

South Carolina Residency Information for Tuition and Fee Purposes

The Role of the University

The South Carolina Commission on Higher Education requires Coastal Carolina University to determine the resident classification of each student for tuition and fee purposes. This determination is made initially at the time of Admissions acceptance. To be considered for a change of resident classification, students who enroll as non-residents must complete the formal residency application, available at <http://www.coastal.edu/admissions/resforms.html>. The burden of proof rests with the student to show evidence, as deemed necessary by the state, to establish and maintain resident status.

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, students who enroll at the University as non-residents should expect to remain non-residents for tuition and fee purposes, unless circumstances warrant and support the establishment of a permanent domicile. If a person asserts that his or her domicile has been established in South Carolina, the individual has the burden of proof.

The Application Process

Persons applying for resident classification must complete the required residency application and supply all requested supporting documentation by the dates posted on the Coastal Carolina University Residency Application Deadlines webpage located at www.coastal.edu/admissions/resdeadlines.html. **Incomplete applications will not be considered.** An application is deemed complete when the application and all supporting documentation have been received. The application can be accessed online at www.coastal.edu/admissions/residency.html. Submitted applications and supporting documentation become property of Coastal Carolina University; therefore we cannot return copies.

South Carolina Laws Governing Residence

The regulations regarding the establishment of legal residence for tuition and fee purposes at the University are governed by the South Carolina Code of Laws, Title 59 Education, Chapter 112 Determination of Rates of Tuition and Fees. Under the law, residence 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, the resident status of a dependent person is based upon the resident status of the 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's 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 residency period begins when the independent person completes all applicable steps toward becoming a legal South Carolina resident. (See *Establishing Requisite Intent* below).

If a person is under 24 years of age, the individual must prove he or she is an independent person. 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 applicant will not be considered independent if he or she was claimed by a parent, spouse, or guardian in the preceding tax year.)

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

If a person asserts that his or her domicile has been established in South Carolina, the individual has the burden of proof and must provide any and all evidence he or she believes supports said establishment. The Residency officer will consider all evidence provided. However, the law must be met and applications must be reviewed in a consistent manner.

For independent persons or the parent(s), spouse or legal guardian(s) of dependent persons, examples of intent to become a South Carolina resident may include:

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) in other states or countries is required before the 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 facts submitted.

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 (Air Force, Army, Marine Corps, Navy and Coast Guard) 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 they 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, according to the state definition of full time employment, (minimum of 37.5 hours a week on a single job and/or are eligible for full-time benefits) 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 steps to establish a permanent home in the state (*see Establishing Requisite Intent*).

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/she retires.

Inquiries and Appeals

Inquiries regarding residency requirements and determinations should be directed to:

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

No other University personnel are authorized to supply information relative to residency requirements for tuition and fee purposes. Residency applicants who are denied resident status for tuition and fees may appeal the decision of the Assistant Director of Residency. A University Appeals Committee on Legal Residence has been established in accordance with state regulations to review the facts and details of any case brought before it to evaluate the accuracy of the initial decision. The committee, however, is bound by the same law as the Residency officer. Neither the committee nor the Assistant Director may waive provisions of the law.

Incorrect Classification

Persons incorrectly classified as residents are subject to reclassification and to payment of all non-resident tuition and fees not paid. 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. The violator may also be subject to administrative, civil and financial penalties. Until these changes are paid, such persons will not be allowed to receive transcripts or graduate from a South Carolina institution. Current residents, whose resident status changes, are responsible for notifying the Assistant Director of Residency.

Currently Enrolled Students

Currently-enrolled out-of state students who attend Coastal Carolina University do not receive guidance from CCU on the residency application process. The state of SC has detailed state laws governing residency for tuition purposes. Currently enrolled students should consult <http://www.coastal.edu/admissions/residency.html> for information and instructions. To apply for in-state residency status please complete a residency application and submit supporting documentation to the Admissions Office. The application and information can be found at <http://www.coastal.edu/admissions/residency.html>.

NOTE: This is a summation, not a complete explanation of residency law. A copy of the law and regulations may be obtained online at <http://www.scstatehouse.gov> or at the Office of Admissions. To read further about residency regulations for the determination of in-state tuition and fees, contact the State of South Carolina website:

www.che.sc.gov