



South Carolina Commission on Higher Education

Residency Workshop
2015

Agenda

- 10:00am Welcome
- 10:05am Review of the Regulation
- 11:30am Current Issues/Questions
- 12:00pm Adjourn
- 12:30pm Scholarship and Grant Workshop

*** After the final workshop, a copy of this presentation can be found on the CHE website ***

Disclaimer!

- Special emphasis will be placed on sections of the regulation that have produced multiple inquiries from institutions, families and public officials.
- There will be fewer scenarios provided this year. Although there are fewer scenarios, please feel free to ask questions based on sections of the regulation or the included scenarios.
- There will be opportunities for discussion if needed. However, please be mindful that we may need to move on from a topic in order to ensure the entire workshop is covered.

Review of Residency Regulation

Section 62-600

Rates of Tuition and Fees

- A. Resident classification is an essential part of tuition and fee determination, admission regulations, scholarship eligibility, and other relevant policies of the state. It is important that institutions have fair and equitable regulations that can be administered consistently and are sensitive to the interests of both students and the state.

What this means?

Each institution is responsible for making residency decisions according to State law & regulations provided by CHE. Institutions should take into account that they should be fair and consistent in their decisions.

62-602. Definitions

N. “Resident” for tuition and fee purposes is defined as an independent person who has abandoned all prior domiciles and has been domiciled in South Carolina continuously for at least twelve months immediately preceding the first day of class of the term for which resident classification is sought and for whom there is an absence of domiciliary evidence in other states or countries, not withstanding other provisions of the Statute.

What does this Mean?

The twelve month residency period starts when the independent person establishes the intent to become a South Carolina resident per Section 62-605.

62-603 Citizens and Permanent Residents

62-603. Citizens and Permanent Residents.

A. Independent persons who have **physically resided and been domiciled in South Carolina for twelve continuous months** immediately preceding the date the classes begin for the semester for which resident status is claimed may qualify to pay in state tuition and fees. **The twelve month residency period starts when the independent person establishes the intent to become a South Carolina resident per Section 62- 605** entitled “Establishing the Requisite Intent to Become a South Carolina Domiciliary.” **The twelve month residency period cannot start until the absence of indicia in other states is proven.** Absences from the State during the twelve month period may affect the establishment of permanent residence for tuition and fee purposes.

B. The resident status of a dependent person is based on the resident status of the person who provides more than half of the dependent person’s support and claims or, only in the case of those individuals who are supported by family members who do not earn enough reportable income for taxation purposes, qualifies to claim the dependent person as a dependent for federal income tax purposes. **Thus, the residence and domicile of a dependent person shall be presumed to be that of their parent, spouse, or guardian.**

62-605. Establishing the Requisite Intent to Become a S.C. Domiciliary

C. For independent persons or the parent, spouse, or guardian of dependent persons, examples of intent to become a South Carolina resident may include, although any single indicator may not be conclusive, the following indicia:

- (1) Statement of full-time employment;
- (2) Designating South Carolina as state of legal residence on military record;
- (3) Possession of a valid South Carolina driver's license, or if a non-driver, a South Carolina identification card. Failure to obtain this within 90 days of the establishment of the intent to become a South Carolina resident will delay the beginning date of residency eligibility until a South Carolina driver's license is obtained;

62-605. Establishing the Requisite Intent to Become a S.C. Domiciliary

- (4) Possession of a valid South Carolina vehicle registration card.
Failure to obtain this within 45 days of the establishment of the intent to become a South Carolina resident will delay the beginning date of residency eligibility until the applicant obtains a South Carolina vehicle registration card;
- (5) Maintenance of domicile in South Carolina;
- (6) Paying South Carolina income taxes as a resident during the past tax year, including income earned outside of South Carolina from the date South Carolina domicile was claimed;
- (7) Ownership of principal residence in South Carolina; and
- (8) Licensing for professional practice (if applicable) in South Carolina.

