

From: [Washington College Grant \(WSAC\)](#)
Subject: Residency Guidance
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Hello residency and financial aid officers:

Many of you joined spring workshop webinar to hear about the change to WA's residency law that makes it easier for undocumented students and others to meet residency requirements for in-state tuition and state aid (see [SB 5194](#), Sec. 9). Thank you for joining! For those who couldn't make it, the recording (called "Residency & WASFA") is on this page: <https://wsac.wa.gov/FAA-resources>.

The Attorney General's office is currently working on a legal memo regarding the law that we hope to get out to you in a few weeks. In the meantime, we are sending this email so that you have as much information as possible about the change. We still don't have every question answered, but we think the basics are covered below.

Until then, here is what we know:

- **New requirements:**
 - Earn a high school diploma, GED, or diploma equivalent from anywhere in the United States before their first term at the college determining residency.
 - Live in Washington for at least 12 consecutive months immediately before their first term at the college determining residency.
 - Sign an affidavit saying they meet the above requirements. Students who are not a US citizen, national, or permanent resident will also commit to applying for U.S. permanent residency when eligible. (This requirement has not changed.)

- **Just like now, this law applies to ANY student – not just undocumented**

- **The law goes into effect on 7/25/21. What does that mean for summer?**

We have new guidance that replaces what we said in the webinar. Residency law requires that students must apply for residency status by the 30th calendar day of the term. But residency decisions do not have a deadline and can be made after the 30th calendar day of the term. Meaning, as long as a student submits their affidavit within 30 days of the start of summer term, you can review that application after the effective date of July 25 using the new eligibility requirements. We encourage active outreach to potentially eligible students. More information below.

- **Affidavit**
 - The paper affidavit (used only by FAFSA filers or students who don't want to file a WASFA or FAFSA) will be ready within the next few weeks. We will notify you when it's available. We are also looking into electronic options.
 - Students who have submitted and signed a current affidavit for 7/25 and after do not have to submit a new affidavit since those who meet current requirements also meet the new requirements.
 - The affidavit on the 21-22 WASFA will be updated to reflect the new requirements but we do not have confirmation on the date of that change yet. However, students have been filing that WASFA since October 2020, so financial aid officers will need to do a manual review of 21-22 WASFA filers to identify students who did not previously meet residency requirements but might now. If your summer term falls under the 20-21 academic year for financial aid, you will also need to review those WASFA applications to see if any students might be eligible.
 - The 22-23 WASFA will have the new affidavit.

- **Continuing students**
 - Continuing nonresident students at your institution may qualify if they lived in WA for one year prior to their first term. Ex: a nonresident student who started in Fall 2020 who lived in WA for 2 years prior would now qualify starting 7/25 (as outlined above). They would have to sign the affidavit once it is available.
 - It is not retroactive.
 - It does not apply to continuing students who did not live in WA for a year prior to their first term at your institution. Ex: a nonresident student who moved to WA in Fall 2020 to start classes in Fall 2020 would not get resident tuition in Fall 2021 if they are continuing at your institution.

- **Notifying students who may be eligible**

It is an equity imperative that you help get the word out to students who did not qualify for residency in recent years but will qualify starting 7/25 due to this new law. We encourage the residency office, financial aid office, admissions office, and multicultural/undocumented student support staff to figure out how to notify the following students of the change in law:

- Current nonresident students who lived in WA for a year prior to their first term but didn't qualify for residency under current law
 - Students who applied for (or inquired about) admission, aid, or residency at your institution in the last few years but never enrolled because they didn't qualify for residency under current law (but might under the new requirements)
- **What we need from you:**
 - We would really appreciate ANY questions/comments/concerns you have about this new law. It will help us formulate official guidance. Please just reply to this email if you have anything to share.
 - Please send us names/positions and emails of students, staff/faculty, professionals, organizations, and/or community members who you think would be interested in helping WSAC 'roll-out' this new law. We especially want to be sure that undocumented communities and other noncitizens are aware of this change, as this law now makes it easier to meet residency requirements.
 - **Residency determination guidance**
 - WSAC is currently working with stakeholder groups, including students, community members, and advocates to draft guidance material to aid with the implementation of this law. The guidance material is an additional resource for implementation and helps ensure the needs of students are met. Stay tuned.

Thank you,



WASHINGTON STUDENT ACHIEVEMENT COUNCIL
Washington College Grant Team
888-535-0747 | Cell: 360-522-2645
wcg@wsac.wa.gov | wsac.wa.gov/wcg