



James E. Shepard

MEMORANDUM

TO: NCCU Faculty and Staff

FROM: Dr. Nicole Gibbs 
Director, Undergraduate Admissions

DATE: February 13, 2017

RE: Residency Determination Service – Effective February 20th

Purpose and Background of North Carolina Residency

The state of North Carolina substantially subsidizes the cost of tuition for all students whose domicile, or permanent legal residence, is in North Carolina. Since it first became a state, North Carolina has abided by the philosophy that an educated public is necessary to a democratic government and that the State, therefore, has an obligation to provide for the education of its people. Article IX, Section 9, of the State Constitution states “The General Assembly shall provide that the benefits of the University of North Carolina and other public institutions of higher education, as far as practicable, be extended to the people of the State free of expense”. Therefore, while North Carolina welcomes out-of-state students it considers the privilege of providing a reduced in-state tuition rate to be a taxpayer benefit. Among other benefits provided only to students who meet the domiciliary requirements is eligibility for consideration for State-sponsored programs of student financial aid to help pay for college expenses. The same rules that govern residency determination for in-state tuition are also applicable to the residency status for State aid programs at both public institutions and independent colleges and universities. For decades the determination of residency has resided on the campus where the tuition benefit and/or the State aid was administered.

In 2013 the NC General Assembly became concerned about inconsistency in residency determinations across institutions of higher education in North Carolina. The General Assembly legislatively directed UNC General Administration (GA), the NC Community College System (NCCCS), the NC State Education Assistance Authority (SEAA) and the NC Independent Colleges and Universities (NCICU) to create a centralized, uniform process for determining residency for tuition purposes and for administration of state financial aid. This centralized process is known as the Residency Determination Service (RDS). In order for a student to receive the benefits of in-state tuition and/or State student aid a residency determination from RDS is required. A student generally only has to complete the RDS one time instead of seeking separate residency determinations at multiple colleges and universities. To learn more about residency and complete a determination go to www.NCresidency.org

Residency Determination Service (RDS)

The purpose and mission of RDS is to provide leadership and administration of residency determinations in accordance with North Carolina residency laws and applicable federal statutes. The RDS goal is to provide students

access to transparent information and the opportunity to claim NC residency in a simple, accurate and straight forward manner. For more information on residency for tuition purposes contact RDS at:

www.NCresidency.org

844-896-2411 (phone)

919-835-2427 (fax)

Determining Residency Status

The specific requirements for establishing residency for tuition classification and State financial aid purposes are prescribed by state law. A North Carolina resident for tuition purposes (and for State financial aid consideration) is a person, or a dependent person (dependent according to IRS tax code – not the FAFSA definition of dependency), whose parent or legal guardian has established and maintained legal residence in North Carolina for at least 12 months. Residence in North Carolina must be legitimate and be a permanent situation rather than just for the purpose of maintaining a residence prior to enrollment at an institution of higher education.

Under North Carolina law, to qualify for in-state residency, you must show that:

- You have established your legal residence (domicile) in North Carolina
- You have maintained that domicile for at least twelve (12) consecutive months before the beginning of the term
- You have a residentiary presence in the state
- You intend to make North Carolina your permanent home indefinitely (rather than being in North Carolina solely to attend college)

Persons not meeting the 12-month legal residence requirement may be classified as North Carolina residents for tuition purposes only if they fall within one of the limited categories authorized by the North Carolina Legislature. All other persons are ineligible for classification as a North Carolina “resident for tuition purposes” and will be charged out-of-state tuition and not given consideration for State financial aid. To learn more about residency and complete a determination go to www.NCresidency.org

Determination of Intent

Because it is difficult to determine a person’s intent to make North Carolina his or her home, RDS must evaluate actions taken by the person that may indicate a “domiciliary intent.” RDS considers the following factors, which may be significant, in determining this intent:

- Do you live in your parent's home?
- Where were, or are, you permanently employed?
- Where are you registered to vote?
- What are your sources of financial support?
- Where have you registered your vehicle?
- Which state issued your current driver’s license or state I.D. card?
- Where do you own a home or other real estate that serves as your primary residence?
- Where did you file state income tax returns?
- Where did you last attend high school?

No single factor or combination of these factors may be considered conclusive evidence of domicile. Moreover, because domicile is defined as a true, fixed and permanent home, individuals who are present in North Carolina on a temporary basis, e.g., for the purpose of completing a degree, cannot establish domicile merely by taking these actions. To learn more about residency and complete a determination go to www.NCresidency.org

Requests for Resident Status

For many students, the residency classification process is simple and occurs around the time of your application for admission to college. If you were born in North Carolina and have lived in the State all your life, you will probably be one of many students who are classified as North Carolina residents.

If you lived in another state at the time of application, still have strong ties to another state, or have lived in North Carolina for only a short period of time, the process may be more complicated. RDS may require more in-depth information or documentation to determine whether you are a legal resident of North Carolina. The information that you submit will be validated against federal and North Carolina state agency databases. Please keep a copy of all application materials for your records. Additional information about the RDS process is available at www.NCresidency.org

What to expect when using RDS

Applicants can complete the RDS process before, during, or after completing the admissions application. You will only have to complete the process once, no matter how many NC college or university admissions applications you complete. You will complete an online interview and may be asked to provide documentation afterward. Required information will include identification numbers for you and/or your parents, such as you might provide for the Free Application for Federal Student Aid (FAFSA). It is a good idea to have this kind of information easily available at the time you complete the RDS interview. If you do not, RDS will save any confirmed information and allow you to re-enter the interview process where you left off.

Transfer Students

Should you transfer between institutions at any level (community college to community college, community college to university, or vice versa), or if you apply to a different academic level (i.e., undergraduate to graduate) within the same institution, you must reapply via RDS to receive in-state tuition or to be considered for State student aid. For students who are continuously enrolled no reconsideration is necessary when applying to or changing programs at the same academic level, unless the classification is rebutted by new information.

Currently Enrolled Students Claiming Resident Status

Students who have been determined as nonresidents, or who have experienced a change in facts or circumstances that may your current determination, may request a reconsideration of their determination for tuition purposes through RDS. Your presence in NC as an enrolled student does not guarantee that you will be able to gain residency for tuition purposes. To request reconsideration go to www.NCresidency.org and login to your account.

Reconsideration and Appeals

Students who have been determined as nonresidents by RDS may request a reconsideration and appeal of their determination for tuition purposes through RDS. To request a reconsideration or appeal, go to www.NCresidency.org and login to your account.