



University of Pittsburgh
AC 49 Pennsylvania Residency Classification: Eligibility for Reduced Tuition Rates
(formerly University Policy 09-05-04)

Implementing Executive: Senior Vice Chancellor and Chief Financial Officer
Responsible Unit: Student Financial Services
Category: Student Affairs
Effective Date: December 21, 2019
Last Revised May 18, 2020

I. Purpose

This policy establishes the criteria used to classify a student as a Pennsylvania Resident (PA Resident) or Non-Resident for tuition purposes. PA Residents are charged in-state tuition rates; Non-Residents are charged out-of-state rates. The term “PA Resident” for tuition billing purposes may differ from other definitions of Pennsylvania residency.

II. Scope

This policy affects tuition rates charged to students who are enrolled in classes at the University of Pittsburgh. It outlines the requirements that must be met to be considered a PA Resident and the responsibilities of those charged with managing the process governing classification of a student’s residency, including the PA Residency Coordinators at each campus.

III. Definitions

- A. PA Resident: Classification of students who are charged the in-state tuition rate.
- B. Enrolled: Enrolled, as it pertains to this policy, means a student is registered for one or more classes.

IV. Policy

To be considered a PA Resident, a student must live in PA for 12 continuous months immediately prior to enrollment at an institution of higher education in PA. This is called the “12 Month Requirement.” Students under the age of 22 are considered minors for purposes of residency determination and are classified based on the residency information of their parent(s) or legal guardian(s).

To be considered PA Residents for tuition purposes, Non-U.S. Citizens must submit documentation proving they fall into one of the three immigration categories in the “Non-U.S. Citizens Immigration Requirements” section of this policy.

Section V below outlines the requirements that must be met in determining residency classification. As explained in that section, PA Residency Coordinators serve as the central points of contact for submitting materials required under this Policy. Contact information for the PA Residency Coordinators at each campus is provided at <http://payments.pitt.edu/pa-tuition-rate-eligibility/#Residency>. Where deadlines in this Policy refer to academic term and session dates, please refer to the University's official academic calendar on the Office of the University Registrar's website.

Scholarships Contingent on Non-Residency

A student receiving a scholarship or grant contingent on maintaining a residence in a state other than PA will be classified as a Non-Resident for tuition purposes.

University of Pittsburgh grants or scholarships awarded to the student based on out-of-state residency status may be reduced or cancelled if the student is subsequently reclassified as a PA Resident.

V. Requirements

A. 12 Month Requirement

Students who have lived in PA for at least 12 consecutive months immediately prior to enrollment at any institution of higher education in PA meet the 12 Month Requirement. Students under the age of 22 are considered minors for purposes of residency determination and are classified based on the residency information of their parent(s) or legal guardian(s). For U.S. Citizens, this is all that is required for classification as a PA Resident. Students who are Non-U.S. Citizens must also meet the immigration requirements described in Subsection B below in order to be eligible for reclassification to PA Resident.

Students who do not meet the 12 Month Requirement are classified as Non-Residents. Those who wish to challenge their classification can file a petition with their campus PA Residency Coordinator. Instructions are provided below in Section VI. Petitioning to Overcome the 12 Month Requirement.

B. Non-U.S. Citizens Immigration Requirements

In addition to meeting the 12 Month Requirement, Non-U.S. Citizens must demonstrate that they fall into one of three immigration categories to be reclassified to PA Resident:

1. Asylee, refugee, or U.S. Lawful Permanent Resident (green card holder); or
2. Has an approved I-140 or I-130, along with Form I-797, the Receipt Notice for the filing of Form I-485; or

3. Has an approved I-140 or I-130, along with evidence to support that they intend, but are unable, to file a Form I-485 because they do not have a current priority date as determined by the most recent U.S Department of State Visa Bulletin.* To provide sufficient evidence under this category, the student must provide evidence of their country of birth; in most cases, a copy of the passport identification page meets this requirement.

Filing Deadlines. Students who meet the 12 Month Requirement and fall into one of the immigration categories above must submit copies of their immigration documents to their campus PA Residency Coordinator to request reclassification by:

- Fall, Spring, and Summer Terms: no later than 30 calendar days after the first official day of classes for the term.
- Summer session within the Summer Term: no later than 15 calendar days after the first official start date of classes for the session.

If documentation is submitted after the deadline, the request for reclassification will be effective on the first day of the following term or summer term session. Residency reclassification is not retroactive to any prior terms.

** Refer to the U.S. Department of State and U.S. Citizen and Immigration Services for further information about determining your priority dates. As explained in those resources, a person's priority date is determined by the specific category of permanent residency applied for, and the country of chargeability (birth).*

C. Military Affiliated Students

Qualifications. Individuals who meet at least one of the following qualifications are eligible for PA Resident status for tuition purposes:

Under the Commonwealth of Pennsylvania Statutes Title 24 (Education), Section 2509 (the "Act").

