Residency

**Yvonne**
Culinary Arts Program

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

Students who do not qualify as bona fide residents of the state of Hawai‘i, according to the University of Hawai‘i rules and regulations in effect at the time they register, must pay the non-resident 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 classified as a non-resident, a student continues to be classified during his/her term at the college until he/she can present clear and convincing evidence to the residency officer that proves otherwise. Some of
the more pertinent University residency regulations follow. For additional information or interpretation, contact the residency officer in the Admissions Office. Detailed information is available in Hawaiʻi Administrative Rules Title 20, Chapter 4: Determination of Residency as Applied to Tuition and Admission (PDF).

**DEFINITION OF HAWAIʻI RESIDENCY**
A student is deemed a resident of the state of Hawaiʻi for tuition purposes if the student (19* or older) or the student (under 19*) and his/her parents or legal guardian have:

1. Demonstrated intent to permanently reside in Hawaiʻi (see below for evidences);
2. Been physically present in Hawaiʻi for the 12 consecutive months prior to the first day of instruction, and subsequent to the demonstration of intent to make Hawaiʻi his/her legal residency; and
3. The student, whether adult or minor, has not been claimed as a dependent for tax purposes for at least 12 consecutive months prior to the first day of instruction by his/her parents or legal guardians who are not legal residents of Hawaiʻi.

To demonstrate the intent to make Hawaiʻi your legal residency, the following evidence apply:

1. Filing Hawaiʻi resident personal income tax return.
2. Voting/registering to vote in the state of Hawaiʻi.

Other evidence, such as permanent employment and ownership or continuous leasing of a dwelling in Hawaiʻi, may apply, but no single act is sufficient to establish residency in the state of Hawaiʻi.

Other legal factors involved in making a residency determination include:

1. The 12 months of continuous residence in Hawaiʻi shall begin on the date upon which the first overt action (see evidences) is taken to make Hawaiʻi 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 Hawaiʻi and residency in another place cannot be held simultaneously.
3. Presence in Hawaiʻi 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 Hawaiʻi primarily to attend college. Such periods of enrollment cannot be applied toward the physical presence requirement.
4. The residency of unmarried students who are minors follows that of the parents or legal guardian. Marriage emancipates a minor.
5. Resident status, once acquired, will be lost by future voluntary action of the resident inconsistent with such status. However, Hawaiʻi 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 Hawaiʻi is claimed and maintained as the person’s legal residence.

**BOARD OF REGENTS EXEMPTIONS**

1. Non-residents may be allowed to pay resident tuition if they qualify as one of the following:
   A. East-West Center student grantees pursuing baccalaureate or advanced degrees.
   B. United States military personnel stationed in Hawaiʻi on active duty, and their authorized dependents during the period that the personnel are stationed in Hawaiʻi.
   C. Members of the Hawaiʻi National Guard and the Hawaiʻi Reserves.
   D. Native Hawaiians whose domicile is outside of Hawaiʻi.
   E. 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 RP 6.208 Page 2 of 3 excluded from collective bargaining must have an appointment exceeding three (3) months.
   F. 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 (PL.116-315), who live in Hawaiʻi and those who subsequently move but maintain continuous enrollment.
   G. 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 (PL.116-315), who live in Hawaiʻi and those who subsequently move but maintain continuous enrollment.
H. 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.

I. 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.

J. 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.

K. Graduate (GA), teaching (TA), and research assistants (RA), as a function of their appointment to an assistantship.

L. 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, RP 6.208 Page 3 of 3 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
- Republic of Palau
- Commonwealth of the Northern Mariana Islands
- Republic of the Marshall Islands
- Cook Islands
- Solomon Islands
- Federated States of Micronesia
- Tokelau
- Futuna
- Tonga
- Kiribati
- Tuvalu
- Nauru
- Vanuatu
- Niue
- Wallis
- Rapa Niue

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.

**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.