

# WINTHROP UNIVERSITY

## Application for Classification as a South Carolina Resident for Tuition Payment Purposes Residency Information and Regulations

Winthrop University is required under South Carolina State Law (Statutory Authority: 1976 Code Sections 59 112 10 to 59 112 100) to determine the residence classification of applicants. The initial determination of one's resident status is made at the time of admission. The determination made at that time, and any determination made thereafter, prevails for each subsequent semester until information becomes available that would impact the existing residency status and the determination is successfully challenged. The burden of proof rests with the students to show evidence as deemed necessary to establish and maintain their residency status.

### 62-600. Rates of Tuition and Fees.

- A. Resident classification is an essential part of tuition and fee determination, admission regulations, scholarship eligibility, and other relevant policies of the state. It is important that institutions have fair and equitable regulations that can be administered consistently and are sensitive to the interests of both students and the state. The Commission on Higher Education hereby establishes regulations for the Statute Governing Residency for Tuition and Fee Purposes to be applied consistently by all South Carolina institutions of higher education. These regulations do not address residency matters relating to in county categories used within the State's technical colleges.
- B. Institutions of higher education are required by the Statute to determine the residence classification of applicants. The initial determination of one's resident status is made at the time of admission. The determination made at that time, and any determination made thereafter, prevails for each subsequent semester until information becomes available that would impact the existing residency status and the determination is successfully challenged. The burden of proof rests with the students to show evidence as deemed necessary to establish and maintain their residency status.

### 62-601. Code of Laws Governing Residence.

Rules regarding the establishment of legal residence for tuition and fee purposes for institutions of higher education are governed by Title 59, Chapter 112 of the 1976 South Carolina Code of Laws, as amended.

### 62-602. Definitions.

- A. "Academic Session" is defined as a term or semester of enrollment. (62-607.B)
- B. "Continue to be Enrolled" is defined as continuous enrollment without an interruption that would require the student to pursue a formal process of readmission to that institution. Formal petitions or applications for change of degree level shall be considered readmissions. (62-607.A)
- C. "Dependent Person" is defined as one whose predominant source of income or support is from payments from a parent, spouse, or guardian, who claims the dependent person on his/her federal income tax return. In the case of those individuals who are supported by family members who do not earn enough reportable income for taxation purposes, a dependent person can be defined as one who qualifies as a dependent or exemption on the federal income tax return of the parent, spouse, or guardian. A dependent person is also one for whom payments are made, under court order, for child support and the cost of the dependent person's college education. A dependent person's residency is based upon the residency of the person upon whom they are dependent. (62-602.G) (62-602.N) (62-603.B) (62-605.C) (62-607.A)
- D. "Domicile" is defined as the true, fixed, principal residence and place of habitation. It shall indicate the place where a person intends to remain, or to where one expects to return upon leaving without establishing a new domicile in another state. For purposes of this section, one may have only one legal domicile. One is presumed to abandon automatically an old domicile upon establishing a new one. Housing provided on an academic session basis for student at institutions shall be presumed not to be a place of principal residence, as residency in such housing is by its nature temporary. (62-602.E) (62-602.K) (62-602.M) (62-602.N) (62-603.A) (62-603.B) (62-605.B) (62-605.C) (62-607.A) (62-607.B) (62-608.A) (62-608.C) (62-608.D) (62-609.A.3) (62-609.A.4)
- E. "Family's Domicile in this State is Terminated" is defined as an employer directed transfer of the person upon whom the student is dependent and is not construed to mean a voluntary change in domicile. Also included is a relocation of the person upon whom the student is dependent who is laid off through no fault of their own, e.g., plant closure, downsizing, etc., who accepts employment in another state prior to relocating. (62-607.A)
- F. "Full time employment" is defined as employment that consists of at least thirty seven and one half hours a week on a single job in a full time status, with gross earnings of at least minimum wage. However, a person who works less than thirty seven and one half hours a week but receives or is entitled to receive full time employee benefits shall be considered to be employed full time if such status is verified by the employer. A person who meets the eligibility requirements of the Americans with Disabilities Act must present acceptable evidence that they satisfy their prescribed employment specifications in order to qualify as having full time employment. (62-605.C.1) (62-609.A.2) (62-609.A.3)
- G. "Guardian" is defined as one legally responsible for the care and management of the person or property of a minor child based upon the five tests for dependency prescribed by the Internal Revenue Service; provided, however, that where circumstances indicate that such guardianship or custodianship was created primarily for the purpose of conferring South Carolina domicile for tuition and fee purposes on such child or dependent person, it shall not be given such effect. (62-602.C) (62-602.E) (62-602.I) (62-602.M) (62-603.B) (62-605.C)
- H. "Immediately Prior" is defined as the period of time between the offer of admission and the first day of class of the term for which the offer was made, not to exceed one calendar year. (62-607.A)

