

**APPLICATION FOR CLASSIFICATION AS A RESIDENT STUDENT
AT BLUE RIDGE COMMUNITY AND TECHNICAL COLLEGE**

A. Read the attached sheet concerning residency requirements before completing this application, and provide all documentation as needed.

Incomplete applications will be returned.

Student's Name: _____

If you were previously enrolled as a student at this institution under a different name, please indicate _____

Present PERMANENT home address _____

MAILING address (if different from permanent) _____

Home Telephone _____ Birth Date _____

Student I.D. Number _____ Marital Status _____

Are you now, or have you ever been a student at this institution? _____ Date first enrolled _____

What is your present means of support? _____

DEPENDENCY INFORMATION

B. Response in this section should be based on *Dependency Status* of the attached sheet.

_____ I am a dependent student (provide documentation relative to the person on whom you are dependent).

_____ I claim independent student status for the purpose of determining residency (see below).

Definition of Independent: Federal rules define a student as independent for tuition purposes when at least one of the following is true (check and provide documentation for as many as apply to you):

_____ I was born before January 1, 1981

_____ As of today, I am married.

_____ I have dependents (other than children or spouse) who live with me and receive more than half their support from me.

_____ I have children who receive more than half their support from me.

_____ I am a veteran of the US Armed Forces.

_____ I am an orphan or ward of the court (you must provide documentation).

_____ For the past tax year, I was not claimed as a dependent on anyone else's tax return.

If none of these apply to you, you will be considered as a dependent student except in extraordinary circumstances (please provide documentation).

RESIDENCE INFORMATION

C. Attach documentation of your residency (or that of the person on whom you are dependent) in West Virginia for the 12-month period **prior to enrollment** (lease agreements, deeds of trust, etc.)

From _____ 20__ to _____ 20__ at _____

From _____ 20__ to _____ 20__ at _____

From _____ 20__ to _____ 20__ at _____

EMPLOYMENT INFORMATION

D. Attach documentation of your employer (or that of the person on whom you are dependent) for the 12-month period **prior to enrollment** (lease agreements, deeds of trust, etc.)

Name _____ Address _____ Dates _____

Name _____ Address _____ Dates _____

Name _____ Address _____ Dates _____

OTHER INFORMATION

E. Attach documentation for EACH of the affirmative actions indicated below and other items referenced in *Residence Determined by Domicile* on the attached sheet.

Do you (or the person on whom you are dependent) own **residential** property in West Virginia?..... YES NO

Have you (or the person on whom you are dependent) paid West Virginia real estate or personal property taxes during the 12 months prior to first enrollment?..... YES NO

Have you (or the person on whom you are dependent) filed a West Virginia Income Tax Return during the 12 months prior to first enrollment?..... YES NO

Do you (or the person on whom you are dependent) own a motor vehicle registered in West Virginia?..... YES NO

Do you (or the person on whom you are dependent) possess a valid West Virginia driver's license? YES NO

Are you (or the person on whom you are dependent) a registered voter in West Virginia? YES NO

(OVER)

Classification for Residency for Admissions and Fee Purposes

General

The institutional officer designated by the president shall assign students enrolling in a West Virginia public institution of higher education a residency status for admission, tuition, and fee purposes. In determining residency classification, the issue is essentially one of domicile. In general, the domicile of a person is that person's true, fixed, permanent home and place of habitation. The decision shall be based upon information furnished by the student and all other relevant information. The designated officer is authorized to require such written documents, affidavits, verifications, or other evidence as is deemed necessary to establish the domicile of a student. The burden of establishing domicile for admission, tuition, and fee purposes is upon the student.

If there is a question as to domicile, the matter must be brought to the attention of the designated officer at least two weeks prior to the deadline for the payment of tuition and fees. Any student found to have made a false or misleading statement concerning domicile shall be subject to institutional disciplinary action and will be charged the nonresident fees for each academic term theretofore attended.

The previous determination of a student's domiciliary status by one institution is not conclusive or binding when subsequently considered by another institution; however, assuming no change of facts, the prior judgment should be given strong consideration in the interest of consistency. Out-of-state students being assessed resident tuition and fees as a result of reciprocity agreement may not transfer said reciprocity status to another public institution in West Virginia.

