

## University of Maine System

### **ADMINISTRATIVE PRACTICE LETTER**

#### **SUBJECT: TUITION RESIDENCY CLASSIFICATION**

There are many factors which will be considered in determining eligibility for in-state tuition. No one factor can be used to establish eligibility, rather all factors and circumstances must be considered on a case-by-case basis. A residency classification assigned by a public or private authority (such as an income tax return or driver's license) neither qualifies nor disqualifies a student for UMS in-state status.

A student applying for admission to a degree program is classified as eligible, or not eligible, for in-state tuition at the time of acceptance to the University. A non-matriculated (non-degree) student is classified as eligible, or not eligible, for in-state tuition at the time of registration.

To be eligible for in-state tuition the student must meet University guidelines before such registration. Students will hold the same residency status across all University of Maine System campuses.

If the student is enrolled full-time in an academic program, as defined by the University, it will be presumed that the student is in Maine for educational purposes. A residence established for the purpose of attending a UMS campus shall not by itself constitute eligibility for in-state tuition. The burden will be on the student to prove that he or she has established a Maine residence for other than educational purposes.

In general, the following criteria will be used to determine residency:

1. An individual who has lived in the State of Maine, for other than educational purposes, 12 consecutive months (one year) prior to the first day of classes of the term for which Maine residency is sought or the student's application to the University is considered an in-state student.
2. A student who is dependent on his/her parent(s) and/or legally appointed guardian (or to whom custody is granted by court order) is considered to have residence with the parent(s) for tuition purposes. The parent's state of residence for the prior year will be considered the student's State of residence.

A student of parents legally separated, divorced or living apart may be granted in-state status if either parent is a legal resident of Maine for at least 12 consecutive months immediately prior to the first day of classes of the term for which residency is sought, and has contributed more than 50 percent of financial support during that time.

Verification of the student's dependent status or the parent's contribution of financial support must be documented (custody, support, guardianship decrees or agreements, etc.)

3. A student will be considered in-state for tuition purposes if they are the spouse or domestic partner of an individual who currently has in-state residency status or continuous, permanent full-time employment in Maine and their employment began at least 12 consecutive months prior to the first day of classes of the term for which residency is sought. Students seeking in-state tuition based on a domestic partnership relationship must submit an approved Affidavit of Domestic Partnership.
4. A current member of the United States Armed Forces or a Veteran of the United States Armed Forces who has been honorably discharged will be billed at the in-state (Maine resident) tuition rate. Veterans must supply a DD214 showing an honorable discharge, Certificate of eligibility for GI bill, or Military ID card. Active duty members can supply a copy of their Military ID card or travel orders.

All dependents using a VA educational benefits are billed at the in-state (Maine resident) tuition rate.

5. Regular employees of any University of Maine System campus will be billed at the in-state rate. Dependents of such employees will also be extended the in-state status.
6. Non Maine Residents working for Maine employers where the employer is paying the student's charges will be given in-state status during the period of time they are covered by their Maine employer.
7. High school students attending a private boarding school; who would normally be classified as out-of-state or international; will be billed at the in-state rate for the duration they are enrolled in high school.
8. In-state tuition is not available to anyone who holds a non-immigrant U.S. visa. If an individual is not a resident of the United States, they cannot be a resident of the State of Maine.
9. A non U.S. citizen who is a permanent resident of the United States, or who has received conditional permanent U.S. residency, or who can document they have applied for U.S. permanent residency, is eligible for Maine residency for tuition purposes provided that he/she meets the same requirements for establishing residency in Maine as are required of a United States citizen.
10. A non U.S. citizen who has refugee status, and was resettled in Maine after arriving in the United States, is considered a Maine resident for tuition purposes.
11. A non U.S. citizen who has refugee status, and was first resettled in a U.S. state other than Maine, is eligible for Maine residency for tuition purposes provided that he/she meets the same requirements for establishing residency in Maine as are required of a United States citizen.
12. A non U.S. citizen who is an asylum seeker is eligible for Maine residency for tuition purposes provided that he/she can document application for asylum and meets the same requirements for establishing residency in Maine as are required of a United States citizen.
13. A non U.S. citizen who has been granted asylum in the United States is eligible for Maine residency for tuition purposes provided that he/she meets the same requirements for establishing residency in Maine as are required of a United States citizen.
14. All non U.S. citizens applying for Maine residency for tuition purposes must provide appropriate documentation related to residency and to verify their status with the Department of Homeland Security. This documentation is not part of the admissions process.
15. A student who attended an out-of-state educational institution at in-state tuition rates in the immediately preceding semester, shall be presumed to be in Maine for educational purposes and not to establish permanent residency. Normally such students must wait one year before attaining in-state status. Again, the burden will be on the individual to prove that he or she is residing in Maine for other than educational purposes.