- I. "Independent Person" is defined as one in his/her majority (eighteen years of age or older) or an emancipated minor, whose predominant source of income is his/her own earnings or income from employment, investments, or payments from trusts, grants, scholarships, commercial loans, or payments made in accordance with court order. An independent person must provide more than half of his or her support during the twelve months immediately prior to the date that classes begin for the semester for which resident status is requested. An independent person cannot claim the domicile of another individual as their own for the purposes of establishing intent to become a South Carolina resident. An independent person must have established his/her own domicile for twelve months prior to receiving in-state tuition and fees. An independent person cannot be claimed as a dependent or exemption on the federal tax return of his or her parent, spouse, or guardian for the year in which resident status is requested. (62-602.N) (62-603.A) (62-605.C) (62-607.B) (62-608.B)
- J. "Minor" is defined as a person who has not attained the age of eighteen years. An "emancipated minor" shall mean a minor whose parents have entirely surrendered the right to the care, custody and earnings of such minor and are no longer under any legal obligation to support or maintain such minor. (62-602.G)
- K. "Non-resident Alien" is defined as a person who is not a citizen or permanent resident of the United States. By virtue of their non-resident status "non-resident aliens" generally do not have the capacity to establish domicile in South Carolina. (62-602.M) (62-604.A)
- L. "Parent" is defined as the father, mother, stepfather, stepmother, foster parent or parent of a legally adopted child. (62-602.C) (62-602.E) (62-602.I) (62-602.J) (62-602.M) (62-603.B) (62-603.C) (62-605.C)
- M. "Reside" is defined as continuous and permanent physical presence within the State, provided that absences for short periods of time shall not affect the establishment of residence. Excluded are absences associated with requirements to complete a degree, absences for military training service, and like absences, provided South Carolina domicile is maintained. (62-603.A) (62-606.B) (62-609.A) (62-609.A.3) (62-609.A.4) (62-609.B)
- N. "Resident" for tuition and fee purposes is defined as an independent person who has abandoned all prior domiciles and has been domiciled in South Carolina continuously for at least twelve months immediately preceding the first day of class of the term for which resident classification is sought and for whom there is an absence of domiciliary evidence in other states or countries, notwithstanding other provisions of the Statute. (62-600.A) (62-600.B) (62-602.I) (62-602.K) (62-602.M) (62-603.A) (62-603.B) (62-603.C) (62-604.A) (62-605.A) (62-605.C) (62-605.C.7) (62-606.A) (62-606.A.5) (62-606.B) (62-607.A) (62-608.B) (62-609.A.3) (62-610.A) (62-610.B) (62-611.A) (62-611.B)
- O. "Spouse" is defined as the husband or wife of a married person in accordance with Title 20, Chapter 1 of the 1976 South Carolina Code of Laws, as amended. (62-602.C) (62-602.E) (62-602.I) (62-602.M) (62-603.B) (62-605.C)
- P. "Temporary Absence" is defined as a break in enrollment during a fall or spring semester (or its equivalent) during which a student is not registered for class. (62-606.A)
- Q. "Terminal Leave" is defined as a transition period following active employment and immediately preceding retirement (with a pension or annuity), during which the individual may use accumulated leave. (62-609.A.4)
- R. "United States Armed Forces" is defined as the United States Air Force, Army, Marine Corps, Navy, and Coast Guard. (62-606.B) (62-609.A(1))
- S. "Trust" is defined as a legal entity created by a grantor for the benefit of designated beneficiaries under the laws of the state and the valid trust instrument. However, that where circumstances indicate that such trust was created primarily for the purpose of conferring South Carolina domicile for tuition and fee purposes on such child or independent person, it shall not be given such effect.

#### **62-603. Citizens and Permanent Residents.**

- A. Independent persons who have physically resided and been domiciled in South Carolina for twelve continuous months immediately preceding the date the classes begin for the semester for which resident status is claimed may qualify to pay in state tuition and fees. **The twelve month residency period starts when the independent person establishes the intent to become a South Carolina resident per Section 62-605 entitled "Establishing the Requisite Intent to Become a South Carolina Domiciliary." The twelve month residency period cannot start until the absence of indicia in other states is proven.** Absences from the State during the twelve month period may affect the establishment of permanent residence for tuition and fee purposes.
- B. The resident status of a dependent person is based on the resident status of the person who provides more than half of the dependent person's support and claims or, only in the case of those individuals who are supported by family members who do not earn enough reportable income for taxation purposes, qualifies to claim the dependent person as a dependent for federal income tax purposes. Thus, the residence and domicile of a dependent person shall be presumed to be that of their parent, spouse, or guardian.
- C. In the case of divorced or separated parents, the resident status of the dependent person may be based on the resident status of the parent who claims the dependent person as a dependent for tax purposes; or based on the resident status of the parent who has legal custody or legal joint custody of the dependent person; or based on the resident status of the person who makes payments under a court order for child support and at least the cost of his/her college tuition and fees.

#### **62-604. Non-Resident Aliens, Non-Citizens, and Non-Permanent Residents.**

- A. Except as otherwise specified in this section or as provided in Section 62-609 (1) & (2), independent non-citizens and non-permanent residents of the United States will be assessed tuition and fees at the non-resident, out of state rate. Independent non-resident aliens, including refugees, asylees, and parolees may be entitled to resident, in state classification once they have been awarded permanent resident status by the U.S. Department of Justice and meet all the statutory residency requirements provided that all other domiciliary requirements are met. Time spent living in South Carolina immediately prior to the awarding of permanent resident status does not count toward the twelve month residency period. Certain non-resident aliens present in the United States in specified visa classifications are eligible to receive in-state residency status for tuition and fee purposes as prescribed by the Commission on Higher Education. They are not, however, eligible to receive state-sponsored tuition assistance/scholarships.

