

Residency Determination in Washington State

To qualify as a resident student for tuition or financial aid purposes, state law requires that a student establish a bona fide domicile in the state of Washington for a period of one year, for purposes other than educational, prior to the start of the semester or quarter for which the student intends to register.

Introduction

Residency for tuition or financial aid purposes in all states generally has two components – the establishment of an official domicile as evidenced by certain actions, and a waiting period after establishing a domicile by those actions – usually one year. This is what we have in Washington. There is not one definitive action that establishes a domicile; it is usually a collection of actions beyond just being present in the state (see list below). Individuals can only have one legal domicile in the U.S. at a time. Once the individual is in full compliance with all of Washington's requirements to be a resident, then they, as of that final date of compliance, have established a domicile. The clock begins ticking on the one year waiting period after the last action is taken. Each campus uses professional judgment in determining residency, and questions should be directed to the Residency officer on each campus.

There are two aspects of Washington's residency statutes that are significant in this determination - dependency and presumption.

Dependency

Washington's legislature has defined a "dependent student" simply as an individual "who is not financially independent." A dependent student is classified as a resident student if one or both parents or a legal guardian are residents of Washington. If this is not the case, then the student would be viewed as independent and residency determination would be based on their own actions. Generally, if a student is claimed as a dependent on federal or state resident income tax forms by someone in another state, even if the student has taken actions to establish Washington as their permanent domicile, it is difficult to be considered a resident of Washington for tuition purposes or to use that year in the determination of establishing a residency in Washington.

Presumption

The Revised Code of Washington regarding residency (RCW 28B.15.012) includes a broad proviso. The proviso states that a nonresident student enrolled for more than six hours per semester or quarter is presumed to be attending for primarily educational purposes, and for tuition purposes this period of enrollment will not be counted in the one year waiting period for residency. An exception is recognized when a student demonstrates that they have in fact established a bona fide domicile in this state primarily for purposes other than educational. Moving here and working prior to attending college, as well as taking steps to establish Washington as the permanent domicile as soon as the student arrives in the state, are indicators that the student moved here for other than educational purposes.

Residency

Once a student is in compliance with Washington's requirements to be a resident, then they, as of that final date of compliance, have established a domicile. The clock begins ticking on the one year waiting period after the last action is taken (and after the person is NOT claimed as a dependent on either state or federal income tax returns by someone in another state for at least one full year prior to the year in which enrollment occurs.) Each campus uses professional judgment to determine when the clock for the one year waiting period begins ticking. Students do not need to do everything listed below to be considered a resident for tuition purposes but the residency officer will take all of the student's actions into consideration.

An example of important facts that affect determination as a resident for tuition or financial aid purposes include where the student (or in the case of a dependent student the parent/legal guardian) holds voter registration, the state that issued the driver's license or I.D., and if the student owns a car, where it is registered. Besides physical presence in the state, these three actions are primary and can all be completed quickly upon arrival in Washington.

The following are three areas for residency determination that cover special circumstances

Undocumented students or non-immigrant visa holders

Presumed undocumented students or non-immigrant visa holders who meet certain criteria are eligible for resident student status, resident tuition rates, and some Washington financial aid programs. To qualify, students must complete an [affidavit](#) promising to apply for permanent residency in the United States at the earliest possible opportunity and indicating a willingness to engage in activities necessary to acquire citizenship.

Students in Oregon border counties

Students who live in 13 Oregon border counties are eligible for resident tuition rates at some Washington community colleges and at Washington State University Vancouver and Tri-Cities under certain conditions.

Dependence or independence

Evidence of financial dependence or independence State Regulations – [WAC 250-18-035](#).

"A person is financially independent if he or she has not been and will not be claimed as an exemption and has not received and will not receive significant financial assistance in any form directly or indirectly from his or her parents, relatives, legal guardians, or others for the current calendar year and for the calendar year immediately prior to the year in which application is made."

Resources

State Statute – [RCW 28B.15.012](#); (click on this link to see the full statute and others like [RCW 28B.013](#) that provide more information on domicile.)

State Regulations – [WAC 250-18-010 – WAC 250-18-060](#) (click on these for further explanation of the statutes.)

