



Residency Appeal Form

OFFICE USE ONLY

Student Name: _____

Student I.D. # _____

Date: _____

Appeal of Tuition Classification

All current out-of state students who wish to appeal their residency classification to determine eligibility for in-state tuition must read this document in its entirety, submit the appropriate documentation in support of your request, and complete and sign this form before a notary. If you are under 18 years of age, your parent or legal guardian should follow the same procedure. This form may then be forwarded to the Bursar's Office at Salem State College, 352 Lafayette Street, Salem, MA 01970 for further review.

Please submit the following:

1. **Proof of residency in a Massachusetts domicile-** submit a **notarized** copy of a lease, purchase/sales agreement, or deed. A **notarized** statement from a landlord or property owner, clearly specifying your dates of occupancy, is also acceptable. The evidence submitted must cover at least a **one-year period** prior to the beginning of the semester for which reclassification is sought. Ownership in a summer or temporary residence of any nature does not qualify.
2. **Evidence of marriage to a Massachusetts resident-** The 12-month residency period is waived for those students who have married a Massachusetts resident, are present in the Commonwealth under military orders, hold diplomatic visas, or are subsidized by one of the Commonwealth's human service or public assistance programs. You must still produce evidence of domicile and eligibility for a waiver. In case of marriage, both you and your spouse must sign the affidavit.
3. **Copies of parents' and student's Federal and Commonwealth of Massachusetts Income Tax Forms-** This is for the period covered for the basis of this appeal (i.e. in most cases the recent tax return filed last April). This evidence is crucial since it not only provides evidence of residency but also documents your employment and financial support. If such tax forms were not filed, then a **full written explanation** as to why is required along with evidence of employment and complete disclosure of your financial support and its sources. If you were tax exempt then you must provide a full explanation of how you were able to support yourself on limited funds. If you are claimed as a dependent on your parents' tax return, your legal domicile for this purpose will be that of your parents, regardless of your age.
4. **Written statement of residency-** Since being present in the Commonwealth solely for the purposes of carrying on a course of study does not qualify you for in-state residency **you must provide a written statement citing your reasons for moving to Massachusetts.** It is important that this statement provide clear and compelling reasons for your presence in the state.
5. **Resident alien information (if applicable)-** Resident aliens or others holding permanent status must provide copies of either the alien registration card (both sides) or other appropriate evidence of legal status. The documentation submitted must show the date that legal status was awarded. Some suggested documents would include the following: notated White I-94 Card, stamp from USCIS in passport, Green Card or other immigration documentation.
6. Other, less weighty evidence may also be submitted if the student feels it will strengthen his/her case such as automobile registration, excise tax receipts, utility bills, an operator's license or other licenses issued by the Commonwealth.

Residency Appeal Form

7. The appeal and all supporting documents **must be filed before the end of the add/drop period for the term under appeal**. There is no retroactive review of residency. The appeal may be delivered or mailed to: Residency Appeal Committee, Bursar's Office, Salem State College, 352 Lafayette Street, Salem, MA 01970-5353.

(A) Residency Appeal Submission

Please include or attach to this section the following information:

1. Proof of residency in Mass. domicile
2. Evidence of marriage to Mass. resident
3. Copy of Parent's Federal and State Tax Return for the applicable tax year.
4. Copy of Student's Federal and State Tax Return for the applicable tax year.
5. Written statement of residency (use section below or attach separate sheet)
6. Resident alien information
7. Other information

Please note: this information must be **notarized**. A section for this purpose is included on the following signature page.

(B) Written Statement- this section may be used for your written statement. Please write any circumstances you feel justify this change in residency. Please write legibly or attach a typed explanation.

FOR OFFICE STAFF ONLY

STUDENT NAME: _____

STUDENT I.D. # _____

DATE RECEIVED: _____

DATE REVIEWED: _____

APPROVED/DENIED

SUBMITTED BY: _____

REASON FOR DECISION:

Proof Of Residency

Please read rules and regulations for classification as a Massachusetts student on the reverse side of this form. Concealment of facts or untruthful statements may cause you to be subject to dismissal from the institution.

