

ITEM 138-106-R0308

Revision to Residency Policy 940.1

THAT:

The Regents hereby adopt the following revision to Policy 940.1, Residency at §(5)(c), which will be added as an additional provision at the end of that section:

“Notwithstanding the terms of this section, former Montana residents may be re-classified as in-state without serving a 12-month period of physical domicile in Montana if the student is unable to be present in Montana for the required 12-months due to his or her service in an active duty military assignment. The student must demonstrate re-establishment of Montana residency in all other ways required of the policy for a period of 12 months prior to the application for residency. For purposes of this policy, membership in ROTC, in the reserves or in the National Guard, does not, in itself, qualify as active duty. Active duty military status cannot be achieved by attending school.”

EXPLANATION:

In order to assist students on active duty military assignments re-establish Montana residency for higher education purposes, Commissioner Stearns is recommending a narrow revision to the Regents' residency policy which will allow former Montana residents who are assigned to active military duty to re-establish residency without the requirement of physical presence in Montana, providing they do all other things required by the policy to establish residency for a period of 12 months.

This item was approved on a provisional basis by the Board of Regents January 16, 2008.

ATTACHMENTS:

Revised Policy