

Appeal For Residency Reclassification



1. Please fill out the residency appeal and return it, along with supporting documentation required under each section that applies to your individual residency claim, to the Office of Admissions. The Appeal for Residency Classification alone is not sufficient proof of residency. Supporting documentation is **required**. Failure to provide documentation with your application will delay the review process. All documents submitted become the property of Nashville State and cannot be forwarded or returned. **MAKE A COPY OF THIS APPEAL FOR YOUR PERSONAL RECORDS.**
2. This form is to appeal the initial out-of-state residency classification. After your completed appeal and documentation are received, the Assistant to the Director of Admissions will review the information within the context of the Tennessee Board of Regents regulations for residency classification. (attached) Re-appeals may be requested following the guidelines outlined in the Student Complaint process in the Student Policy Handbook. After a decision has been made, you will be notified via email of the decision to your NSCC email account. It is the student's responsibility to make sure all fees are properly adjusted prior to the first day of class. If you haven't received information on your appeal, please contact Priscilla.tibbs@nscc.edu.
3. **Priority Date for Residency Applications: 14 days prior to the last day to register for the semester.** Due to the high volume of activity in our office immediately prior to and during registration periods, we cannot guarantee applications received or completed after the priority date will be processed prior to fee payment deadlines. Applications submitted after the priority date will be processed on a first-come, first served basis. Any application submitted after the last day of registration will be considered for the next semester.
4. Please read the Tennessee Board of Regents regulations attached to this application and all of the questions carefully before completing the application. You may leave blank the questions that are not relevant to your situation. Space is provided on the last page for you to elaborate further on your reasons for seeking in-state classification for fee-paying purposes. All documentation must be submitted before a decision can be made promptly.
5. **WORK RULE:** If you do not have the documentation to be fully classified as in-state, but are working full-time in the state of TN, you may be eligible for "Work Rule." Under this particular policy, you are still an out-of-state student, however you can pay the in-state rate for part-time classes **ONLY**. **Work Rule students cannot be full-time students.**

PLEASE PRINT LEGIBLY IN BLUE OR BLACK INK.

No student shall be deemed to have permanent residency classification by his/her mere presence in the state of Tennessee.

Office of Admissions
Nashville State Community College
120 White Bridge Road
Nashville, TN 37209

Please indicate the year and semester for which you are seeking residency:

Fall _____ Spring _____ Summer _____

Social Security Number _____ - _____ - _____

Email Address _____

Home Phone () _____

Work Phone () _____

A. GENERAL INFORMATION

1. Full legal name _____
Last First Middle Maiden

2. a. Sex: Male Female

3. **Present** mailing address: _____
Street/Number City State Zip Code

a. Length of time at this address: ____ Years ____ Months

b. Do you: Own Rent

DOCUMENTATION REQUIRED: Photocopy of deed, lease, or other public record

c. If you have resided at the above address for less than one year, please provide your previous address:

Street/Number City State Zip Code

4. **Permanent** mailing address: _____
Street/Number City State Zip Code

a. Length of time at this address: ____ Years ____ Months

b. Do you: Own Rent

DOCUMENTATION REQUIRED: Photocopy of deed, lease, or other public record

5. Have you resided in Tennessee continuously since birth? Yes No

6. Date and place of birth: _____
Date City State Country

7. If you answered **NO** to question 5, please state when and why you moved to Tennessee.

8. Are you a citizen of the U.S.? Yes No

If **NO**: Permanent Resident Visa Type Deferred Action

DOCUMENTATION REQUIRED: Photocopy of Permanent Resident Card or VISA

9. Do you currently attend or have you attended Nashville State Community College? Yes No

If yes, give dates: From _____ to _____

10. Has a state aided College/University in Tennessee ever classified you as an instate resident? Yes No

If so, give name of institution and dates attended: _____

DOCUMENTATION REQUIRED: Letter from institution stating you were classified instate and when effective

