

**KANSAS BOARD OF REGENTS
GUIDELINES FOR RESIDENT CLASSIFICATION FOR TUITION PURPOSES
KANSAS STATE UNIVERSITY**

Carefully read the following information. The information below is an interpretation of the following statute and regulations:
K.S.A. 76-729 , K.S.A 729-30 and K.A.R. 88-3-1 through 88-3-13. Residency Rules and Regulations, Appendix D at www.kansasregents.org.

Student Responsibility

A student is responsible for enrolling under the proper residence classification for tuition purposes. If there are questions concerning resident classification, the student should contact the Registrar's Office.

Payment of Tuition

If a student is classified as a nonresident, the student shall pay the nonresident tuition by the due date on the billing statement. If the student is later determined to be a resident for tuition purposes, the difference between resident and nonresident tuition for the current semester will be refunded.

If a student is incorrectly classified as a resident for tuition purposes and it is determined that the student is a nonresident for tuition purposes, the student shall pay the nonresident tuition for all semesters during which the student was incorrectly classified.

Appeals

The decisions of the Out-of-State Fee Appeals Committee shall not be subject to further administrative review by any officer or committee of Kansas State University or by the Kansas Board of Regents.

An appeal of an adverse residency determination by the Out-of-State Fee Appeals Committee can be made to the 21st Judicial District Court within 30 days of notification.

Statute/Rules and Regulations

Adult students enrolling at Kansas State University who have not been residents of the State of Kansas for twelve (12) months prior to enrollment for any semester at a Regents university are nonresidents for tuition purposes. Dependent students whose parents have not been residents of the state of Kansas for 12 months are also nonresidents.

Definition of Twelve (12) Months

By definition, twelve (12) months prior to enrollment for any semester means a continuous 365-day period immediately prior to the first day of classes for a specified semester or term.

Definition of Residence for Tuition Purposes

Residence means a person's primary place of habitation, to which, whenever the person is absent, the person has the intention of returning. A person shall not be considered a resident for tuition purposes unless that person is in continuous physical residence and intends to make Kansas a permanent home, not only while in attendance at an education institution, but indefinitely thereafter.

Residency of Students

Generally, the residence of a student who is a dependent child is determined by the residence of the student's parent(s). If both parents are deceased, residence shall be determined by the residence of the student's legal guardian or custodian, or if none exists, of the person providing the preponderance of support. Guardianships established for the sole or main purpose of qualifying the ward for resident tuition will not be honored. A student under 18 years of age who is legally emancipated shall be considered an adult for resident tuition purposes.

If a student is continuously enrolled, it is presumed that the student is in Kansas for educational purposes and the burden will be on the student to prove otherwise.

Ties to another state or country, including financial support, voting, payment of personal property taxes, registering a vehicle or securing a driver's license in that state or country, may be considered sufficient evidence that residence in the other state or country has been retained.

Some factors which, while not conclusive, may be given probative value in support of a claim for resident status include, but are not limited to, the following:

NO FACTOR SHALL BE CONSIDERED IN SUPPORT OF A CLAIM FOR RESIDENT STATUS UNLESS THE FACTOR HAS EXISTED FOR AT LEAST ONE YEAR PRIOR TO ENROLLMENT OR RE-ENROLLMENT.

1. continuous presence in Kansas during periods when not enrolled as a student,
2. employment in Kansas,
3. payment of Kansas state resident income taxes,
4. reliance on Kansas sources for financial support,
5. commitment to an educational program which indicates an intent to remain permanently in Kansas,
6. acceptance of an offer of permanent employment in Kansas,
7. admission to a licensed practicing profession in Kansas,
8. ownership of a primary home in Kansas.

The following circumstances will not ordinarily constitute sufficient evidence of a change to resident for tuition purposes.

Exception: discharged or retired from active duty military in Kansas (see #5, page 4).

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| a. voting or registration for voting in Kansas, | e. residence in Kansas of the student's spouse, |
| b. employment in any position normally filled by a student, | f. vehicle registration in Kansas, |
| c. lease of living quarters in Kansas, | g. acquisition of a Kansas driver's license, |
| d. a statement of intention to acquire residence in Kansas, | h. payment of Kansas personal property taxes, |
| | i. continuous enrollment in a postsecondary educational institution in Kansas. |

Residency of Married Students

The residence for tuition purposes of a married student shall be determined separately from the spouse.

