



University of Massachusetts Amherst Graduate School

PLEASE READ BEFORE FILLING OUT THE RESIDENCY RECLASSIFICATION APPEAL FORM

The residency reclassification officers responsible for determining Massachusetts residency for tuition purposes offer the following information which may assist you in determining if you qualify for in-state tuition.

1. If you are independent of financial support by parents or legal guardian, then decisions on Massachusetts residency for tuition purposes will be based on your individual circumstances. A copy of your parents' tax return without your mention as a dependent is a useful document.
2. If you are a foreign national, you must have applied for and/or possess a Resident Alien Registration Card (commonly called a "Green Card") to be considered for in-state tuition. Even with the Green Card you will still have to satisfy the criteria established for Massachusetts residency for tuition purposes.
3. As an independent person (see 1.3 of Tuition Classification Rules & Regulations) your residence in Massachusetts for 12 CONSECUTIVE MONTHS JUST PRIOR TO ENTERING OR RE-ENTERING AS A MATRICULATING STUDENT is necessary.

MASSACHUSETTS RESIDENCY FOR TUITION PURPOSES IS NOT ACQUIRED BY MERE PHYSICAL PRESENCE IN MASSACHUSETTS WHILE A PERSON IS CARRYING ON A COURSE OF STUDY AT THE UNIVERSITY OR OTHER SCHOOL.

The above information is commonly misunderstood and reflects only a part of the Residency Policy. The Tuition Classification Rules & Regulations should be read in full for residency reclassification. When submitting the application, provide as much documentation as possible and be certain to have the form notarized.

Completed form and any addition questions should be directed to:

Graduate Residency Reclassification Officer, c/o Lori Baronas
Graduate School, 518 Goodell Building
University of Massachusetts Amherst
140 Hicks Way, Amherst, MA 01003
(413) 545-5278

Submit as many of the following documents as possible with the Residency Reclassification Form:

Statement of your relationship to the Commonwealth of Massachusetts beyond that of being student	Evidence of financial support
Copy of driver's license	Evidence of employment
Copy of automobile registration	Evidence of real property ownership (deed)
Copy of Alien Registration	Notarized copies of Leases, etc. for residency
Copy of voter registration	Other: This form needs to be notarized
Copy of Mass. Income Tax Return for most recent year	



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Do Not Write In This Space

Resident Non-Resident

By _____ Date _____

Residency Reclassification Appeal Form

This form and all appropriate documentation must be submitted prior to or during the semester for which you want to be considered for residency status. Retroactive appeals WILL NOT be considered.

Important – Please Read Carefully: Your residence status for tuition purposes will be determined primarily on the basis of information given in this form. Please answer all questions. This form will not be accepted unless all of the questions are answered. CONCEALMENT OF FACTS OR UNTRUTHFUL STATEMENTS MAY CAUSE YOU TO BE SUBJECT TO DISMISSAL FROM THE UNIVERSITY. The Registrar’s Office must be notified immediately of any change in residence status that may occur after you have submitted this form. In cases where the question is not applicable, write “NA” in the space provided.

Date: _____ Semester for which you are appealing: Fall Spring 20__ Student ID# _____

Last Name First Name Middle Date of Birth

When did you enter the University as a full-time student? Mo/Yr: _____ Major: _____

Expected Graduation Date: (mo/yr) _____

Have you had any break in consecutive attendance? Yes No From _____ To _____

Permanent Home Address (number, street, city, state, zip code)

Since: mo/day/yr: _____ Telephone number: _____

Present Mailing Address (if different from Permanent Home Address)

Since: mo/day/yr: _____ Telephone number: _____

Are you a citizen of the United States? (circle one) Yes No

If “No”, have you been admitted to the United States for permanent residence? Yes No

If “Yes”, give the date admitted _____ and Alien Registration Number _____

List addresses over the past two years and dates. **Provide copies of leases/deeds.** From To
(mo/yr) (mo/yr)

	From (mo/yr)	To (mo/yr)

