

New York State Residency Status for Tuition Billing Purposes The College at Brockport Application Guidelines

Statement of SUNY Board of Trustees Policy:

A person whose *domicile* has been in the State of New York for a period of at least one year immediately preceding the time of registration for any period of attendance shall be a New York resident for the purpose of determining the tuition rate payable for such period. All other persons shall be presumed to be out-of-state residents for such purpose, unless domiciliary status is demonstrated in accordance with guidelines adopted by the Chancellor or designee.

Definition of Domicile:

- a) For unemancipated students, the domicile is that of his or her parents or other legal guardian. An unemancipated student of divorced or legally separated parents will acquire a New York State domicile if the custodial parent is a New York resident, or if the student resides with a noncustodial parent and the student intends to continue to reside with that parent throughout his or her attendance at the University.
- b) For emancipated students, a domicile is a fixed, permanent home to, which the student intends to return whenever absent. A person may have many residences but only one domicile. A domicile is retained until it is abandoned and another established. One **does not** acquire a New York State domicile by being physically present in New York for the sole purpose of attending the University, or by simply being physically present in New York for a period of twelve months.
- c) College dormitories are not considered a permanent domicile; independent students residing in the residency halls will not be considered for New York State residency status.

Exceptions to the Domicile Rule:

- a) Members of the U.S. Armed Forces who document that they are on full-time active duty and are stationed in New York shall be charged in-state tuition regardless of the actual location of their domicile. Spouses and dependents shall also be charged in-state tuition.
- b) Dependents of a parent or legal guardian who is a member of the U.S. Armed Forces who is stationed out-of-state shall be charged in-state tuition provided that the parent or legal guardian submits proof of a New York State domicile – referred to as a “Home of Record.” Such records are on file at the person’s military base.

Domicile and Immigrant/Non-Immigrant Aliens:

Immigrant aliens (Permanent Residents), refugees and asylees, including those with pending applications, may establish in-state residence in accordance with these policies. Certain undocumented aliens may be eligible for the resident tuition rate under these policies. Contact the Office of Student Accounts for more information. Non-immigrant aliens with the following types of visa classifications may also establish in-state residence in accordance with these policies: A1-A3, E1 and E2, G1 - G5, H1 (and H4, spouse and children of H1), I, K1 and K4, L1 and L2, N8 and N9, O1 (and O3, spouse and children of O1), S5-S7, T1-T4, U1-U4, and V1-V3.

Residency Applications:

Applications for New York State Residency Status for Tuition Billing Purposes should be completed by

- a. students admitted to the College as out-of-state students who wish to appeal that initial determination,
- b. students previously classified as out-of-state students and who wish to apply for a change in that classification (e.g., after maintaining a domicile in New York for at least 12 months, after obtaining a qualifying visa classification, etc.), and
- c. students for whom the College seeks to verify a claim of residency.

NOTE: *any student who fails to complete the residency application, including the submission of all supporting documentation, after being requested to do so will be charged the non-resident (out-of-state tuition) rate.*

APPLICATION SUBMISSION DEADLINE:

Applications for New York State Residency Status for Tuition Billing Purposes **MUST BE RECEIVED** in the Office of Student Accounts, Attn: Residency Officer, 350 New Campus Drive, Brockport, NY 14420-2938 **PRIOR TO THE START OF THE SEMESTER IN WHICH THE STUDENT IS APPLYING FOR RESIDENCY STATUS** in order to be considered for that semester. Failure to submit an application by that date will result in full liability for tuition at the non-resident tuition rate.

Factors Relevant to Domicile and Emancipation:

A. Domicile: Proof of a New York State domicile is demonstrated by documents which support an applicant's contention that his or her permanent home is located in New York. For unemancipated students, the proof shall relate to the permanent home of the parents or legal guardian. Factors relevant to a claim of domicile include, but are not limited to:

1. New York State driver's license (or non-driver ID card) and vehicle registration.
2. New York State voter registration.
3. New York State and Federal income tax returns.
4. Duration of the student's physical presence in New York.
5. State of residency of the student's family (i.e., parents, spouse, or children).
6. Proof of ownership of New York State real property or 12-month residential rental lease.
7. New York State bank accounts.

