



Application Packet
for
Oklahoma Residency Classification

Office of the Registrar
1405 N. 4th, PMB 4139
Durant, OK 74701-0609
580-745-2165 – 580-745-7472 fax

Residence Status of Enrolled Students in the Oklahoma State System of Higher Education

Article XIII-A of the Constitution of Oklahoma creates The Oklahoma State System of Higher Education and establishes the Oklahoma State Regents for Higher Education as the coordinating board of control for all public institutions supported by legislative appropriations. One of the constitutional powers of the State Regents is to recommend to the Oklahoma Legislature the proposed fees to be charged at public institutions. To implement this constitutional responsibility, the Regents annually prepare and submit to the Legislature a schedule of general fees to be paid by residents of Oklahoma and nonresidents alike, and a separate schedule of tuition charges to be made of nonresident students. The policy statement set forth in the paragraphs to follow establishes principles, definitions, criteria, and guidelines to assist institutional officials in the classification of students as residents or nonresidents for fee and tuition payment purposes. Also, the policy statement should be helpful to prospective students in the determination of their own residence status prior to enrollment or for those nonresident students seeking to be reclassified as residents of Oklahoma after having been classified originally as nonresidents. Determination of residence status for purposes of attendance at an institution in The Oklahoma State System of Higher Education is based primarily on the issue of domiciliary intent.

Section I. PHILOSOPHY

Since 1890, it has been public policy in Oklahoma to provide comprehensive, low-cost public higher education for citizens, in order to make educational opportunity available for Oklahoma individuals to improve themselves, to help upgrade the knowledge and skills of the Oklahoma work force, and to enhance the quality of life in Oklahoma generally. Therefore, residents of Oklahoma are afforded subsidies covering a majority of their educational costs at all colleges and universities of The Oklahoma State System of Higher Education. Nonresidents of Oklahoma are also provided substantial educational subventions, although at lower levels than those provided for permanent residents of the state.

Section II. PRINCIPLES

1. Attendance at an educational institution, albeit a continuous and long-term experience, is interpreted as temporary residence; therefore, a student neither gains nor loses resident status solely by such attendance.
2. Students attending an Oklahoma college or university may perform many objective acts, some of which are required by law (i.e. payment of taxes), and all of which are customarily done by some non-residents who do not intend to remain in Oklahoma after graduation but are situationally necessary and/or convenient (i.e. registering to vote, obtaining a driver's license). Such acts and/or declarations alone are not sufficient evidence of intent to remain in Oklahoma beyond the college experience.
3. A nonresident student attending an Oklahoma college or university on more than a half-time basis is presumed to be in the state primarily for educational purposes.

4. An individual is not deemed to have acquired status as a resident of Oklahoma until he or she has been in the state for at least a year primarily as a permanent resident and not merely as a student. Likewise, an individual classified as a resident of Oklahoma shall not be reclassified as a nonresident until 12 months after having left Oklahoma to live in another state.
5. All married persons shall be treated as equal under this policy. Each spouse in a family shall establish his or her own residence status on a separate basis. Exceptions include: 1) when a nonresident marries an already established resident of Oklahoma, the nonresident may be considered a resident after documentation of the marriage and proof of domicile are satisfied, and 2) as provided in Section VIII.
6. The burden of proof of residence status or domicile shall be upon the applicant.
7. Initial classification as a nonresident student shall not prejudice the right of a person to be reclassified thereafter for following semesters or terms of enrollment as an Oklahoma resident provided that he or she can establish proof of residence in accordance with criteria and procedures as set forth in Sections VIII and IX of this policy.

