



## Minnesota State Colleges and Universities Board Policies Chapter 2 - Students

### 2.2 State Residency

**Part 1. Purpose.** Determination of the state of residency of students is necessary for a variety of federal and state reporting requirements, for institutional research purposes, and in some cases, determination of the tuition to be charged to individual students. This policy provides standards for the initial classification of students as state residents or non-residents, determination of appropriate tuition charges, and the procedures to be followed in order to change the state residency status of students.

**Part 2. Classification as State Residents.** Students who meet one or more of the following conditions on the date they apply for admission to a state college or university shall be classified as residents of Minnesota.

- A. Students who resided in the state for at least one calendar year immediately prior to applying for admission, or dependent students who have a parent or legal guardian residing in Minnesota on the date the students apply.
- B. Minnesota residents who can demonstrate that they were temporarily absent from the state without establishing residency elsewhere.
- C. Persons who moved to the state for employment purposes and, before moving and before applying for admission to a public postsecondary institution, accepted a full-time job in the state, or students who are spouses or dependents of such persons.

**Part 3. Tuition.**

Students who are classified as Minnesota state residents shall be charged the resident tuition rate. Students who are residents of states with which the state of Minnesota has a reciprocity agreement shall be charged the appropriate reciprocity tuition rate. All other students shall be charged the non-resident tuition rate, unless they qualify under one of the exceptions provided in Part 4. below.

**Part 4. Non-Resident Students Allowed to Pay the Resident Tuition Rate.**

**Subpart A. Required Exceptions.** Non-residents of Minnesota who meet one or more of the following conditions shall be charged the resident tuition rate.

1. **Active Duty Military.** U.S. military personnel serving on active duty assignment in Minnesota, veterans, and their spouses and dependent children.
2. **Migrant Farmworkers.** Students who have been in Minnesota as migrant farmworkers, as defined in the Code of Federal Regulations, title 20, section [633.104](#), over a period of at least two years immediately before admission or readmission to a Minnesota public postsecondary institution, or students who are dependents of such migrant farmworkers.

3. **Minnesota High School Graduates.** A student who graduated from a Minnesota high school, if the student was a resident of Minnesota during the student's period of attendance at the Minnesota high school and the student physically attends a Minnesota State College or University.
4. **Employment-related Relocation.** Persons who were employed and were relocated to the state by the person's current employer.
5. **Refugees and Asylees.** Students who are recognized as refugees or asylees by the Office of Refugee Resettlement of the United States Department of Health and Human Services.

**Subpart B. Discretionary Exceptions.** Non-residents of Minnesota may be charged the resident tuition rate under one or more of the following exceptions.

1. **Single Tuition Rate.** With Board of Trustees approval, a college or university may adopt a policy to charge one tuition rate to all students.
2. **International Students.** Colleges and universities may charge resident tuition to nonimmigrant international students classified under 8, U.S.C. 1101 (a) (15) (B), (F), (H), (J), and (M).
3. **Graduate Assistants.** Universities may charge resident tuition to graduate students appointed to graduate assistant positions.
4. **Intergovernmental Agreements.** A college or university may have an agreement with a governmental subdivision of another state to charge certain students resident tuition approved by the Board of Trustees.
5. **High Ability Students.** Colleges and universities may adopt a policy to charge resident tuition to high ability students who are in the top 15 percent of their high school class or who score above the 85th percentile on a nationally-normed, standardized achievement test and who reside in states that do not have reciprocity agreements with Minnesota.
6. **Other Categories.** With Board of Trustees approval, colleges and universities may charge resident tuition to other specific categories of students.

**Part 5. Appeal of Initial Residency Classification.** Each college and university policy and procedure shall provide for an appeal to an appropriate college or university administrator of a decision not to classify a student as a Minnesota resident as described in this policy. The administrator's decision shall be final. A student whose appeal is successful shall be charged the resident tuition rate retroactive to the beginning of the first term of enrollment.

**Part 6. Change of Residency Status.** Under certain conditions, students who are initially classified as not being Minnesota state residents may have their status changed to that of resident. The Chancellor shall develop a system procedure that describes the conditions under which residency status may be changed.

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*Date of Implementation:* 08/15/97  
*Date of Adoption:* 07/18/95

*Date and Subject of Revision:*

*09/17/08, Policy completely revised. New sections developed for classification of residents and non-residents, appropriate tuition rates, exceptions and appeals. Process used to determine residency moved to a newsystem procedure.*

*07/21/99, Subpart C, added number 8, regarding military personnel serving on active duty assignment in Minnesota*

*12/18/96 Part 1 - Stricken language, Part 2A - Strick Definition of Domicile, Add Part 2C - Exceptions, Part 3 - Stricken*