

UAMS Academic Affairs Policy - 3.2.1



UNIVERSITY OF ARKANSAS
FOR MEDICAL SCIENCES

Policy: University of Arkansas for Medical Sciences, Division of Academic Affairs
Subject: Standards and Processes for Determining Student Residency Status for Tuition
Number: 3.2.1

Date Approved (Council of Deans, Provost): August 30, 2013

Date Effective: August 30, 2013

Last Review/Revision: August 21, 2019

Next Review/Revision: August 21, 2021

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

This policy outlines requirements for initial residency classification and provides a pathway for reclassification of non-residents to establish themselves as Arkansas residents for fee purposes 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 student/applicant will be classified as a non-resident and will be charged the non-resident tuition rates of the respective program.

Definitions

Whenever used in these regulations or guidelines:

1. **Residency** for purposes of this policy refers to *Arkansas Residency Status for Fee Purposes* as described in UA Board Policy 520.80. Physical residence is not necessarily related to Arkansas Residency. See definition for "residence" below.
 2. **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.
 3. **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
-

UAMS Academic Affairs Policy - 3.2.1

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.

4. **Good Faith Acts** – Actions taken that support the applicant’s claim that he or she has established a bona fide domicile (see #3 above). Some common examples are obtaining an Arkansas driver’s license, registering to vote or buying a home.
5. **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.
6. **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.
7. **Unemancipated student** means a person under the age of 18 who is considered a dependent of his/her parent(s).
8. **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 in-state student on such emancipated person.
9. **Continuing student** – A student who is currently enrolled and active in classes in the current semester. Enrollment for a term that has not yet begun does not constitute “continuing” status.
10. **Residency Reclassification** – This term refers to any action taken after a student’s residency classification has already been established, either changing the classification to in-state or out-of-state. Except through review or corrections made to student residency during the admission process, all changes in student residency classification require the completion of an *Application for Change in Residency Status*.
11. **Regular Term** refers to the standard semester terms of the UAMS academic calendar (e.g., fall, spring and summer). Start and end dates for regular terms may vary by academic program, but the terms themselves are consistent across all programs except those in the Clinton School of Public Service.

Initial Residency Classification for Incoming Students

Initial residency 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. The questions and data elements on the application for admission used for residency classification will be based upon the residency standards outlined in this policy.

For applicants who apply through a national application service (e.g., AmCAS, PharmCAS, or SOPHAS), the legal state of residency provided on the application is one factor used to determine residency status, in combination with additional residency information collected through supplemental applications. 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.

UAMS Academic Affairs Policy - 3.2.1

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. Residency determinations are made by all colleges using the same guidelines and standards. Non-routine, initial classifications will be reviewed and decided by the Residency Classification Officer (RCO), or, if appropriate, the Student Residency Classification Committee (SRCC—see later section). The University Registrar or her/his delegate serves as the RCO.

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, for admitted or matriculated students, academic programs.

Residency Reclassification

An applicant or continuing student may request a change in residency classification by completing an *Application for Change of Residency Status* available through the Office of the University Registrar (OUR). Completing an application for reclassification is not a guarantee that a change in residency 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. Applicants should contact their respective academic college's admissions officer for additional information.

The burden of proof of reclassification is on the student seeking a change in status. To be eligible for reclassification consideration, all documentation in support of the request must be submitted to the appropriate office no less than four weeks prior to the start of the student's term. The SRCC and/or the RCO may waive documentation requirements and/or request additional documentation from the student as needed.

The SRCC is chaired by the RCO, and may review applications for reclassification from new and continuing students at the request of the RCO. The committee includes one representative from each of the colleges and the Graduate School and the Director of Student Financial Services. These officials may serve directly as the college representative or appoint a designee for the role. As committee chair, the RCO is a non-voting member.

An application for reclassification is considered complete when **all** standards in the *Residency Reclassification Standards* section of this policy have been addressed. Documentation must be submitted with the application or later at the request of the RCO, and must be in the form of photocopies clearly showing the relevant data elements. Original documents should not be submitted as materials will not be returned to the applicant.

To establish residency for a parent or parents, documents are to be provided by the parent (see *Appendix A – Additional Guidelines to Determine Residency Status*). Incomplete applications will be returned to the applicant and will not be considered. Classification determinations are made prior to each regular term. Once the initial classification is determined, a reclassification request for the term may only be considered if all documentation has

UAMS Academic Affairs Policy - 3.2.1

been submitted not fewer than *four weeks prior to the start of classes for the student's academic program*. If a student misses the deadline, she/he may still be considered for reclassification for the next regular term.

If a student is not granted a reclassification for a particular term, but her/his personal circumstances change (e.g., marriage, job changes, etc.), the student may submit a new reclassification request to be considered for in-state residency for a later term.

Residency reclassifications are made for the current and/or future enrollment terms only, subject to the application deadlines described in this section. Retroactive reclassifications are not allowed except through a case-by-case review of the SRCC or the Classification Appeals Officer (CAO).

Residency Classification Standards

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 in-state residency status to be granted.

1. The applicant/student is a U.S. Citizen or U.S. Permanent Resident.

Sample Documentation: Permanent resident (green) card, certificate of naturalization. NOTE: For purposes of tuition and fee calculation, some students with neither status may be eligible for a residency exception rather than a residency reclassification. See Appendix B for information about residency exceptions.

2. The applicant/student has physically resided in Arkansas for at least six consecutive months in the permanent home (a bona fide domicile) and was not a student (full- or part-time) at any Arkansas higher education institution during those six months.

Sample Documentation: Housing agreement (deed, lease, etc.) with applicant's name listed. A university/college residence hall or a P.O. box do not qualify as a bona fide domicile for residency purposes.