B. Title 8 of the Code of Federal Regulations (CFR) serves as the primary resource for defining visa categories.

#### **62-605. Establishing the Requisite Intent to Become a South Carolina Domiciliary.**

- A. Resident status may not be acquired by an applicant or student while residing in South Carolina for the primary purpose of enrollment in an institution or for access to state supported programs designed to serve South Carolina residents. An applicant or student from another state who comes to South Carolina usually does so for the purpose of attending school. Therefore, an applicant or student who enrolls as a non-resident in an institution is presumed to remain a non-resident throughout his or her attendance and does not qualify under any of the residency provisions.
- B. If a person asserts that his/her domicile has been established in this State, **the individual has the burden of proof**. Such persons should provide to the designated residency official of the institution to which they are applying any and all evidence the person believes satisfies the burden of proof. The residency official will consider any and all evidence provided concerning such claim of domicile, but will not necessarily regard any single item of evidence as conclusive evidence that domicile has been established.
- C. For independent persons or the parent, spouse, or guardian of dependent persons, examples of intent to become a South Carolina resident may include, although any single indicator may not be conclusive, the following indicia:
1. Statement of full time employment;
  2. Designating South Carolina as state of legal residence on military record;
  3. Possession of a valid South Carolina driver's license, or if a non-driver, a South Carolina identification card. **Failure to obtain this credential within 90 days of the establishment of the intent to become a South Carolina resident will delay the beginning date of residency eligibility until a South Carolina driver's license is obtained;**
  4. Possession of a valid South Carolina vehicle registration card. **Failure to obtain this credential within 45 days of the establishment of the intent to become a South Carolina resident will delay the beginning date of residency eligibility until the applicant obtains a South Carolina vehicle registration card;**
  5. Maintenance of domicile in South Carolina;
  6. Paying South Carolina income taxes as a resident during the past tax year, **including income earned outside of South Carolina from the date South Carolina domicile was claimed;**
  7. Ownership of principal residence in South Carolina; and
  8. Licensing for professional practice (if applicable) in South Carolina.
- D. The absence of indicia in other states or countries is required before the student is eligible to pay in state rates.

#### **62-606. Maintaining Residence.**

- A. A person's temporary absence from the State does not necessarily constitute loss of South Carolina residence unless the person has acted inconsistently with the claim of continued South Carolina residence during the person's absence from the State. The burden is on the person to show retention of South Carolina residence during the person's absence from the State.

Steps a person should take to retain South Carolina resident status for tuition and fee purposes include:

1. Continuing to use a South Carolina permanent address on all records;
  2. Maintaining South Carolina driver's license;
  3. Maintaining South Carolina vehicle registration;
  4. Satisfying South Carolina resident income tax obligation. **Individuals claiming permanent residence in South Carolina are liable for payment of income taxes on their total income from the date that they established South Carolina residence. This includes income earned in another state or country.**
- B. Active duty members of the United States Armed Forces and their dependents are eligible to pay in state tuition and fees as long as they continuously claim South Carolina as their state of legal residence during their military service. Documentation will be required in all cases to support this claim. South Carolina residents who change their state of legal residence while in the military lose their South Carolina resident status for tuition and fee purposes.

#### **62-607. Effect of Change of Residency.**

- A. Notwithstanding other provisions of this section, any dependent person of a legal resident of this state who has been domiciled with his/her family in South Carolina for a period of not less than three years and whose family's domicile in this state is terminated immediately prior to his/her enrollment may enroll at the in state rate. Any dependent person of a legal resident of this state who has been domiciled with his/her family in South Carolina for a period of not less than three years and whose family's domicile in this state is terminated after his/her enrollment may continue to receive in state rates, However, a student must continue to be enrolled and registered for classes (excluding summers) in order to maintain eligibility to pay in state rates in subsequent semesters. Transfers within or between South Carolina colleges and universities of a student seeking a certificate, diploma, associate, baccalaureate, or graduate level degree does not constitute a break in enrollment.
- B. If a dependent or independent person voluntarily leaves the state, and information becomes available that would impact the existing residency status, eligibility for in state rates shall end on the last day of the academic session during which domicile is lost. Application of this provision shall be at the discretion of the institution involved. However, a student must continue to be enrolled and registered for classes (excluding summers) in order to maintain eligibility to pay in state rates in subsequent semesters.

**62-608. Effect of Marriage.**

- A. In ascertaining domicile of a married person, irrespective of gender, such a review shall be determined just as for an unmarried person by reference to all relevant evidence of domiciliary intent.
- B. If a non-resident marries a South Carolina resident, the non-resident does not automatically acquire South Carolina resident status. The non-resident may acquire South Carolina resident status if the South Carolina resident is an independent person and the non-resident is a dependent of the South Carolina resident.
- C. Marriage to a person domiciled outside South Carolina shall not be solely the reason for precluding a person from establishing or maintaining domicile in South Carolina and subsequently becoming eligible or continuing to be eligible for residency.
- D. No person shall be deemed solely by reason of marriage to a person domiciled in South Carolina to have established or maintained domicile in South Carolina and consequently to be eligible for or to retain eligibility for South Carolina residency.