D. The absence of indicia in other states or countries is required before the student is eligible to pay in-state rates.

Scenario

“I have a student who will probably give you a call to challenge her out- of-state residency classification. The SC DMV will not switch the student’s out of state driver’s license to SC, because she has an unpaid ticket in Georgia. The student stated she is able to obtain a SC identification card but not switch her license. Her out of state DL is still current. Based on the residency regulations and her having ties to another state with the out of state DL, I coded her as out-of-state. She is financially unable to pay the NC ticket to get her license switch to SC. Did I make the correct decision?”

Response

- After discussion with the SC DMV, it was determined that a suspended out-of-state license is still considered to be an active license. Likewise, if the SC DMV has determined that there are fines or penalties that cause an out-state-license to be considered active, the college should recognize the license to be active as well.
- If the independent student or parent cannot obtain a SC DL, and is still considered as having an active out-of-state license, they will not be considered a SC resident for tuition and fee purposes.

62-602 Definitions

D. "Domicile" is defined as the true, fixed, principal residence and place of habitation. It shall indicate the place where a person intends to remain, or to where one expects to return upon leaving without establishing a new domicile in another state. For purposes of this section, one may have only one legal domicile. One is presumed to abandon automatically an old domicile upon establishing a new one. Housing provided on an academic session basis for students at institutions shall be presumed not to be a place of principal residence, as residency in such housing is by its nature temporary.

Scenario

- Student applied for the Fall 2015 semester. She lived with her mother for most of 2014 and then the entire family moved into a hotel/extended stay in January 2015. Her mother claimed the student on her 2014 federal tax return. Mom obtained employment just across the state line in GA, and obtained a license in GA in January 2015. The student provided McKinney-Vento documentation, designating her as homeless, to the Office of Financial Aid. Can I consider her a resident based on the McKinney-Vento paperwork?

Response

- Although consideration can be given to the student's living situation due to being designated as McKinney-Vento, the other conditions of residency would still need to be evaluated. This would include the requirement of having no indicia for residency in other states. The mother obtained a license from another State, so she now has an indicator that SC may not be her state of residency.

62-603 Citizens and Permanent Residents

C. In the case of divorced or separated parents, the resident status of the dependent person may be based on the resident status of the parent who claims the dependent person as a dependent for tax purposes; **or**
based on the resident status of the parent who has legal custody or legal joint custody of the dependent person; **or**
based on the resident status of the person who makes payments under a court order for child support **and** at least the cost of his/her college tuition and fees.

What does this mean

There are three ways that a child of divorced or legally separated parents can gain in-state tuition and fees:

1. The SC parent is a resident and claims the child on taxes; or
2. There is a joint custody agreement and one of the parents is a SC resident; or
3. The SC resident parent is responsible for paying court ordered child support AND the cost of college.

Scenario

“I have a student that lives with her mother in SC full time (she doesn't even see her father). He is claiming her on his taxes in GA. Mom says they are legally separated but have no formal agreements regarding education or custody. The father pays child support and he gets to claim her on his taxes. Since he is claiming her in GA would that make her out of state for tuition purposes.”

Response

- The student would be classified as out-of-state. Student is being claimed out of state and the out of state parent pays child support. Unless there is a joint custody or sole custody agreement for the SC parent, the student would have to be considered out of state.

Examples of Documentation for Verification

- Document of legal separation
- Divorce Decree showing custodial agreement.
- Copies of income taxes.
- Copies of legal documentation of child support and determination of who shall pay cost of college.

Note: Documents from a notary public do not count as examples for verification

62-606. Maintaining Residence

- (1) Continuing to use a South Carolina permanent address on all records;
- (2) Maintaining South Carolina driver's license;
- (3) Maintaining South Carolina vehicle registration;
- (4) Satisfying South Carolina resident income tax obligation.

Individuals claiming permanent residence in South Carolina are liable for payment of income taxes on their total income from the date that they established South Carolina residence. This includes income earned in another state or country (ex. Individual who crosses state lines to work daily).

