

## Internal Governing Policies

---

### #68.2 - Residency Status

---

**Approved:** March 29, 2010

**Monitor:** Vice President for Academic Affairs

---

#### Residency Definitions

For purposes of this policy, the following definitions pertain:

1. An "adult student" is a student who is eighteen or more years of age.
2. A "minor student" is a student who is less than eighteen years of age.
3. An "emancipated minor student" is a completely self-supporting student who is less than eighteen years of age. Marriage or active military service shall be regarded as effecting the emancipation of minors, whether male or female, for the purposes of this regulation.
4. "Residence" means legal domicile. Voter registration, filing of tax returns, proper license and registration for driving or ownership of a vehicle, and other such transactions may verify intent of residence in a state. Neither length of university attendance nor continued presence in the university community during vacation periods shall be construed to be proof of Illinois residence. Except as otherwise provided in this policy, no parent or legal or natural guardian will be considered a resident unless the parent or guardian maintains a bona fide and permanent residence in Illinois, except when temporarily absent from Illinois, with no intention of changing his or her legal residence to some other state or country.

#### Residency Determination Criteria

1. Adult Students

To be considered a resident, an adult student must have been a bona fide resident of Illinois for a period of at least four consecutive months immediately preceding the beginning of any term for which the individual registers at the University and must continue to maintain a bona fide residence in Illinois. In the case of adult students who reside with their parents (or one of them if only one parent is living or the parents are separated or divorced), the student will be considered a resident if the parents have established and are maintaining a bona fide residence in Illinois.

2. Minor Students

The residence of a minor student shall be considered to be the same as and change with the following:

i. That of the minor's parents if they are living together, or the living parent if one is deceased;  
or

ii. If the parents are separated or divorced, that of the parent to whom custody of the minor has been awarded by court decree or order, or, in the absence of a court decree or order, that of the father unless the minor has continuously resided with the mother for a period of at least four consecutive months immediately preceding the beginning of any term for which the minor registers at the University, in which latter case the minor's residence shall be considered to be that of the mother; or

iii. If the minor has been legally adopted, that of the adoptive parents, and, in the event the adoptive parents become divorced or separated, that of the adoptive parent whose residence would govern under the foregoing rules if the parent had been a natural parent; or

iv. That of the legally appointed guardian of the person; or

v. That of a "natural" guardian such as a grandparent, adult brother or adult sister, adult uncle or aunt, or other adult with whom the minor has resided and by whom the minor has been supported for a period of at least six consecutive months immediately preceding the beginning of any term for which the minor registers at the University for any term if the minor's parents are deceased or have abandoned the minor and if no legal guardian of the minor has been appointed and qualified.

### 3. Emancipated Minors

If emancipated minors actually reside in Illinois, such minors shall be considered residents even though their parents or guardians may not reside in Illinois. Emancipated minors who are completely self-supporting shall be considered residents if they have been a bona fide resident of Illinois uninterrupted for a period of at least four consecutive months immediately preceding the beginning of any term for which they register at the University. Emancipated minors who reside with their parents and whose parents (or one of them if one parent is living or the parents are separated or divorced) have established and are maintaining a bona fide Illinois residence shall be regarded as residents.

### 4. Minor Children of Parents Transferred outside the United States

The minor children of persons who have resided in Illinois for at least twelve consecutive months immediately prior to a transfer by their employers to some location outside of the United States shall be considered residents. This rule shall apply, however, only when the minor children of such parents enroll in the University within five years of the time their parents are transferred by their employer to a location outside the United States.

### 5. Married Students

A non-resident student, whether minor or adult, who is married to a person who meets and

complies with all of the applicable requirements of these policies to establish residence status, shall be classified as a resident.

6. Military Personnel and Families

If a person is on active military duty and stationed in Illinois, then the Board shall deem that person and any of his or her dependents Illinois residents for tuition purposes. Beginning with the 2009-2010 academic year, if a person is on active military duty and is stationed out of State, but he or she was stationed in this State for a least 3 years immediately prior to being reassigned out of state, then the Board shall deem that person and any of his or her dependents Illinois residents for tuition purposes, as long as that person or his or her dependent (i) applies for admission to the University within 18 months of the person on active military duty being reassigned or (ii) remains continuously enrolled at the University.

7. Staff Members of the University, Allied Agencies, and Faculty of State-Supported Institutions in Illinois

Staff members of the University and of allied agencies, and faculties of state-supported institutions of higher education in Illinois, holding appointment of at least one-quarter time, and their spouses and dependent children, shall be treated as residents.

8. Teachers in Public and Private Illinois Schools

Teachers in the public and private elementary and secondary schools of Illinois shall, if subject to payment of tuition, be assessed at the resident rate during any term in which they hold an appointment of at least one-quarter time, including the summer session immediately following the term in which the appointment was effective.

**Changes in Residency Status**

1. If a non-resident is classified by error as a resident, a change in tuition charges shall be applicable beginning with the term following reclassification. If the erroneous resident classification is caused by false information submitted by the student, a change in tuition charges shall be applicable for each term in which tuition charges were based on such false information. In addition, the student who has submitted false information may be subject to appropriate disciplinary action.
2. If a resident is classified by error as a non-resident, a change in tuition charges shall be applicable during the term in which the reclassification occurs, provided that the student has filed a written request for review in accordance with this regulation.