

## **Information on Residency Classification at Western Michigan University (for University Admissions and/or Fee Purposes)**

### **AUTHORITY**

The governing board at each university in Michigan has the authority to establish a residency policy/guidelines for admissions and/or fee purposes. Therefore, residency policies (guidelines) may vary from school to school and are independent of those used by other state authorities to determine residency for purposes such as income and property tax liability, driving and voting.

The Western Michigan University (WMU) Board of Trustees approved the following policy effective with the fall semester, 2001. This policy applies to all students (undergraduate and graduate) at WMU. The Office of the Associate Vice President for Business administers this policy. Information on this policy is available through the University's web site. Additionally, you may contact the Office of the Associate Vice President for Business directly at 3080 Seibert Administration Building, 1903 West Michigan Avenue, Western Michigan University, Kalamazoo, MI 49008, or call (269) 387-2366 for additional information or to request an application form.

### **RESIDENCY POLICY OF WESTERN MICHIGAN UNIVERSITY (for University Admissions and/or Fee Purposes)**

Any student may apply for in-state resident classification for any semester/session in which they are enrolled by completing the "[Application for Resident Classification for University Admissions and/or Fee Purposes](#)" and submitting it to the Office of the Associate Vice President for Business. Applications can be filed as early as one month prior to the start of each semester/session but not later than 20 calendars following the first day of classes for the fall and spring semesters (10 calendar days for the summer I and summer II sessions). The deadline dates are the same for all students (undergraduate and graduate).

- 1.** Since normally a student comes to Western Michigan University for the primary or sole purpose of attending the University rather than to establish a domicile in Michigan, one who enrolls in the University as a non-resident shall continue to be so classified throughout his/her attendance as a student, unless and until he/she demonstrates that his/her previous domicile has been abandoned and a Michigan domicile established. The burden of proof is on the student.
- 2.** "Domicile" is defined as the place where an individual's true, fixed and permanent home and principal establishment is and to which the individual returns whenever he/she is absent from the University. An individual shall not be considered domiciled in Michigan unless he/she is in continuous physical presence in this state for one year (12 consecutive months) immediately preceding the first day of classes of the term for which classification is sought and intends to make Michigan his/her permanent home, not only while in attendance at the University but thereafter as well, and has no domicile elsewhere.
- 3.** For tuition classification purposes, a student is presumed to be a dependent of the student's natural parents and/or legal guardian if the student is 24 years of age or younger and (a) has been involved primarily in educational pursuits, or (b) has not been entirely financially self-supporting through employment.

#### **A. Dependent Student – Parent(s) in Michigan**

The domicile of a dependent student is presumed to be the same as that of the student's natural parents. A dependent student whose parents are, according to University Residency Policy, domiciled in Michigan is presumed to be eligible for resident classification for University purposes as long as the student has not taken steps to establish a domicile outside of Michigan or any other action inconsistent with maintaining a domicile in Michigan.

A dependent student with one parent domiciled in Michigan, regardless of whether that parent is the student's custodial parent, is presumed to be eligible for resident classification for tuition-paying purposes if one parent is, according to University Residency Policy, domiciled in Michigan.

The domicile of a dependent student's legal guardian(s) will be presumed to have the same evidentiary effect as that of a dependent student's natural parent(s), and references to parents in this policy shall include legal guardians, only when the student is the dependent of the legal guardian, and such guardianship has been established due to complete incapacity or death of the student's natural parent(s). **A parent's inability to provide funds necessary to support a college education shall not qualify as complete incapacity.**

A dependent student who is living in Michigan and who is, according to University Residency Policy, permanently domiciled in Michigan does not lose resident status if the parents leave Michigan provided: (1) that the student has completed at least the junior year of high school prior to the parents' departure; (2) that the student remains in Michigan, enrolled as a full-time student in high school or an institution of higher education; and (3) that the student has not taken steps to establish a domicile outside Michigan or any other action inconsistent with maintaining a domicile in Michigan.

## **B. Dependent Student – Parent(s) Not in Michigan**

A dependent student whose parents are domiciled outside the State of Michigan is presumed to be a non-resident for tuition-paying purposes at Western Michigan University.

### **Independent Students**

4. A student may be granted in-state residency for tuition-paying purposes, once the student provides evidence of 12 consecutive months (one year) of physical presence in the State of Michigan immediately preceding the first day of classes of the term in which the student is applying for a change in status. The year of continuous presence is never the only criterion used for determining in-state classification and, in itself, will not qualify a student for in-state status for tuition-paying purposes at WMU.

### **Residence of Spouse**

5. The residence of a student who otherwise would be classified as a non-resident will follow that of his/her spouse if the spouse qualifies as a resident student for tuition-paying purposes.

### **Immigrants and Aliens**

6. Only persons who are entitled to reside permanently in the United States may be eligible for resident classification at Western Michigan University. These individuals, like U.S. citizens, must still prove that they have established a Michigan domicile as defined in these regulations. In other words, having the privilege of remaining permanently in the United States, in itself, does not entitle a person to resident classification for University fee purposes. At the present time, non-citizens who are entitled to reside permanently in the United States include:

**Permanent Resident Alien** must be fully processed and possesses Permanent Resident Alien Card or stamp in passport  
Verifying final approval by filing deadline for applicable term  
**Refugees** must have I-94 card with "Refugee" designation  
**A, E (primary), G, and I visa holders** Based upon current law, these non-immigrant visa classifications are the only ones that permit the visa holder to establish a domicile in the United States. As changes occur in applicable law, this list shall be updated.

### **Migrant Worker (Season/Agricultural Employment)**

7. If an independent student, or the parent of a dependent student, has been employed as a migrant worker in Michigan for a minimum of two (2) months each year for the three (3) of the five (5) years prior to the date of the proposed in-state classification or for a minimum of three (3) months each year for two (2) of the five (5) years prior to the date of the proposed in-state classification, the student shall be classified as a resident. Proof and verification of employment is required. A migrant worker in Michigan is defined as one who travels to Michigan to pursue agricultural or related industry employment.

### **Misrepresentation and Falsification of Information**

8. Students who provide false or misleading information or who intentionally omit relevant information on their admissions application or the "[Application for Resident Classification for University Admission and/or Fee Purposes](#)" or any other document relevant to residency eligibility may be subject to disciplinary and/or legal measures.

### **Appeal Process**

9. Any student may appeal the decision on their residency application within 20 calendars days after he/she has been served notice of the decision on their application by taking the following steps:

- Provide a written notice of appeal to the Vice President for Business and Finance stating the reasons therefore. Please note that any additional documents that may provide evidence of domicile not submitted with the initial application must be included with the appeal.
- Additionally, the student must request in writing that all documents submitted with the initial application for residency be forwarded to the Vice President for Business and Finance so the entire file may be reviewed in the appeal process.
- Failure to comply within the required 20 days shall constitute a waiver of all claims to reclassification or rebates for the applicable semester/session.

The student will receive a written decision on the Appeal when the review is complete. **The decision on the residency appeal shall be the final recourse within the University.**