

Residency Requirements for Fee Purposes

All applicants for admission and all presently enrolled students are classified as either in-state or out-of-state. This classification affects fee determinations for admission and admission to programs of limited enrollment. It is important to bear in mind that each residency determination is based on the unique set of facts found in each individual's case. The following requirements are a general outline of those seeking in-state status, an individual wishing to pursue in-state status for tuition purposes should review the Board of Regents Residency Policy for all of the requirements.

With certain exceptions, in order to be eligible for in-state status, an individual must meet the required 12-month residency period. During this period, the individual will have to demonstrate a bona fide intent to become a Montana resident. Mere presence in Montana will not serve to start this period. The required 12-month residency period does not start until acts indicative of an intent to establish residency are taken and ties to other states are broken.

1. If an individual operates a motor vehicle in Montana or has a driver's license from another state, he or she must obtain a Montana driver's license within the required legal time limit. If the individual does not operate a vehicle or wish to get a Montana driver's license, they must obtain a Montana identification card.
2. If an individual is registered to vote in another state, he or she must register to vote in the State of Montana.
3. If an individual owns or operates a vehicle in Montana, he or she must license the vehicle in Montana within the legal time limit. Even if the individual's name is not on the title.

This required 12-month residency period must be completed by the 15th instructional day of class to qualify for the term in which reclassification is requested.

An individual's actions during the required 12-month residency period will be used to determine whether the individual is in the state as a bona fide resident or merely for educational purposes. The decision on residency will not generally depend on just one factor. The following are the things that support a claim of bona fide residency:

1. File a Montana income tax return as a Montana resident during the required 12-month residency period.
2. Moving to Montana due to a job offer prior to established ties to Montana State University.
3. Purchase of a primary residency in Montana.

Other significant factors to consider, please refer to policy for more details:

- If an individual is registered for more than seven (7) credits per semester (including summer) during the required 12-month residency period, there is a strong presumption that the individual is in the state primarily for educational purposes. That period of time will not be considered as part of the required 12-month residency period and may disqualify the individual from achieving in-state status.
- An individual must be physically present in Montana for twelve (12) or more consecutive months without an absence in excess of a total of thirty (30) days. If there are plans to be outside of Montana for more than 30 days during the required 12-month residency period, discuss the matter with the respective office to determine how the absence will affect residency status.
- An individual must be at least 51% financially independent during the entire 12-month period, and that individual must not be claimed as an

exemption under federal income tax regulations by someone filing an out-of-state federal tax return, commencing with the tax year in which the required 12-month residency period begins.

- Any actions inconsistent with or in contradiction of a claim of Montana residency may result in classification as out-of-state. Examples of such inconsistent or contradictory actions are participation in an exchange program affecting fee status, e.g., WUE or NSE, or receiving financial aid based on non-Montana residency.

The determination of in-state or out-of-state status will also be based on the residency questionnaire. Carefully answer the questionnaire. Any incorrect or false responses may result in retroactive reclassification. If there are factors that will not be revealed by the responses called for in the questionnaire, feel free to provide a description of these factors. If seeking in-state status, document the responses (i.e., supply photocopies of driver's license, voter registration, car registration, etc.).

Reclassification is not automatic and will not occur unless an individual so petitions. Students are permitted to petition for reclassification at any time.

For more information, an individual should contact the office in which he or she are applying for admission or in which he or she is already enrolled. Generally, the Office of Admissions, the Office of the Registrar, or the Graduate School will be able to assist the individual.