**Please note that In-state based on Academic Common Market does not apply at Nashville State.

11. Are you registered to vote in the U.S.? Yes No If **YES**, in which state are you registered?

DOCUMENTATION REQUIRED: Copy of voter's registration

B. AUTOMOBILE

1. Do you have a driver's license? Yes No If **YES**, what state issued the license?

License Number _____

DOCUMENTATION REQUIRED: Copy of Driver's License

2. Do you own an automobile? Yes No If **YES**, in which state is it registered? _____

DOCUMENTATION REQUIRED: Copy of Auto Registration

C. PARENTAL INFORMATION

1. Did either parent claim you as a dependent on his/her most recent tax return? Yes No

If **YES**, his/her name: _____ What year? _____

DOCUMENTATION REQUIRED: Copy of address and dependent section of tax return

2. Father's name

Last First Middle

3. Father's address

Street/Number City State Zip Code

4. Mother's name

Last First Middle

5. Mother's address

Street/Number City State Zip Code

6. Are your parents divorced? Yes No

7. Do you have a **legally** appointed guardian? Yes No

If **YES**, guardian's name

Last First Middle

Guardian's address

Street/Number City State Zip Code

D. EMPLOYMENT INFORMATION

1. Are you currently employed? Yes No

a. If **YES**, Full time Part time b. Cumulative number of hours worked each week

Employer's Name _____ Phone: (____) _____

Employer's Address _____ Start Date / /

DOCUMENTATION REQUIRED: Original Letter from Employer, on letterhead and signed by supervisor, verifying the information you have listed.

2. Is your spouse employed? Full time Part time

If **YES**, how long has he/she been in present position: _____ Years _____ Months

Name and address of spouse's employer

Name City State

This application will not be processed unless dated and signed.

My signature below certifies the correctness and completeness of the information supplied. It further indicates that I understand that NSCC may contact any of the persons referred to above for the purposes of obtaining additional information; and that I further understand that any false information provided in the foregoing statements will disqualify me from being considered as resident of Tennessee.

In addition to the forgoing, the Tennessee Eligibility Verification for Entitlements Act requires an applicant for in-state tuition or state financial aid to attest under penalty of perjury that he or she is either a United States citizen or alien lawfully present in the United States. By submitting this application, I am attesting that I am either a United States citizen or alien lawfully present in the United States or I am not requesting any state benefits including in-state tuition.

I understand that this attestation is required by Tennessee law if I have applied for a state public benefit. I understand that Tennessee law requires me to provide documentation verifying the status indicated above prior to receipt of this state public benefit. I understand that knowingly and willfully making a false, fictitious, or fraudulent statement or representation shall subject me to liability under the Tennessee False Claims Act, Tennessee Code Annotated 4-18-101 et seq. I understand that if I am found to have made a false or misleading statement, my state public benefits may be rescinded or I may be disciplined by the college.

Date / / Signature of Applicant _____

STUDENT DOCUMENTATION CHECKLIST:

- Photocopy of deed, lease, public record
- Photocopy of Driver's License
- Photocopy of address and dependent section of tax return
- Military DD-214
- Certificate of Eligibility
- Tax Returns (personal/spouse)
- Voter's registration
- Photocopy of auto registration/title
- Employment Letter (full-time)
- Marriage Certificate (if applicable)
- Other

FOR OFFICE USE ONLY—DO NOT WRITE BELOW THIS SECTION

Instate Out of State PTS/FTE Military

Change is effective for the following term: Fall _____ Spring _____ Summer _____

Authorized by: _____ Date: _____

Date Banner updated: _____ Updated by: _____

Basis for decision: _____

Tennessee Board of Regents Regulations
For Classifying Students as In-State or Out-of-State

For the Purpose of Paying Fees and Tuition and for Admission Purposes

SUBJECT: Regulations for Classifying Students In-State and Out-of-State for the purposes of Paying College or University Fees and Tuition and for Admission Purposes

PURPOSE: It is the intent that the public institutions of higher education in the State of Tennessee shall apply uniform rules, as described in these regulations and not otherwise, in determining whether students shall be classified "in-state" or "out-of-state" for fees and tuition purposes and for admission purposes.