**62-609. Exceptions.**

- A. Persons in the following categories qualify to pay in state tuition and fees without having to establish a permanent home in the state for twelve months. Persons who qualify under any of these categories must meet the conditions of the specific category on or before the first day of class of the term for which payment of in state tuition and fees is requested. The following categories apply only to in state tuition and do not apply to State supported scholarships and grants. Individuals who qualify for in state tuition and fees under the following exceptions do not automatically qualify for LIFE, SC HOPE or Palmetto Fellows Scholarships.
  - 1. "Military Personnel and their Dependents": Members of the United States Armed Forces who are permanently assigned in South Carolina on active duty and their dependents are eligible to pay in state tuition and fees. When such personnel are transferred from the State, their dependents may continue to pay in state tuition and fees as long as they are continuously enrolled. Such persons (and their dependents) may also be eligible to pay in state tuition and fees as long as they are continuously enrolled after their discharge from the military, provided they have demonstrated an intent to establish a permanent home in South Carolina and they have resided in South Carolina for a period of at least twelve months immediately preceding their discharge. Military personnel who are not stationed in South Carolina and/or former military personnel who intend to establish South Carolina residency must fulfill the twelve month "physical presence" requirement for them or their dependents to qualify to pay in state tuition and fees.
  - 2. "Faculty and Administrative Employees with Full Time Employment and their Dependents": Full time faculty and administrative employees of South Carolina state supported colleges and universities and their dependents are eligible to pay in state tuition and fees.
  - 3. "Residents with Full Time Employment and their Dependents:" Persons who reside, are domiciled, and are full time employed in the State and who continue to work full time until they meet the twelve month requirement and their dependents are eligible to pay in state tuition and fees, provided that they have taken steps to establish a permanent home in the State. Steps an independent person must take to establish residency in South Carolina are listed in Section 62-605 entitled ("Establishing the Requisite Intent to Become a South Carolina Domiciliary").
  - 4. "Retired Persons and their Dependents:" Retired persons who are receiving a pension or annuity who reside in South Carolina and have been domiciled in South Carolina as prescribed in the Statute for less than a year may be eligible for in state rates if they maintain residence and domicile in this State. Persons on terminal leave who have established residency in South Carolina may be eligible for in state rates even if domiciled in the State for less than one year if they present documentary evidence from their employer showing they are on terminal leave. The evidence should show beginning and ending dates for the terminal leave period and that the person will receive a pension or annuity when he/she retires.
- B. South Carolina residents who wish to participate in the Contract for Services program sponsored by the Southern Regional Education Board must have continuously resided in the State for other than educational purposes for at least two years immediately preceding application for consideration and must meet all other residency requirements during this two year period.

**62-610. Application for Change of Resident Status.**

- A. Persons applying for a change of resident classification must complete a residency application/petition and provide supporting documentation prior to a reclassification deadline as established by the institution.
- B. The burden of proof rests with those persons applying for a change of resident classification who must show required evidence to document the change in resident status.

**62-611. Incorrect classification.**

- A. Persons incorrectly classified as residents are subject to reclassification and to payment of all nonresident tuition and fees not paid. If incorrect classification results from false or concealed facts, such persons may be charged tuition and fees past due and unpaid at the out of state rate. The violator may also be subject to administrative, civil, and financial penalties. Until these charges are paid, such persons will not be allowed to receive transcripts or graduate from a South Carolina institution.
- B. Residents whose resident status changes are responsible for notifying the Residency Official of the institution of such changes.

**62-612. Inquiries and Appeals.**

- A. Inquiries regarding residency requirements and determinations should be directed to the institutional residency official.
- B. Each institution will develop an appeals process to accommodate persons wishing to appeal residency determinations made by the institution's residency official. Each institutions appeal process should be directed by that institutions primary residency officer, in conjunction with those individuals who practice the application of State residency regulations on a daily basis. The professional judgment of the residency officer and administrators will constitute the institutional appeal process. Neither the primary residency official nor appellate official(s) may waive the provisions of the Statute or regulation governing residency for tuition and fee purposes.

# Application for Classification as a South Carolina Resident for Tuition Payment Purposes

## APPLICATION INSTRUCTIONS AND NOTES

Please read this page in its entirety before completing the residency application.

1. If there is any question about a student's status as a legal resident of South Carolina, the student is responsible for proving entitlement to the fees afforded to legal residents of this state. The law applies to the student's own legal residence if the student is independent of one's parent, guardian, or spouse. If the student is claimed as a dependent for income tax purposes and received more than half of the financial support from a parent, guardian, or spouse, the law applies to the legal residence of the person providing the principle means of financial support.
2. Determination of residency status will be made in compliance with South Carolina Code of Laws. A list of frequently asked questions about South Carolina residency can be viewed online at the state's Web site: [www.che.sc.gov/StudentServices/Residency/Q&AResidency2008.pdf](http://www.che.sc.gov/StudentServices/Residency/Q&AResidency2008.pdf).
3. The director of admission and the registrar are the only university staff members who are authorized to provide information on South Carolina Residency Law.
4. Enclosures:
  - 1) South Carolina Residency Information and Regulations
  - 2) Checklist
  - 3) Student Form (3 pages)
  - 4) Parent Form
  - 5) Guardian/Spouse Form (located on back of the Parent Form)
5. Complete information on state residency regulations is enclosed. Please read it carefully before completing the application. Winthrop University employees cannot exercise autonomy when rendering residency applications. All residency decisions must comply with residency law and supporting regulations.
6. The residency application should be completed, signed and returned to the Office of Admissions **along with the requested supporting documentation** at least **two weeks prior** to the term for which the student is attempting to qualify to pay in-state tuition.
7. Select one filing status for residency purposes (see the student form). A checklist with required documentation has been enclosed, and the applicant should submit the documents indicated for the selected filing status. Additional information may be requested.
8. Supportive documentation - as indicated by an asterisk (\*) on the student and parent/guardian/spouse forms **MUST** accompany the application and documents **MUST** be provided by the applicant. Applications submitted without documentation will be considered incomplete until the required documents have been received by the Office of Admissions.
9. Completion of the parent/guardian/spouse form is required for all students under the age of 25.
10. Please be advised that if guardianship or custodianship was created primarily for the purpose of conferring South Carolina domicile for tuition and fee purposes on a child or dependent person, it shall not be given consideration or recognition.
11. Residency decisions will be communicated in writing. Information on the status of the residency application can also be viewed online at [www.winthrop.edu/mychecklist](http://www.winthrop.edu/mychecklist).

