

ADMINISTRATIVE RULE NO: 7075-05
RELATED TO POLICY SERVICES NO: 7075

TITLE: CLASSIFICATION OF RESIDENCY

Oregon Revised Statute 341.290 provides that a community college district shall establish tuition rates and fee schedules, subject to approval of the local board of education. Different tuition rates and fee schedules may be established for students who reside in the operating district, students who do not reside in the operating district but in the state of Oregon, and students who do not reside within the state. An additional rate may be established for international students.

A resident, for tuition and fee-paying purposes at Linn-Benton Community College, is a student who has lived in the Linn-Benton Community College district or in the state of Oregon as a permanent resident for no less than 90 continuous days immediately preceding the first day of classes for the quarter in which residency is in question. Permanent residence is defined as the home to which one intends to return after any absence and in which one's dependents reside for an unlimited period of time. A non-resident of the district, but an Oregon resident, is a student who satisfies the above requirements within the state.

Oregon Administrative Rule 589-002-0200 provides that to qualify as a resident of the district or of the state, a student must be 18 years of age or older. If under 18 years of age, the student must have a permanent residence independent of that of his or her parent(s) or legal guardian(s); otherwise the residency of the student shall be the same as his or her parent(s) or guardians. An affidavit of nonsupport will be required for students of 18 years of age to show proof of emancipation.

The following instances will be used to define extraordinary circumstances in determining residency status for either the district or the state of Oregon.

- A. A veteran who has established a permanent residence inside the community college district or the state within 90 days of separation or discharge from the service;
- B. A person on active military duty [ORS 341.529] or a government employee who is assigned to work in Oregon, or who had established Oregon residency and was assigned to work outside the state;
- C. A student whose nonresident parent or legal guardian moves to the community college district or state and establishes a permanent residence during the school term will be entitled to register as a resident student at the beginning of the next term;
- D. A released Oregon state prisoner living in the district or state will be considered a resident regardless of the person's residency prior to sentencing;

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- E. An incarcerated student paroled to an agency within the college district or state, or paroled in order to attend Linn-Benton Community College specifically;
- F. A senior citizen, age 62 years or older who has established a permanent residence in the college district or state; or
- G. Persons who are enrolled members of federally recognized tribes of Oregon or who are enrolled members of a Native American tribe that had traditional and customary tribal boundaries that included parts of the state of Oregon or that had ceded or reserved lands within the state of Oregon shall be assessed resident tuition regardless of their state of residence.[ORS 351.070]

Verification of residency will be determined from information provided by the applicant to the college. Based on the student's current, permanent, and parental addresses, and/or schools recently attended, an initial residency determination will be made and a classification assigned. Evidence of proof of residency then rests with the student. A form requesting change of residency and two documents establishing residency either in the district or in the state of Oregon must be submitted to change classification. Examples of such documents include valid Oregon driver's license, voter's registration in the district or the state of Oregon, rent receipts, vehicle registrations, proof of property ownership, state income tax returns for the most recent year, valid Oregon hunting or fishing license, etc.

All international students enrolled on student visas shall be presumed to be nonresidents of the district. Permanent residents of the United States, immigrants, refugees, asylees, or nonimmigrant visa holders eligible for in-state tuition at an Oregon University System (OUS) institution who can objectively demonstrate that they have fulfilled the district resident requirements, shall be considered residents of the district. Proof of being a permanent resident, immigrant, refugee, asylee, or eligible nonimmigrant must be provided when approved by the Immigration and Naturalization Service.

The guidelines outlined are general in nature and may require additional clarification. Questions concerning residency status in the Linn-Benton Community College district and/or the state of Oregon should be directed to the director of Enrollment Services/Registrar.

Linn-Benton Community College maintains one address for all students. This address is presumed to be the student's permanent address and will be used to determine residency status for tuition purposes. Student records will be updated with the most recent address given on one of the following forms: Admissions application, Financial Aid application, Registration form, or Student Information Change form.

DATE OF ADOPTION: 08/13/84

DATE(S) OF REVISION(S): 10/11/84; 01/8/85; 09/15/99; 03/19/02; 03/15/05; 03/20/07

DATE OF LAST REVIEW:

