

RESIDENCY RECLASSIFICATION DOCUMENTATION

Student Records

The following is a list of required documentation that must be submitted with the Residency Reclassification Application and will be used in determining eligibility. Attach only the supporting documentation that is required under the provision for which you feel you are qualified. The following information is required under Ohio Administrative Code 3333-1-10 Ohio Student Residency for State Subsidy and Tuition Surcharge Purposes Documentation.

Notes regarding the requested supporting documents:

- ✓ Remove all social security numbers and checking/savings account numbers from all documents prior to submission.
- ✓ If required, "Proof of Dependency" may consist of marriage license; birth certificate, court order, etc.
- ✓ Only the first two pages of any tax return needs to be submitted. A tax transcript is acceptable.
- ✓ "Proof of Ohio Domicile" (All letters for verification of domicile must be notarized)
 - Unless otherwise noted in the rule, students must prove 12 consecutive months immediately preceding the start of the semester for which they are applying. For this document, "1st Day" means first day of the term.
 - Deed, mortgage, rental agreement, lease, or similar documentation. If the student is NOT listed on the agreement, a notarized statement (including the residency dates) from the person with whom he/she is residing is required.
- ✓ All letters from employers or business must be on letterhead with company contact information.
- ✓ Driver's License or State ID must be from the 'Resident'. (e.g., for a dependent child, the parent or legal guardian's ID is required.)
- ✓ Applications with incomplete or missing documentation will not be given consideration.
- ✓ Only submit the requested documentation for the provision you have selected. Documentation that is not required for this application will be destroyed.

Rules, as defined by OAC 3333-1-10, under which students are eligible to apply:

C1 Financially dependent upon an Ohio resident

Rule: A student whose spouse, or a dependent student, at least one of whose parents or legal guardian, has been a resident of the state of Ohio for all other legal purposes for twelve consecutive months or more immediately preceding the enrollment of such student in an institution of higher education.

Supporting Documents:

- ☐ Driver's License or State ID (Resident and Student)
- ☐ Proof of Dependency
- ☐ Most Recent Federal & State Taxes
- ☐ Proof of Ohio Domicile

C2 Financially independent

Rule: A person who has been a resident of Ohio for the purpose of this rule for at least twelve consecutive months immediately preceding his or her enrollment in an institution of higher education and who is not receiving, and has not directly or indirectly received in the preceding twelve consecutive months, financial support from persons or entities who are not residents of Ohio for all other legal purposes.

Supporting Documents:

- ☐ Driver's License or State ID
- ☐ Most Recent Federal & State Taxes
- ☐ Proof of Financial Independence
- ☐ Proof of Ohio Domicile

C3 Dependent upon a spouse/parent/legal guardian with Ohio employment

Rule: A dependent student of a parent or legal guardian, or the spouse of a person who, as of the first day of a term of enrollment, has accepted full-time, self-sustaining employment and established domicile in the state of Ohio for reasons other than gaining the benefit of favorable tuition rates.

NOTE: Two part-time jobs or any combination cannot be used to constitute one full-time position. This residency reclassification is based upon one full-time employment position.

Supporting Documents:

- ☐ Driver's License or State ID (Resident and Student)
- ☐ Proof of Dependency
- ☐ Most Recent Federal & State Taxes
- ☐ Letter from Employer with:
 - Employee Name
 - Date Employment Began
 - Employment Status (Full/Part Time)
- ☐ Copies of Recent Pay Stubs from Parent, Spouse, or Legal Guardian
- ☐ Proof of Ohio Domicile (1st Day)

NOTE: This is a temporary status and requires a new petition be filed, most likely under Rule C1, after living in Ohio for 12 consecutive months.

C4 Veteran, veteran's spouse or veteran's dependent

Rule: A veteran, and the veteran's spouse and any dependent of the veteran, who meets both of the following conditions:

- (a) The veteran either (i) served one or more years on active military duty and was honorably discharged or received a medical discharge that was related to the military service or (ii) was killed while serving on active military duty or has been declared to be missing in action or a prisoner of war.
- (b) If the veteran seeks residency status for tuition surcharge purposes, the veteran has established domicile in this state as of the first day of term of enrollment in an institution of higher education. If the spouse or a dependent of the veteran seeks residency status for tuition surcharge purposes, the veteran and the spouse or dependent seeking residency status have established domicile in this state as of the first day of a term of enrollment in an institution of higher education, except that if the veteran was killed while serving on active military duty, has been declared to be missing in action or a prisoner of war, or is deceased after discharge, only the spouse or dependent seeking residency status shall be required to have established domicile in accordance with this division.

