

# RESIDENCY POLICY

## In-State or Out-of-State Tuition Initial Determination and Deadline to Appeal

The initial determination of residency status is made during the admission process. Once admitted, students will continue to be billed at the resident or nonresident rate each semester for the duration of their enrollment, unless an appeal has been approved by the Residency Appeals Office. A status may be appealed by filing an affidavit and documentation with the Registrar's office no later than 30 calendar days after the first day of classes of the term for which a determination of residency status is requested. Academic calendars are available on the university web site and with the Offices of Admission.

Pursuant to the residency regulation, 13 KAR 2:045 ([https://apps.legislature.ky.gov/Law/KAR/013/002/045.pdf#xml=https://apps.legislaturekygov/LRCSiteSessionSearch/dtSearch/dtisapi6dll?cmd=getpdfhits&u=1a702ce5&DocId=5428&Index=E%3a%5cProduction%5cDTSearch%5cDTSearchIndex%5cKY\\_Administrative\\_Reg&HitCount=10&hits=c+d+e+f+10+11+12+13+14+15+&SearchForm=&.pdf](https://apps.legislature.ky.gov/Law/KAR/013/002/045.pdf#xml=https://apps.legislaturekygov/LRCSiteSessionSearch/dtSearch/dtisapi6dll?cmd=getpdfhits&u=1a702ce5&DocId=5428&Index=E%3a%5cProduction%5cDTSearch%5cDTSearchIndex%5cKY_Administrative_Reg&HitCount=10&hits=c+d+e+f+10+11+12+13+14+15+&SearchForm=&.pdf)), an institution may set other deadlines for submission of other information required by the institution in a determination of residency status. Information packets are available from the residency website (<http://www.louisville.edu/residency/>).

Special procedures may apply to students entering a University of Louisville professional program (DMD, JD, or MD). Please contact the office of admissions within your professional school for details on residency determination and appeal processing.

*Statutory reference: Sections 13 and 14 of 13 KAR 2:045. Effective February 21, 2007.*

## Applications for Change in Residency Status and Appeals

Application for change in residency classification for purpose of tuition and fee assessment by a student enrolled in or an applicant to a program at the University of Louisville ("University") shall be made in writing to the residency appeals officer for initial consideration along with such information forms as the residency appeals officer may specify. The application for a change in residency classification must be filed no later than thirty (30) calendar days after the first day of classes of the academic term for which the change is requested. Appeals of residency determinations shall be based on administrative regulations promulgated by the Kentucky Council on Postsecondary Education. A written appeal of the decision of the residency appeals officer must be postmarked no later than fourteen calendar days from the date of receipt of notification of the residency appeals officer's written decision.

The Residency Review Committee is appointed by the executive vice president and provost (or designee) and shall be composed of four faculty and/or staff members and one student. The chairperson shall be elected by the committee. The faculty and/or staff members normally shall have staggered two-year appointments; the student member shall have a one-year appointment. The committee shall have authority to establish procedural rules and schedule meetings. A quorum shall consist of three members, and a quorum shall be necessary for committee action.

The Residency Review Committee shall consider appeals from applicants whose initial request for change in residency status has been denied

by the residency appeals officer based upon the applicant's written appeal and the file in that matter to the extent provided by the Family Educational Rights and Privacy Act, 1974 (FERPA). The applicant shall be notified in writing as to the committee's decision.

If the decision of the committee is adverse to the applicant, the applicant may request a formal hearing by submitting a written request to the executive vice president and provost (or designee). This request must be postmarked no later than fourteen (14) calendar days from the date of receipt of notification of the committee's written decision.

The executive vice president and provost (or designee) shall appoint a hearing officer from outside the University to preside over formal residency hearings. Formal hearings shall be arranged based on a timely request from the applicant. The formal hearing shall provide for due process, including notice of hearing, examination of the information on which the University decision is based, and the right of an applicant to be represented by legal counsel and to present information and testimony in support of a claim of Kentucky residency. Hearing procedures will be consistent with 13 KAR 2:045 ([https://apps.legislature.ky.gov/Law/KAR/013/002/045.pdf#xml=https://apps.legislaturekygov/LRCSiteSessionSearch/dtSearch/dtisapi6dll?cmd=getpdfhits&u=1a702ce5&DocId=5428&Index=E%3a%5cProduction%5cDTSearch%5cDTSearchIndex%5cKY\\_Administrative\\_Reg&HitCount=10&hits=c+d+e+f+10+11+12+13+14+15+&SearchForm=&.pdf](https://apps.legislature.ky.gov/Law/KAR/013/002/045.pdf#xml=https://apps.legislaturekygov/LRCSiteSessionSearch/dtSearch/dtisapi6dll?cmd=getpdfhits&u=1a702ce5&DocId=5428&Index=E%3a%5cProduction%5cDTSearch%5cDTSearchIndex%5cKY_Administrative_Reg&HitCount=10&hits=c+d+e+f+10+11+12+13+14+15+&SearchForm=&.pdf)).

The hearing officer shall make a report with findings of fact and a recommendation to the executive vice president and provost (or designee) with a copy to the applicant. The executive vice president and provost (or designee) will decide the appeal on the record on behalf of the University and the Board of Trustees and will notify the applicant in writing within thirty days of receipt of the hearing officer's report. In the event the decision of the executive vice president and provost (or designee) is not in accord with the recommendation and findings of the hearing officer's report, a written explanation will be provided to the applicant.

## Council on Postsecondary Education Administrative Regulation

Relates to: KRS Chapter 13B, 164.020, 164.030, 164A.330(6).

### Necessity, Function, And Conformity

KRS 164.020(8) (<https://apps.legislature.ky.gov/law/statutes/statute.aspx?id=53677>) requires the Council on Postsecondary Education to determine tuition and approve the minimum qualifications for admission to a state-supported postsecondary education institution and authorizes the council to set different tuition amounts for residents of Kentucky and for nonresidents. This administrative regulation establishes the procedure and guidelines for determining the residency status of a student who is seeking admission to, or who is enrolled at, a state-supported post-secondary education institution.