

# Legal Resident Status

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Students are classified as in-state or out-of-state for the purpose of paying University fees.

**For Graduate students**, The Graduate School will make the initial classification at the time a student's application for admission is processed.

**For Undergraduate students**, The Office of Admissions & Scholarships will make the initial classification at the time a student's application for admission is processed.

The burden of proof for establishing residency resides with the applicant. If a student misrepresents his or her status, that student will be responsible for paying the fees that should have been required and will be subject to disciplinary action or dismissal from school. The University Registrar is authorized to change a student's residence status upon receipt of evidence that the student is improperly classified.

The following Institutions of Higher Learning and Mississippi State University policies apply in determining the residential status of students for the purpose of enrolling and paying fees at a state-supported institution of higher learning:

- **Institutions of Higher Learning**

<http://www.ihl.state.ms.us/board/downloads/policiesandbylaws.pdf>  
Paragraphs 610 and 611

- **Mississippi State University**

<https://www.policies.msstate.edu/policy/3102> (<https://www.policies.msstate.edu/policy/3102/>)  
Academic Operating Policy AOP 31.02 Legal Resident Status

## Petition for Change of Residency Classification

A person who enters the State of Mississippi from another state and enters an educational institution is considered a non-resident. Any person who has after attaining the age of twenty-one (21) and has since their twenty-first birthday established residency and resided within the State of Mississippi for twelve (12) consecutive months may: (1) upon sworn affidavit and other representation, and (2) who can prove financial independence, petition for a change in residency classification for the purposes of fees and tuition assessment.

Residency changes are not retroactive, and the following conditions apply:

- The institution may make reasonable inquiry into the validity of the petitioner's claim.
- A petition for change of residency must be received **prior to the last day** a student may **register** without penalty of the term for which the student is applying for residency.

## Factors Regarding Residency

Although domicile and residency for educational purposes are largely matters of intention, this intention is determined objectively from the facts and circumstances surrounding a claim of in-state residency. Some of the factors relevant to determining residency include:

- Actual physical residence of habitation
- Length of time at actual physical residence - Residence used for income tax, loan, banking and other purposes
- Voter registration
- Motor vehicle registration (Persons moving into the state on a permanent basis have 30 days to register vehicles.)
- Driver's license held (Persons moving into the state on a permanent basis have 60 days to acquire driver's licenses.)
- State to which personal income taxes or other taxes paid
- Status of income sources
- Location of bank, savings and other accounts

## Responsibility for Reporting Change

It is the individual student's responsibility to report immediately to the Registrar any change which will affect his or her residence status under these regulations.

## **Institutions of Higher Learning (College Board) and University Policies Concerning Nonresident Tuition**

In addition to state laws and regulations, the University has established certain IHL Board approved regulations concerning the payment of non-resident tuition. Mississippi State University (except the College of Veterinary Medicine) may waive a percentage of the non-resident tuition for the following groups of students:

- a. Those who are currently awarded athletic scholarships.
- b. Those who are currently awarded band scholarships.
- c. Those who are currently awarded choral scholarships.
- d. All graduate students holding assistantships. (Rules applicable to these awards may be found in the Graduate Assistantship section of this publication.)
- e. Children of Mississippi State University alumni. (For this purpose, an alumnus or alumna is defined as one who has earned a minimum of 48 MSU undergraduate credit hours or 30 MSU graduate credit hours of course work or received a degree from Mississippi State University.) Graduate students must maintain a B (3.0) grade point average to continue eligibility for this award.
- f. Non-resident students who are certified participants in The Academic Common Market.
- g. Any veteran, service-member, or dependent/spouse of a veteran/service-member of any branch of the U.S. Armed Forces currently serving or that separated with an **Honorable Discharge** from service. The veteran, service-member, or dependent/spouse must submit appropriate documentation upon applying for admission to the University or to the Center for America's Veterans. Additional information can be found on the Center for America's Veterans website ([www.veterans.msstate.edu](http://www.veterans.msstate.edu) (<http://www.veterans.msstate.edu/>)).

See AOP: <https://www.policies.msstate.edu/policy/1239> (<https://www.policies.msstate.edu/policy/1239/>)

### **Academic Common Market.**

The Academic Common Market (ACM) is a tuition savings program allowing residents of a participating state to pursue specific academic degree programs not offered in their home states without having to pay non-resident tuition charges. The Southern Regional Education Board (SREB) coordinates the ACM program for the fifteen participating states, which include Alabama, Arkansas, Delaware, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Oklahoma, South Carolina, Tennessee, Virginia, and West Virginia. Please note that Florida and Texas only participate in the program at the Graduate level.

Residents from non-SREB states are not eligible to participate in the Academic Common Market.

To qualify for the ACM, a student must be a legal resident of an SREB member state, select a participating program that is approved for the ACM for his or her state and be admitted unconditionally to that program of the host institution.

A letter of Certification of Residency for the student should be obtained from the ACM state coordinators. This letter must be received and approved by the Office of the Provost & Executive Vice President.

For more information about submission, deadlines and criteria, please contact the Office of the Provost and Executive Vice President at 662-325-3742 or visit their website at <https://www.provost.msstate.edu/faculty-student-resources/academic-common-market> (<https://www.provost.msstate.edu/faculty-student-resources/academic-common-market/>).

For more information about the ACM Application, please contact the Southern Regional Education Board at 404-875-9211 or visit their website at [www.sreb.org](http://www.sreb.org) (<http://www.sreb.org>)