62-606. Maintaining Residence

B. Active duty members of the United States Armed Forces and their dependents are eligible to pay in state tuition and fees as long as they continuously claim South Carolina as their state of legal residence during their military service. Documentation will be required in all cases to support this claim. South Carolina residents who change their state of legal residence while in the military lose their South Carolina resident status for tuition and fee purposes.

62-609 Exceptions

- A. Persons in the following categories qualify to pay in-state tuition and fees without having to establish a permanent home in the state for twelve months. Persons who qualify under any of these categories must meet the conditions of the specific category on or before the first day of class of the term for which payment of in-state tuition and fees is requested. Please note that these individuals do not automatically qualify for State Scholarships and Grants.

62-609 Exceptions

- (1). “Military Personnel and their Dependents”: Members of the United States Armed Forces who are permanently assigned in South Carolina on active duty and their dependents are eligible to pay in state tuition and fees. When such personnel are transferred from the State, their dependents may continue to pay in state tuition and fees as long as they are continuously enrolled. Such persons (and their dependents) may also be eligible to pay in state tuition and fees as long as they are continuously enrolled after their discharge from the military, provided they have demonstrated an intent to establish a permanent home in South Carolina and they have resided in South Carolina for a period of at least twelve months immediately preceding their discharge. Military personnel who are not stationed in South Carolina and/or former military personnel who intend to establish South Carolina residency must fulfill the twelve month “physical presence” requirement for them or their dependents to qualify to pay in state tuition and fees.

What does this mean

- Active duty military members stationed in SC and their dependents are eligible for instate tuition and fees. When they are transferred away, their dependents can maintain instate tuition and fee status as long as they remain continuously enrolled.
- Act 11 of 2015 (S.391) add provisions to be discussed later that enables certain eligible veterans and those with transferred GI Bill benefits to qualify for in-state tuition as applicable.

Military Change Adjustment a few years ago (FYI) – For Transfers – Act No. 133 of 2012

SECTION 59-112-50. Tuition rates for military personnel and their dependents.

(A) “.... In the event of a transfer, the receiving institution shall verify the decision made by the student's previous institution in order to certify the student's eligibility for in-state tuition rates. It is the responsibility of the transferring student to ensure that all documents required to verify both the previous and present residency decisions are provided to the institution...”

* CHE will incorporate this language into the regulation

62-609 Exceptions Continued

(2) **“Faculty and Administrative Employees with Full-Time Employment and their Dependents:”** Full-time faculty and administrative employees of South Carolina state-supported colleges and universities and their dependents are eligible to pay in-state tuition and fees.

Note: The dependent does not have to attend the same SC Institution as their parent or guardian.

62-609 Exceptions Continued

(3) **“Retired Persons and their Dependents:”**

Retired persons who are receiving a pension or annuity who reside in South Carolina and have been domiciled in South Carolina as prescribed in the Statute for less than a year may be eligible for in-state rates if they maintain residence and domicile in this State. Persons on terminal leave who have established residency in South Carolina may be eligible for in-state rates even if domiciled in the State for less than one year if they present documentary evidence from their employer showing they are on terminal leave. The evidence should show beginning and ending dates for the terminal leave period and that the person will receive a pension or annuity when he/she retires.

62-609 Exceptions Cont'd

(4) **“Residents with Full-Time Employment and their Dependents:”** Persons who reside, are domiciled, and are full-time employed in the State and who continue to work full-time until they meet the twelve-month requirement and their dependents are eligible to pay in-state tuition and fees, provided that they have taken steps to establish a permanent home in the State. Steps an independent person must take to establish residency in South Carolina are listed in section 62-605 entitled (“Establishing the Requisite Intent to Become a South Carolina Domiciliary”).

