



TENNESSEE

The Tennessee Board of Regents and the University of Tennessee - Knoxville supplied the following information.

Type and Citation: Regulatory. TENN. CODE ANN. 49-3342. Public institutions of higher education in Tennessee apply the Rules of Residence Classification (Chapter 1720-1-1) uniformly to determine in-state status for tuition purposes.

Requirements for Resident Classification: Individuals having a domicile in Tennessee are classified as "*in-state*" and individuals with a domicile outside of Tennessee are classified as "*out-of-state*." To determine whether a student is domiciled in Tennessee all relevant information is considered by the institution. The student must provide supportive documentation to substantiate a domicile claim. Tennessee is the only state without a durational residency requirement, so that no set time period is determinative in establishing residence.

Unemancipated individuals assume the domicile of their parents, or of their guardian or legal custodian provided that the guardianship was not created primarily for the purposes of conferring in-state residency status for tuition purposes. Unemancipated students of divorced parents shall be classified "in-state" when one parent, regardless of custodial status, is domiciled in Tennessee. If the parent of an unemancipated, currently enrolled student removes his/her domicile from Tennessee, the student may continue to pay in-state tuition as long as he or she is continuously enrolled at a public higher education institution.

Emancipated students are those no longer under the legal care, custody and control of parents and may establish their own domicile. It is presumed that emancipated students do not acquire domicile while enrolled as full-time students at any public or private higher education institution in Tennessee without clear and convincing evidence to the contrary.

Aliens granted permanent resident status may be eligible for classification as in-state residents on the same basis as U.S. citizens.

Evidence of Domicile, Including but not Limited to: The regulations do not provide specific examples of evidence. The following kinds of evidence were taken from the University of Tennessee's responses to a College Board questionnaire: copies of the most recent federal income tax using the state as a permanent address; home ownership and payment of property taxes in Tennessee; maintenance of a Tennessee state driver's license, automobile registration, voter's registration and other official documents; proof of employment in Tennessee; and military Home of Record. None of these alone or in combination necessarily guarantee residency, but may be used as supportive evidence.

Others Not Required to Pay Out-of-State Tuition: 1) The spouse of a student classified as "in-state;" 2) active-duty military personnel stationed in Tennessee or at Fort Campbell KY,



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their spouses and dependent children, except when stationed in Tennessee primarily for educational purposes [Students whose military parents transfer out-of-state on military orders shall not be required to pay out-of-state tuition while in continuous attendance toward the degree for which they are currently enrolled.]; 3) part-time students working full-time (or full-time equivalent, with more than one employer) in Tennessee, but not domiciled there [This also applies to part-time students stationed at Fort Campbell KY pursuant to military orders.]; 4) students at Austin Peay State University (TN) who are residents of other states in counties lying immediately adjacent to Montgomery County or within thirty miles of Austin Peay State University, provided there is no teacher college or normal school in their own state within equal distance of their place of residence; 5) a person admitted to Dyersburg State Community College (TN) whose domicile is in Mississippi County of Arkansas or Dunlin or Pemiscot Counties in Missouri; 6) a person admitted to a two-year TBR (Tennessee Board of Regents) institution who resides outside the state in a county adjacent to the Tennessee state line and within a 30-mile radius of that 2-year institution; 7) nonresident students selected to participate in institutional Honors Programs or awarded tuition-waiver scholarships for participation in *bona fide* campus performance-based programs; 8) student participants in a study abroad program when the course(s) in the study abroad program is/are the only course(s) for which the student is registered during that term; and 9) any dependent child not domiciled in Tennessee who receives a scholarship under the Dependent Children Scholarship Act because his/her parent is a law enforcement officer, fireman or emergency medical service technician who was killed or totally and permanently disabled while performing duties on the job.

Temporary Absence from the State: The University of Tennessee's institutional response to a College Board questionnaire indicates that individuals who were Tennessee residents prior to their temporary absence from the State may keep in-state status if they maintain significant contacts while absent and show an intent to continue permanent domicile in Tennessee upon return.

For specific institutional requirements, contact:

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I: www.tbr.state.tn.us/policies_guidelines/student_policies/3-05-01-00.htm

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