



## Louisiana State University System

3810 West Lakeshore Drive  
Baton Rouge, Louisiana 70808

Office of the President

225/578-2111

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November 28, 2007

**SUBJECT:** Residence Regulations of the LSU System – PM-31

**This memorandum becomes effective 12/01/07 and supersedes PM-31 dated 1/17/07**

### **DEFINITION OF A RESIDENT STUDENT**

A resident student for tuition purposes is defined as one who has abandoned all prior domiciles and has been domiciled in the State of Louisiana continuously for at least one full year (365 days) immediately preceding the first day of classes of the term for which resident classification is sought. A non-resident student for tuition purposes is one who is not eligible for classification as a resident student under these regulations.

The individual's physical presence within this state for one year must be associated with substantial evidence that such presence was with the intent to maintain a Louisiana domicile. Physical presence within the state solely for educational purposes without substantial evidence of the intent to remain in Louisiana will not be sufficient for resident classification regardless of the length of time within the state.

### **ESTABLISHING THE REQUISITE INTENT TO BECOME A LOUISIANA DOMICILIARY**

The following facts and circumstances, although not necessarily conclusive, may support one's claim for resident classification for tuition purposes: financial independence from parents residing in another state or country; reliance on Louisiana resources for financial support; possession of a valid Louisiana voter registration card for at least one year and voting in Louisiana; designating Louisiana as his or her permanent address on all school and employment records, including military records if one is in the military service; possession of a valid Louisiana driver's license (if applicable) for at least one year; possession of a valid Louisiana vehicle registration (if applicable) for at least one year; continuous presence in Louisiana during periods when not enrolled as a student; commitments indicating an intent to stay in Louisiana permanently; paying Louisiana income taxes as a resident during the past tax year, including income earned outside Louisiana from the date Louisiana domicile was claimed; establishing an abode where one's permanent belongings are kept within Louisiana; licensing for professional practice (if applicable) in Louisiana; and the absence of these indicia in other states during any period for which domicile in Louisiana is asserted.

In order to establish financial independence, a student seeking reclassification should meet the following criteria for the current and immediately preceding calendar year: (1) that the student has not been claimed as an exemption for state or federal income tax purposes by his/her non-resident parents; (2) that the student has not lived in the home of his/her non-resident parents for more than six weeks after the time at which a Louisiana domicile is claimed; and (3) that the student's primary source of financial support not be derived from Federal programs and/or campus employment (such as graduate assistant scholarships and scholarships that provide a waiver of non-resident fees).

Documentary evidence shall be required; all relevant indicia will be considered in the classification determination. The facts suggested above are neither conclusive nor exclusive; each claim shall be



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determined on its own merits. Relevant indicia should be collected and reviewed with each admission regardless of prior classification of the applicant.

### **NON U.S. CITIZENS**

A student who is a non U.S. citizen is entitled to resident classification if the student has been lawfully admitted to the United States for permanent residence (refugees, persons who are married to a U.S. citizen, “temporary” or amnesty aliens, parolees of asylum or permanent residency, etc.), in accordance with all applicable laws of the U.S. and relative requirements of these regulations (PM-31).

#### **Students legally present in the United States under terms of the following visa classification:**

<b>Visa Category</b>	E:	Treaty trader or investor
	G:	Representative of international organization
	H:	Specialty occupation worker
	I:	Foreign information media representative
	K:	Fiancé, children of U. S. citizen
	L:	Intra-company transferee/foreign employer
	R:	Religious Worker
	V:	Spouse, children of legal permanent resident

who demonstrate a Louisiana domicile for at least one full year (according to these regulations) prior to the first day of class of the beginning of the semester will be eligible for an exemption of the non-resident fees while holding such a visa.

#### **Students holding the following valid visa classification:**

<b>Visa Category</b>	A:	Government officials
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will be immediately eligible for an exemption of the non-resident fees while holding such a visa.



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### Students holding the following valid visa classifications:

<b>Visa Category</b>	B:	Visitor for business/pleasure
	C:	In transit
	D:	Crewman
	F:	Academic student
	J:	Exchange visitor
	M:	Vocational/non-academic student
	O:	Worker of extraordinary ability
	P:	Performing artist or athlete
	Q:	International cultural exchange visitor
	TN:	Professional worker from Canada or Mexico
	TPS:	Temporary protected status

are not eligible to establish Louisiana domicile nor are they eligible for an exemption of non-resident fees unless otherwise permitted by law or other regulations.