Supporting Documents:

- ☐ Driver's License or State ID
- ☐ DD214 or DD1300
- ☐ Proof of Dependency (as needed)
- ☐ Most Recent Federal & State Taxes
- ☐ Proof of Ohio Domicile (1st Day)

C5 Military Student Receiving Federal Veterans' Benefits

Rule: A veteran who is the recipient of federal veterans' benefits under the "All Volunteer Force Educational Assistance Program," 38 U.S.C. 3001 et seq., or "Post-9/11 Veterans Educational Assistance Program," 38 U.S.C. 3301 et seq., or any successor program, if the veteran meets all of the following criteria:

- (a) The veteran served at least ninety days or active duty.
- (b) The veteran enrolls in a state institution of higher education, as defined in section 3345.011 of the Revised code.
- (c) The veteran lives in the state as of the first day of a term of enrollment in the state institution of higher education.

Supporting Documents:

- ☐ Driver's License or State ID
- ☐ DD214
- ☐ Certificate of Eligibility for GI Bill® Benefits
- ☐ Proof of Ohio Domicile (1st Day)

C6 Students using Fry scholarship or transferred military education benefits

Rule: This classification is for "A person who is the recipient of the federal Marine Gunnery Sergeant John David Fry scholarship or transferred federal veterans' benefits under any of the programs (C5) of this rule, if the person meets both of the following criteria:

- (a) The person enrolls in a state institution of higher education.
- (b) The person lives in the state as of the first day of a term of enrollment in the state institution of higher education.

Note: In order for a person using transferred federal veterans' benefits to qualify under paragraph (C)(6) of this rule, the veteran who transferred such benefits must have served at least ninety days on active duty or the servicemember who transferred such benefits is on active duty.

Supporting Documents:

- ☐ Driver's License or State ID
- ☐ DD214
- ☐ Certificate of Eligibility for GI Bill Benefits
- ☐ Proof of Ohio Domicile (1st Day)

C7 Military Student Using Ch31 VR&E or Ch35 Survivors' and Dependents' Education Assistance

Rule: A person who is using federal veterans' educational assistance under the "Vocational Rehabilitation and Employment," 38 U.S.C. 3101 et seq or under "Survivors' and Dependents' Educational Assistance," 38 U.S.C. 3510 if the person meets the following criteria:

- (a) The person enrolls in a state institution of higher education.
- (b) The person lives in the state as of the first day of a term of enrollment in the state institution of higher education.

Supporting Documents:

- ☐ Driver's License or State ID
- ☐ Certificate of Eligibility for GI Bill Benefits (COE) *and* Enrollment Certification Form (VA Form 22-1999) *or*
- ☐ Approved Authorization and Certification of Entrance or Reentrance into Rehabilitation and Certification of Status (VA Form 28-1905)
- ☐ Proof of Ohio Domicile (1st Day)

C8 Forever Buckeye

Rule: A person who, while a resident of this state for state subsidy and tuition surcharge purposes, graduated from a high school in this state or completed the final year of instruction at home as authorized under section 3321.04 of the Revised Code, if the person enrolls in an institution of higher education and establishes domicile in this state, regardless of the student's residence prior to that enrollment, unless the person is in the United States on a student visa and has not petitioned for a change in status.

Supporting Documents:

- ☐ Driver's License or State ID
- ☐ Proof of Ohio Domicile (1st Day)
- ☐ Copy of student's Ohio high school transcript
 - o Verification of student's graduation on the high schools' letterhead stationery is acceptable
 - o A copy of a high school diploma is NOT sufficient evidence of high school graduation

NOTE: Students who received a GED do not qualify under this provision.

C9 Forever Buckeye - GED

Rule: A person who enrolls in an institution of higher education and establishes domicile in this state, regardless of the student's residence prior to that enrollment, unless the person is in the United States on a student visa and has not petitioned for a change in status and the person meets all of the following criteria:

- (a) The person officially withdrew from a school in this state while the person was a resident of this state for state subsidy and tuition surcharge purposes;
- (b) The person has not received a high school diploma or honors diploma awarded under section 3313.61, 3313.611, 3313.612, or 3325.08 of the Revised Code or a high school diploma awarded by a school located in another state or country; and
- (c) The person while a resident of this state for state subsidy and tuition surcharge purposes, both took a high school equivalency test and was awarded a certificate of high school equivalence.

