

**Q:** Are active-duty military members eligible for in-state tuition?

**A:** In most cases, yes. Active-duty military members who establish domicile in Virginia are eligible for the in-state tuition rate as of the next term. Non-resident military members may also be eligible for the in-state tuition rate if they are assigned permanent duty station in Virginia.

**Q:** Can dependents and spouses of active duty military personnel pay in-state tuition at ESCC?

**A:** In most cases, yes. As of July 1, 2006, if the active-duty military member is assigned permanent duty station to a Virginia base, a contiguous state, or D.C., and is residing in Virginia, then the dependents of the military member may be charged the in-state tuition rate regardless of domicile. Family of military members not meeting the criteria must demonstrate that domicile has been established.

**Q:** Can the non-military spouse establish Virginia domicile separate from the domicile of the active-duty military spouse?

**A:** Yes. To establish their own domicile in Virginia, the non-military spouse must meet the same domicile requirements as any new resident to the state.

**Admissions Office**  
**Eastern Shore Community College**  
**29300 Lankford Highway**  
**Melfa, VA 23410**  
**757-789-1731**

**Q:** What if a person disagrees with a tuition classification decision?

**A:** ESCC has established an appeal process for students who disagree with the institution's domicile determination. The initial domicile decision may be appealed to the Dean of Student Services. This decision of the Dean of Student Services may be appealed to a domicile review panel appointed by the college president. Any party aggrieved by this final college administrative decision shall have the right of review to the local circuit court. See the college catalog for more details about the domicile appeals process.



*The information in this brochure is for summary purposes only and does not address all provisions of the law. The complete text of section 23.7-4 of the Code of Virginia can be accessed on the web at <http://www.schev.edu/students/VAdomicileInfo.Asp>.*

**Inquires about establishing Virginia domicile or explanations involving special circumstances should be directed to the ESCC Admissions Office.**

Rev 7/24/2015



ESCC does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs or activities. The following person has been designated to handle inquiries regarding the non-discrimination policies: Janet Justis, 29300 Lankford Hwy., Melfa, VA 23410; 757.789.1723.

**Q:** What does it mean if I am domiciled out-of-state? Does it cost more?

**A:** For the 2015-16 academic year, in-state tuition and fees are \$146.50 per credit hour. Out-of-state tuition and fees are \$341.10 per credit hour. There are also special rates for out-of-state students whose Virginia employer or federal agency in Virginia has entered into a contractual arrangement with ESCC.

**Q:** If I'm out-of-state, what impact will this have on financial aid?

**A:** Generally Virginia financial aid dollars are reserved for Virginia-domiciled students. Therefore, in most cases, ESCC financial aid packages to out-of-state students will not cover all tuition costs. Check into the college's QuikPAY and TMS Payment Plan payment programs.

**Q:** How does a student qualify as an "in-state" student for tuition purposes?

**A:** Although individuals may be considered state residents for voting and other legal purposes, the Code of Virginia outlines the domicile requirements that must be met in order for a student to be classified as "in-state" for tuition purposes. Proof of domicile involves satisfying the definitions of both *domicile* AND *domiciliary intent*.

**Q:** What is *domicile*?

**A:** "Domicile" is the present, fixed home of an individual to which he or she returns following temporary absences and at which he or she intends to remain indefinitely. Mere physical presence or residence for educational purposes does not establish *domicile*.

**Q:** What is *domiciliary intent*?

**A:** The present intent to remain indefinitely, together with physical presence, establishes *domicile*. State law lists several factors which, taken as a whole, determine if *domiciliary intent* has been established.

- Continuous residency in the state of Virginia for at least one year prior to the start of the term
- Employment in Virginia
- Payment of Virginia state income tax as a legal resident
- Registering to vote in Virginia
- Ownership of real property in Virginia
- Obtaining a Virginia driver's license
- Acceptance of permanent employment in Virginia following graduation
- Registration of a motor vehicle in Virginia
- Sources of financial support
- Military records
- Any other social or economic factors specific to the individual which establish intent to make Virginia one's permanent home

The burden is assumed by the applicant to provide as much information and documentation as appropriate to demonstrate intent.

**Q:** How long must a person be domiciled in Virginia before they can be considered "in-state" for tuition purposes?

**A:** By law a student, or the person through whom the student is claiming domicile, must be domiciled in Virginia for at least 12 continuous months immediately preceding the first day of the term.



**Q:** Can a person leave the state for temporary purposes after establishing domicile and retain "in-state" status?

**A:** Yes. Temporary absences, such as leaving the state to go to college or on a temporary assignment for your job, are permitted but he or she must maintain connections with Virginia while away. Any voluntary interruption or change in these connections could result in having to reestablish domicile upon returning to Virginia.

**Q:** Are non-U.S. citizens capable of establishing "in-state" classification?

**A:** Non-U.S. citizens are legally capable of establishing domicile if they have been granted the status of lawful permanent residents. Such immigrants may be reviewed for domicile status and eligibility for in-state tuition rates. Non-immigrants are subject to the limitations and restrictions of their legal status. Ask the ESCC Admissions Officer if your legal status permits a domicile review.

