

## How Is Residency For Tuition Purposes Determined?<sup>1</sup>

Residency for tuition purposes is based upon standards set forth in *Wisconsin Statutes* 36.27(2), which govern resident status for tuition purposes. To read the statute, and for other resources, visit <http://www.uwsa.edu/acss/residency/>

(*Note: Under Federal law some active duty members of the armed forces and their families may be eligible for resident tuition as outlined in 20 USC 1015d. This brochure focuses on the Wisconsin laws governing resident status for tuition purposes.*)

These standards are different from standards used to determine residency for voting, paying taxes, and other purposes. Therefore, it is important that you understand the Wisconsin statute governing resident status for tuition purposes and how it may apply to you.

There is usually enough information in your application for admission to a University of Wisconsin (UW) System institution for a residency advisor to determine if you qualify as a resident for tuition purposes. In some cases, you may be asked to provide further information to determine your eligibility for resident tuition.

In general, to be eligible for resident tuition, you must be a *bona fide resident* of Wisconsin during the 12 months prior to enrollment.

***Individuals who enter and remain in Wisconsin primarily for educational purposes do not qualify as bona fide residents for tuition purposes even after living in Wisconsin a year or more.*** If you do not qualify as a Wisconsin resident, you will be classified as a nonresident and pay nonresident tuition. The nonresident classification will continue in effect until you overcome the presumption that you are here primarily for educational purposes.

If you are already enrolled at a UW institution as a nonresident, and believe your classification should be changed to resident, you will usually need to go through an appeal process to have your residency classification reviewed.

### What Is Bona Fide Residence?

Bona fide residence is defined in *Wisconsin Statutes* § 36.27(2)(e). It requires that a person be able to demonstrate intent to establish and maintain a permanent home in Wisconsin.

*“Intent may be demonstrated or disproved by factors including, but not limited to, timely filing of a Wisconsin income tax return of the type that only full-year Wisconsin residents may file, voter registration in Wisconsin, motor vehicle registration in Wisconsin, possession of a Wisconsin operator’s license, place of employment, self-support, involvement in*

*community activities in Wisconsin, physical presence in Wisconsin for at least 12 months preceding the beginning of the semester or session for which the student registers, and, if the student is not a U.S. citizen, possession of a visa that permits indefinite residence in the United States.”* Wisconsin Statutes § 36.27(2)(e).

There are some exceptions to the 12 month bona fide resident requirement. You *may* qualify to pay tuition and fees at the resident rate without being a bona fide Wisconsin resident for the 12 months prior to enrollment if:

1. You graduated from a Wisconsin high school and your parent(s) are bona fide residents of the state of Wisconsin for the 12 months prior to your enrollment;
2. You are a tax dependent of one of your parents and one of your parents has been a bona fide Wisconsin resident for the 12 months prior to enrollment;
3. You are a minor whose parent has been a bona fide Wisconsin resident for the 12 months prior to enrollment;
4. You are a minor who lived in Wisconsin during the 12 months prior to enrollment and substantially during your years of minority;
5. You, your spouse, or someone who claims you as a tax dependent, was relocated to Wisconsin for full-time continuous employment by his or her current employer; or moved to Wisconsin for employment purposes and accepted their new, full-time employment before moving to Wisconsin and before applying for admission to a UW System institution. In

<sup>1</sup> This brochure is for informational purposes only. You are urged to contact a residency advisor at your intended institution to better understand your particular residency situation.

- these cases, the employed person must continue working full-time with the same employer, and the student must demonstrate intent to establish and maintain a permanent home in Wisconsin;
6. You are a refugee who came to Wisconsin immediately upon entering the United States and have resided in Wisconsin since then;
  7. You, your spouse, or your parent is an active duty member of the Armed Forces stationed in Wisconsin, or is living in Wisconsin and stationed at a federal military installation within 90 miles of the Wisconsin state border;
  8. You, your spouse, or your parent is or was on active duty in the Armed Forces and meets other requirements outlined in the state statute;
  9. You, or your parent, lived and worked in Wisconsin as a migrant worker for a required period of time during the five years prior to enrollment.

There are also provisions in the statute identifying other circumstances that may make you eligible for resident tuition. Contact the Office of Admissions or the Office of the Registrar at the institution to which you are applying for more information.

## **Can a Residency Determination Be Appealed?**

Students have the right to appeal a residency determination. Every institution in the UW System has an established appeal process. To initiate the process you will need to complete necessary appeal forms, supply information

about your circumstances, and explain in writing why you believe you should be reclassified as a resident for tuition purposes.

To obtain more detailed information about the process for filing a residency appeal or to consult with an advisor about whether an appeal is appropriate in your case, contact the Office of Admissions or the Office of the Registrar at the institution where you are or wish to be enrolled.

*NOTE:* Appeals must be filed by specified deadlines. When an appeal is in process you are responsible for paying academic fees that have been assessed according to your initial residency determination.

## **What is the Minnesota-Wisconsin Tuition Reciprocity Program?**

Minnesota residents may be eligible to pay Minnesota resident tuition rates to attend public Wisconsin institutions through the Minnesota-Wisconsin Tuition Reciprocity Program. To participate in this program you must apply and be approved. Visit <http://www.getreadyforcollege.org/> for more information and a reciprocity application form.

Published by the  
Office of Student Affairs and Academic Support  
Services

The University of Wisconsin System  
1600 Van Hise Hall/1220 Linden Drive  
Madison, Wisconsin 53706

*Revised July 2011*



## **RESIDENCY for Tuition Purposes**

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*An overview regarding the determination of residency for tuition purposes at University of Wisconsin System campuses.*