

METROPOLITAN COMMUNITY COLLEGE

DISTRICT PROCEDURE

7.05010 DP

RESIDENT STATUS

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I. Definitions

- A. Domicile: A residence established with the intent of making that residence a permanent home for an indefinite period.
- B. Resident Status: That status achieved after proving a residency has been established.
- C. Adult Student: A student who is twenty-one years or older.
- D. Unemancipated Minor Student: A student younger than twenty-one years and who is under the care, custody, or support of a parent or legal guardian.
- E. Emancipated Minor Student: A student younger than twenty-one years but who is not under the care custody, or support of a parent or legal guardian.
- F. District: The Metropolitan Community College District which includes the following Missouri school districts: Belton, Blue Springs, Center, Fort Osage, Grandview, Hickman Mills, Independence, Kansas City, Lee's Summit, North Kansas City, Park Hill, and Raytown.
- G. In District Resident: A person whose residence status is in the district.
- H. Out of District Missouri Resident: A person whose residence status is in Missouri, but not in the district.
- I. Out of State Resident: A person who lives in the United States, but not in the state of Missouri. Out of state tuition may be waived under specific eligibility guidelines requiring such treatment; this includes but is not limited to eligibility earned through military service as outlined in this procedure.
- J. International Resident: A foreign national who is in the United States in an approved student visa status.

II. Resident Status

- A. Adult Students

An adult student's resident status is effective at the first enrollment following the establishment of a domicile.

B. Unemancipated Minor Students

1. The domicile of an unemancipated minor student at the first enrollment is that of the parent or legal guardian.
2. An unemancipated minor student may maintain that resident status through continuous enrollment (excluding summer) even if the parent or legal guardian moves.

C. Emancipated Minor Students

1. The domicile of emancipated minor students will be determined as if they were adults.
2. A minor may become emancipated through marriage, formal court action, abandonment, or positive action of alienation on the part of the minor.
3. The absence from the domicile of the parent or legal guardian is not constituted proof of emancipation.
4. A student is not eligible for emancipation if taken as an income tax exemption by someone other than a spouse.

D. Members of the Military Forces

1. Students will neither gain nor lose resident status solely as a consequence of military service.
2. The resident status of a military member on active duty assigned to a Missouri duty station is determined by the location of that station. The person's spouse and unemancipated minor children have the same resident status.
3. A veteran using educational assistance under either chapter 30 (Montgomery G.I. Bill-Active Duty Program) or chapter 33 (Post 9/11 G.I. Bill), of title 38, United States Code, who lives in the State of Missouri while attending a school located in the State of Missouri (regardless of his/her formal State of residence) and enrolls in the school within three years of discharge from a period of active duty service of 90 days or more.
4. Anyone using transferred Post-9/11 GI Bill benefits (38 U.S.C. § 3319) who lives in the State of Missouri while attending a school located in the State of Missouri (regardless of his/her formal State of residence) and

enrolls in the school within three years of the transferor's discharge from a period of active duty service of 90 days or more.

5. A spouse or child using benefits under the Marine Gunnery Sergeant John David Fry Scholarship (38U.S.C. § 3311 (b)(9)) who lives in the State of Missouri (regardless of his/her formal State of residence) and enrolls in the school within three years of the Service member's death in the line of duty following a period of active service of 90 days or more.
6. Anyone described above while he or she remains continuously enrolled in the same school. The person so described must have enrolled in school prior to the expiration of the three year period following discharge or death described above and must be using educational benefits under either chapter 30 or chapter 33, of title 38 U.S.C.

E. Foreign Nationals

1. The domicile of a resident alien determines resident status.
2. A foreign national in a student visa status approved solely for the purpose of education is an international resident.
3. The residence of a foreign national in a visa status permitting enrollment in education determines resident status.

III. Determining Resident Status

- A. Students are responsible for providing documentation supporting resident status.
- B. Attendance at an institution of higher education is considered as temporary presence in the district or the state of Missouri and does not establish resident status.
- C. Evidence of Domicile
 1. Presence within the district or the state of Missouri for a minimum of twelve immediate past, consecutive months with proof of intent to make the district or the state of Missouri a permanent home for an indefinite period.
 2. Presence within the district or the state of Missouri for the purpose of retirement, or full-time employment, professional practice or conduct a business.
- D. Evidence Supporting the Establishment of a Domicile
 1. The following factors give significant weight, but do not conclusively prove establishment of domicile.

- a. Continuous presence in the district or the state of Missouri during those periods when not enrolled as a student.
 - b. Marriage to a district or Missouri resident and maintenance of a common domicile with the resident spouse.
 - c. Substantial reliance on sources within the district or the state of Missouri for financial support.
 - d. Maintaining a domicile within the district or the state while absent.
 - e. Ownership of a home within the district or the state of Missouri.
2. The following factors are given less weight than those in section III.D.1 to support the intent of making the district or the state of Missouri a permanent home.
- a. Voter Registration.
 - b. Part-time employment.
 - c. Statement of intention to establish a domicile in the district or the state.
 - d. Automobile registration with an address in the district or the state.
 - e. Valid driver's license with an address in the district or the state.
 - f. Tax receipts from income, personal, and property taxes paid to the district or the state.

IV. Change of Resident Status

A request for change of resident status, with supporting evidence, will be filed with the campus records office.

V. Appeal

A sanction or decision may be appealed through the provisions in the code of student conduct.

Reference: 7.35010 Code of Student Conduct

Approved: Chancellor
June 5, 1975

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