Return the application forms and supporting documentation to:

Director of Admissions

Joynes Hall

Winthrop University

Rock Hill SC 29733

Telephone: 803/323-2191 or 800/WINTHROP (946-8476)

Fax: 803/323-4952

## RESIDENCY APPLICATION CHECKLIST

NAME: \_\_\_\_\_ Social Security Number or Winthrop ID Number: \_\_\_\_\_

**COPIES OF DOCUMENTS REQUESTED BELOW MUST BE PROVIDED BY THE APPLICANT.**

### NOTES:

- 1 Completion of the Parent/Guardian/Spouse Form (along with supporting documentation) is required for undergraduates under the age of 25 or the application will be considered incomplete.
- 2 Documents (for the tax year preceding the year of initial enrollment) for parent(s), spouse or guardian should be submitted in support of the application for the dependent student and students under the age of 25 who assert independent status.
- 3 If asserting residency based upon a legal guardian, a copy of the court decree awarding guardianship should also be enclosed.

Select a filing status on the Student Form and submit the documentation for that status as listed below:

### 1. Filing Status: Independent person who has physically resided and established a permanent home in South Carolina for at least 12 months immediately preceding the term for which residency is desired (SC Residency Law Section 62-603):

- Copy of valid South Carolina Driver's License or South Carolina Identification Card.
- Copy of South Carolina vehicle registration (if applicable).
- Copy of **signed** federal income tax return for the most recent tax year (pages 1 and 2 only of Form 1040.)
- Copy of **signed** state return for the most recent tax year. *Include SCHEDULE NR if applicable.*

### 2. Filing Status: Dependent of a person who has physically resided and established a permanent home in South Carolina for at least 12 months immediately preceding the term for which residency is desired (SC Residency Law Section 62-603):

- Copy of valid Driver's License or South Carolina Identification Card.
- Copy of South Carolina vehicle registration (if applicable).
- Copy of **signed** federal income tax return for the most recent tax year (pages 1 and 2 only of Form 1040.)
- Copy of **signed** state return for the most recent tax year. *Include SCHEDULE NR if applicable.*

### 3. Filing Status: Independent or dependent person who has resided in South Carolina for less than 12 months who is employed full-time in South Carolina:

- Documentation of the beginning date of residence in South Carolina. Documentation can include a copy of the closing statement from the financial institution for persons who have purchased a home or the rental agreement for persons who are renting/leasing a home.
- Copy of valid South Carolina Driver's License or South Carolina Identification Card.
- Copy of South Carolina vehicle registration (if applicable).
- Letter from employer on company letterhead which states: **1) the effective date of employment; 2) total number of hours worked per week; 3) whether the person is considered to be a full- or part-time employee; and 4) specify when employment will end (if indefinite, so state).**
- Copy of **your signed** federal income tax return for the most recent tax year if claiming **independent** status (pages 1 and 2 only of Form 1040.) **OR**
- Copy of **your parent or guardian's signed** federal income tax return for the most recent tax year if claiming **dependent** status (pages 1 and 2 only of Form 1040.)

### 4. Filing Status: Person who is on active military duty:

- Copy of most current orders (*if stationed in South Carolina*).
- Copy of most recent Leave and Earnings Statement.
- Copy of Military Declaration of Domicile (FORM DD214) if retired.
- Copy of **your signed** federal income tax return for the most recent tax year if claiming **independent** status (pages 1 and 2 only of Form 1040.) **OR**
- Copy of **your parent or guardian's signed** federal income tax return for the most recent tax year if claiming **dependent** status (pages 1 and 2 only of Form 1040.)
- Copy of **signed South Carolina** state return for the most recent tax year (*if applicable*).

### 5. Filing Status: Person who has resided in South Carolina for less than 12 months and is retired or on terminal leave:

- Documentation of the beginning date of residence in South Carolina. Documentation can include a copy of the closing statement from the financial institution for persons who have purchased a home or the rental agreement for persons who are renting/leasing a home.
- Copy of valid South Carolina Driver's License or South Carolina Identification Card.
- Documentation of applicant's retirement or annuity benefit.

# Application for Classification as a South Carolina Resident for Tuition and Fee Purposes

## STUDENT FORM

### PART I - FILING STATUS

(SELECT ONLY ONE and submit the requested documentation listed on the attached checklist)

