

Residency Rules

University of Missouri Residence & Educational Fee Rules

A. Residence Rules:

In order to cooperate as fully as possible with the Coordinating Board for Higher Education, the following rules shall apply at the University of Missouri for the determination of the residence of any student or prospective student for all purposes, including, but not limited to, assessment of the Educational Fee; admission to limited-enrollment programs; and eligibility for restricted financial aid.

B. Definitions

1. (CBHE Rule) "Residency" or "Resident Status" shall mean that status which is achieved when sufficient proof of a domicile within a state is presented.
2. (CBHE Rule) "Unemancipated Minor Student" shall mean any student not having attained the age of twenty-one (21) years, and under the care, custody or support of the individual or individuals having legal custody of said students.
3. (CBHE Rule) "Emancipated Minor Student" shall mean any student not having attained the age of twenty-one (21) years and who is not under the care, custody and support of an individual or individuals having legal custody.
4. (CBHE Rule) "Domicile" shall mean presence within a state with an intent of making the state a permanent home for an indefinite period.
5. (CBHE Rule) "Adult Student" shall mean any student having attained the age of twenty-one (21) years.

C. Student Classification Categories

1. (CBHE Rule) Adult Students. If an adult student, not a resident, shall present sufficient proof of the establishment of a domicile within the State of Missouri, said student shall be granted resident status at the first enrollment following the establishment of said domicile.
2. (CBHE Rule) Emancipated Minor Students. The domicile of emancipated minor students shall be determined as if they were adults. A minor may become emancipated through marriage, formal court action, abandonment or positive action of alienation on the part of the minor. In all instances, alienation from care, custody and support shall be complete and the burden of satisfactory proof of emancipation shall be that of the minor student.

Mere absence of the student from the domicile of the individual or individuals having legal custody of that minor student shall not constitute proof of emancipation. In no instance shall a minor student be eligible for emancipation when that student is taken as an income tax deduction by a second party other than a spouse.

3. (CBHE Rule) Unemancipated Minor Students. The domicile of an unemancipated minor is presumed to be that of the individual or individuals having legal custody of the student. If those having legal custody of the student establish a Missouri domicile, that student shall be granted resident status at the first enrollment following the establishment of the Missouri domicile. Once unemancipated minor students have established resident status under this rule, they may continue to qualify for resident status so long as they remain continuously enrolled, excluding summer terms, in a Missouri institution of higher education, even if the individual or individuals having legal custody of the unemancipated minor students cease to hold Missouri resident status.

4. (CBHE Rule) Noncitizens of the United States. Students who are not citizens of the United States must possess resident alien status, as determined by federal authority, prior to consideration for resident status. Aliens present within Missouri as representatives of a foreign government or at the convenience of the United States or Missouri governments and holding G visas shall be entitled to resident status, except for those who are government-funded students. Aliens and their dependents holding A or L visas may be granted resident status if determined to be individually designated as representatives of their governments and whose education is not government-funded.

Refugees and Persons Granted Asylum. A student who is classified as a refugee or as one who has been granted asylum by the United States Immigration and Naturalization Service and who has been granted permission to remain in the United States shall be granted resident status, if there is proof of the establishment of a domicile in Missouri. Presence in the State of Missouri for such a person shall begin with the date indicated on the alien registration card.

5. (CBHE Rule) Members of the Military Forces. Students shall neither gain nor lose resident status solely as a consequence of military service. For the purposes of student resident status, military personnel, when stationed within the state of Missouri pursuant to military orders, their spouses and unemancipated minor children shall be regarded as holding Missouri resident status.

6. University Staff or Children or Spouses of University Staff. Any full-time academic or administrative, service, or support staff member of this University, or the unemancipated minor child, adult dependent (as defined in E.2.d.), or spouse of such staff member shall qualify for resident status when enrolling as a student on any campus of the University.

7. Graduates of Missouri High Schools. A graduate of a high school located in Missouri, whose parents (or legally appointed guardian or custodian) are residents of Missouri at the time of the student's graduation from high school and whose initial registration at the University occurs at the beginning of the next academic term, excluding summer terms, following graduation from high school, is presumed to be a Missouri resident so long as he or she remains continuously enrolled in the University of Missouri.

D. Factual Criteria in Determination of Resident Status

1. (CBHE Rule) Attendance at an institution of higher education shall be regarded as a temporary presence within the state of Missouri; therefore, a student neither gains nor loses resident status solely by such attendance.

2. (CBHE Rule) The burden of proof of establishing eligibility for Missouri resident status shall rest with the student.

3. (CBHE Rule) In determining resident status for the state of Missouri, either of the following shall be sufficient proof of domicile of a person and their dependents within the state of Missouri:

a. Presence within the state of Missouri for a minimum of twelve (12) immediate past, consecutive months coupled with proof of an intent to make the state of Missouri a permanent home for an indefinite period; or

b. Presence within the state of Missouri for the purposes of retirement, full-time employment, professional practice or to conduct a business full-time.