Residency Grace Period

A person who is a bona fide Kansas resident for tuition purposes and leaves the state to become a resident of another state or country, will retain their status as a resident for tuition purposes if they return and establish residence in Kansas within five years. Documentation is required.

Residency of Students with Special Domestic Relations Circumstances

1. A student who is correctly classified as a resident for tuition purposes based on the resident status of the student's parent(s) shall retain the resident classification as long as the student maintains continuous fall and spring enrollment at an accredited Kansas college or university and, except for temporary absences, continuously resides in Kansas.
2. A dependent student of divorced parents shall be treated as a Kansas resident for tuition purposes as long as one parent is a bona fide Kansas resident. Documentation is required.

Kansas High School Graduates

Resident tuition is granted to a student graduating from a Kansas high school accredited by the Kansas State Board of Education who meets **all** of the following:

1. qualifies for admission and begins classes at an accredited Kansas college or university within six months of high school graduation **and**

2. meets qualifications for Kansas resident for tuition purposes at the time of graduation from high school or within twelve (12) months prior to graduation from high school **and**
3. maintains physical residence and maintains continuous fall and spring enrollment.

Documentation Required. Submit the following:

1. an official copy of the final high school transcript, **and**
2. a completed Verification for Kansas Resident Tuition for Kansas High School Graduates form.



The Kansas Legislature has authorized the Kansas Board of Regents to adopt regulations allowing students who meet any one of the following specific criteria to pay an amount equivalent to resident tuition.

1. Kansas Regents University Employee

An employee of a Regents university, classified or unclassified, on a regular payroll appointment for four-tenths (.4) time or more shall be granted the equivalent of resident tuition. The spouse and dependent children of a **full-time** employee of a Kansas Regents university, classified or unclassified, on a regular payroll appointment shall be granted the equivalent of resident tuition.

Documentation Required. Complete and submit the [Verification for Kansas Resident Tuition for University Employee form](#), or submit appointment documents from another Kansas Regents university to Enrollment Services, 118 Anderson Hall. Verification of employment status will be required each semester the student is enrolled.

2. Recruited or Transferred Employees

Resident tuition shall be granted to a person who has been a bona fide resident of Kansas for less than twelve (12) months and whose primary permanent residence in Kansas was established solely as a result of accepting, upon recruitment by an employer, or retaining, upon transfer by an employer, full-time employment located in the state of Kansas. Resident tuition shall also be granted to the spouse and dependent children of the recruited or transferred employee.

Securing full-time employment after moving to Kansas will not qualify a student for resident tuition under this provision. Self-employed individuals and military personnel are not eligible for resident tuition under the recruited or transferred employees provision.

Resident tuition shall be granted to a foreign national (including spouse and dependent children) who is recruited or transferred by a Kansas employer, if the foreign national has filed for "adjustment of status" and the employer has initiated labor certification on their behalf by filing the appropriate documents with the U.S. Department of Labor. Proof of such filings must be presented.

Documentation Required. Complete and submit the Verification for Kansas Resident Tuition for Recruited or Transferred Employees form. The form shall:

1. be signed by the personnel director and (a) the owner, (b) a partner, or (c) the chief executive officer of the employer,
2. confirm that primary permanent residence in Kansas was established as the result of a job transfer or recruitment,
3. confirm the date of initial employment in Kansas in case of a job transfer,
4. confirm the date of hire in the case of an employment recruitment,
5. set forth the nature of the position in Kansas and the number of hours the individual is expected to work during the next twelve (12) months,
6. set forth the expected length of employment in Kansas.

3. Military Personnel

The following regulations do not prevent a service person from acquiring or retaining resident status for tuition purposes in Kansas.

Active United States military personnel and their spouses and dependent children shall be granted the military tuition adjustment, which is the equivalent of resident tuition, while enrolled at Kansas State University if such military personnel are living in Kansas, regardless of the duty station assignment.

If an active military service person is reassigned from a Kansas duty-station to a duty-station outside of Kansas, the military tuition adjustment shall be extended to the service person's spouse and dependent children as long as they continue to reside in Kansas, and maintain continuous fall and spring enrollment at an accredited Kansas college or university.

