

Guidelines for Determining Eligibility for “In-State” Tuition Rates

For the purpose of assessing tuition, applicants for admission shall be classified in one of the two categories as outlined below:

1. Resident Student

- a. “Resident Student” shall be charged the in-state-tuition rate established by the State Board of Education.
 - i. A Resident Student is an applicant for admission who meets all legal requirements or is a duly registered resident in the State of Alabama for at least 12 months immediately preceding application for admission, or whose non-estranged spouse has resided and had habitation, home and permanent abode in the State of Alabama for at least 12 months immediately preceding application for admission. **Consequently, an out-of-state student cannot attain Resident Student status simply by attending school for twelve months in the State of Alabama.**
- b. In the case of minor dependents seeking admission, the parents, parent, or legal guardian of such minor dependent must have resided in the State of Alabama for at least 12 months immediately preceding application for admission. If the parents are divorced, residence will be determined by the residency of the parent whom the court has granted custody.
 - i. Minor: An individual who, because of age, lacks the capacity to contract under Alabama law. Under current law, this means a single individual under 19 years of age and a married individual under 18 years of age, but excludes an individual whose disabilities of non-age have been removed by a court competent jurisdiction for reason other than establishing a legal residence in Alabama. If current law changes, this definition shall change accordingly.
 - ii. Supporting Person: Either or both parents of the student, if the parents are living together, or if the parents are divorced or living separately, then either the parent having legal custody or, if different, the parent providing the greater amount of financial support. If both parents are deceased or if neither has legal custody, supporting person shall mean, in the following order: the legal custodian of the student, the guardian, and the conservator.
- c. In determining Resident Student status for the purpose of charging tuition, the burden of proof lies with the applicant for admission.
 - i. Students having graduated from an Alabama high school or having obtained a GED in the State of Alabama within three years of the date of application for admission shall be considered Residential Students for tuition purposes.
 - ii. The in-state tuition rate shall be extended to students who reside outside of Alabama in a state and county within fifty (50) miles of a campus of an Alabama Community College System institution, provided, however, that the campus must have been in existence and operating as of January 1, 1996.
 - iii. An individual claiming to be a resident shall certify by a signed statement **each** of the following:
 1. A specific address or location within the State of Alabama as his or her residence.
 2. An intention to remain at this address indefinitely.
 3. Possession of more substantial connections with the State of Alabama than with any other state.
 - iv. Although certification of an address and an intent to remain in the state indefinitely shall be prerequisites to establishing status as a resident, ultimate determination of that status shall be made by the institution by evaluating the presence or absence of connections with the State of Alabama. The evaluation shall include the consideration of the following connections:
 1. Consideration of the location of high school graduation.
 2. Payment of Alabama state income taxes as a resident.
 3. Ownership of a residence or other real property in the state and payment of state ad valorem taxes on the residence or property.
 4. Full-time employment in the state.
 5. Residence in the state of a spouse, parents, or children.
 6. Previous periods of residency in the state continuing for one year or more.