Supporting Documents:

- ☐ Driver's License or State ID
- ☐ Proof of Ohio Domicile (1st Day)
- ☐ Documented withdraw from the Ohio school attended
- ☐ Copy of student's Ohio high school equivalence transcript.
 - o Confirmation of testing in Ohio may be required
 - o A copy of a high school equivalence diploma is NOT sufficient evidence

C10 Active duty military stationed outside Ohio

Rule: A service member who is on active duty and to the service member's spouse and any dependent of the service member while the service member is on active duty. In order to qualify under this paragraph, the student seeking in-state tuition rates must live in the state as of the first day of a term of enrollment in the state institution of higher education, but the student or the service member shall not be required, to establish domicile in this state as of the first day of a term of enrollment in an institution of higher education.

Supporting Documents:

- ☐ Driver's License or State ID
- ☐ Proof of Ohio Domicile (1st Day)
- ☐ Official orders showing current active duty status
- ☐ Proof of Dependency (as needed)

E1 Independent student employed in Ohio full or part time, pursuing a part time program of study

Rule: A person who is living and is gainfully employed on a full-time or part-time and self-sustaining basis in Ohio and who is pursuing a part-time program of instruction at an institution of higher education shall be considered a resident of Ohio for these purposes.

Supporting Documents:

- ☐ Driver's License or State ID
- ☐ Most Recent Federal & State Taxes
- ☐ Letter from Employer with:
 - o Employee Name
 - o Date Employment Began
 - o Current Salary or Hourly Rate
 - o Numbers of Work Hours per Week
- ☐ Copies of Recent Pay Stubs
- ☐ Proof of Ohio Domicile (1st Day)

NOTE: A student who is requesting reclassification under the Residency Classification E1 is required to complete the Residency Form each term. Once a student has lived in Ohio for 12 consecutive months, he/she may then be eligible under Residency Classification C2.

E2 Ohio resident on active military duty

Rule: A person who enters and currently remains upon active duty status in the United States military service while a resident of Ohio for all other legal purposes and his or her dependents shall be considered residents of Ohio for these purposes as long as Ohio remains the state of such person's domicile.

Supporting Documents:

- ☐ Driver's License or State ID
- ☐ Military orders showing active duty
- ☐ Proof of Dependency (as needed)
- ☐ Proof of Ohio Domicile (1st Day)

NOTE: Active duty, but not an Ohio resident for tax purposes are not eligible. May be eligible for C10 or E3.

E3 Active military member stationed and residing in Ohio

Rule: A person on active duty status in the United States military service who is stationed and resides in Ohio and his or her dependents shall be considered residents of Ohio for these purposes.

Supporting Documents:

- ☐ Driver's License or State ID
- ☐ Military orders showing active duty and Ohio Station
- ☐ Proof of Dependency (as needed)
- ☐ Proof of Ohio Domicile (1st Day)

E4 Ohio resident transferred outside of the United States by your employer

Rule: A person who is transferred by his employer beyond the territorial limits of the fifty states of the United States and the District of Columbia while a resident of Ohio for all other legal purposes and his or her dependents shall be considered residents of Ohio for these purposes as long as Ohio remains the state of such person's domicile as long as such person has fulfilled his or her tax liability to the state of Ohio for at least the tax year preceding enrollment.

Supporting Documents:

- ☐ Driver's License or State ID
- ☐ Most Recent Federal & State Taxes
- ☐ Letter from Employer with:
 - ☐ Employee Name
 - ☐ Statement indicating the employee was an Ohio resident at the time of transfer
- ☐ Proof of Dependency (as needed)
- ☐ Proof of Ohio Domicile

E5 Migrant worker in Ohio (or dependent)

Rule: A person who has been employed as a migrant worker in the state of Ohio and his or her dependents shall be considered a resident for these purposes provided such person has worked in Ohio at least four months during each of the three years preceding the proposed enrollment.