1. Any Veteran, their spouse, dependent children, or any other individual who is eligible to receive benefits under any of the following:
 - 10 U.S.C. Chapter 1606 Montgomery GI Bill® Selected Reserve
 - 38 U.S.C. Chapter 30 Montgomery GI Bill® Active Duty
 - 38 U.S.C. Chapter 31 Vocational Rehabilitation and Employment
 - 38 U.S.C. Chapter 33 Post-9/11 GI Bill®

In addition, a child, a spouse, or a surviving spouse who is eligible to receive benefits under Chapter 35 (relating to survivors' and dependents' educational assistance) qualifies for the PA Resident tuition rate.

For purposes of the Act, a “Veteran” is any individual who served in the United States Armed Forces, including a reserve component or National Guard, and who was discharged or released from service under conditions other than dishonorable.

If you meet any of the above-listed requirements, please provide a copy of the Service Member’s DD214 and your Certificate of Eligibility from the VA to the Residency Coordinator at the Pittsburgh campus.

2. Military personnel who are assigned to an active duty station in Pennsylvania and who reside in Pennsylvania, and their spouses and dependent children. If you meet this requirement, please provide a copy, to the Residency Coordinator at the Pittsburgh campus, of the active duty member’s orders and a copy of the first page of the most recent IRS Form 1040/1040A displaying the name of the spouse or dependent child, if applicable.
3. Civilian personnel employed at a US Department of Defense facility who are transferred to Pennsylvania by the US Department of Defense and who reside in Pennsylvania, and their spouses and dependent children. If you meet this requirement, please provide a letter, to the Residency Coordinator at the Pittsburgh campus, from the US Department of Defense that documents the transfer to Pennsylvania specifying the name of the person employed, the applicable US Department of Defense facility in Pennsylvania, and the start date, along with a copy of the first page of the most recent IRS Form 1040/1040A displaying the name of the spouse or dependent child, if applicable.

Under the Commonwealth of Pennsylvania Consolidated Statutes Title 51 (Military Affairs), Chapter 32 (Military Education Programs) (51 Pa. C.S. §§3201-3222):

1. Service Members of the Pennsylvania National Guard who are receiving the Pennsylvania National Guard Education Assistance Program (EAP) grant qualify for the PA Resident tuition rate. Beginning academic year 2020-2021, PA National Guard members' spouses, surviving spouses, and children who are eligible for benefits under the Military Family Education Program (MFEP) also qualify for the resident tuition rate. If you meet these requirements, you will be reclassified to a Pennsylvania resident once you are an enrolled student and the financial aid office has been notified by the Pennsylvania Higher Education Assistance Agency that you have been awarded the EAP or MFEP Grant.

Filing Deadlines. Military affiliated students should submit the documentation described in paragraph (1), (2), or (3) above to the PA Residency Coordinator at their campus to request reclassification by:

- Fall, Spring, and Summer Terms: no later than 30 calendar days after the first official day of classes for the term.
- Summer session within the Summer Term: no later than 15 calendar days after the first official start date of classes for the session.

If documentation is submitted after the deadline, the request for reclassification will be effective on the first day of the following term or summer term session. Residency reclassification is not retroactive to any prior terms.

GI Bill® is a registered trademark of the U.S. Department of Veterans Affairs (VA). More information about education benefits offered by VA is available at the official U.S. government website at www.benefits.va.gov/gibill.

VI. Petitioning and Appealing to Overcome the 12 Month Requirement

A. Filing a Petition

Students whose initial residency classification is Non-Resident because they do not meet the 12 Month Requirement may complete the University's petition form and file it, together with supporting documentation, to the PA Residency Coordinator at their campus. Through the Petition Process and supporting documentation, the student must demonstrate that they:

1. Came to PA for reasons other than enrollment in an institution of higher education; and/or
2. Intend and are able to live in PA permanently or indefinitely upon completion of their academic studies.

Contact information for the PA Residency Coordinator at each campus, the petition form, and its filing instructions, are provided online at <http://payments.pitt.edu/pa-tuition-rate-eligibility/#Residency>.

Petition Deadlines. A student must submit their petition to the PA Residency Coordinator by:

- Fall, Spring, and Summer Terms: no later than 30 calendar days after the first official day of classes for the term.
- Summer session within the Summer Term: no later than 15 calendar days after the first official start date of classes for the session.

Petitions Filed After the Deadline. A petition filed after the deadline will be considered for the following term or summer term session.

Request for Additional Documentation. If additional documentation and information is requested by the PA Residency Coordinator, it must be submitted within 15 days of the date requested. Otherwise, the petition will be denied for that term.