If the active military service person has never had a duty-station assignment in Kansas and does not continue to reside in Kansas, that service person's spouse and dependent children will no longer be eligible for the military tuition adjustment.

Members of the Kansas Army or Air National Guard shall be granted the military tuition adjustment, which is the equivalent of resident tuition, while enrolled at Kansas State University. The military tuition adjustment shall be extended to the member's spouse and dependent children as long as they reside in Kansas.

Documentation Required: Complete and submit the Military Tuition Adjustment Verification for Military Personnel and Family Members form.

The spouse and dependent children of active military service persons will continue to qualify for the military tuition adjustment after a divorce, or death of the military service person, so long as they maintain continuous fall and spring enrollment at an accredited Kansas college or university and continue to reside in Kansas.

Documentation Required: Complete and submit the Military Tuition Adjustment Verification for Divorce or Death of Military Personnel form. A copy of the divorce decree or death certificate must be attached.

4. Military Dependents/Kansas High School Graduates

Dependent students of active duty military personnel are eligible for the military tuition adjustment, which is the equivalent of resident tuition, if the active duty military service person is stationed outside the state of Kansas, and the student meets the following qualifications:

1. graduated from an accredited Kansas high school, **and**
2. was a dependent of an active duty military service person, stationed in the state of Kansas, while attending high school, **and**
3. qualifies for admission and begins classes at an accredited Kansas college or university within six months of high school graduation, **and**
4. has maintained continuous fall and spring enrollment at an accredited Kansas college or university, **and**
5. is currently a dependent of an active duty military service person stationed outside the state of Kansas.

Documentation Required: Complete and submit the Military Tuition Adjustment Verification for Military Personnel and Family Members form.

5. Discharged or Retired From Active Military Duty

Resident tuition is granted to a student who meets the following four criteria:

1. has lived as a bona fide resident in Kansas for less than twelve (12) months, **and**
2. had a permanent change of station order for active duty in Kansas anytime during the person's tenure in active military service, **and**
3. has retired or been honorably discharged from military service, **and**
4. established current residence as outlined on page 2, prior to the first day of classes for the specified semester.

This privilege is also granted to the spouse and dependent children of the military service person.

Documentation Required: Submit the following:

1. DD 214 form, **and**
 2. completed [Verification for Kansas Resident Tuition for Military Discharge/Retirement form](#), **and**
 3. completed Application for Resident Tuition.
- Additional documents may be requested.

6. Kansas House Bill-2145

Kansas Resident Tuition is granted to a student who:

1. has attended an accredited Kansas high school for three or more years **and**
2. has either graduated from an accredited Kansas high school or has earned a GED issued in Kansas **and**
3. at the time of enrollment is not eligible for resident tuition at any public postsecondary educational institution located in another state upon payment of fees and tuition required of residents of such state.
4. a. in the case of a person without lawful immigration status; has signed and filed an affidavit with the institution stating that the person or the person's parents have filed an application to legalize such person's immigration status, or will file such an application as soon as such person is eligible to do so **or**
b. in the case of a person with a legal, nonpermanent immigration status, has filed with the postsecondary educational institution an affidavit stating that such person has filed an application to begin the process for U.S. citizenship or will file such application as soon as such person is eligible to do so.

Kansas Resident Tuition is not granted to a student who:

1. has a valid student visa (F-1 and M-1), **or**
2. at the time of enrollment, is eligible for resident tuition at any public postsecondary educational institution located in another state.

Documentation Required. Submit the following:

1. Affidavit for Kansas Resident Tuition form (per House Bill 2145), **and**
2. official copy of the final high school transcript



For further information please contact:

- **Graduate Students:** The Graduate School – 103 Fairchild Hall Manhattan KS 66506 (785)532-6191 / (800)651-1816
- **New and Readmitted Undergraduate Applicants:** Office of Admissions – 119 Anderson Hall, Manhattan KS 66506 (785)532-6250 / (800)432-8270
- **Continuing Undergraduate Students:** Registrar's Office – 118 Anderson Hall, Manhattan KS 66506 (785)532-6254
For Continuing Undergraduate Students only: Applications are accepted 45 calendar days prior to and 30 calendar days after the start of the semester.

RESGUD 10/07