To change tuition status, the following procedures are to be followed:

- A. A "Request for Change in Tuition Status" must be filed with the UMS Residency Appeals Committee on or before the first day of classes for the summer session, fall or spring semester for which residency is requested. Applications may not be retroactive.
- B. The UMS Residency Appeals Committee shall issue a written decision within 30 days.
- C. The student may appeal the decision of the Committee in writing within 30 days to Vice Chancellor for Finance and Administration.
- D. The Vice Chancellor will issue a final decision within 30 days.

In the event that the campus Chief Business Officer, or other designated official, possesses facts or information indicating a student's change of status from in-state to out-of-state, the student shall be informed in writing of the potential change in status and will be given an opportunity with specified dates of response to present facts in opposition to the change, prior to the change becoming effective.. The student may appeal the decision of the Chief Business Officer or other designated official as set forth in the preceding paragraph.

APPROVED BY THE CHIEF FINANCIAL OFFICER AND TREASURER ON 1/1/2020



## AFFIDAVIT OF DOMESTIC PARTNERSHIP

We, \_\_\_\_\_ and \_\_\_\_\_  
certify that we are domestic partners in accordance with the following criteria and eligible for in-state tuition (in accordance with the provisions of Administrative Practice Letter 34) and/or student health insurance programs:

1. We are each other's sole domestic partner and intend to remain so indefinitely.
2. We are jointly responsible for each other's common welfare, share financial obligations, and share our primary residence. We have resided together for at least six (6) continuous months prior to the date of this affidavit. We will provide evidence of joint responsibility. Joint responsibility may be demonstrated by the existence of either (check I or II):

\_\_\_\_\_ I. A civil union licensed under state law (civil union is defined as a legally recognized union between same sex partners), OR

\_\_\_\_\_ II. Two or more of the following (please check at least two items that apply):

- \_\_\_\_\_ A. Domestic Partnership Agreement or Relationship Contract.
  - \_\_\_\_\_ B. Joint mortgage or joint ownership of primary residence.
  - \_\_\_\_\_ C. Two of:
    - \_\_\_\_\_ 1. Joint ownership of motor vehicle.
    - \_\_\_\_\_ 2. Joint checking account.
    - \_\_\_\_\_ 3. Joint credit account.
    - \_\_\_\_\_ 4. Joint lease.
  - \_\_\_\_\_ D. The Domestic Partner has been designated as a beneficiary for employee's will, retirement contract, or life insurance.
3. We are:
- not married to anyone, and
  - each at least eighteen (18) years of age, and
  - mentally competent to consent to contract, and
  - not related by blood to a degree of closeness, which would prohibit marriage in the State of Maine.

We understand that domestic partners are subject to the other eligibility provisions of the University's in-state tuition policy and/or student health insurance plan.

The student agrees to notify the University in writing within thirty-one (31) days of any termination of our domestic partnership. A written termination statement shall affirm that the partnership is terminated and that a copy of the termination statement has been mailed to the other partner.

We certify that the foregoing is true and correct. We, the undersigned student of the University of Maine System and the Domestic Partner, understand that falsification of information contained in this Affidavit may lead to disciplinary action and may subject us to civil action to recover any losses, including reasonable attorney's fees, in addition to an obligation to repay benefits received.

**Note: Signing of this Affidavit may affect important legal rights. Please consult your attorney.**

\_\_\_\_\_  
Signature of Student

Date: \_\_\_\_\_

Certified, subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

STATE OF MAINE  
County of \_\_\_\_\_  
\_\_\_\_\_  
Notary Public

[SEAL]

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Signature of Domestic Partner

Date: \_\_\_\_\_

Certified, subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

STATE OF MAINE  
County of \_\_\_\_\_  
\_\_\_\_\_  
Notary Public

[SEAL]

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
The Affidavit and accompanying documentation have been reviewed.

Eligibility:

Approved

Not Approved

\_\_\_\_\_  
Signature of Approving Officer

Date: \_\_\_\_\_

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title