Supporting Documents:

- ☐ Driver's License or State ID
- ☐ Statement from the Ohio Department of Job and Family Services verifying the parent/student/spouse has been working in Ohio at least four months during each of the previous three years.
- ☐ Proof of Dependency (as needed)

E6 In a community service position

Rule: A person who was considered a resident under this rule at the time the person started a community service position as defined under this rule, and his or her spouse and dependents, shall be considered as residents of Ohio while in service and upon completion of service in the community service position (VISTA, Americorps, City Year, Peace Corps or working for an elected or appointed public official for a period of time not exceeding 24 consecutive months).

Supporting Documents:

- ☐ Driver's License or State ID
- ☐ Most Recent Federal & State Taxes
- ☐ Sworn Statement from Organization with:
 - ☐ Individual Name
 - ☐ Statement indicating the individual was an Ohio resident at the time of transfer
- ☐ Proof of Dependency (as needed)

E7 Returning to Ohio due to marital hardship

Rule: A person who returns to the state of Ohio due to marital hardship, takes or has taken legal steps to end a marriage, and reestablishes financial dependence upon a parent or legal guardian (receives greater than fifty per cent of his or her support from the parent or legal guardian), and his or her dependents shall be considered residents of Ohio.

Supporting Documents:

- ☐ Driver's License or State ID (Resident and Student)
- ☐ Court Papers Verifying Legal Steps to End Marriage
- ☐ Most Recent Federal & State Taxes (Resident/Parent)
- ☐ Notarized Statement from Resident/Parent with:
 - ☐ Student Name
 - ☐ Whether or not the parent is providing more than 50% of the financial support for the student
 - ☐ Number of years the parent has paid taxes in Ohio
- ☐ Proof of Resident/Parent Ohio Domicile
- ☐ Proof of Student Ohio Domicile (1st Day)

NOTE: A student who is requesting reclassification under the Residency Classification E7 is required to complete the Residency Form each term.

E8 Member of the Ohio National Guard

Rule: A person who is a member of the Ohio National Guard and who is domiciled in Ohio, and his or her spouse and dependents, shall be considered residents of Ohio while the person is in Ohio National Guard service.

Supporting Documents:

- ☐ Driver's License or State ID
- ☐ Enlistment papers (DD Form 4/1) or a letter from the base personnel officer verifying service in the Ohio National Guard
- ☐ Proof of Dependency (as needed)

Additional required documentation to the rule checklist above, if not already listed

- ☐ A copy of the student's entire immigration paperwork, I-94, and visa. If student is dependent upon a spouse, parent, or legal guardian, a copy of that person's Visa or Asylee paperwork, US Passport, or Naturalization certificate. (see below for further explanation)
- ☐ If the student is dependent upon a parent or legal guardian, a copy of that person's Federal and Ohio Income Tax returns showing the student as a dependent for tax purposes.
- ☐ If the student is dependent upon a spouse, a copy of the marriage certificate.
- ☐ Male Ohio residents between the ages of 18 and 26 must register with Select Service (ORC 3345.32).

Residency status is governed by the Ohio Administrative Code 3333-1-10 Ohio Student Residency for State Subsidy and Tuition Surcharge Purposes.

Intent and authority

- (1) It is the intent of the chancellor of the Ohio department of higher education in promulgating this rule to exclude from treatment as residents, as that term is applied here, those persons who are present in the state of Ohio primarily for the purpose of receiving the benefit of a state-supported education.
- (2) This rule is adopted pursuant to Chapter 119. of the Revised Code, and under the authority conferred upon the chancellor of the Ohio department of higher education by section 3333.31 of the Revised Code.

Definitions. For purposes of this rule:

- (1) "Resident " shall mean any person who maintains a twelve-month place or places of residence in Ohio, who is qualified as a resident to vote in Ohio and receive state public assistance, and who may be subjected to tax liability under section 5747.02 of the Revised Code, provided such person has not, within the time prescribed by this rule, declared himself or herself to be or allowed himself or herself to remain a resident of any other state or nation for any of these or other purposes.
- (2) "Financial support" as used in this rule, shall not include grants, scholarships and awards from persons or entities which are not related to the recipient unless such grants, scholarships and awards require residency of another state or nation.
- (3) An "institution of higher education" shall have the same meaning as "state institution of higher education" as that term is defined in section 3345.011 of the Revised Code, and shall also include private medical and dental colleges which receive direct subsidy from the state of Ohio.
- (4) "Domicile" as used in this rule is a person's permanent place of abode, so long as the person has the legal ability under federal and state law to reside permanently at that abode. For the purpose of this rule, only one domicile may be maintained at a given time.
- (5) "Dependent" shall mean a student who was claimed as a dependent, as defined in 26 U.S. Code section 152, dated 2011 on the filers internal revenue service tax filing for the previous tax year.
- (6) "Residency Officer" means the person or persons at an institution of higher education that has the responsibility for determining residency of students under this rule.
- (7) "Community Service Position" shall mean a position volunteering or working for:
 - (a) VISTA, Americorps, city year, the peace corps, "Teach for America," or any similar program as determined by the chancellor of the Ohio department of higher education; or
 - (b) An elected or appointed public official for a period of time not exceeding twenty-four consecutive months.
- (8) "Alien" means a person who is not a United States citizen or a United States national.