7. Voter registration and voting in the state; more significantly, continuing voter registration in the state that initially occurred at least one year prior to the initial registration of the student in Alabama at a public institution of higher education.
 8. Possession of state or local licenses to do business or practice a profession in the state.
 9. Ownership of personal property in the state, payment of state taxes on the property, and possession of state license plates.
 10. Continuous physical presence in the state for a purpose other than attending school, except for temporary absences for travel, military service, and temporary employment.
 11. Membership in religious, professional, business, civic, or social organizations in the state.
 12. Maintenance in the state of checking and savings accounts, safe deposit boxes, or investment accounts.
 13. In-state address shown on selective service registration, driver's license, automobile title registration, hunting and fishing licenses, insurance policies, stock and bond registration, last will and testament, annuities, or retirement plans.
- d. Students determined to be eligible for resident tuition will maintain that eligibility upon re-enrollment within one full academic year of their most previous enrollment unless there is evidence that the student subsequently has abandoned resident status, for example, registering to vote in another state. Students failing to re-enroll within one full academic year must establish eligibility upon re-enrollment.
- e. Southern Union State Community College is in compliance with Section 702- Tuition under Veteran's Access Choice and Accountability Act of 2015, providing for resident (in-state) tuition and fees for the following:
- i. A Veteran using educational assistance under either Chapter 30 (Montgomery G.I. Bill® - Active Duty Program) or Chapter 33 (Post 9/11 G.I. Bill®), of Title 38, United States Code, who lives in the state of Alabama while attending a school located in the state of Alabama (regardless of his/her formal state of residence) and enrolls in the school within three years of discharge from a period of active duty service;
 - ii. Anyone using transferred Post -9/11 G.I. Bill® benefits (38 U.S.C. § 3319) who lives in the state of Alabama while attending a school located in the state of Alabama (regardless of his/her formal state of residence) and enrolls in the school within three years of the transferor's discharge from a period of active duty service;
 - iii. A spouse or child using benefits under the marine Gunnery Sergeant John David Fry Scholarship (38 U.S.C. § 3311) (b) (9) who lives in the state of Alabama while attending a school located in the state of Alabama (regardless of his/her formal state of residence) and enrolls in the school within three years of the service member's death in the line of duty following a period of active duty service;
 - iv. Anyone described above while he or she remains continuously enrolled (other than during regularly scheduled breaks between courses, semesters, or terms) at the same school. The person so described must have enrolled in the school prior to the expiration of the three year period following discharge or death described above and must be using educational benefits under either Chapter 30 or Chapter 33, or Title 38, United States code.

2. **Non-Resident Student (additional persons for resident tuition)**

A Non-Resident student, one who does not meet the standard of having resided in the State of Alabama for at least 12 months immediately preceding application for admission, shall be charged the in-state tuition rate established by the State Board of Education under the following circumstances, provided such student is a citizen of the United States.

- a. The dependent student
 - i. whose supporting person is a full-time permanent employee of the institution at which the student is registering; or
 - ii. whose supporting person can verify full-time permanent employment in Alabama and will commence said employment within 90 days of registration; or
 - iii. whose supporting person is a member of the United States military on full-time active duty stationed in Alabama under orders for duties other than attending school; or
 - iv. whose supporting person is an accredited member of a consular staff assigned to duties in Alabama.
- b. The student who is not a dependent (as defined by Internal Revenue Codes)
 - i. who is a full-time permanent employee of the institution at which the student is registering or is the spouse of such an employee; or
 - ii. who can verify full-time permanent employment within the State of Alabama or is the spouse of such an employee and will commence said employment within 90 days of registration with the institution; or

- iii. who is a member of or the spouse of a member of the United States military on full-time active duty stationed in Alabama under orders for duties other than attending school; or
- iv. who is an accredited member of or the spouse of an accredited member of a consular staff assigned to duties in Alabama.
- c. In determining Non-Resident Student status for the purpose of charging tuition, the burden of proof lies with the applicant for admission. The institution may request proof that the applicant meets the stipulations noted above prior to admission.
- d. Students are eligible for in-state tuition if the student resides in the state and county and attends the designated campus noted below: **PLEASE NOTE THAT THE DESIGNATIONS ARE BY CAMPUS AND NOT BY INSTITUTION.**

Wadley Campus

Adjacent State: Georgia

Counties: Carroll, Chattahoochee, Coweta, Haralson, Harris, Heard, Marion, Meriwether, Troup

Valley Campus

Adjacent State: Georgia

Counties: Harris, Muscogee, Pike, Stewart, Talbot, Taylor, Troup, Upson

Opelika Campus

Adjacent State: Georgia

Counties: Chattahoochee, Harris, Heard, Marion, Meriwether, Muscogee, Quitman, Stewart, Talbot, Troup

3. **Out-of-State Student**

Any applicant for admission who does not fall into one of the categories noted above shall be charged a minimum tuition of two times the resident tuition rate charged by that institution.

Students initially classified as ineligible for resident tuition will retain that classification for tuition purposes until they provide documentation that they have qualified for resident tuition.

Students determined to be eligible for in-state tuition will maintain that eligibility upon re-enrollment within one full academic year of their most previous enrollment unless there is evidence that the student subsequently has abandoned resident status, for example, registering to vote in another state. Students failing to re-enroll within one full academic year must establish eligibility upon re-enrollment.

Students who wish to apply for the Out-of-State tuition waiver should contact the Dean of Students Office at 256-395-2211 (Wadley) or 334-745-6437 (Opelika).