Office of Admissions and Merit Awards
South Carolina Residency
Coastal Carolina University
P.O. Box 261954 • Conway, SC 29528-6054
www.coastal.edu/admissions/residency

South Carolina Residency Information for the Determination of Tuition and Fees

Statutory Authority: 1976 Code Section 59-149-10

The Role of the University

South Carolina law requires Coastal Carolina University to determine the resident classification of each student for tuition and fee purposes. A student's initial resident status is typically determined using the general admissions application or supplemental form(s), if necessary, following acceptance to the University. Undergraduates may view this classification through the Applicant or Student menus within WebAdvisor. To challenge or change an initial residency determination, an applicant or student must complete a formal residency application, available at www.coastal.edu/admissions/resforms and supply all required supporting documentation from the applicable checklist by the published deadline for the term. Please note that the burden of proof rests with the student to show adequate establishment and/or maintenance of domiciliary evidence, as required by the state. Additional items not listed on the general checklists may be required of applicants at the residency officers' discretion.

Physical presence within the state primarily for educational purposes does not constitute the establishment of South Carolina residence for tuition and fee purposes, regardless of the length of stay. Resident status may not be acquired by an applicant or student while residing in South Carolina for the primary purpose of enrollment in an institution or for access to state-supported programs designed to serve South Carolina residents. Therefore, a student who enrolls at the University as a non-resident is presumed to remain a non-resident throughout his or her attendance and does not qualify under any of the residency provisions. If a person asserts that his or her domicile has been established in accordance with South Carolina residency law and regulation, the individual must formally apply to be considered for a change of resident classification for tuition and fee purposes by the published deadline for the applicable term.

The Application Process

Individuals applying for resident classification must complete the appropriate residency application and submit all required supporting documents by the published deadline for the applicable term, as outlined on the South Carolina Residency web page. Incomplete applications will not be considered. Only completed applications will receive formal decisions and only formal decision may be appealed. An application is deemed complete when the application and all supporting documentation have been received. Applicants are responsible for monitoring and confirming their application status via WebAdvisor. Application forms, supporting document checklists, exceptions to the 12-month establishment period and application deadlines, along with links to the complete law and regulation, may be found online at www.coastal.edu/admissions/residency or by visiting the Office of Admissions and Merit Awards on the first floor of Baxley Hall. Please note that documents submitted to our office become the property of Coastal Carolina University and cannot be returned. Please provide copies of documents with your application.

Disclaimer: This policy is a summation of residency requirements developed to provide general information and guidance about the application process. South Carolina laws and regulation supersede any information herein and are subject to change without notice.

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South Carolina Laws Governing Domicile

Rules regarding the establishment of legal residence for tuition and fee purposes for institutions of higher education are governed by Title 59, Chapter 112 (Determination of Rates of Tuition and Fees) of the South Carolina Code of Laws, as amended. Under the law, residency for tuition and fee purposes can be established by an independent citizen or by certain aliens. There are also provisions in the law applicable to the resident classification of dependent persons. Generally, a dependent person's resident status is based upon that of his or her parent(s), spouse, or legal guardian(s), upon whom the person is financially dependent.

Resident Classification

Independent persons who have been physically domiciled while maintaining indicia, such as driver license, vehicle registration, payment of state taxes, etc., to South Carolina for 12 continuous months immediately preceding the date classes begin for the semester for which resident status is claimed may qualify to pay in-state tuition and fees. The 12-month physical presence requirement begins when an independent person completes all applicable steps toward becoming a legal resident of South Carolina (see 62-605. Establishing the Requisite of Intent to Become a South Carolina Domiciliary).

For purposes of establishing institutional policy, a person under 24 years of age is presumed to be dependent, unless he or she meets additional burdens of proof, including a financial analysis based on the cost of attendance applicable to the student's last 12 months of enrollment. Only when found to be financially independent by this measure, may a student's application be evaluated independently without his or her parent(s'), spouse's, or legal guardian(s') information. An independent person must provide more than half of his or her financial support during the 12 months immediately preceding the semester for which resident status is requested. An independent person cannot be claimed as a dependent or exemption on the federal tax return of his or her parent, spouse or legal guardian for the year in which resident status is requested. A fall semester applicant may not be considered independent if he or she was claimed by a parent, spouse, or guardian in the preceding tax year. An independent person cannot claim the domicile of another person as his or her own for the purposes of establishing residency.

The resident status of a dependent person is based on the resident status of the person who provides more than half of the dependent person's support and claims (or is eligible to claim) the dependent person as a tax exemption. Thus, the resident status of a dependent person is presumed to be that of his or her parent, spouse or legal guardian.