B. Emancipation: A student whose parents or legal guardian reside out-of-state and who is claiming emancipation must present evidence of both emancipation and a New York State domicile. Such proof must include documentation demonstrating the student's financial independence. Students under the age of 22 must provide evidence of one year of independent living in order to be considered emancipated. Factors relevant to a claim of emancipation include, but are not limited to:

1. Employment on a full-time or part-time basis in New York.
2. Sources and extent of financial support from parents or guardians.
3. Sources and extent of other income.
4. Parents' Federal and State income tax forms which do not claim the student as a dependent (if the student continues to receive financial support, however, the student shall not be considered emancipated).
5. Student's place of residence during the summer or other academic term recess.
6. Student's status as financially independent for purposes of Federal/State financial aid.
7. Independent filing by the student of Federal/State income tax returns; other assets and liabilities.

Emancipated students are totally responsible for paying all of their educational costs. The amount of income claimed by the student must be in excess of educational expenses, including those expenses associated with living in non-campus housing. The term income includes any financial aid awarded directly to the student with the exception of parental loans. The student should not have any joint or custodial accounts with the parent or legal guardian, and any income claimed must be accompanied by source documentation (tax returns, Form 1099, bank statements, trust documents, etc.).

The College at Brockport, State University of New York
Application for New York State Residency Status
for Tuition Billing Purposes

Application and Copies of Required Documents should be mailed to: The Office of Student Accounts, Attn: Residency Officer, 350 New Campus Drive, Brockport, NY 14420-2938

INSTRUCTIONS: ALL APPLICANTS must complete **Sections A and D**, and either **Section B or C**. Enclose the required documents as indicated. You may enclose a cover letter if you wish.

Section A: To be completed by **ALL APPLICANTS**.

Section B: To be completed by applicants who are claiming INDEPENDENT status (applicants who are not claimed as a "dependent" by another individual for income tax purposes).

Section C: To be completed by the person who claimed or will claim you as a dependent for income tax purposes or provides you with any financial support. Section C **must** be notarized by a Notary Public.

Section D: Must be completed by **ALL APPLICANTS** and **must** be notarized by a Notary Public.

SECTION A (must be completed by ALL applicants)

Semester of Application for Residency (please indicate term and year, e.g., Fall 2010)

Fall _____ Winter _____ Spring _____ Summer _____

Name: _____
PLEASE PRINT Last First MI

Brockport Student ID #: _____ Social Security #: _____

Legal/Permanent Address:
 Street: _____
 City: _____ State: _____ Zip: _____

Length of time at Legal/Permanent address:
 FROM (mm/yyyy) TO (mm/yyyy)

Local address (if different from above):
 Street: _____
 City: _____ State: _____ Zip: _____

Telephone Number: _____ Brockport E-mail Address: _____

Date of Birth: _____ County of Residence: _____

If you have resided at the legal/permanent address listed above for a period less than three years, indicate your prior addresses for last three (3) years below:

From (mm/yyyy) To (mm/yyyy) Street City State Zip

Do you rent or own? Rent Own
 Documented proof must be for a period of 12 months or more **prior** to the term for which you are applying for NYS residency status.

Attach copy of lease, deed, mortgage or property tax statement

Legal Citizenship: USA Other If other, list visa type: _____

Attach copy of current visa

If you are a permanent resident, alien registration number #A: _____

Attach copy of current permanent resident card

Are you a Naturalized Citizen? Yes No

Attach a copy of your Certificate of Naturalization or Citizenship

Are you an undocumented alien? Yes No

Attach copy of expired visa

Education

Did you attend and graduate from a New York State high school or an approved NYS program for General Equivalency Diploma (GED) examination? Yes No

If yes, year of graduation, anticipated graduation, or completion: _____

Name of High School _____ County _____ State _____

Did you attend this High School for two years or longer? Yes No

Have you ever received a state award (TAP, Regents Scholarship, or Empire State Fellowship)? Yes No If yes, at what Institution? _____

U.S Armed Forces Information

Are you a member of the U.S. Armed Forces on full-time active duty? Yes No

Are you a dependent of a member of the U.S. Armed Forces on full-time active duty? Yes No

If yes to either question, please submit a copy of the most recent LES statement and Military orders.