62-602.(F) Full time employment

“Full-time employment” is defined as employment that consists of at least thirty seven and one half hours a week on a single job in a full-time status. However, a person who works less than thirty seven and one half hours a week but receives or is entitled to receive full time employee benefits shall be considered to be employed full-time if such status is verified by the employer. A person who meets the eligibility requirements of the Americans with Disabilities Act must present acceptable evidence that they satisfy their prescribed employment specifications in order to qualify as having full-time employment.

Examples of Documentation for Verification

- Copies of pay stubs – Evidence based on an income stream
- W-2
- Current letter of full-time employment or part-time enrollment with full-time benefits

Note: Two part-time jobs do NOT equal one full-time job

62-602. Definitions

“Independent Person” is defined as one in his/her majority (eighteen years of age or older) or an emancipated minor, whose predominant source of income is his/her own earnings or income from employment, investments, or payments from trusts, grants, scholarships, commercial loans, or payments made in accordance with court order. An independent person must provide more than half of his or her support during the twelve months immediately prior to the date that classes begin for the semester for which resident status is requested. An independent person cannot be claimed as a dependent or exemption on the federal tax return of his or her parent, spouse, or guardian For the year in which resident status is requested.

62-602. Definitions

“Dependent Person” is defined as one whose predominant source of income or support is from payments from a parent, spouse, or guardian, who claims the dependent person on his/her federal income tax return. In the case of those individuals who are supported by family members who do not earn enough reportable income for taxation purposes, a dependent person can be defined as one who qualifies as a dependent or exemption on the federal income tax return of the parent, spouse, or guardian...”

SC CODE OF LAWS SECTION 59-112-30 and Section 62-607 Effect of change of residency.

59-112-30 C. Notwithstanding the other provisions of this section, any dependent person who has been domiciled with his family in South Carolina for a period of not less than three years immediately prior to his enrollment may enroll in a state-supported institution of higher learning at the in-state rate and may continue to be enrolled at such rate even if the parent, spouse or guardian upon whom he is dependent moves his domicile from this State.

62-607 Effect of Change of Residency

- A. Notwithstanding other provisions of this section, any dependent person of a legal resident of this state who has been domiciled with his/her family in South Carolina for a period of not less than three years and whose family's domicile in this state is terminated *immediately prior to his/her enrollment* may enroll at the in state rate. Any dependent person of a legal resident of this state who has been domiciled with his/her family in South Carolina for a period of not less than three years and whose family's domicile in this state is terminated after his/her enrollment may continue to receive in state rates, however, a student must continue to be enrolled and registered for classes (excluding summers) in order to maintain eligibility to pay in state rates in subsequent semesters. Transfers within or between South Carolina colleges and universities of a student seeking a certificate, diploma, associate, baccalaureate, or graduate level degree does not constitute a break in enrollment.

62-602. (H) - Definition of Immediately prior

- H. “Immediately Prior” is defined as the period of time between the offer of admission and the first day of class of the term for which the offer was made, not to exceed one calendar year.

62-607 Effect of Change of Residency

- B. If a dependent or independent person voluntarily leaves the state, and information becomes available that would impact the existing residency status, eligibility for in state rates shall end on the last day of the academic session during which domicile is lost. Application of this provision shall be at the discretion of the institution involved. However, a student must continue to be enrolled and registered for classes (excluding summers) in order to maintain eligibility to pay in state rates in subsequent semesters.

62-604 Non Resident Aliens, Non Citizens, and Non Permanent Residents.

A. Except as otherwise specified in this section or as provided in Section 62-609 (1) & (2), independent non citizens and non permanent residents of the United States will be assessed tuition and fees at the non resident, out of state rate. Independent non resident aliens, including refugees, asylees, and parolees may be entitled to resident, in state classification once they have been awarded permanent resident status by the U.S. Department of Justice and meet all the statutory residency requirements provided that all other domiciliary requirements are met. Time spent living in South Carolina immediately prior to the awarding of permanent resident status does not count toward the twelve month residency period. Certain non resident aliens present in the United States in specified visa classifications are eligible to receive in state residency status for tuition and fee purposes as prescribed by the Commission on Higher Education. They are not, however, eligible to receive state sponsored tuition assistance/scholarships.