DEFINITIONS: Wherever used in these regulations;

- "Public higher educational institution" shall mean a university or community college supported by appropriations made by the Legislature of this State.
- "Residence" shall mean continuous physical presence and maintenance of a dwelling place within this State, provided that absence from the State for short periods of time shall not affect the establishment of a residence.
- "Domicile" shall mean a person's true, fixed, and permanent home and place of habitation; it is the place where he or she intends to remain, and to which he or she expects to return when he or she leaves without intending to establish a new domicile elsewhere.
Undocumented aliens cannot establish domicile in Tennessee, regardless of length of residence in Tennessee.
- "Emancipated person" shall mean a person who has attained the age of eighteen years, and whose parents have entirely surrendered the right to the care, custody, and earnings of such person and who no longer are under any legal obligation to support or maintain such deemed "emancipated person."
- "Parent" shall mean a person's father or mother. If there is a non-parental guardian or legal custodian of an un-emancipated person, then "parent" shall mean such guardian or legal custodian; provided that there are not circumstances indicating that such guardianship or custodianship was created primarily for the purpose of conferring the status of an in-state student on such un-emancipated person.
- "Continuous enrollment" shall mean enrollment at a public higher educational institution or institution of this State as a full-time student, as such term is defined by the governing body of said public higher educational institution or institutions, for a normal academic year or years or the appropriate portion or portions thereof since the beginning of the period for which continuous enrollment is claimed. Such person need not enroll in summer sessions or other such inter-sessions beyond the normal academic year in order that his or her enrollment be deemed continuous notwithstanding lapses in enrollment occasioned solely by the scheduling of the commencement and/or termination of the academic years, or appropriate portion thereof, of the public higher educational institutions in which such person enrolls.

I. RULES FOR DETERMINATION OF STATUS

- A. Every person having his or her domicile in this State shall be classified "in-state" for fee and tuition purposes and for admission purposes.
- B. Every person not having his or her domicile in this State shall be classified "out-of-state" for said purposes.
- C. The domicile of an un-emancipated person is that of his or her parent, except as provided in section E of this rule.
- D. Un-emancipated students of divorced parents shall be classified "in-state" when one parent, regardless of custodial status, is domiciled in Tennessee.
- E. A student is classified as "in-state" for fee and tuition purposes if the student is a citizen of the U.S., has resided in TN for at least one year immediately prior to admission and has either graduated from a TN public secondary school, a private secondary school in TN or earned a TN high school equivalency diploma
- F. The spouse of a student classified as "in-state" shall also be classified as "in-state," subject to the requirements of T.C.A. Title 4, Ch. 58.

II. OUT-OF-STATE STUDENTS WHO ARE NOT REQUIRED TO PAY OUT-OF-STATE TUITION

- A. An un-emancipated, currently enrolled student shall be reclassified out-of-state should his or her parent, having theretofore been domiciled in the State, remove from the State. However, such student shall not be required to pay out-of-state tuition nor be treated as an out-of-state student for admission purposes so long as his or her enrollment at a public higher educational institution or institutions shall be continuous.
- B. An un-emancipated person whose parent is not domiciled in this State but is a member of the armed forces and stationed in this State or at Fort Campbell pursuant to military orders shall be classified out-of-state but shall not be required to pay out-of-state tuition. Such a person, while in continuous attendance toward the degree for which he or she is currently enrolled, shall not be required to pay out-of-state tuition if his or her parent thereafter is transferred on military orders.
- C. A person whose domicile is in a county of another state lying immediately adjacent to Montgomery County, or whose place of residence is within thirty (30) miles of Nashville State Community College Clarksville Campus shall be classified out-of-state but shall not be required to pay out-of-state tuition at Nashville State Community College.

(D), and (E) do not apply to Nashville State Community College.

