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#### 4-205 Evidence to be Considered

- A. All of the evidence is weighed under the presumption that a non-resident student's presence in Arizona is primarily for the purpose of education and not to establish domicile, and that decisions of an individual as to the intent to establish domicile are generally made after the completion of an education and not before. In determining classification of students for tuition purposes, any relevant evidence may be considered, including, but not limited to, such items as the following:
1. Objective evidence of continuous presence in this state for twelve months.
  2. Objective evidence of intent to be a resident of this state as demonstrated by the absence of ties to the former state of residence and the following:
    - a. Financial independence, as defined in Section 4-201(J), indicators of financial independence include:
      - i. Employment and earnings.
      - ii. Source of support.
      - iii. Evidence regarding filing of state income tax returns.
      - iv. Residence claimed on federal income tax returns of applicant and/or parents.
      - v. How and where health and auto insurance policies are maintained.
    - b. State in which motor vehicle is registered.
    - c. Date of and state issuing driver's license.
    - d. Employment history, including assured future permanent employment in Arizona
    - e. The transfer of major banking services to Arizona
    - f. Applications for loans, scholarships, grants-in-aid, or other such assistance

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- g. Date and state in which student is registered to vote
  - h. Place of prior attendance in educational institutions, including high schools, and any information held by such schools affecting domicile
  - i. Marital status and work record of registrant and spouse
  - j. Change in permanent address on all pertinent records
  - k. State in which registered with Selective Service
  - l. Military records
  - m. Ownership of real property
  - n. All other material of whatever kind or source, which may have a bearing on determining domicile or resident status
- B. A student must couple his or her physical presence within Arizona for twelve months with clear and convincing objective evidence of good faith intent to make Arizona his or her permanent home. Actions used to indicate intent must be accomplished at the beginning of and maintained throughout the domicile year. Acts or events occurring less than one year before the last day of registration may not be relied upon as evidence of intent to establish domicile in Arizona, but may be considered as evidence of the lack of such intent.
- C. Whether the evidence is clear and convincing evidence sufficient to meet the student's burden of proof depends not only on the amount of evidence presented, but also its reliability, authenticity, credibility and relevance. A statement of intent by the student should be weighed in light of the fact that the student knows that he or she will realize a substantial reduction in tuition by being classified as a resident.
- D. Each item presented for determination shall be subject to the classification officer's or review committee's decision as to the weight to be given to it, and such officer or committee shall be the sole judge of the authenticity or truthfulness of any material or statements submitted as supportive evidence.