



CENTRAL OHIO TECHNICAL COLLEGE OHIO RESIDENCY POLICY & PROCEDURE

OHIO RESIDENCY REQUIREMENTS

In accordance with the policy, definitions and rules adopted by The Ohio Department of Higher Education, the following information shall be the policy of Central Ohio Technical College in regard to determination of Ohio residency. The Application for Residency must be submitted by the first day of the semester.

1. Intent and authority

- a. It is the intent of the Ohio Department of Higher Education in promulgating this rule to exclude from treatment as residents, as that term is applied here, those persons who are present in the state of Ohio primarily for the purpose of receiving the benefit of a state-supported education.
- b. This rule is adopted pursuant to Chapter 119 of the Revised Code, and under the authority conferred upon the Ohio Department of Higher Education by section 3333.31 of the Revised Code.

2. Definitions

- a. For purposes of this rule: A "resident of Ohio for all other legal purposes" shall mean any person who maintains a twelve-month place or places of residence in Ohio, who is qualified as a resident to vote in Ohio and receive state welfare benefits, and who may be subjected to tax liability under section 5747.02 of the Revised Code, provided such person has not, within the time prescribed by this rule, declared himself or herself to be or allowed himself or herself to remain a resident of any other state or nation for any of these or other purposes."
- b. "Financial support" as used in this rule, shall not include grants, scholarships and awards from persons or entities which are not related to the recipient.
- c. An "institution of higher education" as used in this rule shall mean any university, community college, technical institute or college, general and technical college, medical college or private medical or dental college which receives a direct subsidy from the state of Ohio.
- d. For the purpose of determining residency for tuition surcharge purposes at Ohio's state-assisted colleges and universities, "domicile" is a person's permanent place of abode; there must exist a demonstrated intent to live permanently in Ohio, and a legal ability under federal and state law to reside permanently in the state. For the purpose of this policy, only one domicile may be maintained at a given time.
- e. For the purpose of determining residency for tuition surcharge purposes at Ohio's state-assisted colleges and universities, an individual's immigration status will not preclude an individual from obtaining resident status if that individual has the current legal status to remain permanently in the United States.

3. Residency for subsidy and tuition surcharge purposes

- a. The following persons shall be classified as residents of the state of Ohio for subsidy and tuition surcharge purposes:
 - b. A dependent student, at least one of whose parents or legal guardian has been a resident of the state of Ohio for all other legal purposes for twelve consecutive months or more immediately preceding the enrollment of such student in an institution of higher education.

- c. A person who has been a resident of Ohio for the purpose of this rule for at least twelve consecutive months immediately preceding his or her enrollment in an institution of higher education and who is not receiving, and has not directly or indirectly received in the preceding twelve consecutive months, financial support from persons or entities who are not residents of Ohio for all other legal purposes.
 - d. A dependent child of a parent or legal guardian, or the spouse of a person who, as of the first day of term of enrollment, has accepted full-time, self-sustaining employment and established domicile in the State of Ohio for reasons other than gaining the benefit of favorable tuition rates.
 - i. Documentation of full-time employment and domicile shall include both of the following documents:
 - a) Sworn statement from the employer or the employer's representative on the letterhead of the employer or the employer's representative certifying that the parent or spouse of the student is employed full-time in Ohio.
 - b) A copy of the lease under which the parent or spouse is the lessee and occupant of rented residential property in the State; a copy of the closing statement on residential real property located in Ohio of which the parent or spouse is the owner and occupant; or if the parent or spouse is not the lessee or owner of the residence in which he or she has established domicile, a letter from the owner of the residence certifying that the parent or spouse resides at that residence.
 - e. A (Forever Buckeye) public or private Ohio high school graduate who leaves Ohio but returns to enroll in an undergraduate or graduate program at an Ohio college and also establishes residency in Ohio.
4. Additional criteria which may be considered in determining residency for the purpose may include but are not limited to the following:
- a. Criteria evidencing residency:
 - i. If a person is subject to tax liability under section 5747.02 of the Revised Code;
 - ii. If a person is qualified to vote in Ohio;
 - iii. If a person is eligible to receive state welfare benefits;
 - iv. If a person has an Ohio driver's license and/or Motor Vehicle registration.
 - b. Criteria evidencing lack of residency:
 - i. If a person is a resident of or intends to be a resident of another state or nation for the purpose of tax liability, voting, receipt of welfare benefits, or student loan benefits (if the student qualified for that loan program by being a resident of that state or nation);
 - ii. If a person is a resident or intends to be a resident of another state or nation for any purpose other than tax liability, voting, or receipt of welfare benefits (see paragraph (D) (2) (a) of this rule).
5. Exceptions to the general rule of residency for subsidy and tuition surcharge purposes:
- a. A person who is living and is gainfully employed on a full-time or part-time and self-sustaining basis in Ohio and who is pursuing a part-time program of instruction at an institution of higher education shall be considered a resident of Ohio for these purposes.
 - b. A person who enters and currently remains upon active duty status in the United States military service while a resident of Ohio for all other legal purposes and his or her dependents shall be considered residents of Ohio for these purposes as long as Ohio remains the state of such person's domicile.
 - c. A person on active duty status in the United States military service who is stationed and resides in Ohio and his or her dependents shall be considered residents of Ohio for these purposes.
 - d. A person who is transferred by his employer beyond the territorial limits of the fifty states of the United States and the District of Columbia while a resident of Ohio for all other legal purposes and his or her dependents shall be

