

FINAL

Policy of the University of Arkansas for Medical Sciences Division of Academic Affairs
Subject: Standards and Processes for Determining Student Residency Status for Tuition Purposes

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Purpose

This document provides standards and procedures for making residency determinations of applicants and students of the University of Arkansas for Medical Sciences' (UAMS) in accordance with University of Arkansas Board of Trustees policy 520.8¹.

Intent

The intent of this policy is to provide a pathway for reclassification of non-residents to establish themselves as permanent residents in order to participate in and contribute to, the professional, economic, and socio-cultural enterprise of the state. This pathway cannot be extended to non-residents whose sole or primary purpose for being in the state is to enroll in one of UAMS' education programs and who are likely to exit the state after graduation/completion. This category of non-resident will be classified as a non-resident and will be charged the non-resident tuition rates of the respective program.

Initial Classification of Residency Status

Process

1. Initial classification is made based on the applicant's responses to questions on the application for admission. The address (legal state of residence) at the time of application is the key determinant, provided that the individual is a U.S. citizen or has been granted permanent resident status through the U.S. State Department.²

¹ University of Arkansas Board Policy 520.80, "*Student Residency Status for Fee Purposes.*"

² Specifically, permanent and/or legal residence or state of (legal) residence, depending on the application form or service used by the college.

2. For applicants who apply through a national application service (e.g., AmCAS, PharmCAS, or SOPHAS), the legal state of residency provided on the application will be used to determine residency status. Any change in the status of an applicant applying through these services requires that the student also change the state of residency in the application service database.
3. By signing the application for admission form, the applicant attests (swears) that all information is true and accurate and that the applicant is responsible for notifying UAMS of any changes which might affect residency status. An applicant who knowingly gives erroneous information or fails to present corrected or updated information may be subject to dismissal from the University's application process or programs.
4. Routine initial classifications will be made by the college's admissions personnel based on the information provided in the application to the program and according to the rules for determining resident status established in this policy. Non-routine classifications will be reviewed and decided by the Student Residency Classification Committee.

Requests for a Change of Residency Status

Applicants or continuing students may request a change in their classification by completing an *Application for Change of Residency Status*, when they can provide written documentation to the college's Admissions Office(s) by the prescribed deadline³ published by the colleges. Applicants or continuing students should be aware that completing an application for reclassification is not a guarantee that a change in resident status will be granted.

Any change in the status of an applicant applying through a national application service requires that the applicant also change the state of residency in the application service database.

The burden of proof of reclassification is on the applicant/continuing student seeking a change in status. To be eligible to be considered for reclassification all documentation in support of the request must be notarized and submitted by the applicant/student by the prescribed deadline.

An application for reclassification is considered complete when all categories below have been addressed. All documentation must be submitted with the application and must be in the form of photocopies clearly showing the relevant date(s). To establish parent's residency, documents

³ Deadlines may vary by college and program.

are to be provided by the parent (see categories 3.b. and 3c in Appendix A – Additional Guidelines to Determine Residency Status).

Incomplete applications will be returned to the applicant and will not be considered.

Standards to Establish Residency

A student/applicant who is financially independent will be evaluated based on his/her own circumstances. A student who is a dependent of a parent or guardian will be evaluated based on the parent(s)/guardian(s) circumstances. One parent or guardian must qualify as an Arkansas resident in order for a dependent student/applicant to claim state residency.

Each of the following standards must be met in order for state residency status to be granted. The applicant/student has:

- 1. Physically resided in Arkansas for at least twelve consecutive months in the permanent home (a bona fide domicile) and was not a student at any Arkansas higher education institution during those twelve months.**

Documentation required: Housing agreement (deed, lease, etc.) with applicant's name listed. A dormitory room in a campus residence hall or a PO Box does not qualify as a bona fide domicile.

- 2. Maintains a permanent connection to the state and has an expectation of remaining in the state beyond graduation.**

Documentation required: The applicant/student must prepare a written justification supporting his/her assertion of a permanent connection (e.g., family, social or professional ties, job opportunities), and post-graduation plans.

- 3. Earned a minimum of \$4000 gross taxable income in the state during the twelve consecutive months prior to application.**

Documentation required: Pay stubs or other verification of Arkansas wages or salary earned.

Guidelines to address additional issues and circumstances, such as marriage to an Arkansas resident, are contained in Appendix A – Additional Guidelines to Determine Residency Status. Definitions of key terms used in this policy are provided in Appendix B.

Effective Date for Initial Classification

Classification determinations are annual and will apply to the entire academic year in which the determination is made. Once the initial classification is determined (including any appeals) by the established deadlines set by the colleges,⁴ the classification will be in effect for the academic year to which the student is applying/enrolling. Eligible students may apply for reclassification for the next year.

One exception to the effective date of change will be marriage to an Arkansas resident. Proof that the spouse is an Arkansas resident will be the same as requirements specified for the applicant/student. If approved, the resident tuition rate will take effect in the following term or in the College of Medicine, for the following academic year.

