I. Definitions

A. The word "domicile" shall mean a person’s true, principal residence and place of habitation; it shall indicate the place where such a person intends to remain, and to which such a person expects to return upon leaving without establishing a new domicile and is presumed to abandon automatically and old domicile upon establishing a new one. Housing provided at State institutions shall be presumed not to be a place of principal residence, as residency in such housing is by nature temporary.

B. Any “independent person” shall mean a person who is 18 years of age; whose predominant source of income is their own earnings of income from employment, investments, or payments from trusts, grants, scholarships, loans, or payments of alimony or separate maintenance made pursuant to a court order.

C. A “dependent person” shall mean one whose financial support is provided not through their own earnings or entitlements, but whose predominant source of income or support is payments from a parent, spouse, or guardian and who qualifies as a dependent on the federal tax return of the parent, spouse, or guardian.

D. A “minor” shall mean a person who has not attained the age of 18 years.
II. Factors in Making a Determination of Residency

A. Persons domiciled in South Carolina for a period of twelve (12) months with an intention to making a permanent home therein, and their dependent, may be considered eligible for in-state rates.

B. Independent persons who reside in and have been domiciled in South Carolina for fewer than twelve months but who have full-time employment in the State, and their dependents, may be considered eligible for in-state rates for as long as such independent person is employed on a full-time basis in the State.

C. The residence and domicile of a dependent minor shall be presumed to be that of the parent of such dependent minor.

D. Students residing in Columbia or Richmond counties of Georgia will only be charged a fee of $15 in addition to the South Carolina in-state rate. Other out-of-state residents will be charged the normal out-of-state fee.

III. Changes in Residency

A. A student shall not become eligible for in-state rates until the beginning of the next academic session after expiration of twelve (12) months from the date of domicile in this State.

B. Loss of eligibility of in-state rates shall end on the last day of the academic session in which the loss occurs.

C. Marriage to a South Carolina resident does not automatically make a student a resident for in-state rates. If 18 years of age, a newly married person may establish residency exclusive of the spouse’s status.

D. Becoming a full-time employee of a company or industry based in the State may make a student eligible for in-state rates, although he or she has not met the residency requirement of twelve (12) months.

E. Military personnel and their dependents may be considered eligible for in-state rates during the period of their assignment to duty in South Carolina.

F. Full-time faculty and administrative employees of South Carolina State Colleges and their dependents are always eligible for in-state rates.

G. Foreign students are presumed not to be in-state residents. They may qualify for in-state rates depending on the types of visas they possess or if they are the dependents of persons who have previously established residency.
IV. Penalties for Willful Misrepresentation

A. Persons who gain domiciliary status improperly by making or presenting willful misrepresentations of fact shall be charged fees past due and unpaid at the out-of-state rate, plus interest at a rate of eight (8) percent per annum, plus a penalty amounting to twenty-five (25) percent of the out-of-state rate for one term; and until these charges have been paid, no such student shall be allowed to receive transcripts or graduate from any State institution.

V. Residency Office

A. Residency shall be established through the Admissions and Records Office at the time of admission to the College. If a question arises about a student’s domiciliary status, the Vice President of Student Services is obligated to presume the student is not a domiciliary until the student clarifies his or her status. The law clearly states that burden of proof for initial eligibility status for in-state rates rests on the student and not the College.

VI. Appeals of Residency Decisions

A. An appeal board shall be appointed by the President of the College to hear student appeals relating to a determination of eligibility for in-state rates. This board shall be composed of three persons; one member from the Executive Staff of the College, one member from the faculty, and the President of the Student Government Association. If this board upholds the decision made by the Vice President of Student Services, the student will be required to pay out-of-state rates. In all instances of determining residence the law enacted by the State of South Carolina shall be the final arbitrator.

VII. Proof of Eligibility

A. Positive steps which reflect intent to make South Carolina a permanent residence are vital in determining eligibility. All documentation requested by the Vice President of Student Services must be furnished prior to making a determination for in-state rates or the student will automatically be required to pay out-of-state rates.

B. Acceptable legal documents may include the following:

1. A driver’s license
2. A vehicle registration certificate
3. A voter registration certificate
4. Copies of recent State income tax return
5. Notarized statement from relatives
6. Letters from employers indicating full-time status as employee, date of employment, employment status as of present date, and home address on company rolls
7. Receipts of housing

VIII. Procedure for Reclassification

A. Should a student be judged not to meet eligibility requirements for in-state rates at the time of admission to the institution, he or she may request a review of his or her eligibility at any time he or she feels the requirements have been met. It is not the responsibility of the College to initiate such action, but one which must be assumed by the student.