Driver License and Vehicle Information

Do you have a driver's license or state-issued non-driver's identification card? Yes No

If yes, in what state was it issued? _____ Date issued: _____

(Attach Copy of Driver's License)

Do you own a vehicle? Yes No If yes, in what state is your vehicle registered? _____

Date issued: _____ **(Attach Copy of State-Issued Vehicle Registration)**

Voter Registration Information

Are you a registered voter? Yes No If yes, state of registration: _____

Registration date: _____ **(Attach Copy of Voter's Registration)**

SECTION B (must be completed if you are claiming independent status)

If you are financially dependent on your parents, legal guardians, or spouse, please proceed to **Section C**. Individuals under the age of 22 are generally not eligible for independent status, and must provide evidence of one year of independent living in order to be considered emancipated.

In what state did you file resident taxes for the last two years? _____

In what state will you file for the current year? _____

(Attach copies of your AND your parents' most recent signed Federal and State Income Tax)

Did you or will you live in an apartment, house or building owned by your parents for more than six (6) weeks during these years? **2009** Yes No **2010** Yes No **2011** Yes No

Do you rent or own? Rent Own **(Attach copy of signed lease or deed)**

Were you or will you be claimed as a dependent on your parents' federal or state income tax return for the prior and current year: **2009** Yes No **2010** Yes No

Amount of financial support provided to you by parents or guardian during the prior and current year:
2009 \$ _____ **2010 \$** _____

Are you an emancipated minor or an adult student who is financially independent from parental support? Yes No If yes, when did you become independent? _____ (mm/yyyy)

List below your sources of financial income for the past two (2) years:

From	To	Name AND Address of Employer	Hours Per Week

Please list your financial resources. Financial resources must total at least \$18,875 annually. If claiming independent/emancipated status, all financial resources must be in your name; income from other sources (e.g., parent) does not qualify as evidence of financial independence. **(Attach proof of income, i.e., pay stubs, W-2s, unemployment, Section 8, Social Security, loan records, etc.)**

SECTION C (must be completed if you are claiming dependent status)

To be completed by the custodial parent, legal guardian, or spouse with whom the student lives and/or by whom the student will be claimed as a dependent for income tax purposes.

Name: _____

Relationship to applicant: _____

Legal/Permanent Address: _____

Length of time at this address: _____ Telephone: _____

Do you rent or own? Rent Own **(Attach copy of signed lease or deed)**

Citizenship: USA Other If other, list visa type: _____ **(Attach Copy)**

Tax filing information - Please list states in which you filed or will file resident taxes:

2008 _____ 2009 _____ 2010 _____ 2011 _____

(Attach copy of most recent Federal and State Income Tax Returns)

Do you have a Driver's License? Yes No

If yes, in what state was it issued? _____ Date issued: _____ **(Attach Copy)**

Do you own a car? Yes No **(Attach Copy of State-Issued Vehicle Registration)**

If yes, in what state is your car registered? _____ Date issued: _____

Affirmation (must be completed by parent, custodian or spouse)

The following statement must be completed and notarized before a Notary Public.

STATE OF NEW YORK

COUNTY OF _____

I, _____, hereby certify that the applicant, _____ (student name) is applying with my knowledge for New York State residency status at The College at Brockport.

I, _____, do hereby affirm that all the information provided on this form and any attachments thereto, is accurate, complete and true to the best of my knowledge.

Signature of Applicant's Parent/Custodian/Spouse: _____

Sworn to before me this _____ Day of _____, 20____.

(Notary Public)

Affix Notary Stamp here

SECTION D – Applicant’s Affirmation (must be completed by ALL applicants)

The following statement must be completed and notarized before a Notary Public.

STATE OF NEW YORK

COUNTY OF _____

I, _____, the applicant herein, being duly sworn, do hereby affirm that I am a bona fide legal resident domiciled in the State of New York, and that all the information provided on this form and any attachments thereto, is accurate, complete and true to the best of my knowledge. I understand that providing false information knowingly will disqualify me from consideration for New York State resident status for tuition billing purposes.

Signature of Applicant: _____

Sworn to before me this
_____ Day of _____,
20____.

(Notary Public)

Affix Notary Stamp here

Office Use Only

Application Denied Approved By: _____
Signature of College Residency Officer

Effective Term: _____ Date Approved/Denied: _____

Decision Letter mailed to student by: _____ **Date:** _____

If applicable, date copy of U.S. Permanent Resident Card, U.S. Certificate of Citizenship/ Naturalization or foreign visa provided to:

International Student Services Office _____

Registration and Records _____

Banner Updates:

SFAREGS adjusted by: _____ Date: _____

TSAAREV comment entered by: _____ Date: _____

Residency Spreadsheet updated: _____