

### **Who determines my residency status?**

The residency officer at each campus determines the resident or nonresident status of all students at that campus, based upon governing rules and regulations. If the residency process seems somewhat rigorous and detailed, it is because residency officers, by law, must be precise in determining a student's residency status. If you are already enrolled at the University of Hawai'i and believe that you now qualify for resident status, you must apply for a change in your status.

### **If I disagree with the determination, what recourse do I have?**

There is an appeal process. You may contact the residency officer for information regarding appeal of your residency decision.

### **How can I learn more about the residency requirements which determine my tuition?**

You may contact the Admissions and Records Office at the University of Hawai'i campus you are attending or wish to attend. You will find detailed information in *Rules and Regulations Governing Determination of Residency as Applied to Tuition Payments and Admission at All Institutions under the Jurisdiction of the Board of Regents of the University of Hawai'i*, available at the Admissions Office.

Office of the Vice President for Student Affairs  
University of Hawai'i

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## **QUESTIONS AND ANSWERS ABOUT THE UNIVERSITY OF HAWAII'S RESIDENCY REQUIREMENTS FOR TUITION PURPOSES**

The University of Hawai'i, like all public institutions of higher learning, has residency requirements for payment of resident tuition. These requirements, similar to those of other states, are complex. Consequently, students applying to the University often have questions about their residency status as it applies to tuition. This brochure is designed to acquaint you with the University of Hawai'i's residency regulations and to answer some of the questions you may have. The following information is not a complete explanation of the laws and regulations about residency. Furthermore, residency rules may change as a result of legislation or administrative action. Residency officers on all campuses have up-to-date information on all aspects of residency.

**What are the residency requirements which determine whether I pay resident or nonresident tuition?**

If you are an adult student (18 years or older), Hawai'i law states that to qualify for resident tuition status, you must have been a bona fide resident of Hawai'i for at least twelve (12) consecutive months immediately preceding the first day of officially scheduled instruction for the semester or term in which you are enrolling. If you are a minor, your parents or guardians must have been bona fide residents for the same twelve consecutive months.

In addition, whether you are an adult or a minor, for the 12-month period prior to your enrollment you must not have been claimed as a dependent for tax purposes by your parents or guardians if they are not legal residents of Hawai'i.

**What do you mean by bona fide residence?**

Bona fide residence is synonymous with the legal concept of domicile. A person's domicile is the place where that person lives permanently and returns to after any absence. To be a bona fide resident of Hawai'i you must be physically present in Hawai'i and demonstrate your intent to make Hawai'i your permanent home.

**How would I demonstrate my intent to make Hawai'i my permanent home?**

No single action will demonstrate your intent. The University will look for a combination of actions when evaluating your residency status.

Of all the possible actions you might take, the most important are: (1) filing a Hawai'i resident personal income tax form; (2) registering to vote and voting in Hawai'i; and (3) carrying on a business or holding full-time, continuous employment in Hawai'i.

Other actions include: (1) ownership or continuous lease of a home in Hawai'i; (2) presence of parents, spouse and/or children in Hawai'i; (3) maintenance of an active bank account in Hawai'i.

In addition, you may submit evidence of any other actions that you wish to have considered.

**What else should I know about Hawai'i's residency requirement?**

You should understand the following:

1. To be considered for resident status for tuition purposes, you must be a United States (U.S.) citizen or a permanent resident of the U.S.
2. You cannot maintain domicile in Hawai'i and in another place simultaneously. In other words, you cannot be a bona fide resident of Hawai'i if you appear to maintain your domicile somewhere else.
3. The 12-month period begins when you take the first action demonstrating your intent to make Hawai'i your permanent residence.
4. You cannot establish residency by simply being enrolled in school. If you are a nonresident student, it is presumed that you are living in Hawai'i primarily to attend school, and your presence is temporary even if you live in Hawai'i during vacation and other breaks from study. For example, you may be presumed to live in Hawai'i primarily to attend school if you: are enrolled in school half-time or more, appear to be receiving significant financial support from family members who reside outside Hawai'i, are absent from the state for more than thirty days per year during school vacation periods, or receive student financial assistance based on residency in another state or jurisdiction.
5. If you are a participant in the National Student Exchange (NSE), the Western Undergraduate Exchange (WUE) or the Western Interstate Commission of Higher Education (WICHE) programs, you may not begin the process of establishing Hawai'i residency for tuition purposes until you terminate your participation in that program.

**I intend to live in Hawai'i permanently and would like to establish residency. What should I do?**

If you are living in Hawai'i and you wish to establish residency, you should begin by doing the following:

1. File a Hawai'i resident personal income tax form.
2. Register to vote and vote in Hawai'i.
3. Be employed full time in Hawai'i.
4. Keep written records such as employment records, pay stubs, and copies of your Hawai'i state income tax forms, bank statements, lease agreements.
5. Gather any other documents that you feel may be used to substantiate your claim to Hawai'i residency.

**I have heard that some nonresidents pay resident tuition. Is this true?**

Yes. State law establishes several categories of nonresident students who are allowed to pay resident tuition:

1. Members of the United States armed forces and their authorized dependents only during the period such member is stationed in Hawai'i on active duty.
2. Certain employees of the University of Hawai'i and their spouses and dependents.
3. Persons domiciled in any Pacific Island or Asian district, commonwealth, territory, jurisdiction, state, or nation which provides no public institution of higher learning.
4. East-West Center student grantees pursuing baccalaureate or advanced degrees at the University of Hawai'i.
5. Native Hawaiians, descendants of the aboriginal peoples that inhabited the Hawaiian Islands and exercised sovereignty in the Hawaiian Islands in 1778.