

Residency for Tuition Purposes

The University of Hawai'i Windward Community College, like all public institutions of higher learning, has residency requirements for payment of resident tuition. These requirements, similar to those of other states, are complex. Detailed information is available at [Hawai'i Administrative Rules on Determination of Residency as Applied to Tuition Payments and Admissions](#). Residency rules may change as a result of legislation or administrative action.

A student who does not qualify as a bona fide resident of the State of Hawai'i must pay the non-resident tuition rate. A non-refundable non-resident application fee is also assessed. Applicants may be required to provide documentation to verify residency status. An official determination of residency status will be made prior to enrollment. Once classified as a non-resident, 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. This request must be submitted prior to the start of the term of the change.

For complete rules and regulations or interpretation, contact the Residency Officer in the Admissions & Records Office.

Condensed University Residency regulations follow.

Definition of Hawai'i Residency

Hawai'i state law has determined residency to be established by an independent adult, an emancipated minor, or a minor's parents/legal guardian who:

- Demonstrated intent to permanently reside in Hawai'i (see below for evidence);
- Been physically present in Hawai'i for the 12 consecutive months prior to the first day of instruction, and after the demonstration of intent to make Hawai'i his/her legal residency; and
- 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 the student's legal residency, the following evidence applies:

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

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 Hawai'i.

Other legal factors in making a residency determination include:

- The 12 months of continuous residence in Hawai'i shall begin on the date upon which the first overt action (see evidence) is taken to make Hawai'i the permanent residence. Residency will be lost if it is interrupted during the 12 months immediately preceding the first day of instruction.
- Residency in Hawai'i and residency in another place cannot be held simultaneously.
- 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.
- The residency of unmarried students who are minors follows that of the parents or legal guardian. Marriage emancipates a minor.
- 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

Non-residents may be allowed to pay resident tuition if they qualify as one of the following:

- United States military personnel and their authorized dependents during the period such personnel are stationed in Hawai'i on active duty
- Members of the Hawai'i National Guard and Hawai'i-based Reserves

- Full-time employees of the University of Hawai'i and their spouses and legal dependents
- East-West Center student grantees pursuing baccalaureate or advanced degrees
- Hawaiians, descendants of the aboriginal peoples who inhabited the Hawaiian Islands and exercised sovereignty in the Hawaiian Islands in 1778
- Veterans eligible to use Post 9/11 GI Bill® or Montgomery GI Bill® Active Duty education benefits OR individuals eligible to use transferred Post 9/11 GI Bill® education benefits, who live in Hawai'i, and enroll at the University, regardless of the length of time that has passed since discharge from a period of active duty, per Public Law 116-315, Section 1005
- Individuals eligible to use transferred Post 9/11 GI Bill® education benefits, who live in Hawai'i, and whose transferor is a member of the uniformed service who is serving on active duty
- Individuals eligible to use Post 9/11 GI Bill® education benefits under the Marine Gunnery Sergeant John Fry Scholarship who live in Hawai'i
- Individuals eligible to use Vocational Rehabilitation and Employment (VR&E) education benefits, who live in Hawai'i

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:

- American Samoa
- Commonwealth of the Northern Mariana Islands
- Cook Islands
- Federated States of Micronesia
- Futuna
- Kiribati
- Nauru
- New Caledonia
- Niue
- Rapa Nui (Easter Island)
- Republic of Palau
- Republic of the Marshall Islands
- Solomon Islands
- Tokelau
- Tonga
- Tuvalu
- Vanuatu
- Wallis

This list is subject to change. Please contact the Admissions & Records Office for eligibility and documentation requirements.

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

Please contact the Residency Officer in the Admissions & Records Office for information on residency appeals. Appeals are heard by the University of Hawai'i Residency Appeals Board, and may only be filed once non-resident tuition has been paid or placed on a payment plan.