

MINNESOTA STATE COLLEGES AND UNIVERSITIES
PROCEDURE REVIEW & COMMENT DOCUMENT
DATED 5/6/2016

PROPOSED AMENDMENT TO PROCEDURE 2.2.1 STATE RESIDENCY

CONTENT FORMAT:

Single underlining represents proposed new language.

~~Strikeouts~~ represent existing language proposed to be eliminated.

1 **2.2.1 State Residency**

2 **Part 1. Purpose and Definition.**

3 This procedure provides guidance to colleges and universities on the process to be followed
4 when a nonresident student requests to be reclassified as a Minnesota state resident. To establish
5 a consistent college and university process for considering nonresident student requests to be
6 reclassified as a Minnesota state resident, and the information that may be used in support of that
7 request. Each college and university shall establish a policy and procedure for allowing students
8 to petition for a change in state residency status in accordance with the provisions of this system
9 procedure.

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11 **Part 2. Definition**

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13 **Domicile**

14 is a A person's true, fixed, and permanent living place. ~~Domicile is~~ and the place to which a
15 ~~person he or she~~ intends to return to after temporary absences. ~~A person may have only one~~
16 ~~domicile at a time.~~*(relocated)*

17

18 **Part 3. College and University Policy and Procedure**

19 A person may have only one domicile at a time. College and university policies and procedures
20 must provide a process for students to petition for a change in state residency status.

21

22 **Part 4. Demonstration of Establishment of Domicile and Factors to be Considered.**

23 In order to be reclassified as a Minnesota state resident, a student ~~must~~ shall first demonstrate the
24 establishment of domicile in Minnesota. ~~as described in this part.~~

25

26 **Subpart A. Required Period of Residence.**

27 A student must have maintained a domicile ~~resided~~ in Minnesota for a continuous period of
28 one calendar year immediately prior to applying for reclassification, and residence in
29 Minnesota during this period of time must not have been solely or primarily for the purpose
30 of attending a college or university.

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34 **Subpart B. Other Factors:**

35 Students are responsible for providing supporting documentation and evidence with their
36 petition for reclassification. Each of the following additional Relevant facts and
37 circumstances may be considered in during the evaluation of a petition for a change in state
38 residency, including, but not limited to, the ones listed below. and other factors not listed
39 may also be considered. The existence of any one of these factors is neither necessary nor
40 sufficient to form the basis for a decision. It is the student's responsibility to provide
41 documentation or evidence of any factors to be considered in the reclassification decision.

- 42 1. Continuous presence in Minnesota between academic terms or other periods when not
43 enrolled as a student.
- 44 2. Registration as a voter in Minnesota.
- 45 3. Ownership of a home in Minnesota.
- 46 4. Domicile of the student's spouse in Minnesota.
- 47 5. Registration of the student's automobile in Minnesota.
- 48 6. For a dependent student, domicile in Minnesota of the student's parent or legal
49 guardian.
- 50 7. Evidence of the intention to acquire a domicile in Minnesota.
- 51 8. Sources of the student's financial support are generated within Minnesota.
- 52 9. An offer of employment in Minnesota to begin after the student's projected date of
53 college or university graduation.

54
55 **Part 53. Decision.** ~~A student's petition for reclassification shall be considered and a decision~~
56 ~~made within a reasonable period of time, which shall be clearly stated in the institutional policy~~
57 ~~and procedure. The college and university process must state that all petitions for reclassification~~
58 ~~will be considered and a decision will be communicated to the student within 30 days. A student~~
59 ~~whose residency is changed to that of a Minnesota resident shall must be charged the resident~~
60 ~~tuition rate effective at the beginning of the term of enrollment in which following the date the~~
61 ~~petition was submitted. Classification of a student as a Minnesota resident shall must apply to all~~
62 ~~Minnesota State Colleges and Universities.~~

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64 **Part 64. Appeal.** ~~Each college or university policy and procedure shall provide for an appeal~~
65 ~~process for students whose petition for reclassification as a Minnesota resident has been denied.~~
66 ~~Student appeals must be submitted to an the appropriate college or university administrator of a~~
67 ~~decision not to reclassify a student as a Minnesota resident. The administrator's whose decision~~
68 ~~shall will be final. A student whose appeal is successful and whose residency is changed to that~~
69 ~~of a Minnesota resident must be charged the resident tuition rate effective at the beginning of the~~
70 ~~term in which the petition was submitted.~~

71
72 **Related Documents:**

- 73 • [Policy 2.2](#) State Residency

74
75 **Procedure History:**

76 *Date of Adoption:* 10/08/08
77 *Date of Implementation:* 10/08/08
78 *Date of last review:* xx/xx/xx

81 *Date & Subject of Revisions:*
82 *xx/xx/xx- Updated the formatting, relocated several sentences in the procedure*
83
84 No additional HISTORY