Establishing Requisite Intent to Become a South Carolina Domiciliary

The following list of items are used to assess a person's demonstrated intent to become a permanent resident of South Carolina:

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1. Statement of full-time employment;

2. Designating South Carolina as state of legal residence on military record;

3. Possession of a valid South Carolina driver's license, or if a non-driver, a South Carolina identification card. Failure to obtain this within 90 days of establishment of the intent to become a South Carolina resident will delay the beginning date of residency eligibility until such documentation is obtained;

4. Possession of a valid South Carolina vehicle registration card. Failure to obtain this within 45 days of the establishment of the intent to become a South Carolina resident will delay the beginning date of residency eligibility until the applicant obtains a South Carolina vehicle registration card;

5. Paying South Carolina income taxes as a resident during the past tax year; including income earned outside of South Carolina from the date South Carolina domicile was claimed;

6. Ownership of principal residence in South Carolina;

7. Maintenance of domicile in South Carolina;

8. Licensing for professional practice (if applicable) in South Carolina.

The absence of indicia (driver's license and vehicle registration(s)) in other states or countries is required before a student is eligible to pay in-state tuition and fee rates. Establishment of one or more of these examples does not singularly or conclusively determine an individual's intent to establish residency; however, the lack of one or more of these examples may prohibit an individual from qualifying. Each case is decided individually on the basis of all documents submitted, in accordance with state law and institutional best practices, promoted by the South Carolina Commission on Higher Education.

Divorced or Separated Parents

In the case of divorced or separated parents, the resident status of a dependent person may be based on the resident status of the parent who: a) claims the dependent person as a dependent for tax purposes, or b) based on the resident status of the parent who has legal custody or legal joint custody of the dependent person, or c) based on the resident status of the person who make payments under a court order for child support and at least the cost of his or her college tuition and fees.

Non-Resident Aliens, Non-Citizens and Non-Permanent Residents

Independent non-citizens and non-permanent residents of the United States will be assessed tuition and fees at the non-resident, out of state rate. Independent non-resident aliens may be entitled to in-state classification for tuition and fee purposes once they have been awarded permanent resident status by the U.S. Department of Justice and meet all the statutory residency requirements, provided that all other domiciliary requirements are

met. Time spent living in South Carolina immediately prior to the awarding of permanent resident status does not count toward the 12-month residency period. Certain non-resident aliens present in the United States in specified visa classifications who can demonstrate permanent residence in South Carolina for at least 12 months while holding such visas, may be entitled to in-state resident classification. They are not, however, eligible to receive state-sponsored tuition assistance or scholarships.

A dependent alien may be entitled to resident classification if the alien and the parent(s) of the alien have been lawfully admitted to the United States for permanent residence and the parent has physically resided and established permanent residence in South Carolina for at least 12 months after admission for permanent residence.

Exceptions

Persons in the following categories may qualify to pay in-state tuition and fees without having to establish a permanent home in the state for 12 months. Persons who qualify under any of these categories must meet the conditions of the specific category on or before the first day of class of the term for which payment of in-state tuition and fees is requested. The following categories apply only to in-state tuition and do not apply to State supported scholarships and grants.

1. Military Personnel and their Dependents

Members of the United States Armed Forces who are permanently assigned in South Carolina on active duty and their dependents are eligible to pay in-state tuition and fees. When such personnel are transferred from the state, their dependent may continue to pay in-state tuition and fees as long as they are continuously enrolled. Such persons (and their dependents) may also be eligible to pay in-state tuition and fees as long as they are enrolled continuously after their discharge from the military, provided they have demonstrated an intent to establish a permanent home in South Carolina and have resided in South Carolina for a period of at least 12 months immediately preceding their discharge. (See Establishing Requisite Intent.) Military personnel who are not stationed in South Carolina and/or former military personnel who intend to establish South Carolina residency must fulfill the 12-month “physical presence” requirement for them or their dependent to qualify to pay in-state tuition and fees.

2. Faculty and Administrative Employees with Full-Time Employment and their Dependents

Full-time faculty and administrative employees of South Carolina state-supported colleges and universities and their dependents are eligible to pay in-state tuition and fees.

3. Residents with Full-Time Employment and their Dependents

Persons who reside, are domiciled, and are employed full-time in the state of South Carolina and who continue to work full-time until they meet the 12 month requirement and their dependents are eligible to pay in-state

tuition and fees, provided they have taken ALL of the applicable steps to establish a permanent home in the state. Steps an independent person must take to establish residency in South Carolina are listed in section 62-605 entitled ("Establishing the Requisite Intent to Become a South Carolina Domiciliary").