- F. Part-time students who are not domiciled in this state but are employed full-time in the State or who are stationed at Fort Campbell pursuant to military orders, shall be classified out-of-state but shall not be required to pay out-of-state tuition. This shall apply to part-time students who are employed in the State by more than one employer, resulting in the equivalent of full-time employment.
- G. Military personnel and their spouses stationed in the State of Tennessee who would be classified out-of-state in accordance with other provisions of these regulations will be classified out-of-state but shall not be required to pay out-of-state tuition. This provision shall not apply to military personnel and their spouses who are stationed in this State primarily for educational purposes.
- H. Dependent children who qualify and are selected to receive a scholarship under the Dependent Children Scholarship Act (TCA 49-4-704) because their parent is a law enforcement officer, fireman, or emergency medical service technician who was killed or totally and permanently disabled while performing duties within the scope of their employment shall not be required to pay out-of-state tuition.
- I. Active-duty military personnel who begin working on a college degree at a TBR institution while stationed in Tennessee or at Fort Campbell, KY and who are transferred or deployed prior to completing their degree, can continue to completion of the degrees at the same institution without being required to pay out-of-state tuition, as long as he/she completes at least one (1) course for credit each twelve (12) month period after the transfer or deployment. Exceptions may be made in cases where the service member is deployed to an area of armed conflict for periods exceeding 12 months.
- J. Students who participate in a study abroad program, when the course/courses in the study abroad program is/are the only course/courses for which the student is registered during that term, shall not be required to pay out-of-state tuition.
- K. Students who are awarded tuition waiver scholarships for participation in bona fide campus performance-based programs, according to established guidelines, shall not be required to pay out-of-state tuition.
- L. A veteran enrolled in any TBR institution of higher education in this state shall not be required to pay out-of-state tuition or any out-of-state fee, if the veteran:
 - 1. Has not been dishonorably discharged from a branch of the United States armed forces or the national guard;
 - 2. Is eligible for Post-9/11 GI Bill benefits or Montgomery GI Bill benefits; and
 - 3. Enrolls in the TBR institution, after satisfying all admission requirements, within twenty-four (24) Months after the date of discharge as reflected on the veteran's certificate of release or discharge from active duty, Form DD-214, or an equivalent document.
 - a. To continue to qualify for in-state tuition and fees, a veteran shall:
 - (1) Maintain continuous enrollment as defined by the TBR institution at which the veteran is enrolled; and
 - (2) Within one (1) year of enrolling in the TBR institution:
 - (a) Register to vote in this state; or
 - (b) Demonstrate by objective evidence intent to be a resident of this state by obtaining at least two (2) of the following:
 - (i) A Tennessee driver license;
 - (ii) A Tennessee motor vehicle registration;
 - (iii) Proof of established employment in the state; or
 - (iv) Other documentation clearly evidencing domicile or residence in the state, as determined by the Tennessee Higher Education Commission.

III. HONORS PROGRAM—does not apply to NSCC

IV. PRESUMPTION

Unless the contrary appears from clear and convincing evidence, it shall be presumed that an emancipated person **does not acquire domicile in this State while enrolled as a full-time student at any public or private higher educational institution** in this State, as such status is defined by such institution.

V. EVIDENCE TO BE CONSIDERED FOR ESTABLISHMENT OF DOMICILE

If a person asserts that he or she has established domicile in this state he or she has the burden of proving that he or she has done so. Such a person is entitled to provide to the public higher educational institution by which he seeks to be classified or reclassified in-state, any and all evidence while he or she believes will sustain his or her burden of proof. Said institution will consider any and all evidence provided to it concerning such claim of domicile but will not treat any particular type or item of such evidence as conclusive evidence that domicile has or has not been established.

VI. APPEAL

The classifying officer of each public higher educational institution shall be responsible for initially classifying students "in-state" or "out-of-state". Appropriate procedures shall be established by each such institution by which a student may appeal his or her initial classification. At Nashville State, the student must first submit the appeal for residency reclassification to the Assistant to the Director of Admissions. Re-appeals may be requested following the guidelines outlined in the Student Complaint process in the Student Policy Handbook.

VII. EFFECTIVE DATE FOR RECLASSIFICATION

If a student classified out-of-state applies for in-state classification and is subsequently so classified, his or her in-state classification shall be effective as of the date on which reclassification was sought. However, out-of-state tuition will be charged for any quarter or semester during which reclassification is sought and obtained unless application for reclassification is made to the admissions officer on or before the last day of registration for that quarter or semester.

VIII. EFFECTIVE DATE

These regulations supersede all regulations concerning classification of persons for fees and tuition and admission purposes previously adopted by the State Board of Regents, and having been approved by the Governor, become effective July 1, 1983, or upon their becoming effective pursuant to the provisions of T.C.A. Section 4-5-101 et seq. as amended.

Revised June 2017 lpm