Reclassification of Continuing Students in Subsequent Years

A continuing student who has been classified as out-of-state for his/her first academic year may apply to be reclassified for subsequent academic years using the same standards identified above in the section Requests for a Change of Residency Status.

The *Application for Change of Residency Status*, which includes the supporting documentation, must be returned by the established deadlines prior to the Fall semester in which the change in residency status is to take effect.

An application for reclassification is considered complete when all requirements have been met, accurately documented, notarized and submitted to the student's home college by the published deadline. All documentation submitted with the application must be in the form of photocopies clearly showing the date of each action. If establishing proof of parent's residency, documents are to be provided by the parent(s).

⁴ Typically, the same as the deadline to apply for the program. Deadlines may vary by college.

Procedures -- Student Residency Classification Committee (SRCC)

This Committee will review non-routine applications for initial classification and all applications for reclassification from continuing students. The committee is chaired by the Classification Review Officer and will include one representative from each of the colleges and the Graduate School. For initial classifications, the college representatives will typically be a person with responsibility for the admissions process. For reclassification of continuing students, the college may appoint a different representative, for example, those with responsibility for student registration, records, and/or services.

Non-routine Initial Residency Classification

1. When a college official receives an initial classification request that cannot be immediately resolved, he or she may forward the request (including relevant documentation) to the SRCC.
2. Reviews may be conducted electronically, and will occur as needed, and will be scheduled to meet significant deadlines of the colleges.
3. The SRCC may request additional information or clarification from the college and/or applicant.
4. The SRCC reviews the application against the standards for in-state residency status and determines the final residency status by a vote of the majority.
5. The SRCC communicates its findings, along with the rationale for its decision, in writing to the applicant and admissions officer within 10 business days of the meeting.
6. If an applicant's request to be classified as in-state is denied by the SRCC, the applicant is informed that he/she may appeal to the Classification Appeal Officer per the procedure described below.
7. Applicants reclassified as in-state residents by the SRCC or through its related appeals process (see below) will pay in-state resident tuition for the Fall semester following the committee's decision.

Reclassification of Continuing Students

1. College staff collects the completed *Application for Change of Residency Status* and all supporting documents and forwards to the SRCC. Only completed applications will be accepted and reviewed.
2. The SRCC will meet once each year (typically Spring or Summer) to review the complete applications against the established criteria and to determine the final residency status.
3. The SRCC may request additional information or clarification from the student in addition to those specifically included in the application.

4. The SRCC communicates its findings, along with the rationale for its decision, in writing to the student and admissions officer within 10 business days of the meeting.
5. If a student's request to be reclassified as in-state is denied by the SRCC, the student is informed that he/she may appeal to the Classification Appeal Officer per the procedure described below.
6. Students reclassified as in-state residents by the SRCC or through its related appeals process (see below) pay in-state resident tuition beginning with the Fall semester following the committee's decision.

Appeals

The Vice Chancellor for Academic Affairs serves as the University's Classification Appeal Officer.

1. If an applicant's request/application to be classified or reclassified as an in-state resident is rejected, the applicant or student will be informed that they may appeal to the Vice Chancellor for Academic Affairs.
2. To implement the appeals process, the student must send a letter to the Vice Chancellor for Academic Affairs requesting a review. The letter must be received by the Vice Chancellor for Academic Affairs within 10 business days of the student receiving the official notice that the request or application was denied.
3. The Vice Chancellor for Academic Affairs reviews the information considered by either the college admissions personnel or the SRCC and may, at his/her discretion, make investigations, receive additional evidence, and conduct informal hearings.
4. After considering the case, the Vice Chancellor for Academic Affairs renders a decision and notifies the applicant or student and the admissions officer in writing within 10 business days of the decision.
5. Any decision may be appealed to the Vice President for Academic Affairs of the University of Arkansas System, who shall recommend final disposition to the President of the University.

Outcomes for Reclassification

When applicants and students are (re)classified as Arkansas residents through this policy, Student Financial Services, Academic Computing and the appropriate college will be notified of the change, and the applicant's status will be changed in all relevant data systems, including those for applicants, admissions, enrollment, financial aid and student accounts. This change of permanent status has implications beyond granting a waiver of the out of state tuition rate, and may for example, effect

financial aid awards. Establishing permanent residency in Arkansas also means that students cannot typically claim residency in another state. Applicants are encouraged to familiarize themselves with the rules and consequences related to seeking residency status through discussion with college admissions officers and financial aid counselors.