1. I am an **independent person** who has physically resided and established a permanent home in South Carolina for at least 12 months immediately preceding the term for which I am requesting resident status.
2. I am the dependent of the person indicated below who has physically resided and established a permanent home in South Carolina for at least 12 months immediately preceding the term for which I am requesting resident status.
- My parent (*provide name*) \_\_\_\_\_.
  - My spouse (*provide name*) \_\_\_\_\_.
  - My other relative (*provide name*) \_\_\_\_\_ *Relationship* \_\_\_\_\_.
3. I am requesting resident status on the basis of (**check one**):
- I am...
  - My parent (*provide name*) \_\_\_\_\_ is ...
  - My spouse (*provide name*) \_\_\_\_\_ is ...
  - My other qualified relative (*provide name*) \_\_\_\_\_ *Relationship* \_\_\_\_\_ is ...
- a full-time employee in the state of South Carolina who has been domiciled in the state for less than 12 months.**
4. I am requesting resident status on the basis of (**check one**):
- I am...
  - My parent (*provide name*) \_\_\_\_\_ is ...
  - My spouse (*provide name*) \_\_\_\_\_ is ...
  - My other qualified relative (*provide name*) \_\_\_\_\_ *Relationship* \_\_\_\_\_ is ...
- on active military duty and stationed in South Carolina OR South Carolina is the official Home of Record.**
5. I am requesting resident status on the basis of (**check one**):
- I am...
  - My parent (*provide name*) \_\_\_\_\_ is ...
  - My spouse (*provide name*) \_\_\_\_\_ is ...
  - My other qualified relative (*provide name*) \_\_\_\_\_ *Relationship* \_\_\_\_\_ is ...
- a person who has been domiciled in the state for less than 12 months and is retired or on terminal leave.**

### PART II - STUDENT INFORMATION

1. Name: \_\_\_\_\_  
First Middle Last Jr., etc.
2. Social Security Number: \_\_\_\_\_ **OR** Winthrop ID Number: \_\_\_\_\_
3. Marital Status:  Single  Married  Divorced  Widowed
4. Date of Birth (mm/dd/yyyy): \_\_\_\_\_ Age: \_\_\_\_\_
5. Citizenship status:  
 US Citizen  
 US Permanent Resident (**REQUIRED**: attach a copy of both sides of your permanent resident card)  
 Foreign, Citizen of \_\_\_\_\_ (**REQUIRED**: attach a copy of your VISA)
6. Permanent Street Address: \_\_\_\_\_  
City/State Zipcode: \_\_\_\_\_
7. Permanent Telephone Number: (\_\_\_\_\_) \_\_\_\_\_ Other Number, if applicable: (\_\_\_\_\_) \_\_\_\_\_
8. a) Date you claim **permanent residence** in South Carolina began: Month \_\_\_\_\_ Year \_\_\_\_\_  
b) Where do you expect to live in the future? \_\_\_\_\_
9. What was your housing status for the previous tax year?  
 Homeowner  Rent  Resided in campus housing  Other \_\_\_\_\_

10. a) Do you have a checking account at a bank in South Carolina?  Yes  No If yes, for how long? \_\_\_\_\_  
 b) Do you have a savings account at a bank in South Carolina?  Yes  No If yes, for how long? \_\_\_\_\_  
 c) Do you currently have any student loans?  Yes  No If yes, from which state(s)? \_\_\_\_\_
11. Do you have a valid driver's license?  Yes  No If yes, for which state? \_\_\_\_\_

Is your license new or a renewal of a previously issued license?  New  Renewal - original date of issue: \_\_\_\_\_

(REQUIRED: If yes, attach a copy of your driver's license.)

12. Do you operate a motor vehicle?  Yes  No
- If yes, who is the owner? \_\_\_\_\_ Relationship to you? \_\_\_\_\_

(REQUIRED: If yes, please attach a copy of the motor vehicle registration.)

13. Provide information on the last secondary (high or preparatory) school that you attend (if currently enrolled) or attended (if you have graduated.)

High School Name	City and State	From (month/year)	To (month/year)
_____	_____	_____	_____

14. Provide information on the last college or university that you attend (if currently enrolled) or attended (if not currently enrolled.)

College/University Name	City and State	Last Date of Attendance	Attended as a state resident? (Yes or No)
_____	_____	_____	_____

**PART III - FINANCIAL INFORMATION**

1. List all sources and percentages of support for the tax year immediately preceding the year in which in-state status is requested:

Personal \_\_\_\_\_% Spouse \_\_\_\_\_% Student Financial Aid \_\_\_\_\_%  
 Parents/Guardians \_\_\_\_\_% VA Benefits \_\_\_\_\_% Other Sources (specify) \_\_\_\_\_%

If you are financially independent, for how long? Since (month) \_\_\_\_\_ (year) \_\_\_\_\_

2. Provide employment information below for the last 12 months beginning with current or most recent employment:

Employer Name	Address/City/State	From (month/year)	To (month/year)	Hours per week
a) _____	_____	_____	_____	_____
b) _____	_____	_____	_____	_____
c) _____	_____	_____	_____	_____

(REQUIRED: If you are an independent person who has lived in South Carolina for less than 12 months who is asserting residency on the basis of full-time employment in South Carolina, please submit a letter from the employer on company letterhead which states:

- 1) the effective date of employment;
- 2) the total number of hours worked per week;
- 3) whether you are considered to be a full- or part-time employee; and
- 4) specify when employment will end (if indefinite, so state).

3. Are you on active military duty?  Yes  No

If yes, where are you currently stationed? \_\_\_\_\_ What is your home state of record? \_\_\_\_\_

(REQUIRED: If you are an independent student who is asserting residency on the basis of active military duty, submit a copy of your recent orders or leave and earnings statement.)

**PART IV - FEDERAL AND STATE INCOME TAX RETURN INFORMATION**

**PLEASE READ CAREFULLY**

- **If asserting status as a dependent person**, please attach a signed copy of your parent/guardian or spouse's federal and state income tax returns for the most recent tax year.
- **If asserting status as an independent person**, please attach a signed copy of your federal and state income tax returns for the most recent tax year.)
- **If asserting residency status as the child of a parent who resides in South Carolina but does not claim the student as a dependent on the federal income tax return**, please attach a signed copy of that parent's state income tax return for the most recent tax year and a copy of the court decree that awards sole or joint custody.