What does that mean?

- Independent non-citizens and non-permanent residents of the United States will be assessed tuition and fees at the non-resident, out-of-state rate.
- Refugees, asylees, and parolees may be entitled to in-state residency once they have received their Green card and met the SC Residency requirement.
- Time spent waiting for permanent resident status (time prior to getting your Green card) does not count towards the 12 month physical presence requirement.
- Certain VISA classifications are entitled to in-state tuition and fees.
- Note: Student who are granted I-485 Pending status, as well as students in the US on Temporary Protective Status, are NOT green card holders and therefore cannot be considered SC Residents.

Approved Visa Classifications

Visa Classification Description

- A-1** Highest diplomatic officers and their families
- A-2** Staff under diplomatic officers and their families
- E-2** Investor assisting in operating an enterprise who also invests a large amount of capital (and their families)
- G-1** Principal representatives to international organizations (and their families)
- G-2** Other representatives of foreign governments or international organizations (and their families)
- G-3** Representatives of foreign governments (and their families)
- G-4** Officers and employees of international organizations (and their families)

Approved Visa Classifications - Continued

Visa Classification	Description
H-1B	Temporary Professional Workers
H-2A	Temporary Agricultural Workers
H-2B	Temporary workers whose skills are needed in the U.S.
H-3	Trainees or participants in a special education exchange program
H-4	Dependents of H-1, H-2, H-3 employees
K-1	Fiancée or Fiancé of U.S. Citizens*
K-2	Child of Fiancée or Fiancé of U.S. Citizens*
L-1	Intra-company transfers, i.e., managers or executives who have worked abroad for branch of U.S. firm
L-2	Dependents of L-1 visa holder
N-8	Parent of alien child accorded special immigrant status
N-9	Child of an alien parent accorded special immigrant status

62-611. Incorrect Classification

- A. Persons incorrectly classified as residents are subject to reclassification and to payment of all non resident tuition and fees not paid. If incorrect classification results from false or concealed facts, such persons may be charged tuition and fees past due and unpaid at the out of state rate. The violator may also be subject to administrative, civil, and financial penalties. Until these charges are paid, such persons will not be allowed to receive transcripts or graduate from a South Carolina institution.

- B. Residents whose resident status changes are responsible for notifying the Residency Official of the institution attended of such changes.

62-612. Inquiries and Appeals

- A. Inquiries regarding residency requirements and determinations should be directed to the institutional residency official.

- B. Each institution will develop an appeals process to accommodate persons wishing to appeal residency determinations made by the institution's residency official. Each institutions appeal process should be directed by that institutions primary residency officer, in conjunction with those individuals who practice the application of State residency regulations on a daily basis. The professional judgment of the residency officer and administrators will constitute the institutional appeal process. Neither the primary residency official nor appellate official(s) may waive the provisions of the Statute or regulation governing residency for tuition and fee purposes.

What does this mean?

- Each institution is responsible for developing an appeal process for students wishing to appeal institutional residency decisions.
- While CHE can be contacted for assistance with interpretation of an existing regulation or statute during the institutional residency process, the institution will make the final determination of residency classification.

Topics for Additional Discussion

- Act 11 of 2015 (S. 391)

Act 11 of 2015

Introduction

- In August 2014, President Obama signed the Veterans Access, Choice, and Accountability Act of 2014 (“Choice Act”) into law.
- Section 702 of the Choice Act requires the Department of Veterans Affairs (VA) to disapprove programs of education for qualified students under the Post-9/11 GI Bill and Montgomery GI Bill – Active Duty (MGIB – AD) at public institutions of higher learning if the school charges covered veterans and dependents tuition and fees in excess of the rate for resident students for terms beginning after July 1, 2015.

