RESIDENCY REGULATIONS (condensed)
(The residency rules and regulations may be subject to change)

Students who do not qualify as bona fide residents of the State of Hawai‘i, according to the University of Hawai‘i rules and regulations in effect at the time they register, must pay the nonresident tuition. An official determination of residency status will be made prior to enrollment. Applicants may be required to provide documentation to verify residency status. Once classified as a nonresident, a student continues to be so classified during his/her term at the college until he/she can present satisfactory evidence to the residency officer that proves otherwise.

Some of the more pertinent University residency regulations follow. For additional information or interpretation, contact the residency officer in the Admissions Office. The complete rules and regulations are available at the Admissions Office.

DEFINITION OF HAWAI‘I RESIDENCY

A student is deemed a resident of the State of Hawai‘i for tuition purposes if the student (19 years or older) or the student (under 19) and his/her parents or legal guardian have:

1. Demonstrated intent to permanently reside in Hawai‘i (see below for indicia);
2. Been physically present in Hawai‘i for the 12 consecutive months prior to the first day of instruction, and subsequent to the demonstration of intent to make Hawai‘i his/her legal residency; and
3. The student, whether adult or minor, has not been claimed as a dependent for tax purposes for at least 12 consecutive months prior to the first day of instruction by his/her parents or legal guardians who are not legal residents of Hawai‘i.

To demonstrate the intent to make Hawai‘i your legal residency, the following indicia apply:

A. Filing Hawai‘i resident personal income tax return.
B. Voting/registering to vote in the State of Hawai‘i.

Other indicia, such as permanent employment and ownership or continuous leasing of a dwelling in Hawai‘i, may apply, but no single act is sufficient to establish residency in the State of Hawai‘i.

Other legal factors in making a residency determination include:

A. The 12 months of continuous residence in Hawai‘i shall begin on the date upon which the first overt action (see indicia) is taken to make Hawai‘i the permanent residence. Residence will be lost if it is interrupted during the 12 months immediately preceding the first day of instruction.
B. Residency in Hawai‘i and residency in another place cannot be held simultaneously.
C. Presence in Hawai‘i primarily to attend an institution of higher learning does not create resident status.
D. The residency of unmarried students who are minors follows that of the parents or legal guardian. Marriage emancipates a minor.
E. The residency of a married person may follow that of the spouse.
F. Resident status, once acquired, will be lost by future voluntary action of the resident inconsistent with such status. However, Hawai‘i residency will not be lost solely because of absence from the State while a member of the United States Armed Forces, while engaged in navigation, or while a student at any institution of learning.

*The age of majority is 18 years. However, a person between the ages of 18-19, unless emancipated, cannot claim residency solely on the basis of himself/herself because he/she does not have the minimum 12 months residency which commences on his/her 18th birthday. Therefore, the applicant must claim a portion of the required 12 months on the basis of his/her parent or legal guardian.

STATUTORY EXEMPTIONS: Nonresidents may be allowed to pay resident tuition if they qualify as one of the following:

A. United States military personnel and their authorized dependents (as defined by the Armed Services) during the period such personnel are stationed in Hawai‘i on active duty.
B. Full-time employees of the University of Hawai‘i and their spouses and legal dependents (as defined under Internal Revenue Service rules).
C. East-West Center student grantees pursuing baccalaureate or advanced degrees
D. Hawaiians, descendents of the aboriginal peoples that inhabited the Hawaiian Islands and exercised sovereignty in the Hawaiian Islands in 1778. (birth certificate(s) required)
E. Persons who are legal residents of any Pacific island or Asian district, commonwealth, territory, or insular jurisdiction, state, or nation which does not provide public institutions of higher learning. These currently include the following:

- American Samoa
- Commonwealth of the Northern Mariana Islands
- Cook Islands
- Federated States of Micronesia
- Futuna
- Kiribati
- Nauru
- New Caledonia
- Niue
- Republic of Belau
- Republic of the Marshall Islands
- Solomon Islands
- Tokelau
- Tonga
- Tuvalu
- Vanuatu

MISREPRESENTATION

A student or prospective student who provides incorrect information on any form or document intended for use in determination of residency status for tuition purposes will be subject to the requirements and/or disciplinary measures provided for in the rules and regulations governing residency status.

