

# Residency

**RESIDENCY REGULATIONS** (condensed; residency rules and regulations may be subject to change).

In accordance with the University of Hawai'i rules and regulations, students that do not qualify as a bona fide resident of the state of Hawai'i for tuition purposes must pay out-of-state tuition. An official determination of residency status will be made prior to enrollment. Applicants may be required to provide documentation to verify residency status. Once deemed a non-resident, a student will continue to be classified as a non-resident until satisfactory evidence is provided to the registrar. For additional information or interpretation, contact the residency officer in the Admissions Office. Detailed information is available in Hawai'i Administrative Rules Title 20, Chapter 4: [Determination of Residency as Applied to Tuition and Admission](#) (PDF).

## EVIDENCE OF RESIDENCE

The determination of residence for tuition purposes requires that the adult student (18 years of age or older) or in the case of a minor student (under 18 years of age), the student's parents or court-ordered guardians, has been a bona fide resident of Hawai'i for at least twelve consecutive months immediately prior to the first day of instruction.

The following may be accepted as evidence of bona fide residence:

1. Filing of the Hawai'i resident personal income tax return;
2. A Hawai'i State driver's license or Hawai'i State identification card issued at least twelve months preceding the first day of instruction;
3. Voting, or voter registration, in Hawai'i prior to the first day of instruction;
4. Ownership or continuous rental in Hawai'i beginning at least twelve months preceding the first day of instruction;
5. Carrying on of a business or the holding of an employment position in Hawai'i for at least twelve consecutive months immediately preceding the first day of instruction; or
6. Any other clear and compelling evidence of bona fide residence for at least twelve consecutive months immediately preceding the first day of instruction.

Other legal factors involved in making a residency determination include:

1. The 12 months of continuous residence in Hawai'i shall begin on the date upon which the first overt action (see above evidence) is taken to make Hawai'i the permanent residence. Residence will be lost if it is interrupted during the 12 months immediately preceding the first day of instruction.
2. Residency in Hawai'i and residency in another place cannot be held simultaneously.
3. Presence in Hawai'i primarily to attend an institution of higher learning does not create resident status. A non-resident student enrolled for 6 credits or more during any term within the 12-month period is presumed to be in Hawai'i primarily to attend college. Such periods of enrollment cannot be applied toward the physical presence requirement.
4. Resident status, once acquired, will be lost by future voluntary action of the resident inconsistent with such status. However, Hawai'i residency will not be lost solely because of absence from the State while a member of the U.S. Armed Forces, while engaged in navigation, or while a student at any institution of learning, provided that Hawai'i is claimed and maintained as the person's legal residence.
5. Time spent incarcerated in city, state, or federal jails or prisons shall not be counted in determining Hawaii residency for tuition purposes.

## BOARD OF REGENTS EXEMPTIONS

1. Non-residents may be allowed to pay resident tuition if they qualify as one of the following:
  1. East-West Center student grantees pursuing baccalaureate or advanced degrees.
  2. United States military personnel stationed in Hawai'i on active duty, and their authorized dependents during the period that the personnel are stationed in Hawai'i.
  3. Members of the Hawai'i National Guard and the Hawai'i Reserves.
  4. Native Hawaiians whose domicile is outside of Hawai'i.

5. Employees of the university, their spouses, and their dependents. The faculty or staff member must be employed on a half-time basis or more; those excluded from collective bargaining must have an appointment exceeding three (3) months.
6. Veterans eligible to use Post 9/11 GI Bill or Montgomery GI Bill Active Duty Program educational benefits per the Isakson and Roe Veterans Health Care and Benefits Improvement Act of 2020 (P.L.116-315), who live in Hawai'i and those who subsequently move but maintain continuous enrollment.
7. Individuals eligible to use transferred Post 9/11 GI Bill educational benefits per the Isakson and Roe Veterans Health Care and Benefits Improvement Act of 2020 (P.L.116-315), who live in Hawai'i and those who subsequently move but maintain continuous enrollment.
8. Individuals eligible to use educational benefits under the Marine Gunnery Sergeant John David Fry Scholarship, who live in Hawai'i and those who subsequently move but maintain continuous enrollment.
9. Individuals eligible to use educational assistance under the Survivors' or Dependents' Educational Assistance (Chapter 35) program, who live in Hawai'i and those who subsequently move but maintain continuous enrollment.
10. Veterans with service-connected disabilities who are eligible for benefits provided for in Title 38, U.S. Code, Chapter 31, otherwise known as the Veteran Readiness and Employment or VR&E (formerly called Vocational Rehabilitation and Employment) program, who live in Hawai'i and those who subsequently move but maintain continuous enrollment.
11. Graduate (GA), teaching (TA), and research assistants (RA), as a function of their appointment to an assistantship.
12. Ph.D. students registering for only one credit hour of a dissertation course.
2. With the written approval of the chancellor/provost, campuses may, for those non-resident students whose special talents and/or unique skills will make a significant contribution to campus life, exempt the non-resident portion of tuition.
3. Citizens from an eligible Pacific Island district, commonwealth, territory, or insular jurisdiction, state or nation (collectively, "Pacific Island jurisdictions") which provides no public higher education institution granting baccalaureate degrees, are charged 150 percent of the resident tuition rate. For citizens from Pacific Island jurisdictions that have a public higher education institution but it does not offer a program that is desired by the student and is offered at the University of Hawai'i, the 150 percent of the resident rate may be applied for participation in the specified program at a specified campus upon written agreement by that institution and the university. The president or designee updates and distributes the list of eligible Pacific Island jurisdictions. These jurisdictions are as follows:

American Samoa	Rapa Nui
Commonwealth of the Northern Marianas	Solomon Islands
Cook Islands	Tokelau
Futuna	Tonga
Kiribati	Tuvalu
Nauru	Vanuatu
Niue	Wallis

This list is subject to change. For a current list, eligibility and documentation requirements, please contact the Admissions Office of the campus to which you are applying.

4. Visiting students on national and international exchange programs pursuant to consortium requirements, or institutional exchange agreements signed by the president that may charge 150 percent of the resident tuition rate as specified by the agreement.

5. The Compacts of Free Association (COFA) Exemption tuition status allows in-state tuition for those who are citizens of these freely associated states. See the list below for eligibility:

- Federated States of Micronesia
- Republic of Palau
- Republic of the Marshall Islands

## NON-RESIDENT CLASSIFICATION

Once classified as a non-resident, a student continues in this status at the College until submitting satisfactory evidence to the Admissions and Records Office that proves otherwise.

The maximum number of non-resident students that can be accepted by the College is limited by the Board of Regents policy. Students classified as non-residents are required to pay non-resident tuition, unless exempted from paying such tuition through one of the statutory exemptions listed above.

Residency decisions may be appealed by contacting the residency officer for information on how to initiate an appeal before students register for classes. Appeals are heard by the Committee on Resident Status only after the tuition is paid.

### **MISREPRESENTATION**

A student or prospective student who provides incorrect information on any form or document intended for use in determination of residency status for tuition purposes will be subject to the requirements and/or disciplinary measures provided for in the rules and regulations governing residency status.

### **APPEAL PROCESS**

Residency decisions may be appealed by contacting the residency officer for information on how to initiate an appeal.