Act 11 of 2015

- During the 2015 legislative session, SC enacted legislation to enable compliance with Section 702 of the federal Choice Act by adding part C to 59-112-50.
- S.391 (Act 11 of 2015) was signed into law on May 7, 2015 effective July 1, 2015.
- Act 11 of 2015 applies to terms commencing on or after July 1, 2015.

59-112-50 includes

Section A – Provides resident exception for purposes of tuition for Active duty military personnel stationed in South Carolina and covers consideration for military transfers.

59-112-50 (A)

“Section 59-112-50 (A) Notwithstanding another provision of law, during the period of their assignment to duty in South Carolina, members of the Armed Services of the United States stationed in South Carolina and their dependents are eligible for in state tuition rates. When these armed service personnel are ordered away from the State, their dependents are eligible for in state tuition rates as long as they remain continuously enrolled at the state institution in which they are enrolled at the time the assignment ends or transfer to an eligible institution during the term or semester, excluding summer terms, immediately following their enrollment at the previous institution. In the event of a transfer, the receiving institution shall verify the decision made by the student’s previous institution in order to certify the student’s eligibility for in state tuition rates. It is the responsibility of the transferring student to ensure that all documents required to verify both the previous and present residency decisions are provided to the institution.

59-112-50 includes

Section B – Relates to consideration for tuition and fee assessment for active duty military personnel taking distance learning coursework at a SC institution.

59-112-50 (B)

(B)(1) Active duty military personnel may be charged less than the undergraduate tuition rate for South Carolina residents for courses that are presented on a distance basis, regardless of residency.

(2) For purposes of this section, 'active duty military personnel' includes, but is not limited to, active duty guardsmen and active duty reservists.

59-112-50 includes

New

Section C – New with Act 11 and refers to Veterans and covered individuals who are receiving and using Chapter 30 and 33 benefits.

59-112-50 (C)

(C)(1) Notwithstanding any other provision of law, a covered individual enrolled in a public institution of higher education and receiving educational assistance under Chapter 30 and Chapter 33, Title 38 of the United States Code is entitled to pay in-state tuition and fees without regard to the length of time the covered individual has resided in this State.

(2) For purposes of this subsection a covered individual is defined as:

(a) a veteran who served ninety days or longer on active duty in the Uniformed Service of the United States, their respective Reserve forces, and the National Guard and who enrolls within three years of discharge; or

(b) a person who is entitled to and receiving assistance under Section 3311(b)(9) or 3319, Title 38 of the United States Code by virtue of the person's relationship to the veteran described in subsection (2)(a) of this section.

(3) A covered individual must live in this State while enrolled at the in-state institution.

59-112-50 (C) continued

(4) At the conclusion of the applicable three year period in subsection (C)(2)(a), a covered individual shall remain eligible for in-state rates as long as he remains continuously enrolled in an in-state institution or transfers to another in-state institution during the term or semester, excluding summer terms, immediately following his enrollment at the previous in-state institution. In the event of a transfer, the in-state institution receiving the covered individual shall verify the covered individual's eligibility for in-state rates with the covered individual's prior in-state institution. It is the responsibility of the transferring covered individual to ensure all documents required to verify both the previous and present residency decisions are provided to the in-state institution.

What does this mean?

- Prior to the passage of Act 11 of 2015, non-resident veterans needed to takes steps to establish intent to be a SC resident prior to their discharge to be considered SC residents immediately.
- Act 11 of 2015 provides that covered individuals are entitled to pay in-state tuition and fees without having to establish the intent to become a SC resident, provided they are living in SC.

Who are Covered Individuals?

- **Veteran who:**
 - is enrolled at a SC public institution;
 - is receiving educational assistance under Chapter 30 and Chapter 33, Title 38 of the United States Code;
 - served 90 days or longer on active duty in the Uniformed Service of the United States, their respective Reserve forces, and the National Guard;
 - enrolls within 3 years of discharge; and
 - is living in South Carolina while enrolled at the in-state institution.