Residence Determined by Domicile

Domicile within the state means adoption of the state as a fixed permanent home and involves personal presence within the state with no intent on the part of the applicant or, in the case of the dependent student, the applicant's parent(s) to return to another state or county. Residing with relatives (other than parent(s)/legal guardian) does not, in and of itself, cause the student to attain domicile in this state for admission of fee payment purposes. West Virginia domicile may be established upon the completion of at least 12 months of continued presence within the state prior to the date of registration, provided that such 12 months' presence is not primarily for the purpose of attendance at any institution of higher education in West Virginia. Establishment of West Virginia domicile with less than 12 months' presence prior to the date of registration must be supported by evidence of positive and unequivocal action. In determining domicile, institutional officials should give consideration to such factors as the ownership or lease of a permanently-occupied home in West Virginia, full-time employment within the state, paying West Virginia property tax, filling West Virginia income tax returns, registering of motor vehicles in West Virginia, possessing a valid West Virginia driver's license, and marriage to a person already domiciled in West Virginia. Proof of a number of these actions should be considered only as evidence which may be used in determining whether or not a domicile has been established. Factors militating against the establishment of West Virginia domicile might include such considerations as the student not being self-supporting, being claimed as a dependent on federal or state income tax returns or on the parents' health insurance policy if the parents reside out of state, receiving financial assistance from state student aid programs in other states, and leaving the state when school is not in session.

Dependency Status

A dependent student is one who is listed as a dependent on the federal state income tax return of his or her parent(s) or legal guardian or who receives major financial support from that person. Such a student maintains the same domicile as that of the parent(s) or legal guardian. In the event the parents are divorced or legally separated, the dependent student takes the domicile of the parent with whom he or she lives or to whom he or she has been assigned by court order. However, a dependent student who enrolls and is properly classified as an in-state student maintains that classification as long as the enrollment is continuous and that student does not

attain independence and establish domicile in another state. A nonresident student, who becomes independent while a student at an institution of higher education in West Virginia, does not, by reason of such independence alone, attain domicile in this state for admission or fee payment purposes.

Change of Residence

A person who has been classified as an out-of-state student and who seeks resident status in West Virginia must assume the burden of providing conclusive evidence that he or she has established domicile in West Virginia with the intention of making a permanent home in this state. The intent to remain indefinitely in West Virginia is evidenced not only by a person's statements, but also by that person's actions. In making a determination regarding a request for change in residency status, the designated institutional officer shall consider those actions referenced in section two above. The change in classification, if deemed to be warranted, shall be effective for the academic term or semester next following the date of the application for reclassification.

Military

An individual who is on full-time active military service in another state or a foreign country, or an employee of the federal government, shall be classified as an in-state student for the purpose of payment of tuition and fees, provided that person established a domicile in West Virginia prior to entrance into federal service, entered the federal service from West Virginia, and has at no time while in federal service claimed or established a domicile in another state. Sworn statements attesting to these conditions may be required. The spouse and dependent children of such individuals also shall be classified as in-state students for tuition and fee purposes. Persons assigned to full-time active military service in West Virginia and residing in the state shall be classified as in-state students for tuition and fee purposes. The spouse and dependent children of such individuals shall also be classified as in-state students for tuition and fee purposes.

Aliens

An alien who is in the United States on a resident visa or who has filed a petition for naturalization in the naturalization court, and who has established a bona fide domicile in West Virginia as defined in section two, may be eligible for in-state residence classification, provided that person is in the state for purposes other than to attempt to qualify for residency status as a student. Political refugees admitted into the United States for an indefinite period of time and without restriction on the maintenance of a foreign domicile may be eligible for an in-state classification as defined in section two. Any person holding a student or other temporary visa cannot be classified as an in-state student.

Former Domicile

A person who was formerly domiciled in the state of West Virginia and who would have been eligible for an in-state residency classification at the time of his/her departure from the state may be immediately eligible for classification as a West Virginia resident provided such person returns to West Virginia within a one-year period of time and satisfies the conditions of section two of these rules regarding proof of domicile and intent to remain permanently in West Virginia.

Appeal Process

The initial determination of residency classification by the registrar may be appealed to the institutional committee on residency appeals which is established by the president to receive and act on appeals of initial residency decisions. The decision of the institutional committee on residency appeals may be appealed to the president of the institution. The appeal shall end at the institutional level.