Applicant's Full Legal Name: _____ Male Female

Applicant's Permanent Address: _____ Since (mo/yr) _____

_____ Student ID # _____

Soc. Sec. #: _____ Date of Birth: _____ City/State of Birth: _____

Are you a U.S. Citizen? Yes No If not, Alien Reg. # _____ Or Immigration Status: _____

College/Local Address (if known): _____ Since (mo/yr): _____

Parent's/Legal Guardian's Name (enclose proof of court appointment): _____

Parent's/Legal Guardian's Permanent Address: _____ Since (mo/yr): _____

Are you or either (or both) of your parent's members of the Armed Forces on active duty in Massachusetts? Yes No

Are you married to a legal resident of the Commonwealth? Yes No

Statement of Applicant (if 18 years or older).

I _____ certify that I have read the "Rules and Regulations for the Classification of Students for Tuition Purposes" at Salem State College". I hereby certify that the information submitted in support of this appeal is true and accurate. I also certify that I am over 18 years of age and that pursuant to said rules and regulations I am domiciled in Massachusetts for purposes other than education and have maintained a residence herein continuously since (mo/yr) _____.

Signature: _____ Date: _____

Spouse's Signature (if applicable): _____

Statement of Parent/Legal Guardian

(if applicant is under 18 years of age)

I _____ certify that I have read the "Rules and Regulations for the Classification of Students for Tuition Purposes at Salem State College". I hereby certify that the information submitted in support of this appeal is true and accurate. I also certify that I am the parent/legal guardian of the student and that pursuant to said rules and regulations he/she is domiciled in Massachusetts for purposes other than education and has maintained a residence herein continuously since (mo/yr) _____.

Signature: _____ Date: _____

Spouse's Signature (if applicable): _____

FOR NOTARY USE ONLY

IN WITNESS WHEREOF, I have hereunto set my hand and seal on _____.

Student Signature

Commonwealth of Massachusetts, Essex County _____ personally appeared before me on _____ and acknowledged the foregoing to be his/her free act and deed.

Notary Signature

My commission expires _____

It is the policy and commitment of Salem State College not to discriminate on the basis of race, religion, color, age, sexual orientation, sex, handicap, veteran status, marital status, or national origin in its educational programs, activities, admissions or employment policies and to actively comply with the requirements of Federal Executive Orders 11246 and 11375 as amended; the Civil Rights Act of 1964 as amended; Title IX of the Educational Act of 1972, Section 503 and 504 of the Rehabilitation Act of 1973, Section 402, Vietnam Era Veterans Readjustment Assistance Act of 1974; and pertinent laws, regulations and executive directives of the Higher Education Coordinating Council of the Commonwealth of Massachusetts, and other applicable state and federal statutes

Rules and Regulations for the Classification of Student for Tuition Purposes at Salem State College

These rules and regulations shall apply to the classification of students at Salem State College as Massachusetts or non-Massachusetts students for tuition purposes.

Section 1 – Definitions

- Academic Period** – A term of semester in an academic year or a summer or winter session, as prescribed by the Board of Trustees or under their authority.
- Continuous Attendance** – Enrollment at the College for the normal academic year, or the appropriate portion of such academic year as prescribed by the Board of Trustees or under their authority.
- Domicile** – A person's true, fixed and permanent home and place of habitation, where he intends to remain permanently or for an indefinite time.
- Emancipated Person** – A person (a) who has attained the age of 18 years; or (b) if under 18 years of age, whose parents have entirely surrendered the right to the care, custody, and earnings of such person and who no longer are under any legal obligation to support or maintain such person; or (c) a person who has no parent. If none of the aforesaid definitions apply, said person shall be deemed an "unemancipated person".
- Parent** – With respect to a person (in the case of an adopted person, inserting the adjective "adoptive" before the words "father" and "mother" whenever used):
 - The person's father/ mother or court appointed legal guardian;
 - If neither the father nor mother are living and no legal guardian is appointed, the person who then stands in *loco parentis* to the person;
 - If the father and mother are divorced, the person to whom legal custody of the person is awarded;
 - If the father and mother are divorced, separated or unmarried and legal custody has not been awarded, the father or the mother, as the case may be, with whom the person lives or, if he/she lives with neither and the father is living, the father.
- Residence** – A place of habitation.