A summary of factors that may be used to demonstrate a person's choice of Washington as a permanent domicile:

- (1) Location and duration of registration or payment of taxes or fees on any motor vehicle, mobile home, travel trailer, boat, or any other item or personal property owned or used by the person;
- (2) State and duration of any driver's license for the previous one year (or learners permit);
- (3) Location and duration of any continuous full-time employment of the previous one year;
- (4) Address and other pertinent facts listed on a true and correct copy of federal and state income tax returns for the calendar year prior to the year in which application is made, including those of someone who claims you as a dependent for tax purposes;
- (5) Location and duration of any voter registration for the previous one year;
- (6) Location and duration of primary residence, evidenced by title, lease agreement, or monthly rental receipts for the previous one year;
- (7) Residence status in all secondary and postsecondary schools attended outside the state of Washington;
- (8) Location and duration of any checking accounts, savings accounts, and/or safety deposit boxes for the previous one year;
- (9) Address listed on selective service registration;
- (10) Location of membership in professional, business, civic or other organizations;
- (11) Receipt of benefits under a public assistance program;
- (12) State claimed as residence for obtaining eligibility to hold a public office or for judicial actions;
- (13) State claimed as residence for obtaining state hunting or fishing licenses;
- (14) State in which a custodial parent has a child attending public schools.

Most colleges in Washington are on the quarter system. That means classes begin four times per year (counting summer) - the end of September, first week in January, last week of March/first week in April, and end of June/first week of July. This gives four opportunities to complete the one year waiting period. A few schools are on the semester system with courses beginning three times per year: late August/early September, January, and May/June.

Other tuition reduction options

Here is further information about students from Oregon who have lived in 'Border Counties.'

[RCW 28B.15.0139](#) - Resident tuition rates — Border county higher education opportunity project.

For the purposes of determining resident tuition rates, "resident student" includes a resident of Oregon, residing in Columbia, Gilliam, Hood River, Multnomah, Clatsop,

Clackamas, Morrow, Sherman, Umatilla, Union, Wallowa, Wasco, or Washington county, who meets the following conditions:

(1) The student is eligible to pay resident tuition rates under Oregon laws and has been domiciled in Columbia, Gilliam, Hood River, Multnomah, Clatsop, Clackamas, Morrow, Sherman, Umatilla, Union, Wallowa, Wasco, or Washington county for at least ninety days immediately before enrollment at a community college located in Asotin, Benton, Clark, Columbia, Cowlitz, Franklin, Garfield, Klickitat, Pacific, Skamania, Wahkiakum, or Walla Walla county, Washington;

(2) The student is enrolled in courses located at the Tri-Cities or Vancouver branch of Washington State University for eight credits or less; or

(3) The student is currently domiciled in Washington and:

(a) Was eligible to pay resident tuition rates under Oregon laws; and

(b) Had been domiciled in Columbia, Gilliam, Hood River, Multnomah, Clatsop, Clackamas, Morrow, Sherman, Umatilla, Union, Wallowa, Wasco, or Washington county for at least ninety days immediately before being domiciled in Washington.

WUE and NSE

There are a couple of options for students interested in attending a college or university in Washington (or other states), maintaining their residency in their home state, and not paying full nonresident tuition in the new state.

The **Western Undergraduate Exchange (WUE)**. <http://wiche.edu/wue> . This program allows students to attend a participating institution in a Western State for their entire undergraduate career and pay 150% of resident tuition at that institution. This is a much better deal than nonresident tuition (usually about three times resident tuition in Washington). Western Washington University, Eastern Washington University, Central Washington University, and Washington State University participate in this program in Washington, but you do not need to attend one of these colleges in Washington to participate in a WUE college in another state.

The **National Student Exchange (NSE)**. <http://www.nse.org/> . This provides an opportunity for students attending a participating institution in Washington or another state to attend one of a possible 200 institutions in another state for **one year** and pay that institution's resident tuition (or resident tuition in the student's own state and then attend in the other state). The University of Washington and Central Washington University both participate in this program in Washington.

Scholarship options

In Washington, there is no central clearinghouse for scholarship access and data collection. Nationally, approximately \$100 million in private scholarship assistance fails to get distributed annually and private scholarships reach only seven percent of undergraduate students. Here is a link to scholarship opportunities designed for Washington residents but with some available for others attending Washington colleges. <http://thewashboard.org/login.aspx>.

For more information, visit <http://www.wsac.wa.gov/student-residency>