DEFINITION OF HAWAI'I RESIDENCY

A student is deemed a resident of the State of Hawai'i for tuition purposes if the student (19 or older) or the student (under 19) and his/her parents or legal guardian have:

1. Demonstrated intent to permanently reside in Hawai'i (see below for indicia);
2. Been physically present in Hawai'i for the 12 consecutive months prior to the first day of instruction, and subsequent to the demonstration of intent to make Hawai'i his/her legal residency; and
3. The student, whether adult or minor, has not been claimed as a dependent for tax purposes for at least 12 consecutive months prior to the first day of instruction by his/her parents or legal guardians who are not legal residents of Hawai'i.

To demonstrate the intent to make Hawai'i your legal residency, the following indicia apply:

A. Filing Hawai'i resident personal income tax return.
B. Voting/registering to vote in the State of Hawai'i.

Other indicia, such as permanent employment and ownership or continuous leasing of a dwelling in Hawai'i, may apply, but no single act is sufficient to establish residency in the State of Hawai'i.

Other legal factors in making a residency determination include:

A. The 12 months of continuous residence in Hawai'i shall begin on the date upon which the first overt action (see indicia) is taken to make Hawai'i the permanent residence. Residence will be lost if it is interrupted during the 12 months immediately preceding the first day of instruction.
B. Residency in Hawai'i and residency in another place cannot be held simultaneously.
C. Presence in Hawai'i primarily to attend an institution of higher learning does not create resident status.
D. The residency of unmarried students who are minors follows that of the parents or legal guardian. Marriage emancipates a minor.
E. The residency of a married person may follow that of the spouse.
F. Resident status, once acquired, will be lost by future voluntary action of the resident inconsistent with such status. However, Hawai'i residency will not be lost solely because of absence from the State while a member of the United States Armed Forces, while engaged in navigation, or while a student at any institution of learning.

STATUTORY EXEMPTIONS: Nonresidents may be allowed to pay resident tuition if they qualify as one of the following:

A. United States military personnel and their authorized dependents (as defined by the Armed Services) during the period such personnel are stationed in Hawai'i on active duty.
B. Full-time employees of the University of Hawai'i and their spouses and legal dependents (as defined under Internal Revenue Service rules).
C. East-West Center student grantees pursuing baccalaureate or advanced degrees.
D. Hawaiians, descendents of the aboriginal peoples that inhabited the Hawaiian Islands and exercised sovereignty in the Hawaiian Islands in 1778.
E. Persons who are legal residents of any Pacific island or Asian district, commonwealth, territory, or insular jurisdiction, state, or nation which does not provide public institutions of higher learning. These currently include the following:

- American Samoa
- Commonwealth of the Northern Mariana Islands
- Cook Islands
- Federated States of Micronesia
- Futuna
- Kiribati
- Nauru
- New Caledonia
- Niue
- Republic of Belau
- Republic of the Marshall Islands
- Solomon Islands
- Tokelau
- Tonga
- Tuvalu
- Vanuatu
- Wallis

MISREPRESENTATION

A student or prospective student who provides incorrect information on any form or document intended for use in determination of residency status for tuition purposes will be subject to the requirements and/or disciplinary measures provided for in the rules and regulations governing residency status.

APPEAL PROCESS

Residency decisions may be appealed by contacting the residency officer for information on how to initiate an appeal.
RESIDENCY DECLARATION

A I claim legal residency in __________________________ (specify which state or country) from ___________ to ___________ on the basis of:

☐ Myself (I am 19 or older) ☐ Myself and parent
☐ Parent (I am under 18 and not married) ☐ Spouse who is a legal resident of Hawai‘i or has a statutory exemption
☐ Myself and parent

B Indicate if any of the following statutory exemptions apply to you (documentation required):

☐ I am a full-time faculty or staff member of the University of Hawai‘i, or a spouse or legal dependent of such a person. (Attach employment contract)
☐ I am Hawaiian and not a Hawai‘i resident. (Attach an official copy of your birth certificate, and, if necessary, that of your parents/grandparents documenting Hawaiian ancestry)
☐ I am a legal resident of __________________________ which has no public institution of higher education. (See Statutory Exemption E on page 9. Attach University of Hawai‘i Official Certification of Domicile Form available from the Admissions Office.)
☐ I am a member or authorized dependent of a member of the U.S. armed forces, on active duty, stationed in Hawai‘i. (See item F below.)

Your application will not be reviewed without the proper documentation.

Complete Sections C, D, and E if you are claiming Hawai‘i residency

C Check one box even if you are an adult and independent:

☐ I am not claimed as a dependent on my parents/legal guardian’s personal income tax form for 1999.
☐ I am claimed as a dependent on my parents/legal guardian’s personal income tax form for 1999 and my parents/legal guardians are legal Hawai‘i residents. (If you checked this box, the parent or legal guardian who claims you as a dependent must complete Section E.)
☐ I am claimed as a dependent on my parents/legal guardian’s personal income tax form for 1999 and my parents/legal guardians are not legal Hawai‘i residents.

D Last publicly supported institution of higher education attended, if any (including current enrollment at a University of Hawai‘i campus):

________________________________________/________________________

Indicate tuition paid: ☐ Resident ☐ Nonresident ☐ Resident, due to exemption from nonresident tuition (specify type of exemption)

E Complete the following items on the basis of yourself and: your parent/legal guardian (if you are under 19 or have been claimed by him/her as a dependent for tax purposes); or spouse (if you are claiming residency on the basis of your spouse). That person must also date and sign below, and provide necessary documentation upon request.

<table>
<thead>
<tr>
<th>MYSELF (APPLICANT)</th>
<th>MY PARENT/LEGAL GUARDIAN/SPouse</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. I have been living in Hawai‘i continuously since: ____________ month:____ day:____ year:_____ month:____ day:____ year:____</td>
<td></td>
</tr>
<tr>
<td>2. I filed Personal Resident Income Tax Return in (specify state): ____________ from (specify years): ____________ to ____________ month:____ day:____ year:_____ month:____ day:____ year:_____</td>
<td></td>
</tr>
<tr>
<td>3. I registered to vote in (specify state): ____________ on (specify months/year): ____________ month:____ day:____ year:_____ month:____ day:____ year:_____</td>
<td></td>
</tr>
<tr>
<td>4. I last voted in (specify state): ____________ on (specify month/year): ____________ month:____ day:____ year:_____ month:____ day:____ year:_____</td>
<td></td>
</tr>
<tr>
<td>5. Other evidence of residency, if any (e.g., employment): ____________</td>
<td></td>
</tr>
</tbody>
</table>

Date:_________ Signature of Parent/Legal Guardian/Spouse Relationship to Applicant

F VERIFICATION OF UNITED STATES ARMED FORCES MEMBERS ASSIGNMENT IN HAWAI‘I (MILITARY ORDERS MUST BE ATTACHED)

(To be completed by the member’s Commanding Officer)

1) Name, rank, & branch of service of military member on active duty stationed in Hawai‘i, and assigned to my unit or organization

2) Estimated date of rotation from Hawai‘i or separation from military service (whichever is earlier). Provide month/day/year; do not use “indefinite.”

3) Member’s relationship to applicant: ☐ Self ☐ Spouse ☐ Parent ☐ Other (specify)________________________

Permission is hereby granted to release information to UH campus 

Signature of Commanding Officer Printed Name

Applicant’s Signature Rank and Branch of Service in Hawai‘i

Military Member’s Signature Phone number of Branch of Service in Hawai‘i Date