

Tennessee Board of Regents

The State University and Community College System of Tennessee

REGULATIONS

For Classifying Students In-State and Out-of-State For the Purpose of Paying College Or University Fees, Tuition, and for Admission Purposes

Approved February 25, 1975
To become effective May 1, 1975
As Amended

Office of Admissions
East Tennessee State University
Johnson City, Tennessee 37614-1710

TBR Policy No. 3:05:01:00

PARAGRAPH 1. Intent.

It is the intent that the public institutions of higher education in the State of Tennessee shall apply uniform rules, as described in these regulations and not otherwise, in determining whether students shall be classified "instate" or "out-of-state" for fees and tuition purposes and for admission purposes.

PARAGRAPH 2. Definitions.

Wherever used in these regulations:

- (1) "Public higher educational institution" shall mean a university, or community college supported by appropriations made by the Legislature of this State.
- (2) "Residence" shall mean continuous physical presence and maintenance of a dwelling place within this State, provided that absence from the State for short periods of time shall not affect the establishment of a residence.
- (3) "Domicile" shall mean a person's true, fixed, and permanent home and place of habitation; it is the place where he or she intends to remain, and to which he or she expects to return when he or she leaves without intending to establish a new domicile elsewhere.
- (4) "Emancipated person" shall mean a person who has attained the age of eighteen years, and whose parents have entirely surrendered the right to the care, custody, and earnings of such person and who no longer are under any legal obligation to support or maintain such deemed "emancipated person."
- (5) "Parent" shall mean a person's father or mother. If there is a non-parental guardian or legal custodian of an unemancipated person, then "parent" shall mean such guardian or

legal custodian; provided, that there are not circumstances indicating that such guardianship or custodianship was created primarily for the purpose of conferring the status of an in-state student on such unemancipated person.

(6) "Continuous enrollment" shall mean enrollment at a public higher educational institution or institution of this State as a full-time student, as such term is defined by the governing body of said public higher educational institution or institutions, for a normal academic year or years or the appropriate portion or portions thereof since the beginning of the period for which continuous enrollment is claimed. Such person need not enroll in summer sessions or other such intersessions beyond the normal academic year in order that his or her enrollment be deemed "continuous" notwithstanding lapses in enrollment occasioned solely by the scheduling of the commencement and/or termination of the academic years, or appropriate portion thereof, of the public higher educational institutions in which such person enrolls.

PARAGRAPH 3. Rules for Determination of Status.

(1) Every person having his or her domicile in this State shall be classified "in-state" for fee and tuition purposes and for admission purposes.

(2) Every person not having his or her domicile in this State shall be classified "out-of-state" for said purposes.

(3) The domicile of an unemancipated person is that of his or her parent. Unemancipated students of divorced parents shall be classified "in-state" when one parent, regardless of custodial status, is domiciled in Tennessee.

(4) The spouse of a student classified as "in-state" shall also be classified "in-state."

PARAGRAPH 4. Out-of-State Students who are not required to pay Out-of-State Tuition.

(1) An unemancipated, currently enrolled student shall be reclassified out-of-state should his or her parent, having theretofore been domiciled in the State, remove from the State. However, such student shall not be required to pay out-of-state tuition nor be treated as an out-of-state student for admission purposes so long as his or her enrollment at a public higher educational institution or institutions shall be continuous.

(2) An unemancipated person whose parent is not domiciled in this State but is a member of the armed forces and stationed in this State or at Fort Campbell pursuant to military orders shall be classified out-of-state but shall not be required to pay out-of-state tuition. Such a person, while in continuous attendance toward the degree for which he or she is currently enrolled, shall not be required to pay out-of-State tuition if his or her parent thereafter is transferred on military orders.

(3) A person whose domicile is in a county of another state lying immediately adjacent to Montgomery County, or whose place of residence is within thirty (30) miles of Austin