1. Term you wish to enroll:  Spring  Summer  Fall Year: \_\_\_\_\_

2. Information for the **2010 tax year**:

a) Were you claimed as a tax dependent for federal and state income taxes for the 2010 tax year?

- I was claimed as a dependent by (check one):  Father and Mother  Father  Mother  Legal Guardian
- I am 25 or older and filed a return as an independent filer.
- I filed a joint return with my spouse.
- No one claimed me as a dependent for federal income tax purposes and I did not file a separate return as an independent filer. (Note: completion of #4 is required.)

b) For the person(s) checked in 2a, a state return was filed for which state? \_\_\_\_\_

If a state return was filed for SC, what was the filing status for the **2010 tax year**?

- Resident  Non-Resident  Part-year Resident  Did not file a SC state return

3. Information on the **2011 tax year**:

a) Your federal income tax return status for the **2011 tax year** was or will be:

- I was or will be claimed as a dependent by (check one):
  - Father and Mother  Father  Mother  Legal Guardian  Other - Relationship \_\_\_\_\_
- I am 25 or older and filed or will file a return as an independent filer.
- I filed or will file a joint return with my spouse.
- No one claimed or will claim me as a dependent for federal income tax purposes and I did not/will not file a separate return as an independent filer. (Note: completion of #4 is required.)

b) For the person(s) checked in 3a, a state return was or will be filed for which state? \_\_\_\_\_

If a state return was or will be filed for SC, what was or will be the filing status for the **2011 tax year**?

- Resident  Non-Resident  Part-year Resident  Did not/will not file a SC state return

4. If you are under the age of 25 and assert that no one claimed you as a dependent for tax purposes for the previous tax year, please provide an explanation below. (NOTE: Submission of the Parent or Legal Guardian/Spouse Form is required for ALL applicants who are under the age of 25. Parent/guardian/spouse documentation will also be required.)

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**SIGNATURE AND ACKNOWLEDGMENT**

- \* I hereby certify that the information provided on this application is accurate, complete and without omission.
- \* Any willful misrepresentations of fact in an attempt to gain residency improperly will result in out-of-state tuition and fees past due and unpaid to be charged to the student's account.

Signature \_\_\_\_\_ Date \_\_\_\_\_

## Parent Form

(Information on the biological or adoptive parents is required for all persons under the age of 25.)

Name of student: \_\_\_\_\_

Social Security Number OR Winthrop ID \_\_\_\_\_

**NOTES:**

1. Documentation is required for all items indicated with an asterisk (\*\*) and copies must be provided by the applicant.
2. Copies of tax returns for the **most recent tax year** should be submitted.
3. If parents are divorced or separated, documentation should be provided for the parent who lives in South Carolina and has custody or claims the student as a dependent on his/her federal income tax returns.

1. Father's Information       living    deceased      Name \_\_\_\_\_
2. Mother's Information     living    deceased      Name \_\_\_\_\_
3. Is residency based upon someone other than your parents?    Yes    No (if yes, complete both sides of this form.)

	FATHER'S INFORMATION	MOTHER'S INFORMATION
4. Current address (do not use PO Box number)		
City, State Zip code		
5. Dates of residence in the state named in #4.	from: ____/____/____ to: ____/____/____ month/year      month/year	from: ____/____/____ to: ____/____/____ month/year      month/year
6. Previous address (if residence in #5 is less than 18 months)		
City, State Zip code		
7. Dates of residence in the state named in #6.	from: ____/____/____ to: ____/____/____ month/year      month/year	from: ____/____/____ to: ____/____/____ month/year      month/year
8. Citizenship status:	<input type="checkbox"/> US Citizen <input type="checkbox"/> US Permanent Resident ** <input type="checkbox"/> Foreign Citizen with a valid Visa **	<input type="checkbox"/> US Citizen <input type="checkbox"/> US Permanent Resident ** <input type="checkbox"/> Foreign Citizen with a valid Visa **
9. Driver's license issued for which state? **	State: _____	State: _____
10. Motor vehicle registration issued for which state? **	State: _____	State: _____
11. Please provide <b>income tax information</b> for the <b>2010 tax year</b> .	<input type="checkbox"/> Yes <input type="checkbox"/> No   The student was claimed as a dependent on my federal income tax return. Tax Year: <u>2010</u> State: _____ My state filing status: <input type="checkbox"/> resident <input type="checkbox"/> non-resident <input type="checkbox"/> part-year resident	<input type="checkbox"/> Yes <input type="checkbox"/> No   The student was claimed as a dependent on my federal income tax return. Tax Year: <u>2010</u> State: _____ My state filing status: <input type="checkbox"/> resident <input type="checkbox"/> non-resident <input type="checkbox"/> part-year resident
12. Please provide <b>income tax information</b> for the <b>2011 tax year</b> .  ** Copies of pages 1 and 2 of the most recent federal and state income tax returns should be submitted.	<input type="checkbox"/> Yes <input type="checkbox"/> No   The student was or will be claimed as a dependent on my federal income tax return. Tax Year: <u>2011</u> State: _____ My state filing status: <input type="checkbox"/> resident <input type="checkbox"/> non-resident <input type="checkbox"/> part-year resident	<input type="checkbox"/> Yes <input type="checkbox"/> No   The student was or will be claimed as a dependent on my federal income tax return. Tax Year: <u>2011</u> State: _____ My state filing status: <input type="checkbox"/> resident <input type="checkbox"/> non-resident <input type="checkbox"/> part-year resident
13. If student is no longer claimed as a dependent, provide the last tax year student was claimed as a dependent for <b>federal taxes</b> . **	Tax Year: _____ For the year above, a state tax return was filed as a resident of which state: _____	Tax Year: _____ For the year above, a state tax return was filed as a resident of which state: _____
14. Employment Information	<b>Father's Employer</b> _____	<b>Mother's Employer</b> _____
Employer's City and State		
Full or part-time?	<input type="checkbox"/> full-time <input type="checkbox"/> part-time	<input type="checkbox"/> full-time <input type="checkbox"/> part-time
Initial date of employment	month ____ year ____	month ____ year ____
15. Active military duty? If yes, list current duty station and home of record and provide a copy of your most recent orders and your military leave and earnings statement. **	<input type="checkbox"/> Yes <input type="checkbox"/> No current duty station _____ home of record _____	<input type="checkbox"/> Yes <input type="checkbox"/> No current duty station _____ home of record _____