APPEAL PROCESS

Residency decisions may be appealed by contacting the residency officer for information on how to initiate an appeal.
NAME (last, first):

RESIDENCY DECLARATION

A I claim legal residency in ________________________________ from ___/___/____ to ___/___/____, on the basis of:

☐ Myself (I am 19 or older) ☐ Myself and parent
☐ Parent (I am under 18 and not married) ☐ Spouse who is a legal resident of Hawai‘i or has a statutory exemption
☐ Legal guardian (Submit copy of court order appointment)

B Indicate if any of the following statutory exemptions apply to you (documentation required):

☐ I am a full-time faculty or staff member of the University of Hawai‘i, or a spouse or legal dependent of such a person. (Attach employment contract)
☐ I am a member of the U.S. armed forces, on active duty, stationed in Hawai‘i. (See item F below.)

Your application will not be reviewed without the proper documentation.

Complete Sections C, D, and E if you are claiming Hawai‘i residency

C Check one box even if you are an adult and independent:

☐ I am not claimed as a dependent on my parents/legal guardian’s personal income tax form for the previous tax year.
☐ I am claimed as a dependent on my parents/legal guardian’s personal income tax form for the previous tax year and my parents/legal guardians are legal Hawai‘i residents.

(If you checked this box, the parent or legal guardian who claims you as a dependent must complete Section E.)

☐ I am claimed as a dependent on my parents/legal guardian’s personal income tax form for the previous tax year and my parents/legal guardians are not legal Hawai‘i residents.

D Last publicly supported institution of higher education attended, if any (including current enrollment at a University of Hawai‘i campus):

________________________________________

(specify name of institution)

Attended from ___/___/____ to ___/___/____

(state or country) (month/day/year) (month/day/year)

Indicate tuition paid: ☐ Resident ☐ Nonresident ☐ Resident, due to exemption from nonresident tuition (specify type of exemption)

E Complete the following items on the basis of yourself and: your parent/legal guardian (if you are under 19 or have been claimed by him/her as a dependent for tax purposes); or spouse (if you are claiming residency on the basis of your spouse). That person must also date and sign below, and provide necessary documentation upon request.

MYSELF (APPLICANT)

1. I have been living in Hawai‘i continuously since:…………………month:______ day:______ year:______

2. I filed Personal Resident Income Tax Return in (specify state):…………………

from (specify years):…………………………………………………………….. to……………………………………………………………..

3. I registered to vote in (specify state):……………………………………………………………..

on (specify month/day/year):…………………………………………………………….. to……………………………………………………………..

4. I last voted in (specify state):……………………………………………………………..

at (specify month/day/year):……………………………………………………………..

5. Other evidence of residency, if any (e.g., employment):

……………………………………………………………………………………………………………………………………………………………………………………………………

6. My parent/legal guardian/spouse claims legal residency in (specify state):……………………………………………………………..

from (specify month/day/year to month/day/year):…………………………………………………………….. to……………………………………………………………..

* If claiming Hawai‘i residency within the last 2 years, submit your voter registration and tax clearance or notarized Hawai‘i Income Tax Form with the application form.

Date: ____________________________ Signature of Student or Parent/Legal Guardian/Spouse ____________________________ Relation to Applicant ____________________________

F VERIFICATION OF UNITED STATES ARMED FORCES MEMBERS ASSIGNMENT IN HAWAI‘I (MILITARY ORDERS MUST BE ATTACHED)

(To be completed by the member’s Commanding Officer)

1) Name, rank, & branch of service of military member on active duty stationed in Hawai‘i, and assigned to my unit or organization

2) Estimated date of rotation from Hawai‘i or separation from military service (whichever is earlier). Provide month/date/year; do not use “indefinite.”

3) Member’s relationship to applicant: ☐ Self ☐ Spouse ☐ Parent ☐ Other (specify)

Permission is hereby granted to release information to UH campus ____________________________

Signature of Commanding Officer

Print Name

Applicant’s Signature ____________________________

Rank and Branch of Service in Hawai‘i ____________________________

Phone number of Branch of Service in Hawai‘i ____________________________ Date ____________________________

Military Member’s Signature ____________________________