- (9) "Immigrant" means an alien who has been granted the right by the United States citizenship and immigration services to reside permanently in the United States and to work without restrictions in the United States.
- (10) "Nonimmigrant" means an alien who has been granted the right by the United States citizenship and immigration services to reside temporarily in the United States.
- (11) "Certificate of high school equivalence" means either of the following:
 - (a) A certificate of high school equivalence awarded by the department of education under division (A) of section 3301.80 of the Revised Code; or
 - (b) The equivalent of a certificate of high school equivalence awarded by the state board of education under former law, as defined in division (C)(1) of section 3301.80 of the Revised Code.

Additional criteria which may be considered in determining residency may include but are not limited to the following:

- (1) Criteria evidencing residency:
 - (a) If a person is subject to tax liability under section 5747.02 of the Revised Code;
 - (b) If a person qualifies to vote in Ohio;
 - (c) If a person is eligible to receive Ohio public assistance;
 - (d) If a person has an Ohio's driver's license and/or motor vehicle registration.
- (2) Criteria evidencing lack of residency
 - (a) If a person is a resident of or intends to be a resident of another state or nation for the purpose of tax liability, voting, receipt of public assistance, or student loan benefits (if the student qualified for that loan program by being a resident of that state or nation);
 - (b) If a person is a resident or intends to be a resident of another state or nation for any purpose other than tax liability, voting, or receipt of public assistance.
- (3) For the purpose of determining residency for tuition surcharge purposes at Ohio's state-assisted colleges and universities, an individual's immigration status will not preclude an individual from obtaining resident status if that individual has the current legal status to remain permanently in the United States.

Immigration Status and Eligibility

Eligibility for the in-state tuition subsidy benefit and immigration status is dependent upon several factors. An immigrant student must meet the following criteria in addition to the other residency requirements. Please refer to the explanation below to determine if your immigration status entitles you to apply for in-state residency.

A Financially Independent Student

- The student must be a U.S. citizen, Permanent Resident Alien, Political Asylee, Political Refugee, or hold an A, E, G, H, I, K-3, K-4, L, N, NATO 1-6, O, P, R, S, T, TN, TD, TPS, U, or V visa to be considered for Ohio in-state residency.
- If the student holds a **B, C, D, F, J, K-1, K-2, M, NATO 7, Q, or TWOV** visa, the student is **not eligible** for Ohio in-state residency.
- If the student's immigration status is pending (for green card), the student is **not eligible** for Ohio in-state residency **unless** their most recent immigration status prior to entering pending status, was an eligible status to receive the in-state tuition subsidy benefit (prior status was this visa type: **A, E, G, H, I, K-3, K-4, L, N, NATO 1-6, O, P, R, S, T, TN, TD, TPS, U, or V** visa).

A Financially Dependent Student

- The student must hold an **F, K-1, K-2, or M** visa and be financially dependent upon their spouse, parent, or legal guardian to be considered for Ohio in-state residency.
- The person the student is dependent upon must be a U.S. citizen, Permanent Resident Alien, Political Asylee, Political Refugee, or hold an A, E, G, H, I, K-3, K-4, L, N, NATO 1-6, O, P, R, S, T, TN, TD, TPS, U, or V visa *and* be a bona fide Ohio resident (a bona fide Ohio resident is defined as a person who meets the criteria established in the Ohio Board of Regents Rules) for the student to be considered for Ohio in-state residency.
- If the person the student is dependent upon holds a **B, C, D, F, J, K-1, K-2, M, NATO 7, Q, or TWOV** visa, then the student is **not eligible** for Ohio in-state residency.