

Definition of Hawai'i Residency

(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 (UH) 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 registration. 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 enrollment at the college until he/she can present clear and convincing evidence to the residency officer that proves otherwise. Some of the more pertinent University residency regulations follow. For additional information, complete rules and regulations, or interpretation, contact the residency officer in the Admissions Office at 808-984-3267.

Definition of Hawai'i Residency

A student is deemed a resident of the State of Hawai'i for tuition purposes if the student has:

1. Demonstrated intent to permanently reside in Hawai'i (see below for evidences);
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 or her legal residency; and
3. The student, whether adult or minor, has not been claimed as a dependent for tax purposes by her or his 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 evidence apply:

1. Filing Hawai'i resident personal income tax return.
2. Voting/registering to vote in the State of Hawai'i.

Other evidence, 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 involved 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 evidences) 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. A nonresident student enrolled for 6 credits or more during any term within the 12-month period is presumed to be in Hawai'i primarily to attend college. Such periods of enrollment cannot be applied toward the physical presence requirement.
- D. The residency of unmarried students who are minors follows that of the parents or legal guardian. Marriage emancipates a minor.
- E. 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, provided that Hawai'i is claimed and maintained as the person's legal residence.

Board of Regents Exemptions

1. 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 during the period such personnel are stationed in Hawai'i on active duty.
 - b. Members of the Hawai'i National Guard and Hawai'i-based Reserves.
 - c. Veterans who are eligible for GI Bill® benefits [Post 9/11 GI Bill® (Ch. 33); Montgomery GI Bill® (Ch. 30); or Veteran Readiness and Employment (VR&E) (Formerly known as *Vocational Rehabilitation and Employment*

- Ch. 31)]; and their qualified spouse/dependents. (*GI Bill® is a registered trademark of the U.S. Department of Veterans Affairs (VA). More information about education benefits offered by VA is available at the official U.S. government Web site at <http://www.benefits.va.gov/gibill>.*)

- d. Full-time employees of the University of Hawai'i and their spouses and legal dependents (as defined under Internal Revenue Service rules).
 - e. East-West Center student grantees pursuing a baccalaureate or advanced degrees.
 - f. Hawaiians, descendants of the aboriginal peoples that inhabited the Hawaiian Islands and exercised sovereignty in the Hawaiian Islands in 1778.
2. Citizens of an eligible Pacific island district, commonwealth, territory, or insular jurisdiction, state, or nation which does not provide public institutions that grant baccalaureate degrees may be allowed to pay 150% of the resident tuition. At the time of publication, these included the following: American Samoa, Commonwealth of the Northern Marianas, Cook Islands, Federated States of Micronesia, Futuna, Kiribati, Nauru, Niue, New Caledonia, Rapa Nui, Republic of Palau, Republic of the Marshall Islands, Solomon Islands, Tokelau, Tonga, Tuvalu, Vanuatu, Wallis

This list is subject to change. For a current list, please contact the Admissions Office.

Misrepresentation

A student or prospective student who provides incorrect information on any form or document intended for use in the 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. Appeals are heard by the University of Hawai'i Residency Appeals Board only after the non-resident tuition is paid.

Residency Changes

If you are currently a non-resident but have established permanent residency in Hawai'i, you may petition for a change in residence status. For more information on residency requirements visit <http://maui.hawaii.edu/residency-requirements/>