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4-204 Establishing Resident Status

- A. Each student is responsible for:
 - 1. Obtaining a tuition classification determination prior to registration and payment of fees; and
 - 2. Properly registering for classes using the tuition classification determined by the university.
- B. A student who applies for classification as a resident student shall be responsible for establishing by clear and convincing evidence all factors necessary to provide a basis for such a classification determination.
- C. The deadline to submit a petition for classification as a resident student shall be the last day of registration for credit as published by each university
- D. Failure to file a petition for classification as a resident student within the time prescribed shall constitute a waiver of the right to file such a petition for that semester.
- E. In addition to the requirements set forth in 4-102 (Non Resident Tuition), to establish a person's domicile in this state, a student must establish that he or she was concurrently:
 - 1. Physically present in this state; and
 - 2. Had the intention of abandoning his or her former domicile and remaining in this state for an indefinite period of time.
- F. If a student who is a minor applies for classification as a resident student and alleges that he or she is an emancipated person, the student, in addition to any other necessary factors to be established, shall also establish that:
 - 1. He or she is not living with a parent or relative; and

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2. There has been a complete severance of the parental relationship as to all legal rights and liabilities, including care, custody, control and service.
- G. Unless the contrary appears to the satisfaction of the classification officer or review committee making a classification determination, it shall be presumed that:
1. No emancipated person has established a domicile in this state while attending any educational institution in this state as a full-time student in the absence of a clear demonstration to the contrary.
 2. Once established, domicile in this state is not lost by mere absence from this state unaccompanied by intention to establish a new domicile elsewhere.
 3. A person who has been domiciled in this state immediately prior to becoming a member of the armed forces of the United States shall not lose resident status by reason of such person's presence in any other state or country while a member of the armed forces of the United States.
- H. For any semester, if a student applies for classification as a resident student, but is classified as a nonresident and believes that the classification is erroneous, then the student may request a review in accordance with procedures set forth in ABOR Policy 4-207 (Review Procedure).