RESIDENCY

All applicants and current students requesting a change of fees to in-state or in-county must complete an Application for Residency Tuition Status Change (https://www.lorainccc.edu/admissions-and-enrollment/wp-content/uploads/sites/4/2020/02/ResidencyStatusChangeForm-2-a.pdf) and provide acceptable proof of residence and source(s) of income. The form is available in the Enrollment, Financial and Career Services division and must be submitted and approved prior to the first official day of the term for which reclassification is being requested. Residency changes cannot be retroactive. A change to a Lorain County address does not automatically change residency status. Applications are submitted to the Enrollment, Financial and Career Services division.

Residence Status

1. Intent and authority
   a. It is the intent of the Ohio Department of Higher Education in promulgating this rule to exclude from treatment as residents, as that term is applied here, those persons who are present in the State of Ohio primarily for the purpose of receiving the benefit of a state-supported education.
   b. This rule is adopted pursuant to Chapter 119 of the Revised Code and under the authority conferred upon the Ohio Revised Code 3333.31 (https://codes.ohio.gov/ohio-revised-code/section-3333.31).
2. Definitions for the purposes of this rule:
   a. A “resident of Ohio/Lorain County for all other legal purposes” shall mean any person who maintains a 12-month place or places of residence in Ohio/Lorain County, who is qualified as a resident to vote in Ohio/Lorain County and receive state welfare benefits and who may be subjected to tax liability under Section 5747.02 of the Revised Code, provided such person has not, within the time prescribed by this rule, declared himself or herself to be or allowed himself or herself to remain a resident of any other state or nation for any of these or other purposes.
   b. "Financial support” as used in this rule, shall not include grants, scholarships and awards from persons or entities, which are not related to the recipient.
   c. An “institution of higher education” as used in this rule shall mean any university, community college, technical institute or college, general and technical college, medical college or private medical or dental college, which receives a direct subsidy from the State of Ohio.
   d. For determining residency for tuition surcharge purposes at Ohio’s state-assisted colleges and universities, “domicile” is a person’s permanent place of abode; there must exist a demonstrated intent to live permanently in Ohio/Lorain County and a legal ability under federal and state law to reside permanently in the state/county. For the purpose of this policy, only one domicile may be maintained at a given time.
   e. For determining residency for tuition surcharge purposes at Ohio’s state-assisted colleges and universities, an individual’s immigration status will not preclude an individual from obtaining resident status if that individual has the current legal status to remain permanently in the United States.
3. Residency for subsidy and tuition purposes. The following persons shall be classified as residents of the State of Ohio/Lorain County for subsidy and tuition surcharge purposes:
   a. A dependent student, at least one of whose parents or legal guardian has been a resident of the State of Ohio/Lorain County for all other legal purposes for 12 consecutive months or more immediately preceding the enrollment of such student in an institution of higher education.
   b. A person who has been a resident of Ohio/Lorain County for the purpose of this rule for at least 12 consecutive months immediately preceding his or her enrollment in an institution of higher education and who is not receiving and has not directly or indirectly received in the preceding 12 consecutive months, financial support from persons or entities who are not residents of Ohio/Lorain County for all other legal purposes.
   c. A dependent child of a parent or legal guardian, or the spouse of a person who, as of the first day of a term of enrollment, has accepted full-time, self-sustaining employment in Ohio and established domicile in Ohio/Lorain County for reasons other than gaining the benefit of favorable tuition rates. Documentation of full-time employment and domicile shall include both of the following documents:
      i. A sworn statement from the employer or the employer’s representative on the letterhead of the employer or the employer’s representative certifying that the parent or spouse of the student is employed full-time in Ohio.
      ii. A copy of the lease under which the parent or spouse is the lessee and occupant of rented residential property in Ohio/Lorain County; a copy of the closing statement on residential real property located in Ohio/Lorain County of which the parent or spouse is the owner and the occupant; or if the parent or spouse is not the lessee or owner of the residence in which he or she has established domicile, a notarized letter from the owner of the residence certifying that the parent or spouse resides at that residence.
   d. A veteran and the veteran’s spouse and any dependent of the veteran, who meets both of the following conditions:
      i. The veteran either (i) served one or more years on active military duty and was honorably discharged or received a medical discharge that was related to the military service or (ii) was killed while serving on active military duty or has been declared to be missing in action or a prisoner of war.
      ii. If the veteran seeks residency status for tuition surcharge purposes, the veteran has established domicile in this state as of the first day of term of enrollment in an institution of higher education. If the spouse or a dependent of the veteran seeks residency status for tuition surcharge purposes, the veteran and the spouse or dependent seeking residency status have established domicile in this state as of the first day of a term of enrollment in an institution of higher education, except that if the veteran was killed while serving on active military duty or has been declared to be missing in action or a prisoner of war, only the spouse or dependent seeking residency status shall be required to have established domicile in accordance with this division.
4. Additional criteria that may be considered in determining residency may include but are not limited to the following:
   a. Criteria evidencing residency:
      i. If a person is subject to tax liability under Section 5747.02 of the Revised Code.
      ii. If a person qualifies to vote in the State of Ohio/Lorain County.
      iii. If a person is eligible to receive state welfare benefits.