The definition of full-time employment for this purposes is defined as employment that consists of a least thirty-seven and one half hours a week on a single job in a full-time status. A person working less than this specified number of hours *may* qualify if the employer verifies the employee's eligibility for full-time benefits. A person who meets the eligibility requirements of the Americans with Disabilities Act must present acceptable evidence that he or she satisfies the prescribed employment specifications in order to qualify as having full-time employment.

4. Retired Persons and their Dependents

Retired persons who are receiving a pension or annuity who reside in South Carolina and have been domiciled in South Carolina as prescribed in the statute for less than one year may be eligible for in-state tuition and fee rates if they maintain residence and domicile in the state. Persons on terminal leave who have established residency in South Carolina may be eligible for in-state tuition and fee rates even if domiciled in the state for less than one year if they present documentary evidence from their employer showing they are on terminal leave. The evidence should show beginning and ending dates for the terminal leave period and that the person will receive a pension or annuity when he or she retires.

5. Covered Individuals Receiving Specific Education Benefits

Covered individuals living in South Carolina, who are enrolled in a public institution of higher education and receiving educational assistance under Chapter 30 and Chapter 33, Title 38 of the United States Code, are entitled to pay in-state tuition and fees without regard to the length of time the covered individual has resided in South Carolina. For purposes of this subsection, a covered individual is defined as either a veteran receiving education assistance under Chapter 30 and Chapter 33, Tile 38 of the United States Code, who served ninety days or longer on active duty in the Uniformed Service of the United States, their respective Reserve forces, and the National Guard and who enrolls within three years of discharge; or anyone using transferred Post-9/11 G.I. Bill benefits (38 U.S.C. § 3319) who lives in the state in which the institution is located (regardless of his/her formal State of residence) and enrolls in the institution within three years of the transferor's discharge or release from a period of active duty service of 90 days or more; or anyone using benefits under the Marine Gunnery Sergeant John David Fry Scholarship (38 U.S.C. § 3311(b)(9)) who lives in the state in which the institution is located (regardless of his or her formal State of residence); or anyone using transferred Post-9/11 G.I. Bill benefits (38 U.S.C. § 3319) who lives in the state in which the institution is located (regardless of his/her formal state of residence) and the transferor is a member of the uniformed service who is serving on active duty.

At the conclusion of the applicable three year period in subsection (C)(2)(a) or (C)(2)(b), a covered individual shall remain eligible for in-state rates as long as he remains continuously enrolled in an in-state institution or

transfers to another in-state institution during the term or semester, excluding summer terms, immediately following his enrollment at the previous in-state institution. In the event of a transfer, the in-state institution receiving the covered individual shall verify the covered individual's eligibility for in-state rates with the covered individual's prior in-state institution. It is the responsibility of the transferring covered individual to ensure all documents required to verify both the previous and present residency decisions are provided to the in-state institution.

Inquiries and Appeals

Inquiries regarding residency requirements and determinations should be directed to:

Louis "Tripp" Hutto, Assistant Director of Residency
Office of Admissions and Merit Awards
scresidency@coastal.edu
843-349-2784 (direct)
1-800-277-7000, Option #5 (toll-free)

Only select University staff are authorized to counsel students regarding South Carolina residency requirements for tuition and fee purposes. Residency applicants who are formally denied resident status may appeal the decision. Appeal instructions are communicated at the time of appeal and have a defined timeline for each applicant. A University Residency Appeals Board and process exists in accordance with state regulations. The board and process have been designed to handle residency appeals in the most consistent and expedition manner possible. No University official or board may waive state law or regulation, and the appeal decision is final.

Incorrect Classification

Persons incorrectly classified as residents are subject to reclassification and to payment of all non-resident tuition and fees owed to the University. If incorrect classification results from false or concealed facts, such persons may be charged tuition and fees past due and unpaid at the out-of-state rates, and interest in accordance with state law. The violator may also be subject to administrative, civil and financial penalties. Until all changes are paid, such persons will not be allowed to receive transcripts or graduate from a South Carolina institution. South Carolina residents provisionally approved or otherwise, who experience a change in resident status or qualification are required to notify the Office of Admissions and Merit Awards.

IMPORTANT: This is an abbreviated, paraphrased explanation of residency regulation and requirements. A copy of the actual law and regulations may be obtained online at www.scstatehouse.gov or www.che.sc.gov or in the Office of Admissions and Merit Awards. You are encouraged to read all residency information carefully and thoroughly and contact a residency officer with any need for further clarification.

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