Section III. DEFINITIONS

1. **Resident of Oklahoma** -- A resident of Oklahoma is one who has lived continuously in Oklahoma for at least 12 months duration and whose domicile is in Oklahoma. A person's domicile is his or her true, fixed, permanent home or habitation. It is the place where he or she intends to remain and to which he or she expects to return. A person can have more than one residence, but only one domicile. Domicile has two components -- residence and the intention to remain. When these two occur, there is domicile.
2. **Independent Person** -- An independent person is one enjoying majority privileges (or is legally emancipated from the parental domicile) and who is responsible for his or her own care, custody, and support.
3. **Dependent Person** -- A dependent person is one who is under the care, custody, and support of a parent or other legally sanctioned parental surrogate.
4. **Full-time Student** -- A full-time undergraduate student is one enrolled in a minimum of 12 credit hours per semester in an academic year or a minimum of 6 credit hours in a summer session. A full-time graduate student is one enrolled in a minimum of 9 credit hours per semester in an academic year or a minimum of 4 credit hours in a summer session.

Section IV. INDEPENDENT PERSONS

If a person enjoying majority privileges and who is independent of parental domicile can provide adequate and satisfactory proof of his/her having come to Oklahoma with the intention of establishing domicile, he/she may be granted resident student classification at the next enrollment occurring after expiration of 12 months following the establishment of domicile in Oklahoma. The spouse of such person must establish proof of his or her own domiciliary status on a separate basis.

Section V. DEPENDENT PERSONS

The legal residence of a dependent person is that of his/her father, or that of his/her mother if his/her father be not living or if the parents are separated and the dependent person habitually resides with the mother; or, if both parents are dead, that of his/her legally appointed guardian or anyone else with whom he/she habitually resides in the absence of formal legal designation. A dependent person may become emancipated (freed from his/her parent domicile) through marriage, formal court action, abandonment by parents, or positive action on his/her own part evidential of his/her alienation of parental domicile. To qualify under the latter category, a dependent person must have completely separated himself/herself from the parental domicile and have proved that such separation is complete and permanent. Mere absence from the parental domicile is not proof of its complete abandonment. If an applicant can provide adequate and satisfactory proof of complete emancipation and his/her having come to Oklahoma with the intention of establishing domicile, he/she may be granted resident student classification at the next enrollment occurring after expiration of 12 months following establishment of domicile in Oklahoma.

Section VI. FOREIGN NATIONALS

An individual who is not a citizen of the United States may become eligible for classification as an Oklahoma resident provided that he/she holds permanent resident status as defined by the United States Citizenship and Immigration Services (USCIS), evidenced by whatever documents may be required under applicable under federal law, who has resided in Oklahoma for at least 12 consecutive months, and who meets any other applicable criteria for establishment of domicile as set forth in this policy or who has come to Oklahoma for the purpose described in Section VIII of this policy.

In accordance with Senate Bill 596 of the 2003 Oklahoma legislature (70 O.S., Section 3242), an individual who is not a United State national and has not obtained permanent resident status with the USCIS but who has graduated from a public or private high school in Oklahoma or successfully completed the General Education Development (GED) exam may be eligible for enrollment, resident tuition, and state student financial aid if he/she meets the following criteria.

1. Resided in the state with a parent or legal guardian for at least two years prior to graduation from high school or successful completion of the GED;
2. Satisfied admission standards for the institution; and
3. Filed an affidavit with the institution stating that he/she has done one of the following with the BCIS toward legalizing their immigration status: a) filed an application; b) has a petition pending; or c) will file an application as soon as he/she is eligible to do so.

Section VII. MILITARY PERSONNEL

A student attending an institution while on full-time active duty in the armed forces is considered as having a temporary residence in the state in which he/she is attending school; therefore, a student neither gains nor loses resident status solely by such military service. Members of the armed services stationed in Oklahoma, their spouses, and dependent children shall be admitted without the payment of nonresident tuition so long as they continue to be stationed in the state in full-time military service and under military orders. While the policy clearly states that nonresident tuition will be waived for military personnel, such a waiver does not constitute Oklahoma residence status.

Dependent children of military personnel that establish residency prior to entering the State System shall maintain resident status if their parents are subsequently stationed out-of-state.

Section VIII. FULL-TIME PROFESSIONAL PRACTITIONER OR WORKER

An individual who provides evidence of having come to Oklahoma to practice a profession on a full-time basis, conduct a business full time, or work on a full-time basis shall be declared an Oklahoma resident along with his/her spouse and dependent children so long as they continue in such full-time employment capacity.

