

# Rules: Harris fights for residency

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avits for residency: Have the students established a domicile? Are they being claimed as a tax dependent? Are they financially independent? What is their primary activity?

Paying Oregon income taxes should be number one on the list, he said, but in actuality it ranks fifth.

Filing an affidavit for residency in the University Admissions Office is the first step toward acquiring residency status. The school's residency officer decides the case after meeting with the student. Students turned down by the residency officer can choose to appeal to Oregon's Inter institutional Residency Committee (IRC). If the appeal is rejected, it can move to the Oregon State System of Higher Education or, if necessary, the courts.

## THE HARRIS CASE

For some students, the appeal process can take months or even years to be resolved. This has been the case with University student Audrey Harris.

Harris, a 36-year-old single mother of three, began the process in 1994, and in 1997, she is still fighting for residency.

A senior majoring in political science and psychology, Harris moved to Oregon from California in 1993 and attended the University for a year before applying for residency.

Two other women who moved from California in the same year joined Harris in the quest for residency status.

Each of the women argued that her primary reason for moving to Oregon was to raise her children in a safe environment. Harris said she was escaping an abusive relationship.

"I just feel like the school and state, in general, discounted my reasons for coming here," Harris said.

Waddell is not convinced that Oregon is the answer to California's crime, pollution and social ills.

"You don't have to leave California to find those sanctuaries," Waddell said. "You can't paint California with the same brush."

After Waddell turned down Harris' case, the three women made separate appeals to the IRC and state system Vice Chancellor for Academic Affairs Shirley Clark.

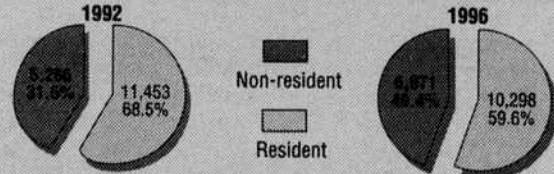
Clark reviews cases denied by Waddell and the IRC.

If Clark denies an appeal, the appellant has the option to appeal in County Circuit Court, as Harris and the other two women chose to do after Clark denied their appeals in 1995.

## THE FACTS

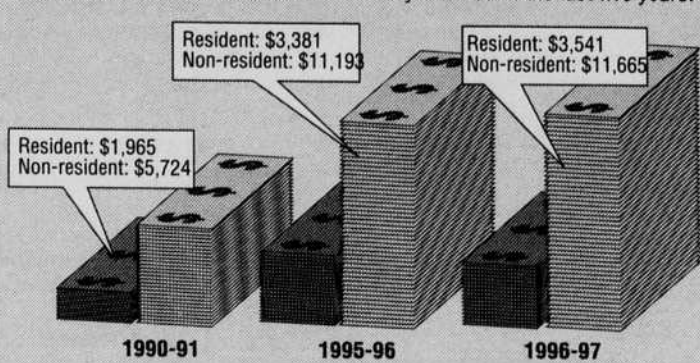
### RESIDENT TO NON-RESIDENT RATIO

Number of students classified as resident or non-resident at the University



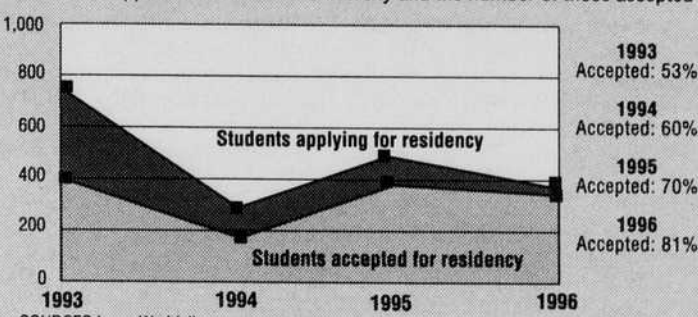
### TUITION FOR RESIDENTS AND NON-RESIDENTS

Yearly tuition for non-residents has nearly doubled in the last five years.



### STUDENTS APPLYING FOR RESIDENCY

Number of applications to attend University and the number of those accepted



SOURCES: Larry Waddell, Oregon State System of Higher Education, 1996 Statistical Abstract of the United States

MATT GARTON/Emerald

Harris' appeal was rejected on two counts: She lived in University housing and was employed as a custodian by the University, a job open only to students.

Clark stated in her ruling that Harris failed to demonstrate a "bona fide domicile in this state primarily for purposes other than educational."

"I'm mindful that the case has been received at the institution and IRC," Clark said.

By looking at the reasons a petition has been denied in the previous two bodies, Clark said the full case is available for her to make a judgment.

Some cases are overturned after going through the first two phases, Clark said.

"It does happen," she said. "I would call them differences in interpretation."

Interpreting why the student came to the state is an important factor, Clark said. According to section 580-10-030 of the residency classification policy and procedures: "In determining resident or nonresident classification, the primary issue is one of intent. If a

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— Audrey Harris  
University student

person is in Oregon primarily for the purpose of obtaining an education, that person will be considered a nonresident."

"The issues usually relate to the individual behavior and what they do when they come to the state," Clark said.

A student has to show that his or her primary intent for being here is not education.

Single parents working full time and attending school full time can have trouble balancing a busy schedule, and Harris said work or parenting priorities come before attending classes.

"Primarily, I'm a parent, an employee and then a student," Har-

Turn to HARRIS, Page 10

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