

Residency Requirements for Fee Purposes

Policy, Guide, and Questionnaire

The Montana University System classifies all applicants for admission and students as either in-state or out-of-state. This classification impacts tuition and fee determinations for campus admission and enrollment in programs with limited capacity. The fundamental guidelines for residency classification are outlined in the Board of Regents' residency policy (<https://mus.edu/borpol/bor900/940-1.pdf>). It is important to review the full residency policy, as each residency determination is based on the unique set of facts in an individual's case.

If you have questions regarding your residency status, contact the unit to which you are applying or where you are currently enrolled. For undergraduate students, incoming freshmen and transfer students should contact the Admissions Office, while current and returning undergraduate students should reach out to the Registrar's Office. For graduate students, both incoming and current students should contact the Graduate School for assistance.

Guide to Montana Residency Policy (https://mus.edu/Prepare/College/Student_Guide_to_Residency_Pol.pdf) (PDF)
Residency Questionnaire (https://mus.edu/Prepare/College/Residency_Questionnaire.pdf) (PDF)

How and When a Student's Residency Status Determined

A student's initial residency classification is made during the admissions process based on information provided in the admission application. If you are a new applicant and have questions about your initial residency determination, please contact the admitting office at the campus where you applied.

If you are classified as a non-resident and believe you qualify as a resident for tuition purposes, you must seek reclassification through your campus. The campus will determine your residency status based on a questionnaire and supporting documentation. You must meet the residency requirements on or before the fifteenth instructional day of the term for which reclassification is sought. It is your responsibility to meet any filing deadlines imposed by your campus.

The burden of proof rests with the student to provide clear and convincing evidence of meeting Montana residency requirements. Submitting a questionnaire does not guarantee classification as a resident for tuition purposes. Residency reclassification determinations are not made verbally, and the outcome of your request will be communicated directly to you, not to a parent.

A student may appeal either an initial residency classification decision or a reclassification decision.

Requirements to Establish Montana Residency

With certain exceptions, a person must be domiciled in Montana to be eligible for in-state status. Domicile requires both physical presence in Montana and evidence of intent to stay. Evidence of intent to stay includes registering a vehicle in Montana, obtaining a Montana driver's license or identification card, and registering to vote in Montana.

Students cannot meet the domicile test for Montana residency for tuition purposes if they:

- Attend a non-Montana-based school as a resident of the state where the school is located.
- Pay taxes in another state as a resident of that state.

- Maintain an out-of-state driver's license or identification card.
- Maintain a vehicle registration from another state for a vehicle owned or operated in Montana.
- Maintain voter registration in another state.
- Hold a visa or other classification that does not allow permanent residence in the United States.

Applicants should determine which pathway to residency applies to them—a pathway based on domicile, or a pathway based on an exception to the domicile test. If you are granted in-state status under a pathway based on an exception, you will generally lose in-state status if you no longer meet the requirements for that exception. Consequently, if you also qualify under a domicile-based pathway, it is to your advantage to be classified under that pathway rather than an exception.

Pathways to Montana Residency

(*denotes a pathway based on domicile)

- *Dependent student
- *Independent student
- *Professional Student Exchange Program (PSEP) applicant
- *Professional Program Student
- Graduate of a Montana High School
- Montana University System Employee
- Full-time Employee in Montana
- Service Member
- Incarcerated Student

Please review the Guide to Montana Residency Policy (https://mus.edu/Prepare/College/Student_Guide_to_Residency_Pol.pdf) to determine if you qualify under one of these pathways.

If no pathway applies to you and exceptional circumstances exist, you may file an Affidavit of Intent to Establish Residency. Exceptional circumstances may include, for example:

- Seeking refuge from domestic violence.
- Remaining in Montana as a minor when a parent moves out of state to establish residency elsewhere.

Filing an affidavit of intent does not guarantee classification as a Montana resident for tuition purposes.

Applicable Presumptions

All students must provide evidence to demonstrate eligibility for in-state residency for tuition and fee purposes. When evaluating residency classification, several presumptions apply:

- A student not classified as in-state is considered a non-resident for tuition and fee purposes.
- The domicile of a minor is that of the student's parent or legal guardian.
- An individual cannot establish residency or domicile if they are absent from Montana for more than 30 days during the required 12-month period.
- An individual cannot establish residency or domicile if they receive a loan, financial assistance, scholarship, or any benefit requiring residency in another state.
- An individual abandons in-state status if they are absent from Montana for 12 or more months.
- An individual cannot establish residency or domicile while in Montana primarily for educational purposes.

- An individual cannot establish residency for tuition purposes while enrolled in more than half of a full-time credit load.

If a presumption applies to you, you must overcome it with clear and convincing evidence. In general, overcoming a presumption is difficult, and the required evidence will vary depending on individual circumstances.

If you plan to take a full-time credit load or be outside of Montana for more than 30 days during the applicable residency period, consult the appropriate office to understand how your decision may affect your residency status.