Section IX. PROOF OF RESIDENCE

The burden of proof of establishing Oklahoma residence or domicile, including providing any supporting documentation, shall be upon the applicant. Since residence or domicile is a matter of intent, each case will be judged on its own merit by the appropriate institutional official(s) consistent with this policy. No definitive or "magic" set of criteria can be established as sufficient to guarantee classification as a resident of Oklahoma.

Section X. RECLASSIFICATION

In addition to the aforementioned criteria, an independent person seeking to be reclassified as a resident of Oklahoma must meet the following criteria for the current and immediately preceding year.

1. The person must not have been claimed as an exemption for state and federal tax purposes by his or her nonresident parents.
2. The person must be self-supporting as evidenced by having provided the majority of funds for his or her own upkeep.
3. The person must have maintained a continuous residence in Oklahoma for the period set forth in Section V above.

Section XI. ADMINISTRATION OF POLICY STATEMENT

Each institution should designate the Admissions Officer or some other individual to be responsible for administration of the policy, and should make appropriate provision for a student's appeal of an adverse decision.

Section XII. TUITION WAIVERS

Nothing in this policy precludes the waiving of fees or tuition for nonresidents by any institution upon authorization by the State Regents based on criteria other than resident status provided that the residence status classification will not be affected by any such waiver alone.

Policy last revised on June 30, 2003.

Application for Residency Reclassification

Southeastern's definition of the term "resident" may be different from the definitions developed by other, non-university agencies. **Southeastern does not recognize declarations of resident status made by other agencies.** Therefore, a person who is an Oklahoma resident for tax, voting, or assistance purposes is not necessarily a resident for tuition purposes.

Each residency petition is judged on its own merit using the guidelines and regulations established by the Oklahoma State Regents for Higher Education. It is the student's responsibility to provide documentation to support a petition for in-state tuition classification. **Petitions that are not supported by sufficient documentation will be denied.**

It will take approximately 10 days from the time we receive all your paperwork to process your application. Once your application has been reviewed and processed, you will be notified by mail. Should you have any questions or need assistance concerning your residency status, please contact the Office of the Registrar at 580-745-2165 or in the Administration Building, room 100.

Application Checklist:

- _____ 1. Complete the Application for Oklahoma Residency Status.
- _____ 2. Attach the required documentation to your application.
- _____ 3. Return all documents and the completed Application for Oklahoma Residency Status to the Office of the Registrar, Administration Building, A100 or 1405 N. 4th Avenue, PMB 4139, Durant, OK 74701-0609.

Documentation for Proof of Residency

Actions such as the following may help to support an application for resident tuition status as they apply to the Basic Definition of Resident Status: 1) maintaining a permanent home/domicile in Oklahoma for at least 12 months prior to the first day of class attendance at any Oklahoma institution of higher education, 2) listing Oklahoma as your tax state with the military, 3) Oklahoma automobile registration and driver's license, 4) evidencing in some convincing way intent to remain in Oklahoma indefinitely after graduation, 5) evidence of family ties to Oklahoma, 6) owning property and paying state property taxes, or 7) voter registration. All of these things will be taken into consideration as part of a petition for in-state tuition classification, but are not in and of themselves sufficient to establish residency.

Please submit any of the following documents that may be applicable to you:

1. Copy of last year's Oklahoma Income Tax Return.
2. Copies of last 2 years of Federal Tax return if under 24 years of age. (Mark out financial info)
3. Letter or copy of contract from employer stating original date of employment, type of job and confirmation of full-time work status.
4. If you were transferred to Oklahoma by your employer, a letter (on letterhead) from your employer stating that you were transferred and the dates this transfer occurred.
5. Copy of rental/lease agreement to establish the period of time within the state of Oklahoma.
6. Copy of mortgage, contract or deed to show that you own property in Oklahoma.
7. Driver's License, Voter's Registration, Automobile Registration, etc.
8. Utility bills, receipts, etc. verifying continuous residency in Oklahoma for at least 12 months.
9. Any other documentation you feel will support your claim for Oklahoma Residency.



