

Policy Number: 4-203	Policy Name: Requirements for Resident Status	
Policy Revision Dates: 9/2009, 3/2007, 12/05, 4/02, 9/00, 6/00, 1/00, 8/99, 8/96, 6/95, 3/95, 4/94, 12/92, 6/92, 11/86, 2/86	Page 1	

#### 4-203 Requirements for Resident Status

- A. Subject to ABOR Policy 4-102 (Non Resident Tuition), a person shall be classified as a resident student if domiciled in the state for at least one year immediately preceding the last day of registration. The elements necessary to establish domicile are set forth in ABOR Policies 4-204 and 4-205 (Establishing Resident Status and Evidence to be Considered).
- B. Subject to ABOR Policy 4-102 (Non Resident Tuition), a person shall also be classified as a resident student if the person can establish that on or before the last day of registration the person satisfies any one of the following conditions:
  1. The person is domiciled in this state and:
    - a. The domicile of the person's parent is in this state, and
    - b. The parent is entitled to claim the person as an exemption for federal and state tax purposes.
  2. The person is domiciled in this state and
    - a. The person's spouse has established domicile in this state for at least one year immediately preceding the last day of registration and has demonstrated financial independence,
    - b. The person's spouse is entitled to claim the person as an exemption for federal and state tax purposes, and
    - c. If the person applying to be a student is a non-citizen, the person must be in an eligible visa status to be classified as a resident student.
  3. The person is domiciled in this state and the person is:
    - a. An employee of an employer which transferred the person to this state for employment purposes, or

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- b. The spouse of such an employee, or
  - c. An employee of an Arizona employer taking not more than six credit hours solely through electronic course delivery at employer-sanctioned sites in Arizona, when the employer is required to pay additional site fees or transmission costs.
4. A person who was serving at a military installation in Arizona at the time the person was honorably discharged from any branch of the armed forces of the United States is entitled to immediate classification as an in-state student, without regard to the length of time the person was domiciled in this state.
  5. The person is a member of the armed forces of the United States stationed in this state pursuant to military orders or is the spouse or dependent child as defined in A.R.S. 43-1001 of a person who is a member of the armed forces of the United States stationed in this state pursuant to military orders at the time the spouse or dependent child is accepted for admission.
  6. The person is a member of the Armed Forces of the United States stationed outside of this State pursuant to military orders or is the spouse or dependent child (as defined in A.R.S. 43-1001) of a person who is a member of the Armed Forces of the United States stationed outside of this State pursuant to military orders, and the person claimed Arizona as the person=s legal residence for at least twelve consecutive months prior to the last date of registration. The person claiming resident status under this section shall be required to:
    - a. provide a copy of the military form DD-2058 which verifies state of legal residence; and
    - b. provide evidence of having filed an Arizona Resident Income Tax Return with the Arizona Department of Revenue for the prior tax year on all income from all sources.
  7. The person is an honorably discharged member of the Armed Forces of the United States or is the spouse or dependent child as

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defined in A.R.S. 43-1001 of a person who was honorably discharged from the Armed Forces of the United States, and meets all of the following conditions:

- a. The person claimed Arizona as his/her legal residence for at least twelve consecutive months prior to discharge as evidenced by a DD-2058;
  - b. The person demonstrated objective evidence of intent to be a resident of Arizona by satisfying at least one of the conditions set forth in ABOR Policy 4-205(A)(3) (Evidence to be Considered);
  - c. The person filed an Arizona Resident Income Tax Return with the Arizona Department of Revenue for the prior tax year on all income from all sources;
  - d. The person physically relocated to Arizona following discharge.
8. The person is a member of an Indian tribe recognized by the United States Department of Interior whose reservation land lies in this state and extends into another state and who is a resident of the reservation.
  9. The person is domiciled within 75 miles of the Arizona border in Clark County, Nevada or Washington or Kane Counties, Utah, or in San Bernardino, Imperial, or Riverside Counties in California, including the cities of Needles, Blythe, El Centro, Brawley, and Winter Haven, and is enrolling in a total of no more than six (6) credit hours per semester offered in Mohave, La Paz, or Yuma Counties, Arizona by Arizona State University, Northern Arizona University, or the University of Arizona or the person is domiciled within 75 miles of the Arizona border in Grant, Hidalgo, or Luna Counties in New Mexico and is enrolling in a total of no more than six (6) credit hours per semester offered in Cochise County, Arizona by Arizona State University, Northern Arizona University, or the University of Arizona. This program is designed to reduce

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excess capacity; therefore, the Presidents of Arizona State University, Northern Arizona University, and the University of Arizona shall assure that their respective programs do not result in denying course offerings to Arizona residents or result in additional expenditures being required on course offerings.

10. The person is a doctoral graduate student who is a candidate for degree, having completed all requirements for the degree except dissertation, and who qualified as a resident student immediately prior to being eligible to begin dissertation.
11. The person is a graduate assistant or graduate associate at Arizona State University, Northern Arizona University, or the University of Arizona whose assigned teaching or research responsibilities meet the guidelines established by the university for designation as a resident student.
12. The person is an employee of a public school district in this state and is under contract to teach on a full-time basis, or is employed as a full-time noncertified classroom aide at a public school within that school district. For purposes of this paragraph, the person is eligible to pay in-state tuition only for courses necessary to complete the requirements for certification by the State Board of Education to teach in a public school district in this state. No member of the person=s family is eligible for classification as an in-state student pursuant to this paragraph, although they may qualify under other exceptions.

The universities:

- a. Shall establish uniform procedures to determine whether courses taken by a teacher or classroom aide qualify under this section.
- b. Shall consider charter schools as public schools consistent with Arizona statutes.

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- c. May apply this section to teachers and classroom aides from private schools where those private schools require that teachers hold Arizona teacher certification.
  
- C. Subject to ABOR Policy 4-102 (Non Resident Tuition), an alien who does not hold a visa that prohibits establishing domicile in this state shall be classified as a resident student if the alien can establish that on or before the last day of registration the alien meets one of the following situations:
  - 1. Qualifies as a resident student under ABOR Policy 4-203A or 4-203B (Requirements for Resident Status); or
  - 2. Qualifies as a resident refugee student by virtue of having been granted refugee status in accordance with all applicable laws of the United States and having met all other requirements for domicile in this state; provided that in establishing domicile, the alien must not hold a visa that prohibits establishing domicile in this state.
  
- D. Subject to ABOR Policy 4-102 (Non Resident Tuition), a full-time student admitted and enrolled at a university who obtains resident status by virtue of ABOR Policy 4-203B.3 (Requirements for Resident Status) does not lose resident status while in continuous attendance toward the degree for which currently enrolled.
  
- E. The domicile of an unemancipated person is that of such person's parent. Subject to ABOR Policy 4-102 (Non Resident Tuition), any unemancipated person who is a student admitted and enrolled at a university and who remains in this state when the person's parent, who had been domiciled in this state, removes from this state does not lose resident status while in continuous attendance toward the degree for which currently enrolled.