List names and addresses of employers for past two years: From (mo/yr) To (mo/yr)

Do you hold a valid driver's license? Yes No If Yes, provide a copy.
 If "Yes", give state _____, license number _____ and expiration date _____

Do you own an automobile? Yes No If yes, provide copy of registration.
 If "Yes", give state of registration _____, registration number _____ and date issued _____

Are you registered to vote? Yes No If yes, provide proof of registration.
 If "Yes", give date _____ and place of registration _____

If you have been in the Armed Forces of the United States, give state of entry and dates of service:
 State of entry _____ From _____ To _____

If you are under 18, do you claim emancipation from your parents? Yes No
 If "Yes", the following information must be attached to this form:

1. Affidavit giving date of emancipation, certification that no contribution in the form of large gifts has been made to you for your welfare or to pay directly your tuition and fees, and that you have not been claimed as a tax deduction during the past two years; statement must be signed by BOTH parents and notarized;
2. Copies of YOUR State and Federal tax returns;
3. Letters from employers on company stationery giving dates of employment; a copy of your driver's license, and lease or deed to property must be submitted as evidence of DOMICILE AND RESIDENCE IN MASSACHUSETTS.

If you are NOT emancipated please provide copies of your PARENT'S State and Federal tax returns.

STUDENT'S FINANCIAL INFORMATION

Did you file a Massachusetts state income tax return on total income last year? Yes No

Did a parent/guardian contribute to your financial support in the past 12 months? Yes No

If "Yes": _____% of support

Were you claimed as an exemption by anyone on the most recent federal income tax return? Yes No

If "Yes": Year _____

Name _____ Relationship _____

Address _____

Do you own property in Massachusetts? Yes No

If "Yes": House Land Other Value: _____

Address: _____

Does either of your parents own property in Massachusetts?

Yes No

If "Yes", identify: Who? _____ Where? _____

STUDENT'S FATHER

Last Name

First Name

Middle Name

Permanent Address (number, street, city, state, zip)

Present Mailing Address (if different)

List residences maintained for the past two years and dates:

1. _____ From _____ To _____

2. _____ From _____ To _____

3. _____ From _____ To _____

Did he file a Massachusetts state income tax return on total income last year? Yes No

Is he a citizen of the United States? Yes No

If "No", has he been admitted to the United State for permanent residence? Yes No

If "Yes", provide date admitted _____ and Alien Registration # _____

If deceased, provide date of death _____

STUDENT'S MOTHER

Last Name

First Name

Middle Name

Permanent Address (number, street, city, state, zip)

Present Mailing Address (if different)

List residences maintained for the past two years and dates:

1. _____ From _____ To _____

2. _____ From _____ To _____

3. _____ From _____ To _____

Did she file a Massachusetts state income tax return on total income last year? Yes No

Is she a citizen of the United States? Yes No

If "No", has she been admitted to the United State for permanent residence? Yes No

If "Yes", provide date admitted _____ and Alien Registration # _____

If deceased, provide date of death _____

STUDENT'S SPOUSE

Last Name

First Name

Middle Name

Permanent Address (number, street, city, state, zip)

Present Mailing Address (if different)

List residences maintained for the past two years and dates:

1. _____ From _____ To _____

2. _____ From _____ To _____

3. _____ From _____ To _____

Date of Marriage _____ (provide copy of marriage license).

Does he/she own an automobile registered in Massachusetts? Yes No

Is he/she registered to vote in Massachusetts? Yes No

Did he/she file a Massachusetts state income tax return on total income last year? Yes No

Is he/she a citizen of the United States? Yes No

If "No", has he/she been admitted to the United State for permanent residence? Yes No

If "Yes", provide date admitted _____ and Alien Registration # _____

If deceased, provide date of death _____

APPLICABLE ONLY IF UNEMANCIPATED

If your parents are divorced, separated or deceased, with whom do you make your permanent home (mother, father or legal guardian)? _____

If person is your legal guardian or has custody, include proof of court appointment.