3. The applicant/student maintains a permanent connection to the state and has an expectation of remaining in the state beyond graduation (reclassifications only).

Sample Documentation:

- a. A written justification supporting his/her assertion of a permanent connection (e.g., family, social or professional ties, job opportunities), and post-graduation plans

UAMS Academic Affairs Policy - 3.2.1

- b. Arkansas driver's license, if applicable
 - c. Arkansas voter registration
 - d. Arkansas vehicle registration, if applicable
4. **The applicant/student has earned a minimum of \$2000 gross taxable income in the state during the six consecutive months prior to application (reclassifications only).**

Sample Documentation: 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*.

Residency Reclassification Procedure

The following procedures guide the process of reviewing reclassification requests for all students.

1. Students' initial steps depend on whether they are new applicants or continuing students:
 - a. **Applicants** must contact their college admissions officer. The admissions officer will review the student's residency classification to verify that the student is appropriately classified based on the information provided on the application for admission and related documents. If the admissions officer determines that the residency classification was correct based on this information, she/he will refer the student to complete an *Application for Change of Residency Status*, available through the OUR.
 - b. **Continuing Students** should contact the Office of the University Registrar (OUR) to complete an *Application for Change of Residency Status*.
2. The student will submit the *Application for Change of Residency Status* to the OUR. The RCO will collect and review all documentation and determine whether or not the request is standard or requires review by the SRCC.
3. The RCO may convene the SRCC to meet in person or virtually as needed, providing residency decisions at least two weeks prior to the start of the student's term. A majority of members of the SRCC must affirm a reclassification before it may be implemented. If review by the SRCC is not required, the RCO will render a decision and notify the student.
4. If an SRCC review is completed, the RCO communicates the outcome, along with the rationale for its decision, in writing to the applicant and admissions officer (if applicable). The RCO also communicates with colleagues in Student Financial Services, Veteran Services, and other offices in order to appropriately update the student's records as appropriate (e.g., student records that impact tuition calculation, etc.).
5. If an applicant's request to be classified as in-state is denied, the applicant is informed that he/she may appeal per the procedure described below.

UAMS Academic Affairs Policy - 3.2.1

Residency Reclassification Appeals

The following procedures guide the process of reviewing reclassification appeals for all students.

1. If an applicant's application to be reclassified as an in-state resident is denied, the applicant or student will be informed by the RCO that she/he may appeal.
2. To implement the appeals process, the student must send a letter to the RCO requesting a review. The letter must be received within 10 business days of the student's receipt of official notice that the request or application was denied.
3. The RCO collects the student's letter and any other pertinent file information and provides it to the Classification Appeal Officer (CAO). The University Provost serves as the institution's CAO. The CAO may request additional information to assist in the review.
4. After considering the case, the CAO renders a decision and notifies the applicant or student and the admissions officer in writing within 10 business days of the decision. The decision of the CAO is considered final and may not be appealed.

Outcomes for Reclassification

When applicants and students are reclassified as Arkansas residents through this policy, Student Financial Services, Veteran 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.

A change of residency status has implications beyond granting a waiver of the out of state tuition rate, and may for example, affect financial aid awards. Establishing 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.

During a reclassification review, the RCO may determine that, although reclassification is not appropriate based on the circumstances of the request, a Residency Exception may be appropriate for the student's situation. Residency Exceptions are not reclassifications; rather, they allow the student to be granted in-state tuition through an existing, approved program or institutional exception. Additional details regarding Residency Exceptions are found in Appendix B.

Contact Information

Information about the residency classification and reclassification process, including contact information for each college admissions officer, is available through the Office of the University Registrar website: <http://registrar.uams.edu>. Students may also contact the office directly at (501) 526-5600 or email registrar@uams.edu.

Appendix A – Additional Guidelines to Determine Residency Status

UAMS Academic Affairs Policy - 3.2.1

1. **Resident Status Classification by Other Institutions:** UAMS is not bound by the decision of any other college, university or academic unit of the UA System to reclassify a student's residency or award a waiver/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 necessarily establish in-state resident status, regardless of the length of prior residency. The relevant time period is the six-month period prior to application.
3. **Relocation:** In cases involving relocation in- and out-of-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 or move for employment purposes 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. The student must still complete an *Application for Change of Residency Status* by the prescribed deadlines to be reclassified.
4. **Relocated to Arkansas for Job, Non-School Purposes:** The six-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.

UAMS Academic Affairs Policy - 3.2.1

- 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 an In-State Resident:** The spouse of a student classified as "in-state" shall also be classified "in-state" for all U.S. citizens and permanent residents. It is the responsibility of the applicant to inform college officials of marital status and request residency consideration. 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 the University after the established deadline that he/she is married to an Arkansas resident, the student's residency will be changed for the term following the term in which the decision is made. Residency reclassifications are not retroactive to prior terms.
8. **Non-U.S. Citizens:** Non-US citizens and non-permanent residents 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. Only non-U.S. citizens who are granted permanent resident status through a green card AND who meet all other standard residency requirements (see *Residency Classification Standards* section) are eligible to apply for resident status. Spouses of international students will be classified as out-of-state students.

Appendix B – Residency Exceptions and Waivers

In some situations, students who are not eligible for a residency reclassification may be eligible for a residency exception. Residency exceptions allow a student to be charged tuition and fees at the in-state rate while the official student residency designation remains out-of-state. Similarly, tuition waivers are available for students who meet specific criteria which offset the difference between in-state and out-of-state tuition costs. Information about residency exceptions are available at <http://registrar.uams.edu> and information about tuition waivers is available online at <http://studentfinancialservices.uams.edu>.