

New Jersey Residency Policy and Eligibility for In-State Tuition

ROWAN UNIVERSITY POLICY

Title: New Jersey Residency Policy and Eligibility for In-State Tuition

Subject: Tuition

Policy No: SL:2021:01

Applies: University-Wide

Issuing Authority: President

Responsible Officer: Provost

Adopted: May 20, 2021

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I. PURPOSE

This Policy outlines Rowan University's policy relating to the determination of residency for purposes of determining eligibility for in state tuition as provided in the New Jersey Administrative Code 9A:5-1.

II. ACCOUNTABILITY

Under the direction of the Provost, the University Registrar or relevant designee will be responsible for implementation and ensuring compliance with this policy.

III. APPLICABILITY

This policy shall apply to all students of Rowan University, enrolled in undergraduate, graduate, or professional degree programs. It shall be applicable in all schools and colleges of Rowan University.

IV. POLICY

1. Eligibility for in state tuition (generally)

a. Domicile

- i. Rowan University determines state residency for in state tuition purposes according to New Jersey Administrative Code 9A:5-1, which requires that a student must be legally domiciled* in the state of New Jersey for at least twelve (12) months immediately prior to enrollment in order to be charged in-state tuition. All those domiciled outside of the state are charged out-of-state tuition.
- ii. Domicile is defined as the place where a person has his or her true, fixed, permanent home and principal establishment, and to which, whenever he or she is absent, he or she has the intention of returning.
- iii. Persons residing in New Jersey for a period of 12 months before first enrolling at a public higher education institution in this State are presumed to be domiciled in this State for tuition purposes. Persons residing in New Jersey for fewer than 12 months before first enrolling at a public higher education institution in this State are presumed not to be domiciled in this State for tuition purposes.
- iv. Residence established **solely** for the purpose of attending a particular educational institution does not constitute domicile for tuition purposes.
- v. Dependent students as defined in the rules of the Higher Education Student Assistance Authority at N.J.A.C. 9A:9-2.6 are presumed to be domiciled in the state in which their parent(s) or legal guardian(s) is domiciled. Dependent students whose parent(s) or legal

guardian(s) is not domiciled in New Jersey are presumed to be in the State for the temporary purpose of obtaining an education and presumed not to be domiciled in New Jersey.

b. Non-US citizens

- i. Residency for non-US citizens is determined based on criteria established by federal immigration laws. Most visa holders who are in the United States are considered to be present temporarily and are therefore ineligible for in state tuition. Alien nationals who are in the United States and hold permanent resident status, or special refugee visas (being processed for permanent residency) will be considered the same as United States citizens for purposes of assessing tuition. In either instance, the approval date on the visa must be prior to the first day of the semester for which the change in status is sought. However, any other foreign national will be classified as a non-resident for assessment of tuition unless he /she has the right to remain permanently in the United States and can demonstrate by affirmative proof that he/she has a domicile in New Jersey.
- ii. Notwithstanding the provisions of any law or regulation to the contrary, under the DREAM Act, a student, other than a nonimmigrant alien within the meaning of section 101 (a)(15) of the "Immigration and Nationality Act" (8 U.S.C. s.1101(a)(15)), shall be exempt from paying out-of-State tuition at a public institution of higher education if the student satisfies all of the following requirements:
 1. Attended high school in this State for three or more years;
 2. Graduated from a high school in this State or received the equivalent of a high school diploma in this State;
 3. Registers as an entering student or is currently enrolled in a public institution of higher education not earlier than the fall semester of the 2013-2014 academic year; and
 4. In the case of a person without lawful immigration status, files an affidavit with the institution of higher education stating that the student has filed an application to legalize his immigration status or will file an application as soon as he is eligible to do so. NJSA 18A:62-4.4 1.

c. Military personnel and their dependents

- i. United States military personnel and their dependents, as well as students using GI Bill benefits that are living in New Jersey shall be regarded as residents of the state for tuition purposes. N.J.S.A. 18A: 62-4.1. In addition, dependent children of military personnel who attended New Jersey high school for a minimum of three years shall also be considered eligible residents for tuition purposes, regardless of where the dependent resides upon enrollment in Rowan. Questions relating to military personnel and dependent tuition benefits may be directed to the Military Services Office.

2. The Initial Determination

- a. The initial residency determination is made during a student's application to Rowan University, and is based on answers to the residency questions on the application, permanent address, and in the case of undergraduate students, attendance at high school.
- b. For medical school admissions, the state of their permanent address on their applications and their State of Legal Residence (SLR) through the common application service American Medical College Admission Service (AMCAS) and Osteopathic Medical College (AACOMAS) are presumed to be domiciled in the state of that application. In the case where both a permanent address and a SLR are provided, the SLR will determine domicile.

3. Changing Residency

- a. A student who, at the time of matriculation, was determined to reside in state or out of state may change residency. However, a mere change of address is not sufficient to evidence change in that student's fixed, permanent home.