iv. If a person has an Ohio driver's license and/or motor vehicle registration listing a Lorain County address and issued 12 months earlier than the petition date.

b. Criteria evidencing lack of residency:

i. If a person is a resident of or intends to be a resident of another county, state or nation for the purposes of tax liability, voting, receipt of welfare benefits or student loan benefits (if student qualified for that loan program by being a resident of that county, state or nation).

ii. If a person is a resident or intends to be a resident of another county, state or nation for any purpose other than tax liability, voting, or receipt of welfare benefits (see paragraph (D)(2)(a) of this rule).

5. Exceptions to the general rule of residency for subsidy and tuition surcharge purposes:

a. A person who is living and is gainfully employed on a full-time or part-time and self-sustaining basis in Ohio/Lorain County and who is pursuing a part-time program of instruction shall be considered a resident of Ohio/Lorain County for these purposes.

b. A person who enters and currently remains upon active duty status in the United States military service while a resident of Ohio/Lorain County for all other legal purposes and her or his dependents shall be considered residents of Ohio/Lorain County, for these purposes as long as Ohio/Lorain County remains the state/county of such person's domicile.

c. A person on active duty status in the United States military service who is stationed and resides in Ohio/Lorain County and her or his dependents shall be considered residents of Ohio/Lorain County for these purposes.

d. A person who is transferred by her/his employer beyond the territorial limits of the 50 states of the United States and the District of Columbia while a resident of Ohio/Lorain County for all other legal purposes and his or her dependents shall be considered residents of Ohio/Lorain County for these purposes as long as Ohio/Lorain County remains the state/county of such person's domicile as long as such person has fulfilled her or his tax liability to the State of Ohio/Lorain County for at least the tax year preceding enrollment.

e. A person who has been employed as a migrant worker in Ohio/Lorain County and her or his dependents shall be considered a resident for these purposes provided such person has worked in Ohio/Lorain County at least four months during each of the three years preceding the proposed enrollment.

6. Procedures

a. A dependent person classified as a resident of Ohio/Lorain County for these purposes under the provisions of section (C)(1) of this rule and who is enrolled when his or her parents or legal guardian removes their residency from the State of Ohio/Lorain County shall continue to be considered a resident during continuous full-time enrollment and until her or his completion of any one academic degree program.

b. In considering residency, removal of the student or the student's parents or legal guardian from Ohio/Lorain County shall not, during a period of 12 months following such removal, constitute relinquishment of Ohio/Lorain County residency status otherwise established under paragraphs (C)(1) or (C)(2) of this rule.

c. For students who qualify for residency status under (C)(3) of this rule, residency status is lost immediately if the employed person upon whom resident student status was based accepts employment and establishes domicile outside Ohio less than 12 months after accepting employment and establishing domicile in Ohio.

d. Any person once classified as a nonresident, upon the completion of 12 consecutive months of residency, must apply to the institution she or he attends for reclassification as a resident of Ohio/Lorain County for these purposes if such person in fact wants to be reclassified as a resident. Should such person present clear and convincing proof that no part of her or his financial support is or in the preceding 12 consecutive months has been provided directly or indirectly by persons or entities who are not residents of Ohio for all other legal purposes, such person shall be reclassified as a resident. The Registrar's office personnel, who may require, among other things, the submission of documentation regarding the sources of a student's actual financial support, shall make evidentiary determination under this rule.

e. Any reclassification of a person who was once classified as a non-resident for these purposes shall have prospective application only from the date of such reclassification.

f. Any institution of higher education charged with reporting student enrollment to the Ohio Department of Higher Education for state subsidy purposes and assessing the tuition surcharge shall provide individual students with a fair and adequate opportunity to present proof of her or his Ohio/Lorain County residency for purposes of this rule. Such an institution may require the submission of affidavits and other documentary evidence, which it may deem necessary to a full and complete determination under this rule.

7. Residency Changes

a. A student wishing to appeal or change her or his classification as a non-resident must complete and file an Application for Resident Tuition Status Change.

b. A student classified as a non-resident student at the time of admission to the College and who qualifies as a resident may appeal the classification to the Registrar's office personnel.

c. A matriculated student classified as a non-resident and who qualifies as a resident may appeal the classification to the Registrar's office personnel.

d. Any student denied reclassification by the above administrative officer may appeal the denial to the registrar.