Date of proceedings: _____ Court: _____

Did he/she file a Massachusetts state income tax return on total income last year? Yes No

Is he/she a citizen of the United States? Yes No

If "No", has he/she been admitted to the United States for permanent residence? Yes No

If "Yes", give date admitted _____ and Alien Registration # _____

Notarization: This form must be notarized in addition to any copies of leases, etc.

Attachments: If you or the person referred to above claim Massachusetts as domicile, you may be requested to furnish evidence to support such claim. The burden of proof in all cases is upon the person making the claim. If necessary, photocopies of the following will be required – DO NOT SEND ORIGINALS: birth certificate, copies of federal and state income tax returns; property ownership; continuous physical presence in Massachusetts during periods when not enrolled as a student; permanent employment in a position not normally filled by a student; reliance on Massachusetts sources for financial support; former domicile in Massachusetts and maintenance of significant connections therein while absent; domicile of parent within Massachusetts. version June 2016

NOTARY PUBLIC

The student should not complete this section until told to do so by the Notary Public.

The undersigned person, being first duly sworn, deposes and says that the foregoing statements are, and each of them is, true and correct.

Signed: _____
(student's signature)

State of _____

County of _____

Subscribed and sworn to before me this ____ day of _____ 20__.

My commission expires: _____

Signed: _____
(Notary Public)

Seal:

TUITION CLASSIFICATION (Rules and Regulations Governing the Residency Status of Students for Tuition Purposes)

These rules and regulations, approved in 1995 by the University's Board of Trustees, and current as of publication, apply to the classification of students at the University of Massachusetts as Massachusetts or non-Massachusetts students for tuition and fee purposes.

Part I. Definitions

1.1 "Academic period" shall mean a term or semester in an academic year or a summer session, as prescribed by the Board of Trustees or under their authority.

1.2 "Continuous attendance" shall mean enrollment at the University for the normal academic year in each calendar year, or the appropriate portion or portions of such academic year as prescribed by the Board of Trustees or under their authority.

1.3 "Emancipated person," for the purposes of residency classification for tuition shall mean a person who has attained the age of 18 years and is financially independent of his or her parents, or if under 18 years of age, (a) 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 person; or (b) a person who is legally married; or (c) a person who has no parent. If none of the aforesaid definitions applies, said person shall be deemed an "unemancipated person."

1.4 "Parent" shall mean

- a) the person's father and mother, jointly;
- b) if the person's father is deceased, the person's mother; if the person's mother is deceased, the person's father;
- c) if a legal guardian has been appointed by a court having jurisdiction, the legal guardian;
- d) if neither the father nor mother is living and no legal guardian has been appointed, the person who then stands *in loco parentis* to the person;
- e) if the father and mother are divorced, separated or unmarried, the parent who has been awarded legal custody of the person; or, if legal custody has not been awarded, the parent with whom the person lives. With respect to any adopted student, the word "adoptive" should be inserted before the words "father" and "mother" wherever used.

1.5 "Reside," "residency" or "resident" shall mean "domicile," *i.e.*, a person's true, fixed and permanent home or place of habitation, where he or she intends to remain permanently.

Part II. Classification

2.1 For the purpose of assessing tuition and fees, each student shall be classified as a "Massachusetts resident" or a "non-Massachusetts resident." A person shall be classified as a Massachusetts resident if he or she (or the parent of an unemancipated student) shall have resided in the Commonwealth of Massachusetts for purposes other than attending an educational institution for twelve months immediately preceding the student's entry or reentry as a student.

Physical presence for this entire twelve-month period need not be required as long as the conduct of an individual, taken in total, manifests an intention to make Massachusetts his or her permanent dwelling place.