### **GENERAL RULES APPLYING TO MINORS AND DEPENDENTS**

The domicile of an unmarried minor (under age of 18) or dependent (see Internal Revenue Code of 1954, Section 152) is regarded to be that of the parent with whom such a minor or dependent maintains his or her place of abode. The domicile of an unmarried minor or dependent who has a parent living cannot be changed by his or her own act or by the relinquishment of a parent's right of control. When the minor or dependent lives with neither parent, domicile is that of the parent with whom the student maintained the last place of abode. The minor or dependent may establish domicile when both parents are deceased and a legal guardian has not been appointed. When the residence of a minor or dependent is derived from the Louisiana residence of the parent, that parent must meet requirements described elsewhere in this document.

A parent who was eligible to be classified as a resident of Louisiana under these regulations for at least two years and then moves to another state retains the right to enroll himself/herself or any minor child or dependent as a resident for a five-year period, which begins immediately following the relocation to another state.

When there is clear and convincing documentation that the parent(s) with whom a dependent child is domiciled has abandoned out-of-state domiciles and moved to Louisiana to work and/or live, the dependent student is eligible for immediate resident classification. Similarly, when an independent applicant for enrollment other than in graduate or professional study, who is more than twenty-two years of age, shows convincing evidence that he/she has abandoned out-of-state domiciles and moved to this state to live and work, the applicant may be granted immediate residency.

### **EMPLOYEES OF THE UNIVERSITY**

The unmarried dependent or spouse of a full-time University employee is eligible for a waiver of the non-resident fees.

*Louisiana State University & Agricultural and Mechanical College*

*LSU at Alexandria • LSU at Eunice • University of New Orleans • LSU in Shreveport • Hebert Law Center • LSU Agricultural Center*

*Pennington Biomedical Research Center • LSU Health Sciences Center – New Orleans • LSU Health Sciences Center – Shreveport • LSU Health Care Services Division*



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### **MILITARY PERSONNEL**

An individual on active duty in the Armed Forces currently stationed in Louisiana may be classified as a “Temporary Resident” upon submission of an appropriate statement signed by the unit commander verifying his/her being on active duty and stationed in Louisiana. The classification of “Temporary Resident” is valid as long as the student remains enrolled.

A member of the Armed Forces currently stationed in Louisiana on active duty may enroll any of his/her dependents as “Temporary Residents.” A member of the Armed Forces who was eligible for classification as a resident of Louisiana under these regulations immediately prior to entering the Armed Forces retains the right to enroll himself/herself and any of his/her dependents as residents as long as he/she is in the Armed Forces and for a five-year period after separation from service.

When a member of the military who has a spouse or dependent enrolled as a “Temporary Resident” is transferred out of the state, the temporary resident may continue to attend under this classification as long as he/she remains in this State.

### **MAINTAINING A RESIDENCE DURING A TEMPORARY ABSENCE**

A person who was eligible to be classified as a resident of Louisiana under these regulations does not lose the right to be classified as a resident during the period of employment in a foreign country. In cases of prolonged employment in a foreign country, evidence of retention of United States citizenship may be required.

### **MISCELLANEOUS**

Resident status is not determined for student auditing only or for students enrolled in extramural or correspondence courses, except when such enrollment is for resident credit.

An individual who marries a Louisiana resident may be immediately considered a Louisiana resident for fee purposes.

Students who have been classified as residents of Louisiana under the regulations now superseded shall not be reclassified as a result of these regulations.



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### **CLASSIFICATION PROCEDURES**

The resident status of an applicant or student is determined by the Admissions Office<sup>1</sup> on each campus in accordance with these regulations and is based upon evidence provided in the application for admission and related documents.

An application for reclassification from non-resident status to resident shall be filed with the Admissions Office on the respective campus not later than 21 calendar days following the first day of classes of the term for which such reclassification is sought. Such application shall include any information or documents required by the Admissions Office, together with any supporting evidence which the student desires to submit.

### **APPEALS PROCEDURES**

Any student may appeal the decision of the Admissions Office<sup>1</sup> pursuant to the above classification procedures. This written appeal must be filed not later than 21 calendar days after notice of such decision is mailed to the student by the Admissions Office. Such appeal will be forwarded to the Chairman of the System Residence Appeals Committee by the Admissions Office.

The System Residence Appeals Committee shall consist of three members of the LSU System staff appointed by the President. The Committee shall function as an appellate body with appropriate legal counsel. The Committee shall recommend to the President the reclassification of any student who has appealed his/her classification as a non-resident if the Committee finds from the evidence submitted that the student is entitled to reclassification under these regulations.

Failure to comply timely with the appeals procedure shall constitute a waiver of all claims for reclassification for the applicable term or terms.

### **INCORRECT CLASSIFICATION**

All students classified incorrectly as residents are subject to reclassification and payment of all non-resident fees not paid. If incorrect classification results from false or concealed facts by the student, the student is also subject to University discipline.

John V. Lombardi  
President

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<sup>1</sup>Registrar's Office within the Health Sciences Centers