B. Factors Considered

The following factors may be taken into consideration by the University when rendering a decision on a petition or appeal for reclassification. No required number of factors must be met, since each case is decided on the basis of the facts provided, the quality and reliability of the documentation submitted, *and the student's intentions and actual ability to live permanently or indefinitely in PA.*

- Payment of appropriate PA state and local taxes.
- Agreement for permanent, full-time employment in Pennsylvania.
- Lease or purchase of a permanent, independent residence in Pennsylvania by the student.
- Transfer of bank accounts, stocks, automobiles, and other registered property to Pennsylvania from another state.
- Membership in social, civic, political, athletic, and religious organizations located in Pennsylvania.
- Procurement of a Pennsylvania driver's license.
- Procurement of a Pennsylvania motor vehicle registration.
- Registration to vote in Pennsylvania
- A notarized statement by the student or their parent(s) or legal guardian(s) in the case of a minor declaring their intention to make Pennsylvania their residence either permanently or for an indefinite period of time.
- A notarized statement from the parent(s) or legal guardian(s) of a student under the age of 22 setting forth facts to establish the student's financial independence and separate residence. The student should provide financial documentation demonstrating the ability to fully and independently support themselves to substantiate this condition.

C. PA Residency Coordinator Decision

The PA Residency Coordinator will review the petition and supporting documentation, and then render a decision and provide written notification to the student.

If the petition was submitted by the deadline for the term, and the petition is approved, the residency reclassification will remain in effect going forward.

A petition filed after the deadline for a term, if approved, will be effective on the first day of the *following* term or summer term session. Reclassification is not retroactive to any prior terms.

If the petition is denied, the student has 30 days from the date of notice of denial to inform their PA Residency Coordinator in writing if they wish to appeal by appearing before the University Residency Appeals Committee (the Committee) as noted in Subsection D below. The PA Residency Coordinator will notify the Committee of the student's request.

D. University Residency Appeals Committee

If a student properly files an appeal of the PA Residency Coordinator's decision, the student will be invited to the next regularly scheduled meeting of the Committee so the Committee can review the PA Residency Coordinator's decision. The student has the option to attend that meeting with the Committee to discuss their case and answer questions. After the meeting, the Committee will deliberate and render a final decision that will be provided to the student in writing. If the student wishes to be accompanied to the meeting by legal counsel, the attorney will be limited to observing and cannot participate in the meeting, nor respond to questions on behalf of the student.

If the initial petition form was submitted by the deadline, and the Committee approves the student's appeal, the effective beginning term of reclassification will be term in which the student filed the petition.

If the initial petition form was submitted after the deadline for a term, and the Committee approves the appeal, the effective beginning term of reclassification will be on first day of the following term or summer term session. Reclassification is not retroactive to any prior terms.

VII. Notifications

1. When a student moves from Pennsylvania to another state they must give written notice to their campus PA Residency Coordinator.
2. When parents of a student under 22 years of age move, the student must give written notice of any change in their parent's/parents' or legal guardian's/legal guardians' address to their campus PA Residency Coordinator.

VIII. Adjustments and False Information

Students who are found eligible for in-state rates due to an error in classification are subject to retroactive reclassification as Non-Residents and are responsible for the payment of all related tuition and fees.

Students who are found eligible for in-state rates as a result of false or concealed facts are subject to University discipline and are responsible for the immediate payment of all Non-Resident tuition and fees. Failure to make payment in full may result in legal action and additional costs, including legal fees, court costs, and collection costs that may include an additional percentage of the total amount due to the University, if the unpaid account balance is assigned to a Collection Agency.

The University reserves the right to periodically audit and make any necessary adjustment in the classification of all students.

IX. Governance or Responsibilities

A. Student

- Under 22, notifies the University of a change in residency of their parent(s) or legal guardian(s);
- Notifies the University of a change in their residency status;
- Files a petition with their campus PA Residency Coordinator, if they receive a Non-Resident classification; and
- Notifies their PA Residency Coordinator if they wish to file an appeal of a decision to deny their petition of a Non-Resident classification.

B. PA Residency Coordinator

- Reviews residency petitions and makes decisions on residency classification;
- Communicates results to the student as needed and when appropriate;
- Notifies the University Residency Appeals Committee of a student’s appeal of the PA Residency Coordinator’s decision on a petition; and
- Provides written notification to the student of the Committee’s final decision, if the student has elected to have the Committee review the appeal.

C. University Residency Appeals Committee

- Reviews student appeals; and
- Provides final decisions on residency classification based on information provided during the review of the appeal.

X. Contact Information

This section provides the most appropriate contact information for those seeking information on interpreting the policy.

Subject	Contact	Phone	Email
None			

XI. Related Authorities and Policies

[Student Payment Center – PA Tuition Rate Eligibility web page](#)