considered residents of Ohio for these purposes as long as Ohio remains the state of the person's domicile as long as such person has fulfilled his or her tax liability to the state of Ohio for a least the tax year preceding enrollment.

- e. A person who has been employed as a migrant worker in the state of Ohio and his or her dependents shall be considered a resident for these purposes provided such person has worked in Ohio at least four months during each of the three years preceding the proposed enrollment.

6. Procedures

- a. A dependent person classified as a resident of Ohio for these purposes UNDER THE PROVISIONS OF PARAGRAPH (C) (1) OF THIS RULE and who is enrolled in an institution of higher education when his or her parents or legal guardian removes their residency from the state of Ohio shall continue to be considered a resident during continuous full-time enrollment and until his or her completion of any one academic degree program.
- b. In considering residency, removal of the student or the student's parents or legal guardian from Ohio shall not, during a period of twelve months following such removal, constitute relinquishment of Ohio residency status otherwise established under paragraph (C) (1) or (C) (2) of this rule.
- c. For students who qualify for residency status under paragraph (C) (3) of this rule, residency status is lost immediately if the employed person upon whom resident student status was based accepts employment and establishes domicile outside Ohio less than twelve months after accepting employment and establishing domicile in Ohio.
- d. Any person once classified as a nonresident, upon the completion of twelve consecutive months of residency, must apply to the institution he or she attends for reclassification as a resident of Ohio for these purposes if such person in fact wants to be reclassified as a resident. Should such person present clear and convincing proof that no part of his or her financial support is or in the preceding twelve consecutive months has been provided directly or indirectly by persons or entities who are not residents of Ohio for all other legal purposes, such person shall be reclassified as a resident.
 - i. Evidentiary determinations under this rule shall be made by the institution which may require, among other things, the submission of documentation regarding the sources of a student's actual financial support.
- e. Any reclassification of a person who was once classified as a nonresident for these purposes shall have prospective application only from the date of such reclassification.
- f. Any institution of higher education charged with reporting student enrollment to the Ohio Department of Higher Education for state subsidy purposes and assessing the tuition surcharge shall provide individual students with a fair and adequate opportunity to present proof of his or her Ohio residency for purposes of this rule. Such an institution may require the submission of affidavits and other documentary evidence which it may deem necessary to a full and complete determination under this rule.

SELECTIVE SERVICE

Under the provisions of Section 3345.32 of the Ohio Revised Code, a male student born after December 31, 1959, who is at least 18 years of age and who is classified as an Ohio resident for fee purposes by the state-assisted college or university he is attending is required to be registered with the Selective Service System or be charged a tuition surcharge equal to that charged a non-resident student.

Students are exempt from registration with the Selective Service System on the basis of one of the following:

- Female;
- Under 18 years of age;
- Over 26 years of age;
- Currently on active duty in the Armed Forces of the United States. NOTE: Training in a Reserve or National Guard unit does not constitute active duty;
- A nonimmigrant alien lawfully in the United States in accordance with Section 101 (a) (15) of the Immigration and

- Nationality Act, U.S.C. 1101, as amended; or
A permanent resident of the Federated States of Micronesia, the Marshall Islands, or the Republic of Palau.

Note that Selective Service System registration compliance must be met before the awarding/disbursing of any federal or state financial aid funds, including but not limited to Federal and State grants and loans.

Males within 30 days of becoming 18 years of age must register with the Selective Service System at: www.sss.gov.