Apexx of Tuition Classification

Upon admission to the University your residency was evaluated and you were found ineligible for in-state status. If, after completing the Residency Classification Worksheet, you feel your situation warrants a review of your residency status, you must complete this form and submit evidence (as detailed on the Residency Classification Worksheet) supporting your claim.

The request for Reclassification Process and What to Expect

1. Submit your appeal with all support documentation as soon as possible but not later than the end of the add/drop period. You are responsible for payment of your bill by the due date regardless of the status of your appeal.

2. Review of your appeal by the University Residency Office will take place as quickly as possible, usually within a week of receipt.

3. After the initial review, the Residency Officer can either accept or reject the appeal, or s/he can request further evidence including an interview. If additional evidence is required, you will be notified by mail. However, the Residency Office will normally render judgment based on the evidence submitted. Therefore, it is in your best interest to provide as complete a file as possible for review.

4. If your appeal is accepted, you will be notified by letter and your University records will be adjusted to reflect your new status. If you have already received a bill, pay immediately; do not wait for a revised bill since it will lead to the assessment of a late fee charge. You will be automatically charged at the in-state rate for all future semesters.

5. If your appeal is rejected, you will be notified by mail as to the reasons why.

6. Please check your appeal and make sure it is complete:

7. If your case involves unusual circumstances, such as release from active duty, divorce custody, employment overseas, diplomatic visa, etc., please email residency@umb.edu with questions.

6. Concealment of facts or unlawful statements will result in dismissal from the University and prosecution for both fraud and perjury.
### Part 1

**Please Print**

**Applicant’s full legal Name:**

<table>
<thead>
<tr>
<th>Last</th>
<th>First</th>
<th>Middle</th>
</tr>
</thead>
</table>

**Social Security #:**

**UMS #:**

**E-mail:**

**Applicant’s Permanent Address:**

<table>
<thead>
<tr>
<th>Number and Street</th>
<th>City</th>
<th>State</th>
<th>Zip Code</th>
</tr>
</thead>
</table>

**Date of Birth:**

**Age:**

**City and State of Birth:**

**Are you a U.S. Citizen?**

- [ ] Yes
- [ ] No

**Alien Registration Number**

**Have you received a loan through a public agency outside the Commonwealth over the past year?**

- [ ] Yes
- [ ] No

**Did your parents take you as a tax deduction last year?**

- [ ] Yes
- [ ] No

**Term for which Reclassification is sought:**

- [ ] Fall 20___
- [ ] Spring 20___

**Level of Study (Check one):**

- [ ] Undergraduate
- [ ] Graduate
- [ ] Undergraduate non-degree
- [ ] Graduate non-degree
- [ ] Other

**Parent/Legal Guardian Name:**

**Parent/Legal Guardian Address:**

**Home Phone:**

**Work Phone:**

---

### Part 2: 18 Years of Age or Older or Married

I __________________________________, being first duly sworn on my oath say that I am eighteen years of age or older or married, and that I have read the rules and regulations governing the residency status of students for tuition purposes at the University of Massachusetts and that pursuant to said rules and regulations, I am a resident of the State of Massachusetts. I have continuously resided in the State of Massachusetts since ____________________________

**Student’s Signature**

**Date**

Subscribed and sworn to before me this ________ day of __________ 20___

(seal)

**State of:** ____________________________ S.S.

**County of:** ____________________________

**Commission Expires:** ____________________________

---

### Part 3: Parent, Guardian (if applicant under 18 years of Age) or Spouse

I __________________________________, being first duly sworn, on my oath say that I am the ____________________________

(Father, Mother, Guardian or Spouse)

of __________________________________, and that I have read the rules and regulations I am a resident of the State of Massachusetts. I have continuously resided in the State of Massachusetts since ____________________________

**Signature of Parent, Guardian, or Spouse**

**Date**

Subscribed and sworn to before me this ________ day of __________ 20___

(seal)

**State of:** ____________________________ S.S.

**County of:** ____________________________

**Commission Expires:** ____________________________
These rules and regulations, approved in 1988 by the University’s Board of Trustees, and current as of publication apply to the classification of students at the University of Massachusetts as Massachusetts or non-Massachusetts students for tuition and fees purposes.

Part I. Definitions.

1.1 “Academic period” shall mean a term or semester in an academic year of a summer session, as prescribed by the Board of Trustees or under their authority.

1.2 “Continuous attendance” shall mean enrollment at the University for the normal academic year in each calendar year or the appropriate portion or portions of such academic year as prescribed by the Board of Trustees or under their authority.

1.3 “Emancipated person” for the purpose of residency classification for tuition, shall mean a person who has attained age of 18 years and is financially independent of his or her parents, or if under 18 years of age, (a) whose parents have entirely surrendered the right to care, custody, and earnings of such person and who no longer are under any legal obligation to support or maintain such person; or (b) a person who is legally married; or (c) a person who has no parent. If none of the aforesaid definitions apply, said person shall be deemed an “unemancipated person.”

