

Agendum
Oakland University
Board of Trustees Formal Session
October 4, 2012

AMENDMENT TO THE RESIDENCY CLASSIFICATION FOR ADMISSION AND TUITION PURPOSES
A Recommendation

1. **Division and Department:** Academic Affairs; Office of the Registrar.
2. **Introduction:** After serving in the military, Veterans at Oakland University (University) know there is a knowledgeable, dedicated team in place to serve them. Staff from several university offices work to implement initiatives designed to assist the more than 300 military Veterans who attend the University, many of which are transfer students.

For four consecutive years, Oakland has been named a "Military Friendly School" by "G.I. Jobs" magazine, an honor reserved for the top 15 percent of all colleges, universities and trade schools nationwide. The University is also a charter member of the Michigan Educators Veterans Support Consortium and participates in numerous Veterans support programs across the state and nation.

In addition, University Veterans have access to priority registration and are provided with red, white and blue honor cords at graduation. This year, the university reinstated evaluation of Veterans' transcripts based on American Council on Education (ACE) guidelines, a process that provides transfer credit recommendations to military personnel. Service members can receive credit for courses taken as part of military training.

In an effort to expand and diversify the University's Veteran student base, we are requesting a change in Board policy to provide in-state tuition rates to Veterans of the U.S. Military, regardless of domicile. The Veteran student program is a wonderful friend-building activity for the University; it provides a wealth of experience and wisdom from which fellow students in class can benefit. It builds a sense of community with external constituencies, and Veteran students add to diversity of the educational experience for all students.

Veterans must submit a copy of the DD-214 "Certificate of Release or Discharge from Active Duty" and an Oakland University Application or Reclassification of Residence Status form to the Office of the Registrar.

3. **Previous Board Action:** The Residency Classification for Admission and Tuition Purposes was approved by the Board of Trustees on September 24, 1973, and amended on June 10, 1987, October 1, 1998, August 3, 2005 and February 28, 2008.

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for Admission and Tuition Purposes
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Page 2**

4. **Budget Implications:** The University would recognize less tuition revenue from Veterans who live outside the State of Michigan. However, any reduction would be mitigated by enrollment growth due to the potential increase in the number of Veterans who would otherwise not enroll, thus resulting in an increase in tuition.
5. **Educational Implications:** The increase of military students will further enhance the reputation of the University as a military-friendly institution.
6. **Personnel Implications:** None.
7. **University Reviews/Approvals:** The recommendation was reviewed and supported by the Veteran Student Task Force Committee. This proposal was approved by the Academic Affairs office and reviewed by the Interim Senior Vice President for Academic Affairs and Provost, and the President.


8. **Recommendation:**

RESOLVED, that the Board of Trustees grant in-state tuition rates to Veteran students of the U.S. military who have been honorably discharged regardless of their domicile.

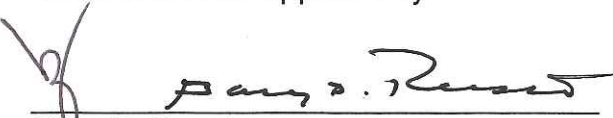
9. **Attachments:**

- A. Red-lined Residency Classification for the Admission and Tuition Purposes.
- B. Amended Residency Classification for the Admission and Tuition Purposes.

Submitted to the President
on 10/1/12, 2012 by


Susan M. Awbrey
Interim Senior Vice President for
Academic Affairs and Provost

Recommended on 10/1/12, 2012
to the Board for approval by


Gary D. Russi
President

RESIDENCY CLASSIFICATION FOR ADMISSION AND TUITION PURPOSES**Approved by the Board of Trustees on September 24, 1973****Revised by the Board of Trustees on June 10, 1987****Revised by the Board of Trustees on October 1, 1998 (effective January 1, 1999)****Revised by the Board of Trustees on August 3, 2005****Revised by the Board of Trustees on February 28, 2008**

For University purposes, "domicile" is defined as the place where an individual intends his/her true, fixed and permanent home and principal establishment to be, and to which the individual intends to return whenever away. Upon admission to the University, a student is classified either as a Michigan resident or a nonresident based upon information relating to the student's domicile. A determination of Michigan domicile is required for in-state tuition rates to apply, except as stated below. An individual whose activities and circumstances, as documented to and found by the University, demonstrate that the individual has established a Michigan domicile will be classified as a resident. An individual whose presence in the state is based on activities or circumstances that are indeterminate or temporary, such as (but not limited to) educational pursuits, will be presumed not to be domiciled in Michigan and will be classified as a nonresident. To overcome a presumption of nonresident status, a student must file an Application for Reclassification of Residence Status and document with clear and convincing evidence that a Michigan domicile has been established. The burden of proof is on the applicant.

Evidence of domicile: Certain circumstances, although not controlling, support a claim of domicile. Other circumstances create a presumption against domicile. Circumstances supporting a claim of domicile include:

- Dependence upon a parent domiciled in Michigan as demonstrated by permanent employment and establishment of a household in the state;
- Employment of the student or the student's spouse in Michigan in a full-time, permanent position, and that employment is the primary purpose for the student's presence in Michigan;
- Residence with Michigan relatives who provide more than half of the student's support including educational costs. This necessarily means that no non-Michigan resident claims the student as a dependent for income tax purposes.

The fact that certain indications of domicile may apply to a student does not mean that the student automatically will be classified as a resident or that the student is relieved of the responsibility for filing an application. See *Residency application process* below.

