

**POLICIES AND PROCEDURES
OUACHITA TECHNICAL COLLEGE**

SUBJECT AREA: **Student Affairs**

POLICY/PROCEDURE: **Residency Requirements**

DATE: **March 1, 1993**

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Residency Concept - General

The term residence as it relates to fee payment by students is generally used at the College as synonymous with domicile. Domicile is the place in which a person has settled for legal purposes. It is the place where a person is generally understood to reside with the intention of remaining indefinitely or of returning when absent. The College, must classify students as within or without the state for the purpose of assessing fees, residency is the presence established in the state for a purpose independent of attendance at the College, which may include permanent employment when payment of fees is part of that employment relationship.

Determination of Residency

Residency for enrollment purposes should be determined by the following criteria:

1. If the student indicates that he/she is a resident of Arkansas and lists an Arkansas address on the admission and registration forms, that student will be presumed to be an Arkansas resident.
2. If an employing organization is paying, either directly or indirectly, fees for student/employees, for example, under contract, and that organization where the employee/student is employed is located within Arkansas, the students so registered will be considered to be residents of Arkansas for the purpose of fee assessment.

Problems with the applicability of the above rules and the detail considerations that follow due to an unusual fact or circumstance may be referred in writing to the Vice President of Student Affairs.

Detail of Domicile Considerations

In practice, a student's classification as an in-state or out-of-state student at the time of admission is based on what the records show to be his/her fixed permanent residence. In general: (1) The domicile of a student of eighteen (18) years of age or over is in the state where he/she has been domiciled for six (6) consecutive months immediately preceding the date of original or subsequent registration. (2) A student whose official records show his/her own or his/her parents' domicile to be outside the state is prima facie a nonresident of the state, and the burden

is upon the student to prove the contrary. (3) A nonresident of the state at the time of enrollment is held to that classification throughout attendance as a student, except where proof that his/her parents' previous domicile has been abandoned and a new one established in the state independently of his/her attendance at the College. (4) Recognition is given to the guardianship of the person of a minor only if the guardian was appointed in the state in which the child was then domiciled. (5) In general, children of parents who are in military service or in the service of the Federal government and who are stationed in the state and children of parents who are employed by the state are classified as residents of the state for the purpose of assessing fees during the time that their parents are stationed or are living in the state, without regard for the usual residence requirements of six months. Likewise, children of parents in military or government service who are stationed elsewhere but who are understood to be primarily residents or citizens of the state are classified as residents.

In requesting change of residence classification, the burden of proof is upon the student. Proved actual residence and intention to remain must exist simultaneously in accordance with the principles of domicile.

AUTHENTICATION (Signature):		COPP
_____	01/26/10	
President	(Date)	5.22