Who are Covered Individuals? (continued)

- Person who:
 - is enrolled at a SC public institution;
 - is entitled to **and receiving** assistance under Section 3311(b)(9) or 3319 Title 38 of the United States Code by virtue of his/her relationship to the eligible veteran; and
 - is living in South Carolina while enrolled at the in-state institution.

Must Covered Individuals live in SC to be eligible?

- Yes - the law requires that a covered individual must live in this state while enrolled at the instate institution
- “Living in this state” includes permanent and temporary residences
 - For example: dormitories and other on campus residences.

What if the “three years of discharge” date expires?

Following the “three-year period” in 59-112-50(C)(2)(a), Section 59-112-50 (C)(4) allows:

- A covered individual to remain eligible for in-state rates as long as continuously enrolled or transfers to another in-state institution immediately from the previous in-state institution.
- Please note that according to the definition of a “covered individual” the student must be receiving benefits in each term they receive in-state status under Act 11.

How can public institutions verify that the student is a covered individual?

Requirement	Documentation
Receiving Benefits under Chapter 30 or 33	<ul style="list-style-type: none">• Certificate of Eligibility
Served at least 90 days of active duty in uniformed service of the US	<ul style="list-style-type: none">• DD-214
Must enroll in public institution in SC within 3 years of discharge date	<ul style="list-style-type: none">• DD-214
Must be living in SC	<ul style="list-style-type: none">• Proof of physical address (Not a P.O. box number)

Coding Update

- Students qualifying for in-state tuition charges through the new law will need to be reported In the near future, CHE will provide guidance to the Institutional Research community regarding the appropriate procedure for identifying and reporting students who gain access to in-state tuition classification as a result of §59-112-50(C).
- It will also be important to identify students qualifying for in-state tuition under 59-112-50(C) as there is a provision in the FY16 budget (proviso 11.42) that provides a mechanism and funding toward reimbursement to institutions for the tuition and fee revenue that would have been otherwise assessed if but for Act 11 of 2015.

Coding Update - 2015 - 2016 Appropriation Act

Part 1B SECTION 11 - H03-COMMISSION ON HIGHER EDUCATION

11.42. (CHE: College and University Out of State Veteran Tuition Differential Reimbursement Fund) Of the funds appropriated to and/or authorized for the Commission on Higher Education for the Out of State Veteran Tuition Reimbursement, the Office of State Treasurer is directed to establish a fund, separate and distinct from the general fund and all other funds, entitled the College and University Out of State Veteran Tuition Differential Reimbursement Fund. Any funds appropriated and/or authorized in the current fiscal year for this purpose must be deposited into the fund and interest accrued by the fund must remain in the fund. The purpose of the fund is to reimburse public institutions of higher learning, as defined in Section 59-103-5 of the 1976 Code, for revenue loss resulting from the provisions of Section 59-112-50(C). By March 1, 2016, a public institution of higher learning seeking a reimbursement from this fund must submit an application to the Commission on Higher Education to receive a reimbursement from the fund.

11.42 (continued) The total reimbursement to a public institution may not exceed the difference between the amounts the institution would have charged but for Section 59-112-50(C), and the amounts the institution actually charged. The Commission on Higher Education may require any proof it determines necessary to verify the veracity of the application. By June 15, 2016, the Commission on Higher Education must distribute the funds to those institutions that have applied pursuant to this provision. In the event that the total requested and verified reimbursements exceed the amount in the fund, the distribution to each public institution shall be reduced pro rata based on the institution's amount of verified reimbursements compared to the total amount of verified reimbursements of all institutions.

QUESTIONS?

Items on the CHE Website that deal with SC Residency

<http://www.che.sc.gov/StudentServices/Residency/Residency.htm>

- Residency Law
- Residency Regulation (Approved as of June 26, 2009)
- Approved Visa Classifications
- Frequently Asked Questions
- June 15th Presentation on Act 11 of 2015

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