Circumstances that do not in themselves support a claim of domicile include:

- enrollment in high school, community college or University;
- employment that is temporary;
- employment in a position normally held by a student;

- ownership or lease of property;
- presence of relatives in the state, except as described above;
- possession of a Michigan driver's license or voter's registration;
- payment of Michigan income or property taxes;
- the applicant's statement of intent to be domiciled in Michigan.

In cases where the University determines that an applicant has not demonstrated establishment of Michigan domicile, unless substantial and new information arises that clearly demonstrates the establishment of domicile, the University will require the applicant to document one year of continuous physical presence in the state as one of the criteria for determining eligibility for resident classification in any subsequent application. The year of continuous presence is never the only criterion used for determining resident eligibility, and, in itself, will not qualify a student for resident status. In documenting the year of continuous physical presence in Michigan, the applicant will be expected to show actual physical presence by means of enrollment, employment, in-person financial transactions, health care appointments, etc. Having a lease or permanent address in the state does not, in itself, qualify as physical presence. A short-term absence (summer vacation of 21 days or less, spring break and break between fall and winter term), of itself, will not jeopardize compliance with the one-year requirement. In determining the effect of a short-term absence, the nature of the absence will be assessed to determine whether it is contrary to an intent to be domiciled in Michigan.

Presumption of domicile: Certain circumstances create a presumption of domicile. However, the presence of such a circumstance does not mean that the student will be classified automatically as a Michigan resident or that the student is relieved of the responsibility to file an application. These circumstances include:

Dependent students: A student is presumed to be a dependent of his or her parents if the student is 24 years of age or younger and has been primarily involved in educational pursuits or has not been entirely financially self-supporting through employment.

(a) **Residents:** The following applies only if the student has not taken steps to establish a domicile outside of Michigan or any other action inconsistent with maintaining a Michigan domicile.

- A dependent student whose parents are domiciled in Michigan is presumed to be eligible for resident classification.
- A dependent student whose parents are divorced is presumed to be eligible for resident classification purposes if one parent is domiciled in Michigan.
- A student who is living in Michigan and is permanently domiciled in Michigan does not lose residence status if the parents leave Michigan, provided: (i) that the student has completed at least the junior year of high school prior to the parents' departure, and (ii) that the student remains in Michigan, enrolled as a full-time student in high school or an institution of higher education.

(b) Non-residents: A dependent student whose parents are domiciled outside the state of Michigan is presumed to be a nonresident.

Absences from the state: Individuals domiciled in Michigan immediately preceding certain types of absences from the state may retain their eligibility for resident classification under the following conditions:

- An individual domiciled in Michigan for 5 years just prior to leaving the state for less than one year may return to the University as a resident for admission and tuition purposes.
- An individual domiciled in Michigan at the time of entry into active missionary work, Peace Corps or similar philanthropic work does not lose eligibility for resident classification as long as he or she is actively and continuously performing philanthropic work and continuously claims Michigan as the state of legal residence for income tax purposes. Dependent children of such an individual also are eligible for resident classification provided: (i) that they are coming to the University directly from high school or they have been continuously enrolled in college since graduating from high school, and (ii) that they have not claimed residency elsewhere for tuition purposes.
- An individual who is domiciled in Michigan immediately preceding an absence from the state for full-time enrollment in school or for a medical residency program, internship or fellowship does not lose eligibility for resident classification provided that the individual has maintained significant ties to the state during his or her absence (e.g., parents still in the state, payment of state taxes, active business accounts), and that the individual has not claimed residency for tuition purposes in another state.

Resident status of aliens: Notwithstanding the above, except for those aliens holding a permanent resident visa, the only aliens eligible for consideration for classification as a resident are those who are on a visa other than a student visa; and who are engaged in permanent employment in the United States; and whose employer has filed or is in the process of filing for permanent resident status on behalf of the alien. An alien will be eligible for consideration if the alien's parents or spouse meet(s) the alien requirements above and dependent status also exists.

Application of in-state tuition rates in special circumstances: Regardless of domicile, in-state tuition rates apply to the following persons:

- Graduate students who hold an assistantship or fellowship awarded through Oakland University;
- Students employed in Michigan in full-time, permanent positions;
- Students admitted to approved on-line degree or certificate programs; and

- Students who are active duty members, or the spouse or dependent child of an active duty member, of the Armed Forces of the United States, while that active duty member is stationed in Michigan and during the student's continuous enrollment in the academic degree program in which he or she is enrolled if that active duty member is transferred to an active duty location outside Michigan; or if the student is the child of an active duty member of the Armed Forces of the United States who was stationed in Michigan but is transferred to an active duty location outside Michigan within the one year period preceding the student's initial enrollment and the student continues to live in Michigan.
- Students who are Veterans of the U.S. military who have been honorably discharged regardless of their domicile.

Appeal process: Any student desiring to challenge his or her initial residency classification may appeal the determination to the Residency Reclassification Appeals Office, 101A O'Dowd Hall, (248-370-3455). The Associate Registrar makes the initial determination of residency. Registrar is the second level of appeal and the Residency Reclassification Appeals Committee is the third level of appeal and is composed of two individuals: Assistant Vice President for Enrollment Management and a representative from the Provost's Office. The committee convenes only as necessary. The determination of Residency Reclassification Appeals Committee is final.

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