

Hawai'i Residency Requirements & Regulations

Residency Requirements

Tuition for attending Kapi'olani Community College is based on whether you are a resident or non-resident of the State of Hawaii. Residency for tuition purposes is based on a specific set of regulations and not only on whether you live in the state. The Residency Regulations may be [viewed here](#).

Nonresident applicants must pay a \$25.00 nonrefundable, nontransferable application fee. International students, please see [Honda International Center](#) for details on [F-1](#) and [Non-F1](#) student status.

Members of the U.S. Armed Forces stationed in Hawai'i, on active military duty, and their authorized dependents are exempt from this fee.

Admissions Residency Requirements

Kapi'olani Community College, like all public institutions of higher learning, has residency requirements for payment of resident tuition. These requirements are very complex, and students often have questions about their residency status as it applies to tuition. Hawai'i state law has determined residency to be established by an independent adult, an emancipated minor, or a minor's parents/guardian, who:

- Has been physically present in the State of Hawaii for at least twelve months prior to the first day of the semester.
- Has demonstrated an intent to make Hawai'i a permanent residence/domicile.

Non-Residents: residency status for tuition purposes

If you are currently a nonresident but have established permanent residency in Hawai'i, you may petition for a change in residence status. Inquire at the [Admissions and Records Office](#) for details and deadline information.

To apply for a change in residency status:

- Complete the Change of Residency form (available at KISC) and provide as much of the following information as possible. The following documents can assist in determining your residency status:
 - Either a Tax Clearance Certificate from the Hawai'i State Tax Office certifying the year(s) in which you filed Hawai'i resident income tax returns or a copy of your last professionally prepared Hawai'i State income tax return.
 - Affidavit of Hawai'i Voter Registration.

- An employer contract or letter verifying the dates of employment.
- Copy of your parent's/guardian's latest Hawai'i personal income tax forms.
- Long-term lease, rental, or home purchase agreement.
- Statement from public and/or private agencies attesting to your residency for a specific period of time.

Current non-resident students at all UH Campuses

All non-resident students who were admitted in Fall 2005 semester and thereafter, may be affected by a change in the University of Hawai'i's policy regarding nonresident status for tuition purposes. Nonresident students who enter any campus of the University of Hawai'i may not be allowed to change his/her residency status from nonresident to resident during any period in which he/she:

- enrolled for 6 credits or more at any UH campus;
- was absent from Hawai'i for more than 30 days per year during school vacation periods;
- received student financial assistance based on residency in another state; or
- was a dependent of nonresident parent(s) or legal guardian.

The newly-adopted policy is in accordance with Chapter 20-4-8, Hawai'i Administrative Rules:

Presence in Hawai'i primarily to attend an institution of higher learning shall not create resident status. A nonresident student enrolled for six credits or more per term shall be presumed to be in Hawai'i primarily for educational purposes. Such period of enrollment shall not be counted toward the establishment of a bona fide domicile of one year in Hawai'i. A student may rebut this presumption of non-residence if clear and convincing evidence is provided that the student has abandoned the student's previous residence and has established a bona fide residence in Hawai'i primarily for purposes other than educational.

To demonstrate the intent to make Hawai'i your legal residency, filing a Hawai'i resident personal income tax return is the primary indicator.

Residency Regulations (condensed)

The residency rules and regulations may be subject to change.

Students who do not qualify as bona fide residents of the State of Hawaii, according to the University of Hawai'i rules and regulations in effect at the time they register, must pay the nonresident tuition. An official determination of residency status will be made prior to enrollment. Applicants may be required to provide documentation to verify residency status.

Once classified as a nonresident, a student continues to be so classified during his/her term at the college until he/she can present clear and convincing evidence to the residency officer that proves otherwise (prior to the start of the term of change).

Some of the more pertinent University residency regulations follow. For additional information or interpretation, contact the residency officer in the Admissions Office. The complete rules and regulations are available at the Admissions Office.

Definition of Hawai'i Residency

A student is deemed a resident of the State of Hawaii for **tuition purposes** if the student (18 or older) or the student (under 18) and his/her parents or legal guardian have:

1. **Demonstrated intent** to permanently reside in Hawai'i (see below for evidences);
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.

The age of majority is 18 years. However, a person between the ages of 18 and 19, unless emancipated, cannot claim residency solely on the basis of himself/herself because he/she does not have the minimum 365 months/one (1) calendar year residency, which commences on his/her 18th birthday. Therefore, the applicant must claim a portion of the required 12 months on the basis of his/her parent or legal guardian.

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

1. Filing Hawai'i resident personal income tax return
2. Voting/registering to vote in the State of Hawaii Other evidence, 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 Hawaii.

Other legal factors in making a residency determination include:

1. In order to be considered as a resident for tuition purposes, you must be a U.S. Citizen or a permanent resident alien for a period of 365 days/one (1) calendar year.

2. The 365 days/one (1) calendar year “clock” begins when you take the first action demonstrating your intent to make Hawai‘i your permanent residence (i.e. start employment, register to vote, purchase property, or get a general excise tax license). Residence will be lost if it is interrupted during the 12 months immediately preceding the first day of instruction.
3. Residency in Hawai‘i and residency in another place cannot be held simultaneously.
4. Presence in Hawai‘i primarily to attend an institution of higher learning does not create resident status. A nonresident student enrolled for 6 credits or more during any term within the 12-month period is presumed to be in Hawai‘i primarily to attend college. Such periods of enrollment cannot be applied toward the physical presence requirement.
5. The residency of unmarried students who are minors follows that of the parents or legal guardian. Marriage emancipates a minor.
6. 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, provided that Hawai‘i is claimed and maintained as the person’s legal residence.

Board of Regents Exemptions

1. Nonresidents may be allowed to pay resident tuition if they qualify as one of the following:
 1. United States military personnel and their authorized dependents during the period such personnel are stationed in Hawai‘i on active duty
 2. Members of the Hawai‘i National Guard and Hawai‘i-based Reserves
 3. Full-time employees of the University of Hawai‘i and their spouses and legal dependents
 4. East-West Center student grantees pursuing a baccalaureate or advanced degrees
 5. Hawaiians, descendants of the aboriginal peoples that inhabited the Hawaiian Islands and exercised sovereignty in the Hawaiian Islands in 1778
 6. Veterans Post-9/11 GI Bill® or Montgomery GI Bill® Active Duty using education benefits
 7. Individuals eligible to use transferred Post 9/11 GI Bill® educational benefits
 8. Individuals eligible to use transferred Post 9/11 GI Bill® educational benefits, and whose transferor is a member of the uniformed service who is serving on active duty
 9. Individuals using Post-9/11 GI Bill® education benefit under the Marine Gunnery Sergeant John David Fry Scholarship

10. Individuals using educational assistance under the Veteran Readiness and Employment program (formerly Vocational Rehabilitation and Employment)

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 <http://www.benefits.va.gov/gibill>.

2. Citizens of an eligible Pacific island district, commonwealth, territory, or insular jurisdiction, state, or nation which does not provide public institutions that grant baccalaureate degrees may be allowed to pay 150% of the resident tuition. At the time of publication, these included the following:

1. American Samoa
2. Commonwealth of the Northern Mariana Islands
3. Cook Islands
4. Federated States of Micronesia
5. Futuna
6. Kiribati
7. Nauru
8. Niue
9. Republic of Palau
10. Republic of the Marshall Islands
11. Solomon Islands
12. Tokelau
13. Tonga
14. Tuvalu
15. Vanuatu
16. Wallis

This list is subject to change. For a current list, eligibility and documentation requirements, please contact the Admissions Office of the campus you are applying to.

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.