

# RESIDENCY AND FEES OF STUDENTS ATTENDING OR APPLYING FOR ADMISSION TO EDUCATIONAL INSTITUTIONS

Section 37-103, Mississippi Code 1972, Recompiled provides the following:  
(As amended by House Bill 1055 Regular Session 1990)

37-103-1. The board of trustees of each junior college in this state, the board of trustees of State Institutions of Higher Learning, and the administrative authorities of each institution governed by said boards, in ascertaining and determining the legal residence of and tuition to be charged any student applying for admission to such institution, shall be governed by the following definitions and conditions.

37-103-07 1. Legal residence of a minor. The residence of a person less than twenty-one (21) years of age is that of either parent. If both parents are dead, the residence of the minor is that of the last surviving parent at the time of that parent's death, unless the minor lives with his or her legal guardian, duly appointed by a proper court of Mississippi, in which case the residence becomes that of the legal guardian.

37-103-13 2. Legal residence of an adult. The residence of an adult is that place where he is domiciled, that is, the place where he actually physically resides with the intention of remaining there indefinitely or of returning there permanently when temporarily absent.

37-103-11 3. Effect of removal of parent from Mississippi. If the parents of a minor who is enrolled as a student in an institution of higher learning move their residence, from the State of Mississippi, the minor is immediately classified as a nonresident student.

37-103-03 4. No student may be admitted to any junior college or institution of higher learning as a resident of Mississippi unless his residence, as defined hereinabove, has been in the State of Mississippi preceding his admission.

37-103-15 5. Residence status of a married person. A married person may claim the residence status of his or her spouse or may claim independent residence status under the same regulations, set forth above, as any other adult.

37-103-09 6. Children (under 21) of parents who are employed by educational institutions. Children (under 21) of parents who are members of the faculty or staff of any institution under the jurisdiction of the board of trustees of any community/junior college or the Board of Trustees of State Institutions of Higher Learning may be classified as residents for the purpose of attendance at the institution where their parents are faculty or staff members.

37-103-19 7. Children and military personnel. Resident status of children (under 21) of members of the Armed Forces on extended active duty shall be that of the military parent for the purpose of attending state supported institutions of higher learning and junior colleges of the State of Mississippi during the time that their military parents are stationed within the State of Mississippi and shall be continued through the time that military parents are stationed in an overseas area with last duty assignment within the State of Mississippi, excepting temporary training assignments enroute from Mississippi. Resident status of minor children shall terminate upon reassignment under Permanent Change of Station Orders of their military parents for duty in the continental United States outside the State of Mississippi, excepting temporary training assignments enroute from Mississippi.

37-103-21 8. Certification of residency of military personnel. A military person on active duty station in Mississippi who wishes to avail himself or his dependents of the provisions of Section 37-103-17, must submit a certificate from his military organization showing the name of the military member; the name of the dependent, if for a dependent; the name of the organization of assignment and its address (may be in the letterhead); that the military member will be on active duty station in Mississippi on the date of registration at the state supported institution of higher learning or junior college of the State of Mississippi; that the military member is not on transfer orders; the signature of the Commanding Officer, the Adjutant, or the Personnel Officer of the unit of assignment with signer's rank and title. A military certificate must be presented to the registrar of the State supported institution of higher learning of junior college of the State of Mississippi each semester or trimester at (or within ten(10) days prior to ) registration each semester for the provisions of Section 37-103-17 to be effective.

(Please sign on reverse side)

37-103-27 9. Student must register under proper residence status; penalty. The responsibility for registering under his proper residence status is placed upon the student. In addition to any administrative action which may be taken by the governing authorities of the state-supported institutions of higher learning or junior colleges concerned, any student who willfully presents false evidence as to his residence status shall be deemed guilty of a misdemeanor, and conviction thereof may be fined not to exceed one hundred dollars (\$100.00).

37-103-17 10. Members of the United States Armed Forces on extended active duty and stationed within the State of Mississippi and members of the Mississippi National Guard may be classified as residents, for the purpose of attendance at state-supported institutions of higher learning and community and junior colleges of the State of Mississippi. Resident status of such military personnel who are not legal residents of Mississippi, as defined in Section 37-103-13, shall terminate upon their reassignment for duty in the continental United States outside the State of Mississippi.

(The provisions cited herein have been excerpted from Sections 37-103-1 to 37-103-29)

AFFIDAVIT

I have read the above excerpt from Section 37-103, Mississippi Code of 1972, Recompiled, pertaining to legal residence for Mississippi college students and I certify that

- I qualify as a resident of Mississippi.
- I do not qualify as a resident of Mississippi

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(Residents Signature)

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(Date)

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(Relationship to student)

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(Students ID/SSC#)

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(Student's Printed Name)

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(Student's signature)

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(CO-LIN Employee)

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(Date Checked In)

## LIST OF APPROVED RESIDENCY DOCUMENTS

In cases where residency documentation is required, two forms of documentation must be in the file. Acceptable documentation must include:

1. Current MS driver's license OR state issued ID (Persons moving into the state on a permanent basis have 60 days per state law to acquire driver's licenses.)
  - a. If it has the Veteran designation or logo, then there is no need for additional documentation.
2. Mortgage document (address must match the address on the application)
3. Homestead exemption (address must match the address on the application)
4. Guardian documents (issued by MS Court or the MS Dept. of Human Services)
5. Emancipation documents
6. Prior or Prior-prior year State income tax return
7. Current Motor vehicle registration (Persons moving into the state on a permanent basis have 30 days per state law to register vehicles.)
8. Current Mississippi voter registration.
9. Current Employment documents (last pay stub, employment contract)
10. Current utility bills, including cell phones (address must match the address on the application)
11. Lease agreement (signed by lessor and lessee)
  - a. For students admitted Fall 2013 or after, letters or affidavits from private homeowners, even if notarized, will not suffice as a residency document.

Signed statement by the MS Dept. of Human Services or a certified letter from recognized relief agency (such as the Salvation Army) certifying that the student is receiving services as a homeless MS resident.

The following supporting documents can stand by themselves:

1. Current signed letter or form from the Veterans Affairs School Certifying Officer
2. If a minor (under 21 years of age) with a MS address, a high school transcript showing 4 years of MS high school and graduation date.
3. Current Military orders for MS active military personnel.

These documents should guide you in asking residency questions, but are **NOT** in and of themselves proof of residency status:

1. Physical Mississippi address (not a P. O. Box)
2. MS high school or college transcript
3. MS GED (Beginning July 1, 2012, non-Mississippi residents can take the GED in Mississippi.)