Part III. Determination of Residency

3.1 Proof of Residency

a) Each case will be decided on the basis of all facts submitted with qualitative rather than quantitative emphasis. A number of factors is required for residency to determine the intention of the person to maintain permanent residence in Massachusetts. No single index is decisive. The burden of proof rests on the student seeking classification as a Massachusetts resident.

b) The following shall be primary indicia of residency:

- 1) For unemancipated persons, the residency of parents, having custody, within Massachusetts;
- 2) Certified copies of federal and state income tax returns;
- 3) Permanent employment in a position not normally filled by a student;
- 4) Reliance on Massachusetts sources for financial support;
- 5) Former residency in Massachusetts and maintenance of significant connections there while absent.

c) The following shall be secondary indicia of residency, to be considered of less weight than the indicia listed above in subsection b):

- 1) Continuous physical presence in Massachusetts during periods when not an enrolled student;
- 2) Military home of record;
- 3) All other material of whatever kind or source which may have a bearing on determining residency.

3.2 Proof of Emancipation. A student asserting that he or she is an emancipated person shall furnish evidence to support such assertion. Such evidence may include:

a) Birth certificate or any other legal document that shows place and date of birth;

b) Statements of the person, his or her parent(s), guardian(s), or others certifying no financial support;

c) Legal guardianship papers - court appointment and termination must be submitted;

d) Certified copies of federal and state income tax returns filed by the person and his or her parent(s);

e) Where none of the foregoing can be provided, an affidavit of the emancipated person in explanation thereof and stating fully the grounds supporting the claim of emancipation.

3.3 Presumptions, etc.

a) Residency is not acquired by mere physical presence in Massachusetts while the person is enrolled in an institution of higher education. (See Section 2.1)

b) A person having his or her residency elsewhere than in Massachusetts shall not be eligible for classification as a Massachusetts resident for tuition purposes except as herein provided.

1) Any person who is registered at the University as a Massachusetts resident shall be eligible for continued classification as a Massachusetts resident for tuition purposes (until attainment of the degree for which he or she is enrolled) during continuous attendance at the institution.

2) The spouse of any person who is classified or is eligible for classification as a "Massachusetts resident" is likewise eligible for classification as a "Massachusetts resident." This provision will not apply in the case of a spouse in the United States on a non-immigration visa.

3) A person who is an immigrant/permanent resident of the United States (or has applied for such status) is eligible to be considered for Massachusetts residency for tuition purposes provided that he/she meets the same requirements for establishing residency in Massachusetts as are required of a United States citizen. Non-citizens who are in (or who have applied for) refugee/asylum status are likewise eligible to be considered for Massachusetts residency for tuition purposes provided that he/she meets the same requirements for establishing residency in Massachusetts as are required of a United States citizen. All non-citizens must provide appropriate documentation to verify their status with the United States Immigration and Naturalization Service.

4) Those students whose higher education pursuits are funded by the Department of Welfare, the Massachusetts Rehabilitation Department, or any of the other Commonwealth of Massachusetts public assistance programs.

c) A person does not gain or lose in-state status solely by reason of his or her presence in any state or country while a member of the Armed Forces of the United States.

d) For the purposes of this policy the following persons shall be presumed to be Massachusetts residents:

- 1) A member of the Armed Forces of the United States who is stationed in Massachusetts on active duty pursuant to military orders, his or her spouse and dependent students.
- 2) Full time faculty, professional staff, and classified staff employees of the University of Massachusetts system and their spouses and dependent students.

Part IV. Appeals

4.1 Any student or applicant who is unwilling to accept the initial ruling relative to his or her residency classification may file a "Residency Reclassification Appeal."

4.2 Any student or applicant who is unwilling to accept the ruling relative to his or her residency reclassification may submit an appeal to the University's Residency Appeal Committee. The decision by this Committee is final and may not be appealed further.

4.3 In any case where the Admissions Office is unable to make an initial determination based on the evidence submitted, the applicant may be required to submit a "Residency Reclassification Appeal" to the Admissions Office for their review before being finally classified as a resident or a nonresident.

Part V. Penalties

Misrepresentation in or omission from any evidence submitted with respect to any fact, which if correctly or completely stated would be grounds to deny classification as a Massachusetts resident shall be cause for exclusion or expulsion from or other disciplinary action by the University.