4. (CBHE Rule) In determining whether a student holds an intent to make the state of Missouri a permanent home for an indefinite period, the following factors, although not conclusive, shall be given heavy weight: continuous presence in the state of Missouri during those periods not enrolled as a student; presence within the state of Missouri upon marriage to a Missouri resident and the maintenance of a common domicile with the resident spouse; substantial reliance on sources within the state of Missouri for financial support; former domicile within the state and maintenance of significant connections while absent; and ownership of a home within the state of Missouri. The twelve - (12) month period of presence within the state, as stipulated in paragraph p.3.a. of this rule, in and of itself, does not establish resident status in the absence of the required proof of intent.

5. (CBHE Rule) The following factors indicating an intent to make the state of Missouri a permanent home for an indefinite period shall be given less weight than those in subsection D.4. above and include: Voting or registration for voting; part-time employment; lease of living quarters; a statement of intention to establish a domicile in Missouri; automobile registration or operator's license obtained in Missouri; and payment of income, personal and property taxes in Missouri. The factors listed in this subsection have applicability only as they support the intent to make the state of Missouri a permanent home for an indefinite period.

6. A student who transfers to a University of Missouri campus from another campus of the University or from another Missouri public college or university without an interruption in enrollment,

except for a summer term, and who possessed resident status at the prior institution shall be granted resident status at the University of Missouri campus.

E. Educational Fee Assessment Rules

1. Rates Assessed. Residents of Missouri as defined in the residence rules will be assessed the Educational Fee at the Missouri resident rates. Students who are not residents of Missouri as defined by these rules will be assessed the Educational Fee at the nonresident rates.

2. Waivers for Nonresident Students

a. The difference between the Educational Fee for nonresident and Missouri resident students is waived for a graduate or first professional degree student who is a teaching, research or extension assistant holding a .25 or more FTE (full-time equivalent) appointment. (Also, applies to full-time hourly employees. For further information refer to rule 5.0107 of the Collected Rules and Regulations of the University.)

b. The difference between the Educational Fee for nonresident and Missouri resident students is waived for a graduate or first professional degree student holding a fellowship which does not include payment of tuition or required fees.

c. The difference between the Educational Fee for nonresident and Missouri resident students is waived for a student who is admitted under a specific agreement between an institution in the student's state of residence and this University providing for payment of tuition and required fees at resident student rates.

d. The difference between the Educational Fee for nonresident and Missouri resident students is waived for a student who is an unmarried adult, is for good reason dependent on his or her parents as if a minor, and is an adult dependent for Federal income tax purposes, provided the student would be classified under the residence rules as a Missouri resident were he or she a minor. Such a student will be exempt from other nonresident regulation.

F. For those nonresidents who pay Missouri income tax, the nonresident Educational Fee shall be credited in an amount equal to the actual Missouri income tax paid for the previous calendar year except that the remaining obligation shall not be less than the amount of the resident Educational Fee. Unemancipated minor or adult dependent students are eligible for reason of payment of Missouri income tax by the nonresident individual or individuals having legal custody of said students. Students entering in January shall be regarded as entering in the fall for purposes of determining previous calendar year. For students entering after January, previous year means immediate past calendar year.

To effect an offset the student shall furnish to the Cashier satisfactory evidence that the tax was paid, the date of payment and that the student is entitled to an offset. Ordinarily evidence of payment and the date thereof will be by exhibiting to the Cashier a copy of the State Income Tax return, together with canceled checks (if any) or photostatic copies thereof or if all taxes were withheld the Mo-WH-2 form, or photostatic copy thereof, showing amount of tax withheld must be presented. After reviewing the evidence submitted the Cashier may request other evidence of payment of tax.

Tax credit thus established may be used only once as an offset against the nonresident Educational Fee but any tax credit not used in a given term may be carried forward to be used in a subsequent term, subject to the time limitation stated above. If several students from the same family claim allowable tax credit, the tax credit shall be applied as the taxpayer directs, if the taxpayer does not direct application, the Cashier shall make such application. Tax credit may be offset against the nonresident Educational Fee only, and may not be offset against any other fees or obligations.

G. Duty to Register Under Proper Residence. It is the duty and responsibility of each student seeking admission to the University to apply and register under the proper residence and to pay the proper amount of fees. It is the further duty of each student, if there is any possibility that the nonresident rate of the Educational Fee is applicable, or that the student is subject to restrictive admission or other nonresident regulations of the University under these rules to raise the question with the campus residency officer in the first case, or the Director of Admissions in the second prior to registration.

H. Any student unwilling to accept a ruling relative to his or her residency status shall ask the campus

residency officer to transmit the student's residency questionnaire to the Committee on Fee Assessment and Residence so that the student's appeal may be reviewed.

1. The Committee on Fee Assessment and Residence shall hear the appeal and, if requested by the student, shall provide such student with a hearing before the Committee.
2. The Committee on Fee Assessment and Residence shall notify the student, the campus residency officer and the Registrar of its decision.
3. The student may appeal an adverse ruling to the Chancellor, whose decision shall be final.