



UNDERSTANDING THE REVIEW OF RESIDENCY STATUS

RESIDENCY REGULATION: PUBLIC COLLEGES AND UNIVERSITIES IN THE COMMONWEALTH OF KENTUCKY

The regulation for residency is the “**Determination of Residency Status for Admission and Tuition Assessment Purposes**” and is to be used by each public college and university pursuant to KRS 164.020 and KRS 164.030 and is codified as 13 KAR 2:045. These institutions are Eastern Kentucky University, Kentucky State University, Morehead State University, Murray State University, Northern Kentucky University, University of Kentucky, University of Louisville, Western Kentucky University, and Kentucky Community and Technical Colleges.

INITIAL DETERMINATION OF RESIDENCY STATUS

The determination of residency status is made by the institution during the admission process, and is based on information available in the admission records. A review of the determination of residency status may be requested by the student, the institution, or the Council on Higher Education.

In making decisions, a determination is made as to whether a person is dependent on, or independent of, his or her parent. If a student is determined to be dependent, the student takes the resident classification of the parent. If the student is determined to be independent, the student is responsible for establishing residency in his or her own right.

REVIEW OF RESIDENCY STATUS

The application for review of determination of residency status is submitted on the affidavit and presented, along with all necessary documentation, to the appropriate institutional staff. The student is responsible for insuring that all necessary documentation is submitted with the affidavit. Incomplete applications may be returned to the student. This material will be reviewed in compliance with Subsection 4 of the “**Determination of Residency Status for Admission and Tuition Assessment Purposes**” and a written decision will be issued.

Application must be filed in a timely manner; as such, application may not be treated retroactively and must be filed within 30 calendar days of the first day of class. Applications filed more than 30 calendar days after the first day of class will not be considered for that term. A student may choose to file an application for a later academic term.

WHY COMPLETE THIS FORM?

1. Normally admissions information is limited to academic credentials and does not include complete evidence of residency and domicile.
2. The tuition differential for residents and nonresidents is significant and can impact a student's financial resources.
3. University officials wish to properly classify students for admission and tuition purposes, and procedures are in place to do this when sufficient information and documentation are available.
4. Students are responsible for providing clear and convincing evidence of residence and domicile.
5. Every relevant factor is considered in determining a residency status.
6. All facts of residency and domicile must be documented and must be verifiable.

COMPLETING THE FORM

The residency affidavit is provided by the Council on Postsecondary Education and is to be used consistently in all public institutions of higher education in the State of Kentucky. The form provides for information pertaining to dependent persons and independent persons, to students, and to parents. Each person completing this form must exercise good judgment in choosing which portions to complete and which ones to omit. It is highly recommended that if in doubt, the section should be completed. All persons submitting an application must affix a notarized signature to authorize the release of information, and to attest that all information provided is true and correct. All forms must be notarized. Applications that are incomplete or without supporting documentation, will be returned to the applicant, thereby jeopardizing the applicant's adherence to schedules and deadlines. Although many factors are considered in the determination of residency status, special attention should be given to the documents listed below.

DOCUMENTATION AND VERIFIABLE CIRCUMSTANCES

Sections 3(4) and 10 of the "Determination of Residency Status for Admission and Tuition Assessment Purposes" require that residency shall be based upon verifiable circumstances substantiated by submission of original or true copies of relevant evidence. Following is a list of documents to accompany a request for reclassification of residency for tuition assessment purposes, as necessary to support your application. Other documents may be required by institutions or may be provided at institutional or student request. All tax forms must include filer's name and signature.

- Verification of present address.
- Copy of Kentucky (Form 740) state tax forms of your parent(s) or legal guardian for the two calendar years immediately preceding the date of application for reclassification of residency status. All tax forms must include filer's name, signature and date.
- Copy of most recent financial aid award notice and/or student aid report.
- Copy of signed statement from parent regarding financial support.
- Copy both sides of permanent visa (e.g. resident alien card, etc.).
- Letter from your employer on official company letterhead verifying job transfer or acceptance of full-time employment giving date of employment, average number of hours worked per week, and whether the job is permanent or temporary.

- Copy of your Kentucky state income tax forms (Form 740 and all schedules) for the two calendar years immediately preceding the date of application for reclassification of residency status. All tax forms must include filer's name, signature and date.
- Verification of payment of occupational taxes in Kentucky.
- Verification of payment of real property taxes in Kentucky.
- Verification of payment of Kentucky intangible taxes, if applicable.
- Copy of property deed to Kentucky residence, or copy of lease agreement for noncollegiate housing.
- Copy of your current automobile registration.
- Copy of current driver's license.
- Copy of voter registration.
- Copy of current military orders, if applicable.
- Copy of military document changing home of record to Kentucky, if applicable.
- Copy of military discharge (DD 2-14), if applicable.
- Letter on official company letterhead verifying job transfer and dates of employment for parent(s) or legal guardian(s).
- Court order awarding guardianship if not dependent upon parents.
- Copy of marriage license, if spouse information is relevant to your application.
- Other documentation relevant to your situation and which might be supportive of your request for determination of residency status .

Please note Section 3(10) "Penalty and Sanctions for Submission of False Documents" of 13 KAR 2:045, "Determination of Residency Status for Admission and Tuition Assessment Purposes".

DEADLINES FOR SUBMITTING AN APPLICATION FOR REVIEW OF RESIDENCY STATUS

Fall or spring regular semesters

No later than thirty calendar days into the semester for consideration for that term.

Summer sessions

No later than ten days into the summer term for consideration for that term.