Appendix A – Additional Guidelines to Determine Residency Status

1. **Resident Status Classification by Other Institutions:** UAMS is not bound by the decision of any other college or university to award a waiver or scholarship to offset tuition owed by a student. Board policy directs each campus to develop its own guidelines on what constitutes residency (“articulate standards which will be applied in making the determination of residence”), and also authorizes executives on each campus to set its own rules governing the tuition for education programs.”
2. **Past Residency:** Whether the applicant/student or parents have lived in the state in the past does not establish in-state resident status, regardless of the length of prior residency. The relevant time period is the twelve month period prior to application.
3. **Relocation:** In cases involving relocation in and out of the state, the critical element necessary to claiming state residency is that there is record of continuous domicile (residency) in the state by the applicant/student, the spouse of the applicant/student, or at least one parent of an applicant/student when the applicant/student is a dependent.

Examples:

- a. If the student/applicant’s parent(s) have retained residency, AND the student/applicant is a dependent, then he/she may also claim resident status. This may occur frequently with an applicant/student whose parents are divorced and live in different states.
- b. If the student marries an Arkansas resident, and the spouse maintained a residence in the state while the student/applicant lived elsewhere, then in-state resident status may still be granted on the basis of the spouse’s status.
- c. For applicants/students who are dependents of their parent(s) and the parents are Arkansas residents at the time of application: the applicant/student will be classified as in-state.
- d. An Arkansas resident who leaves the state solely to attend an out-of-state school retains residency in Arkansas, since residing in a state solely to pursue an education does not establish residency – therefore, the student does not lose his/her status as an Arkansas resident.

- 4. Relocated for Job, Non-School Purposes:** The twelve-month requirement for any student/applicant, their spouse, or their unmarried dependents to establish a bona fide domicile may be waived – and in-state residency established immediately – when:

 - a. The primary reason for moving to Arkansas was for reasons other than moving to attend college, e.g., moving to take a job, retire, or other life changing circumstances.
 - b. The applicant or his/her parent(s) were deployed to Arkansas as an active member of any branch of the U.S. Military.
- 5. Emancipated Status:** The residence of the applicant/student who is an emancipated minor will be considered and not that of the parent/guardian. Applicants are to be considered emancipated from their parents when they meet one or more of the following criteria:

 - a. Reach 23 years of age.
 - b. Are not a legal dependent on parent(s) or spouse, as defined by the IRS.
 - c. Are married.
 - d. Minors emancipated through a judicial decree.
- 6. Unemancipated Status:** The domicile of an unemancipated applicant is that of his or her parent or guardian. Unemancipated students of divorced parents shall be classified "in-state" when one parent or guardian, regardless of custodial status, resides in Arkansas.
- 7. Spouse of a State Resident:** The spouse of a student classified as "in-state" shall also be classified "in-state" for all U.S. citizens. However, it is the responsibility of the applicant to inform college officials of marital status. If the applicant self-identifies on the application for admission as a non-Arkansas resident, and fails to inform college officials of marriage to an Arkansas resident, he/she will be classified as a non-resident. Applicants are also responsible for meeting classification deadlines. If an applicant notifies a college after the established deadline that he/she is married to an Arkansas resident, the college will change the classification for the term following the term in which the decision is made, or for the COM, the subsequent year.
- 8. Non-U.S. Citizens:** Non-US citizens will be classified as out-of-state residents for tuition purposes as well as admission purposes, including those with a temporary visa which allow an applicant to study in the U.S.
- 9. Only non-U.S. citizens who are granted permanent resident status through a green card AND who have established a permanent (bona fide) domicile in Arkansas for a period of twelve months or more are eligible to apply for resident status.**

10. Spouses of international students will be classified as out-of-state students.

Appendix B – Definitions

Whenever used in these regulations or guidelines:

1. **Initial Classification** is the classification assigned to persons applying to be accepted into an education program as either an in-state or out-of-state resident.
2. **Bona fide Domicile** shall mean a person's true, fixed, and permanent home and place of habitation for all purposes of living; it is the place where he/she intends to remain; and to which he or she expects to return when he or she leaves without intending to establish a new domicile elsewhere. A post office box address, or a college or university residence hall are not bona fide domiciles for the purposes of this policy.
3. **Good Faith Acts** – Actions taken that support the applicant's claim that he or she has established a bona fide domicile (see #2 above). Some common examples are obtaining an Arkansas driver's license, registering to vote or buying a home.
4. **Residence** shall mean continuous physical presence and maintenance of a bona fide domicile within the State, provided that absence from the State for short periods of time shall not affect the establishment of residence.
5. **Emancipated student** means a person who is no longer in care, custody, and control of his or her parent. Typically emancipated persons are those 18 years or older, however, minors can be emancipated through judicial decree (emancipated minors). Minors who are married are considered emancipated.
6. **Unemancipated student** means a person under the age of 18 who is considered a dependent of his/her parent(s).
7. **Parent** shall mean a person's father or mother. If there is a non-parental guardian or legal custodian of an unemancipated person, then "parent" shall mean such guardian or legal custodian; provided that there are not circumstances indicating that such guardianship or custodianship was created primarily for the purpose of conferring the status of an instate student on such emancipated person.
8. **Continuing student** – A student who has completed at least two terms at UAMS, or for the College of Medicine, one academic year.