



Residency Policy

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“Residence Status of Enrolled Students”

The residence policy statement followed by Carl Albert State College is in compliance with the principles, definitions, criteria, and guidelines established by the Oklahoma State Regents for Higher Education to guide the college in the classification of students as residents or nonresidents for fee and tuition-payment purposes. Also, the residence policy statement is helpful to future students who need to determine their residence status prior to enrollment or for those out of state or nonresident students who seek reclassification as residents of Oklahoma. Residence status for purposes of attendance to Carl Albert State College is determined primarily on the issue of domiciliary intent.

Since 1890, it has been public policy in Oklahoma to provide comprehensive, low-cost public higher education for citizens, in order to make educational opportunities 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 State System. Nonresidents of Oklahoma are also provided substantial educational subventions, although at lower

The Office of Admissions and Records of Carl Albert State College is responsible for the administration of the Residence Policy. Questions concerning this policy should be addressed to the Registrar for review.

Any student who applies to Carl Albert with an out of state address, from an out of state college/university, or has graduated from an out of state high school will be assumed a nonresident. It is the responsibility of each applicant to submit proof about a change in resident status to the Office of Admissions and Records.

DEFINITIONS

“Dependent Person” is one who is under the care, custody, and support of a parent or legal guardian.

“Foreign National” is one who is not a legal U.S. citizen.

“Full-Time Professional Practitioner or Worker” is one who has come to Oklahoma to practice a profession on a full-time basis, conduct a business full-time, or work on a full-time basis.

“Full-Time Student” is an undergraduate student enrolled in a minimum of 12 credit hours per semester in an academic year or a minimum of six credit hours in a summer session.

“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.

“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.

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 residence status solely by such attendance.
2. Students 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 nonresidents who do not intend to remain in Oklahoma after graduation but are 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. Like-wise, 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. Therefore, 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 subsequent semesters or terms of enrollment as an Oklahoma resident provided proof of residence can be established.

Independent Persons:

If a person enjoying majority privileges and who is independent of parental domicile can provide adequate and satisfactory proof of having come to Oklahoma with the intention of establishing domicile, may be granted resident student classification at the next enrollment occurring after expiration of 12 months following the establishment of domicile in Oklahoma. Spouses must establish proof of residence on a separate basis.

Dependent Persons:

For the purpose of establishing residence status, the legal residence of dependent students is that of their parent(s) or legally-appointed guardian. Dependent students may become independent through marriage, formal court action, abandonment by parents, or positive actions demonstrating separation from the parent's domicile. To qualify under the latter category, a

dependent person must have completely separated himself from the parental domicile and have proved such separation is complete and permanent. Mere absence from the parental domicile is not proof of its complete abandonment. Students who can provide adequate proof of complete emancipation, and have come to Oklahoma with the intention of establishing domicile may be granted residence classification at the next enrollment period after the expiration of 12 consecutive months following the establishment of domicile in Oklahoma.

Foreign Nationals:

An individual who is not a United States national may become eligible for classification as an Oklahoma resident provided that he/she holds permanent resident status as defined by the U.S. Citizenship and Immigration Services (USCIS), evidenced by whatever documents may be required under applicable 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 as a full-time professional practitioner or worker as described below.

In accordance with Title 70, O.S., Section 3242 (2007; also known as HB1804), an individual who cannot present to Carl Albert valid documentation of U.S. nationality or an immigration status permitting student at a post-secondary institution, but who has graduated from a public or private high school in Oklahoma, may be eligible for enrollment, resident tuition and state student financial aid if the individual 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. Either:
 - a. Provides a copy of a true and correct application or petition filed with the USCIS to legalize the student's immigration status, or
 - b. Files an affidavit with the institution stating that he/she will file an application to legalize his/her immigration status at the earliest opportunity, but no later than one year after the date of initial enrollment at Carl Albert, or one year after the date the USCIS begins formal process to permit children of parents without lawful immigration status to apply for lawful status without risk of deportation, and
 - c. If the student files an affidavit (as directly above), then he/she must present to the college a copy of a true and correct application or petition filed with USCIS no later than one year after the date of initial enrollment at Carl Albert, or one year after the date the USCIS begins formal process to permit children of parents without lawful immigration status to apply for lawful status without risk of deportation.
4. Any student, who completes the required criteria prescribed in the above sections, shall not be disqualified on the basis of the student's immigration status from any scholarships or financial aid provided by this state.
5. This policy shall not impose any additional conditions to maintain resident tuition status at a post-secondary educational with the Oklahoma State System of Higher Education

on a student who was enrolled in a degree program and first received such resident tuition status at the institution during the 2006-2007 year or any prior year.

Military Personnel:

A student attending Carl Albert State College while on full-time active duty in the armed forces is considered as having a temporary residence in the state in which the student is attending school; therefore, a student neither gains nor loses residence 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 and without the 12 month domiciliary requirement, 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. Military personnel and their dependents who provide proof of a legal change in their state of residence to Oklahoma (such as claiming Oklahoma for income tax purposes) may have the full benefits of residence status.

Dependent children of military personnel that establish residency as described in section 3.18.3 of this policy shall maintain residence status if their parents are subsequently stationed out-of-state. Dependents of military personnel who have not established residency according to policy may maintain nonresident waiver status if their parents are subsequently stationed out-of-state.

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 immediately declared an Oklahoma resident along with the individual's spouse and dependent children without the 12 month domiciliary requirement so long as they continue in such full-time employment capacity or until such time that they establish residency as described above.

Dependent children of the above professionals that establish residency as described above may maintain residence status if their parents subsequently leave the state.

Likewise, a full-time professional practitioner or worker who is temporarily assigned to another location but maintains residency in Oklahoma (such as claiming Oklahoma for income tax purposes) shall be considered a resident for tuition and state scholarship and financial aid purposes, along with the practitioner's spouse and dependent children.

Reclassification of an Independent Person:

In addition to the above 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 "Definition of Residence Terms" above.
4. The following may be taken into consideration as part of a petition for in-state tuition classification. However, the following are not in of themselves sufficient to establish residency:
 - maintaining a permanent home/domicile in Oklahoma for at least 12 months prior to the first day of classes at Carl Albert State College or at any Oklahoma institution of higher education;
 - listing Oklahoma as your tax state with the military;
 - Oklahoma automobile registration and driver's license;
 - evidencing in some convincing way intent to remain in Oklahoma indefinitely after graduation (in other than a graduate student capacity);
 - owning property and paying state property taxes,
 - voter registration,
 - present written explanation of the circumstances and documentation to support their intent to remain in Oklahoma after graduation or ceasing to enroll as a student.
5. The Office of Admissions and Records is authorized to make residency determinations for tuition purposes during initial enrollment periods or as a petition for reclassification. Students may contact the Office of Admissions and Records at 918-647-1300 for inquiries and forms. Petition forms may be downloaded on the Admissions Portal site at [Residency Reclassification Forms](#).
6. 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.
7. The full text of the "*Residence Status of Enrolled Students*" as published by the Oklahoma State Regents for Higher Education may be read on-line at the State Regent's web-site: <http://www.okhighered.org/policy-proced/> (Policy Manual, Chapter 3 Academic Affairs). The CASC Residency Policy is customized from the original text of the OSRHE Policy Manual.