanent residence. Residence will be lost if it is interrupted during the 12 months immediately preceding the first day of instruction.
- B. Residency in Hawai'i and residency in another place cannot be held simultaneously.
- C. Presence in Hawai'i primarily to attend an institution of higher learning does not create resident status. **A nonresident student enrolled for 6 credits or more during any term within the 12-month period is presumed to be in Hawai'i primarily to attend college. Such periods of enrollment cannot be applied toward the physical presence requirement.**

D. The residency of unmarried students who are minors follows that of the parents or legal guardian. Marriage emancipates a minor.

E. Resident status, once acquired, will not be lost by future voluntary action of the resident inconsistent with such status. However, Hawai'i residency will not be lost solely because of absence from the State while a member of the United States Armed Forces, while engaged in navigation, or while a student at any institution of learning, provided that Hawai'i is claimed and maintained as the person's legal residence.

BOARD OF REGENTS EXEMPTIONS

Non-residents may be allowed to pay resident tuition if they qualify as one of the following:

- A. East-West Center student grantees pursuing baccalaureate or advanced degrees;
- B. United States military personnel stationed in Hawai'i on active duty, and their authorized dependents during the period that the personnel are stationed in Hawai'i;
- C. Members of the Hawai'i National Guard and the Hawai'i Reserves;
- D. Native Hawaiians (descendants of the aboriginal people that inhabited the Hawaiian Islands) whose domicile is outside of Hawai'i;
- E. Full-time employees of the University, their spouses and their dependents.

F. Veterans eligible to use Post 9/11 GI Bill or Montgomery GI Bill Active Duty educational benefits, who live in Hawaii, and enroll at the University within three years of discharge from a period of active duty service of 90 days or more;

G. Citizens from an eligible Pacific Island district, commonwealth, territory, or insular jurisdiction, state, or nation which does not provide public institutions that grant baccalaureate degrees may be allowed to pay 150% of the resident tuition. At the time of publication, these included the following:

American Samoa
Commonwealth of Northern Marianas
Cook Islands
Federated States of Micronesia
Futuna
Kiribati
Nauru
New Caledonia
Niue
Republic of Palau
Republic of the Marshall Islands
Solomon Islands
Tokelau
Tonga
Tuvalu
Vanuatu
Wallis

This list is subject to change. For a current list, eligibility and documentation requirements, please contact the Admissions Office of the campus you are applying to.

MISREPRESENTATION

A student or prospective student who provides incorrect information on any form or document intended for use in determination of residency status for tuition purposes will be subject to the requirements and/or disciplinary measures provided for in the rules and regulations governing residency status.

APPEAL PROCESS

Residency decisions may be appealed by contacting the residency officer for information on how to initiate an appeal.

**The age of majority is 18 years. However, a person between the ages of 18 and 19, unless emancipated, cannot claim residency solely on the basis of himself/herself because he/she does not have the minimum 12 months residency which commences on his/her 18th birthday. Therefore, the applicant must claim a portion of the required 12 months on the basis of his/her parent or legal guardian.*

RESIDENCY DECLARATION

APPLICANT NAME: _____
Print Legal Last Name First Name Full Middle Name

SECTION A - I claim legal residency in the State (or country) of: _____ Since: _____

- YES NO Check the appropriate box
- I have been present in Hawai'i continuously for the last 13 months
- I have filed a Hawai'i Individual Tax Return as a Resident for the last two years
- I registered to vote in the state of Hawai'i. If no, what state: _____
- I voted in the last election in the state of Hawai'i
- My parent(s) / legal guardian(s) claimed me on their Personal Income Tax. State: _____

If you are less than 19 and unmarried, please answer the following questions based on your parent or legal guardian:

My parent/legal guardian:

- Claims legal residency in the state of Hawai'i
- Has been present in Hawai'i continuously for the last 13 months
- Has filed a Hawai'i Individual Tax Return as a resident for the last two years
- Is registered to vote in the state of Hawai'i
- Voted in the last election in the state of Hawai'i
- Is a US citizen
- If not a US citizen, has been a permanent resident for more than one year (attach copy of green card)

Relationship to applicant: _____

Parent/Legal Guardian Signature: _____ Date: _____

If your legal guardian is court appointed, submit a copy of the court order with this application.

Section B - College Enrollment

This past year, I enrolled in a publicly supported college or university outside the state of Hawai'i. YES NO (if no, skip to section C)

I paid the following tuition at that institution: Resident Nonresident Resident due to nonresident exemption based on: _____

Section C - Exemptions from the Nonresident Tuition, leave blank if it does not apply.

- I am a full-time faculty or staff member of the University of Hawai'i, or a spouse or legal dependent of such person (attach employment contract)
- I am Hawaiian and a resident of another state (attach an official copy of your birth certificate, and if necessary, that of your parents/grandparents documenting Hawaiian ancestry)
- I am a citizen of _____ which has no public institution of higher education ranking baccalaureate degrees
- I am a member or authorized dependent of a member of the US armed forces, on active duty, stationed in Hawai'i (complete verification below)
- I am a member of the Hawai'i National Guard or Hawai'i-based Reserves (complete verification below)

VERIFICATION OF U.S. ARMED FORCES - attach Military Orders

Permission is hereby granted to release information to UH Campus:

Applicant's Signature: _____

Military Member's Signature: _____

Member's Relationship to Applicant:

Self Spouse

Parent Other (specify)

To be completed by the Member's Commanding Officer:

Name, Rank, & Branch of Service of member of the U.S. Armed Forces on active duty stationed in Hawai'i, or member of the Hawai'i National Guard of Hawai'i-based Reserves

Estimated Date (mm/dd/yyyy): _____
Rotation from Hawai'i or separation from military service, whichever is earlier (do not use "Indefinite" or leave blank)

Signature of Commanding Officer Date

Rank and Branch of Service in Hawai'i

Print Name

Phone Number of Branch of Service in Hawai'i