4. Procedure

- a. If a student's residency status changes during the course of the student's course of study at Rowan University, the student must submit a request for a Review of the student's Residency, which shall consist of the Residency Analysis Form and required supporting documentation.

- b. A change of address in Banner will not automatically trigger this process. Matriculated students should request a review from the Registrar by contacting the relevant office identified in the Residency Analysis Form emailing all relevant documentation to the office from their official Rowan email.
- c. If moving out of the state of New Jersey, students should email the appropriate contact identified in the Residency Analysis Form from their official Rowan email address informing us of this fact and the date the change is effective so that the student's records may be updated accordingly. The change in tuition cost to out-of-state tuition will become effective the first semester following the change in residency. The Office of the University Registrar runs address change reports several times each year, during which a student moving outside of New Jersey could be flagged. It is the student's responsibility to check their account each term and to make any necessary Residency Review requests in a timely manner, which is at least before bills are due for the term in question.
- d. If the student's residency has changed to the state of New Jersey, the student should email the appropriate contact identified in the Residency Analysis Form from their official Rowan email address informing us of this fact and the date the change is effective so that the student's records may be updated accordingly. Further, as explained in the Residency Analysis Form, the student must complete that form and submit it, along with the required documentation to the relevant office.
 - i. Required documentation
 1. A notarized affidavit signed by the student making the request, and including the following details:
 - a. "I, [FULL LEGAL NAME], [ROWAN ID], verify that I have been a NJ resident for at least the past 12 months. I further confirm that I moved to NJ in [MONTH] and [YEAR] and did not do so for educational purposes, but rather because [EXPLANATION]."
 - i. This affidavit should also detail any other information/clarification that the student believes would be necessary in the student's particular case to assist in the determination of New Jersey residency.)
 - ii. The affidavit must list the NJ address in question.
 - iii. If the tax returns do not clearly show dependent status of the student, it must be included in the notarized statement.
 2. A copy of New Jersey state income tax return:
 - a. Independent students: submit a copy of your New Jersey state income tax return for the most recent tax year that demonstrates you were domiciled in New Jersey for at least 12 months prior to the start date for the term in which you are requesting in-state tuition
 - b. Dependent students: submit a copy of your parent or legal guardian's New Jersey state income tax return for the most recent tax year that demonstrates you were domiciled in New Jersey for at least twelve (12) months prior to the start date for the term in which you are requesting in-state tuition.
 3. A New Jersey Driver's License or non-driver's identification card, and/or NJ Voter Identification card (ideally both).
 - a. The issue dates of these should also demonstrate at least 12 months of NJ residency.
 - b. Voter's Identification Cards shall not be required from a non-US citizen
 - c. In certain cases, evidence of home ownership or a long term lease for a New Jersey residence may be acceptable if the above forms of identification may not be obtained.
 4. For non-US citizens who are permanent resident aliens, a copy of the student's permanent residency card and at least three (3) of the following: the student's banking documents; utility bills; documents from the previous institution of higher education indicating that institution's recognition of the student's New Jersey domicile; New Jersey employment documents; any other documents identifying a social or economic relationship with New Jersey.

- ii. If you are active military or a dependent of active military, please contact the Military Services Office. The Office will work with students to collect Certificates of Eligibility or other service related paperwork as may be appropriate.
 1. Determinations will be emailed by the Registrar (or relevant office) to the student's official Rowan email. A review of residency will take time to review and must be requested four (4) weeks prior to the start of the semester in which the tuition change is requested. If approved for NJ Residency, it will apply to the next semester /term. Retroactive assessments are not performed.

5. Penalties

- a. If a student has obtained or seeks to obtain resident classification by deliberate concealment of facts or misrepresentation of facts or if he/she fails to come forward with notification upon becoming a non-resident, he/she will be subject to disciplinary action, up to and including expulsion in accordance with applicable Student Conduct policies and repayment of the differential between out of state and in state tuition rate.

6. Appeals

- a. Appeals from the initial determination and any determination made after a request by a student for a change in residency status will be accepted no later than 30 days after the date of notification of any such determination that is appealed.
 - i. Student must submit an appeal within thirty (30) days from the initial determination to the Provost's Office.
 - ii. The Provost's Office will forward the appeal to the following officers:
 1. Dean of Students for Undergraduate student appeals
 2. Dean of CMSRU for Medical Students at CMSRU
 3. Dean of RowanSOM for Medical Students at RowanSOM
 4. Senior Associate Dean for Research & Graduate School of Biomedical Sciences for GSBS Graduate Students
 - iii. The officers will respond to the student within thirty (30) days of the receipt of the appeal. The decision of the appropriate officer will be final.

V. ATTACHMENTS

1. [Residency Analysis Form](#)

(open link, download form-top right down arrow-for writable version of form)