December 2, 1982

Office of the Executive Vice Chancellor

Residency Requirement for Tuition Purposes
Revision of Board of Trustees' Regulation

On October 27, 1982, the State University Board of Trustees amended the University's definition of "residence" for purposes of tuition for State-operated campuses. Effective with respect to the 1983-84 academic year, persons who have not been domiciled in New York State for twelve months prior to registration for any period of attendance are considered out-of-State residents for such term, unless they can prove true domiciliary status pursuant to guidelines established by the Chancellor. The Trustees' resolution is attached.

Guidelines for implementation of this new regulation are presently being developed and will be formally transmitted as soon as they are completed. Comments submitted by you and members of your staff on the draft guidelines (see Dr. Hostetter's October 21, 1982 Memorandum to Vice Presidents for Academic Affairs and Chief Student Affairs Administrators) have been very helpful. Should you have any further comments on the Trustees' action or on the implementation procedure, please contact Dr. Hostetter, Associate Vice Chancellor for Educational Services.

Donald D. O'Dowd
Executive Vice Chancellor

Attachment

This Memorandum addressed:
Presidents, State-operated Campuses

Copies for information only sent to:
Presidents, Community Colleges
Deans, Statutory Colleges
Vice Provost Spencer
President Coll
MEMORANDUM

October 27, 1982

To: The Board of Trustees

From: Clifton R. Wharton, Jr.

Subject: Revision of Tuition and Fee Schedule
Definition of "Residence" for Tuition Purposes

I recommend that the Board of Trustees adopt the following resolution:

Resolved that section 302.1(a)(6) of Title 8 of the Official Compilation of Codes, Rules and Regulations of the State of New York, as last amended by Resolution 81-65, adopted April 22, 1981, be, and hereby is, amended as follows (brackets denote old material to be deleted; underlining denotes new material to be added):

(6) Residence. Effective with respect to the 1983-84 academic year and thereafter, [A] a person whose domicile [is] has been in the State of New York for a period of at least one year immediately preceding [at] the time of his registration for any period of attendance shall be a New York resident for the purpose of determining the tuition rate payable by him for such period. All other persons shall be presumed to be out-of-state residents for such purpose, unless domiciliary status is demonstrated in accordance with guidelines adopted by the Chancellor or his designee.

and, be it further

Resolved that the Chancellor or his designee be, and hereby is, authorized to establish guidelines for the determination of such resident status, which guidelines shall provide that the twelve-month dura- tional test shall be applied to all new enrollees as soon as practicable and to all students no later than the commencement of the 1984-85 academic year.
Background

This revision to State University's regulations which define residence for tuition purposes is proposed in order to ensure that resident tuition rates are available only to true New York State domiciliaries, thereby reducing the level of taxpayer support for the provision of educational services to out-of-state residents. The utilization of a twelve-month durational requirement is similar to that used by several public university systems in other states. The proposed revision would allow an individual who has not been domiciled in New York State for twelve months to show, through the establishment of other factors, that he/she is a true New York State domiciliary.