1.4 “Parent” shall mean:

a) the person’s father and mother, jointly;

b) if the person father is deceased, the person’s mother; if the person’s mother is deceased, the person’s father;

c) if neither the father nor the mother is living and no legal guardian has been appointed, the person who then stands in loco parentis to the person.

d) if the father and mother are divorced, separated or unmarried, the parent who has been awarded legal custody of the person; or if legal custody has not been awarded, the parent with whom the person lives.

Part II. Classification

2.1 For the purpose of assessing tuition and fees, each student shall be classified as a “Massachusetts resident” or a “non-Massachusetts resident.” A person shall be classified as a Massachusetts resident if he or she (or the parent of an unemancipated student) shall have resided in the Commonwealth of Massachusetts for purposes other than educational institution for twelve months immediately preceding the student’s entry or reentry as a student.

Physical presence for this entire twelve-month period need not be required as long as the conduct of the individual, taken in total, manifests an intention to make Massachusetts his or her permanent dwelling place.

Part III. Determination of Residency

3.1 Proof of residency.

a) Each case will be decided on the basis of all facts submitted with qualitative rather than quantitative emphasis. A number of factors is required for residency to determine the intention of the person to maintain permanent residency in Massachusetts. No single index is decisive. The burden of proof rests on the student seeking classification as a Massachusetts resident.

b) the following shall be primary indicia of residency:

1) For unemancipated persons, the residency of parents, having custody, within Massachusetts;

2) Certified copies of federal and state income tax returns;

3) Permanent employment in a position not normally filled by a student;

4) Reliance on Massachusetts sources for financial support;

5) Former residency in Massachusetts and maintenance of significant connections there while absent.

c) the following shall be secondary indicia of residency, to be considered of less weight than the indicia listed above in subsection b):

1) Continuous physical presence in Massachusetts during periods when not an enrolled student;

2) Military home of record;

3) All other material of whatever kind or source which may have a bearing on determining residency.

3.2 Proof of Emancipation.

A student asserting that he or she is an emancipated person shall furnish evidence to support such assertion. Such evidence may include:

a) Birth certificate or any other legal document that shows place and date of birth.

b) Legal guardianship papers – court appointment and termination must be submitted.

c) Statements of the person, his or her parent(s), guardian(s), or others certifying no financial support.

d) Certified copies of federal and state income tax returns filed by the person and his or her parent(s).

e) Where none of the forgoing can be provided, an affidavit of the emancipated person is explanation thereof and stating fully the grounds supporting the claim of emancipation.

3.3 Presumption, etc.

a) Residency is not acquired by mere physical presence in Massachusetts while the person is enrolled in an institution of higher education. (See Section 2.1.)

b) A person having his or her residency elsewhere than in Massachusetts shall not be eligible for classification as a Massachusetts resident for tuition purposes, except as herein provided.

1) Any person who is registered at the University as a Massachusetts resident for tuition purposes (until attainment of the degree for which he or she is enrolled during continuous attendance at the Institution.

2) The spouse of any person who is classified or is eligible for classification as a “Massachusetts resident”. This provision will not apply in the case of a spouse in the United States on a nonimmigrant visa.

3) A person who is immigrant/permanent resident of the United States is eligible to be considered for Massachusetts residency for tuition purposes provided that he or she meets the same requirements for stable residency in Massachusetts as are required of a United States citizen. Noncitizens who are in (or who have applied for) refugee/asylum status are like eligible to be considered for Massachusetts residency for tuition purposes provided that he or she meets the same requirements for establishing residency in Massachusetts as are required of a United States citizen. All noncitizens must provide appropriate documentation to verify their status with the United States Immigration and Naturalization Service.

4) Those students whose higher educational pursuits are funded by the Department of Welfare, the Massachusetts Rehabilitation Department, or any of the other Commonwealth of Massachusetts public assistance programs.

c) A person does not gain or lose in-state status solely by reason of his or her presence in any state or country while a member of the Armed Forces of the United States.

d) For the purposes of this policy the following persons shall be presumed to be Massachusetts residents:

1) A member of the Armed Forces of the United States who is stationed in Massachusetts on active duty pursuant to military orders, his or her spouse or dependent students.

2) Full-time faculty, professional staff, and classified staff employees of the University of Massachusetts system and their spouses and dependent students.

Part IV. Appeals.

Any student of applicant who is unwilling to accept the initial ruling relative to his or her residency classification may file a “Residency Appeal Form.”

Any student or applicant who is unwilling to accept the ruling related to his/her residency reclassification may submit an appeal to the University’s Residency Appeal Committee. The decision by this Committee is final and may not be appealed further.

In any case where the Admission Office is unable to make an initial determination based on the evidence submitted, the applicant may be required to submit a “Residency Appeal Form” to the Admissions Office for their review before being finally classified as a resident or nonresident.

Part V. Penalties.

Mistreatment in or omission of any evidence submitted with respect to any fact, which if correctly or completely stated would be grounds to deny classification as a Massachusetts resident, shall be cause for exclusion or expulsion from or other disciplinary action by the University.