Application for Oklahoma Residency Status

DIRECTIONS: Please print or type when completing this form. Documents must be submitted to support the information declared on this petition and as proof of the applicant's domiciliary intent. Submit application with supporting documentation to the Office of the Registrar. **Applications submitted without supporting documentation will be denied.** Application packet must be received prior to the last day to add a class for the semester you are applying for residency. If submitted after this deadline, the application will be considered for the following semester.

1. Name: _____ 2. Student ID: _____

3. Telephone: _____ 4. Semester Applying For: _____

5. Mailing Address: _____
Street or Box City State Zip

6. Location of Permanent Home or Domicile: _____
Street City State

7. Location of Current Local Residence: _____
Street City State

8. Previous Addresses: (Give information covering the last three years)

From _____ to _____
Date Date Place

From _____ to _____
Date Date Place

From _____ to _____
Date Date Place

9. Date of Birth: _____ Place of Birth: _____ Age: _____

10. Are you a citizen of the United States? Yes No

If you are not a U.S. citizen, do you have permanent resident alien status? Yes No

If yes, please include a copy of your green card, front and back.

If no, please list current Visa type: _____

11. Date of arrival in Oklahoma: _____

12. Have you physically/continuously lived in Oklahoma for the last 12 months? Yes No

If no, please list why: _____

13. Are you, your spouse or one of your parents (if you are dependent) currently a member of the United States Armed Forces? Yes No If yes, who: _____

If yes, please attach a copy of current orders and Leave and Earnings Statement indicating state of legal residence. If active duty, where currently stationed: _____

14. The following questions are used to help determine if you may qualify for "independent" person status. If you are unable to answer 'yes' on any of the following, then you are considered a "dependent" person and your residency will be based on your parents' or guardian's residency status.

- a. Were you 23 years of age or older as of Jan 1st? Yes No
- b. Are you married?..... Yes No
- c. Do you have children? Yes No
- d. Are you an orphan or ward of the court? Yes No
- e. Were you a ward of the court until age 18? Yes No

Please attach supporting documentation if "Yes" is marked on any of these questions.

If you are not 23 years of age by January 1st of the academic year and CANNOT check 'YES' to any of the above, your residency WILL be the same as your parents/legal guardian even if you were not claimed as a dependent by your parents for income tax purposes.

15. Name of parent/guardian or spouse : _____

16. Address of parent/guardian or spouse: _____
Street City State

17. How long have they lived at this address? _____

18. Parents' occupations: _____
Position Company City State

Position Company City State

19. Are you or your spouse currently employed? Yes No If yes, where?

You: _____
Position Company City State

Length of employment: _____ Hours per week worked: _____

Spouse: _____
Position Company City State

Length of employment: _____ Hours worked per week: _____

20. Do you or your parent/guardian own a house in Oklahoma? Yes No

Is this your primary residence/domicile? Yes No

If no, what is the main purpose/use of this house? _____

21. Where did you graduate high school? _____
HS Name City State

30. I hereby declare, under the penalties of perjury and the criminal laws of Oklahoma relating to the obtaining of property under false pretenses that the statements contained in the above and foregoing application for residence classification have been examined by me and to the best of my knowledge and belief every statement made therein is true, correct, and complete, and made in good faith, for the purpose of inducing the officials of this institution to grant me residence classification in order that I may obtain the privilege of paying resident fees as a student at such institution. I hereby authorize this institution, its officers, agents, and employees, or any of them to investigate the truth of any statements made in this application, and consent that any person possessing information touching on the facts herein stated may reveal such information to the officers, agents, or employees of said institution, for the uses and purposes herein stated.

X Signature: _____ Date: _____

◆ ◆ *Signature is required before application can be processed* ◆ ◆

***Please attach documentation to support your claim for
Oklahoma Residency.***

***Applications received without
supporting documentation cannot be considered.***