I hereby certify that the information I have provided is accurate and that I am making this application in good faith based on the belief that I am eligible to pay tuition and fees at the rate afforded to legal residents of South Carolina.

Signature \_\_\_\_\_

Date \_\_\_\_\_

## Legal Guardian or Spouse Form

(To be completed if claim to residency for tuition purposes is based upon a legal guardian or spouse.  
Parent information on the reverse side of this form must also be provided.)

Name of student: \_\_\_\_\_ Social Security Number OR Winthrop ID \_\_\_\_\_

Claim to residency based upon (check one):  Legal Guardian  Spouse  Other – Relationship: \_\_\_\_\_

**NOTES:**

1. Documentation is required for all items indicated with an asterisk (\*\*) and copies must be provided by the applicant.
2. Copies of tax returns for the most recent tax year should be submitted.
3. **Legal Guardian:** Information and documentation should be provided for the person who claimed the student as a dependent on his/her federal income tax return for the most recent tax year.
4. **Spouse:** spouse's information should be provided if the residency application is based upon the student's spouse.

	LEGAL GUARDIAN'S INFORMATION	SPOUSE'S INFORMATION
1. Name		
2. Current address (do not use PO Box number)		
City, State Zip code		
3. Dates of residence in the state named in #2.	from: ____/____/____ to: ____/____/____ month/year month/year	from: ____/____/____ to: ____/____/____ month/year month/year
4. Previous address (if residence in #2 is less than 18 months)		
City, State Zip code		
5. Dates of residence in the state named in #4.	from: ____/____/____ to: ____/____/____ month/year month/year	from: ____/____/____ to: ____/____/____ month/year month/year
6. Citizenship status:	<input type="checkbox"/> US Citizen <input type="checkbox"/> US Permanent Resident ** <input type="checkbox"/> Foreign Citizen with a valid Visa **	<input type="checkbox"/> US Citizen <input type="checkbox"/> US Permanent Resident ** <input type="checkbox"/> Foreign Citizen with a valid Visa **
7. Driver's license issued for which state? **	State: _____	State: _____
8. Motor vehicle registration issued for which state? **	State: _____	State: _____
9. Please provide <b>income tax information</b> for the <b>2010</b> tax year.	<input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b> The student was claimed as a dependent on my federal income tax return. Tax Year: <u>2010</u> State: _____  My state filing status: <input type="checkbox"/> resident <input type="checkbox"/> non-resident <input type="checkbox"/> part-year resident	<input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b> The student was claimed as a dependent on my federal income tax return. Tax Year: <u>2010</u> State: _____  My state filing status: <input type="checkbox"/> resident <input type="checkbox"/> non-resident <input type="checkbox"/> part-year resident
10. Please provide <b>income tax information</b> for the <b>2011</b> tax year.  <b>** Copies of pages 1 and 2 of the most recent federal and state income tax returns should be submitted.</b>	<input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b> The student was or will be claimed as a dependent on my federal income tax return. Tax Year: <u>2011</u> State: _____  My state filing status: <input type="checkbox"/> resident <input type="checkbox"/> non-resident <input type="checkbox"/> part-year resident	<input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b> The student was or will be claimed as a dependent on my federal income tax return. Tax Year: <u>2011</u> State: _____  My state filing status: <input type="checkbox"/> resident <input type="checkbox"/> non-resident <input type="checkbox"/> part-year resident
11. If student is no longer claimed as a dependent, provide the last tax year student was claimed as a dependent for <b>federal taxes</b> . **	Tax Year: _____ For the year above, a state tax return was filed as a resident of which state: _____	Tax Year: _____ For the year above, a state tax return was filed as a resident of which state: _____
12. Employment Information	<b>Employer</b> _____	<b>Employer</b> _____
Employer's City and State		
Full or part-time?	<input type="checkbox"/> full-time <input type="checkbox"/> part-time	<input type="checkbox"/> full-time <input type="checkbox"/> part-time
Initial date of employment	month ____ year ____	month ____ year ____
13. Active military duty? If yes, list current duty station and home of record and provide a copy of your most recent orders and your military leave and earnings statement. **	<input type="checkbox"/> Yes <input type="checkbox"/> No current duty station _____  home of record _____	<input type="checkbox"/> Yes <input type="checkbox"/> No current duty station _____  home of record _____

I hereby certify that the information I have provided is accurate and that I am making this application in good faith based on the belief that I am eligible to pay tuition and fees at the rate afforded to legal residents of South Carolina.

Signature \_\_\_\_\_ Date \_\_\_\_\_