Section 2 – Rules for Determination of Domicile

- Domicile is not acquired by mere physical presence in Massachusetts while the person is carrying on a course of study at the college or while the person is engaged in employment for a specified term unless Massachusetts is otherwise the domicile of the person.
- Domicile at birth may be changed thereafter, by action of the parent in the case of an unemancipated person or by action of the person himself in the case of an emancipated person.
- A person claiming Massachusetts as his/her domicile shall furnish evidence to support such claim. The burden of proof in all cases is upon the person making the claim. The following shall be of probative value, although not necessarily conclusive, in support of a claim of domicile within Massachusetts:
 - Birth Certificate;
 - Motor vehicle registration and/or operator's license;
 - Voting or registration for voting;
 - Certified copies of Federal and State Income Tax returns;
 - Property ownership;
 - Continuous physical presence in Massachusetts during periods when not enrolled as a student;
 - Permanent employment in a position not normally filled by a student;
 - Reliance on Massachusetts sources for financial support;
 - Former domicile in Massachusetts and maintenance of significant connections therein while absent;
 - Domicile or parent within Massachusetts.

Evidence submitted in support of an assertion of domicile or of parental relationship shall be in such form as the Chief Fiscal Officer or his/her designee may require. Copies of official records or documents shall be authenticated by a proper officer. Assertions of fact made other than by an authenticated copy of an official record shall be certified as to accuracy and completeness by the person submitting the same.

(This form has been developed under the authorization in Section 1D of Chapter 15 of the General Laws of the Commonwealth of Massachusetts as amended by the addition of Chapter 255 of the Acts of 1974.)

Section 3 – Proof of Parental Relationship

A person asserting that he/she is an emancipated person shall furnish evidence to support such assertions. Such evidence may include:

- Birth certificate or other legal document showing place and date of birth;
- Legal guardianship papers – court appointment and termination must be submitted;
- Statements of the person, his parent(s), guardian(s), or others certifying no financial support;
- Certified copies of Federal and State Income Tax returns filed by the person and his parent(s);
- Where none of these foregoing can be provided, an affidavit of the emancipated person in explanation thereof and stating fully the grounds supporting the claim of emancipation.

Section 4 – Rules for Classification

- Every emancipated person applying for admission to the College who has maintained a residence in Massachusetts for a period of not less than one continuous calendar year next preceding the date of his/her application and has established a domicile in Massachusetts shall be eligible for classification as a Massachusetts student for tuition purposes.
- Every unemancipated person applying for admission to the College, whose parent has maintained a residence in Massachusetts for a period of not less than one continuous calendar year next preceding the date of application and has established a domicile in Massachusetts, shall be eligible for classification as a Massachusetts student for tuition purposes.
- Every emancipated person seeking a change in classification, who has maintained a residence in Massachusetts for a period of not less than one continuous calendar year next preceding the beginning date of the academic period for which he registers and has established a domicile in Massachusetts, shall be eligible for classification as a Massachusetts student for tuition purposes for such academic period.
- Every unemancipated person seeking a change in classification, whose parent has maintained a residence in Massachusetts for a period of not less than one continuous calendar year next preceding the beginning date of the academic period for which the person registers and has established a domicile in Massachusetts, shall be eligible for classification as a Massachusetts student for tuition purposes for such academic period.
- A person having his domicile elsewhere than in Massachusetts shall not be eligible for classification as a Massachusetts student for tuition purposes except as herein provided.
- Any person who is registered at the College as a Massachusetts student shall be eligible for continued classification as a Massachusetts student for tuition purposes (until attainment of the degree for which he is then enrolled) during continuous attendance at such institution.
- A member of the Armed Forces of the United States and his spouse and unemancipated children shall, while he is on active duty and stationed in the Commonwealth of Massachusetts, be eligible for classification as a Massachusetts student for tuition purposes.
- The status of a person who marries an emancipated domiciliary of Massachusetts shall be considered the same as the spouse immediately upon the date of marriage.

Section 5 – Change in Classification

No application for change to classification as a Massachusetts student for tuition purposes submitted later than the end of publicized Add/Drop period shall affect a classification during the then current academic period.

Section 6 – Penalty for Misrepresentation

Misrepresentation or omission of any evidence submitted as fact which if correctly or completely stated would be grounds to deny classification as a Massachusetts student for tuition purposes shall be cause for exclusion or expulsion from the College or other action by the College.

Section 7 – Appeals

Appeals from a determination denying classification as a Massachusetts student shall be initiated by filing a written request using the "Residency Appeals Form" with the Chief Financial Officer or his/her designee specifying the particular grounds for said request.

Section 8 – Miscellaneous

Nothing contained herein shall be constructed as limiting or prohibiting the authority of the Board of Trustees to waive or reduce tuition charges.