DETERMINATION OF RESIDENT STUDENT STATUS FOR THE PURPOSE OF PAYING IN-STATE TUITION COSTS

The University of Utah follows Utah State Law 53B-8-102 when classifying applicants for admission as either residents or non-residents for tuition purposes. Applicants classified as non-residents who feel their residency status should be resident may apply for reclassification through the residency reclassification application process. Classification as a resident, either at the time of admission or after the formal reclassification process has been completed, can be reviewed and reversed if there is an error or change in facts that justifies an inquiry. This policy applies even if the error was on the part of the University. Individuals coded as non-residents are charged non-resident tuition for fall and spring semesters. The University of Utah does not charge non-resident tuition for summer term so all students enjoy summer classes at the in-state tuition rate.

Applications for residency reclassification are accepted for all three academic terms. Students must submit the reclassification application by the appropriate term deadline.
The following outlines the University of Utah Institutional Policy for determining residency for tuition purposes. Individuals coming to Utah for the purpose of attending an institution of higher education must meet the following guidelines to establish residency:

**UNDERGRADUATE DOMESTIC NON-RESIDENT STUDENT must:**

1. Read the “University of Utah Institutional Policy” and all instructions on the application before completing the application.
2. Submit an application for resident reclassification by the appropriate term deadline to the Office of Admissions.
3. Reside (be physically present) in Utah for twelve continuous months prior to the first day of class for the academic term for which resident student status is requested. You may have limited travel outside the state of Utah, but your total absences from Utah during the twelve month time period cannot exceed a total of 29 days, inclusive of all holiday breaks, school breaks and summer months. You are responsible to prove your physical presence in Utah.
   - The best types of documentation to prove your physical presence are a letter verifying employment in Utah or pay stubs for each pay period from a Utah employer verifying employment inside the state of Utah or a transcript showing you were enrolled in on-campus, term-length classes at a Utah college/university.
   - Examples of documents that do not prove physical presence include W-2 forms, rental/lease agreements, or utility bills.
4. Not be claimed as a dependent on the tax returns of a person who is not a resident of Utah for the tax year prior to the academic year in which the student is requesting resident status. For example:
   - An applicant applying for residency reclassification for Summer Term 2013, Fall Semester 2013 or Spring Semester 2014 must provide a copy of the federal tax return for the tax year 2012.
   - An applicant applying for residency reclassification for Summer Term 2014, Fall Semester 2014 or Spring Semester 2015 must provide a copy of the federal tax return for the tax year 2013.
5. Take steps to become a resident of Utah. Students planning to apply for residency reclassification should begin early to establish resident student status by obtaining the following ties:
   - Primary ties – every undergraduate student applying for reclassification based on the one-year
rule must provide these ties, as applicable, by the required deadlines listed below:

- **Summer Term, February 1 / Fall Semester, May 1 / Spring Semester, October 1.**

  - The Primary ties are:
    - A Utah driver’s license; if the student does not hold a valid driver’s license from any state, the student should obtain a Utah ID card,
    - Utah voter registration, and
    - Utah car registration (If a student is operating a vehicle in Utah, where the car registration includes the student’s name, by Utah State Tax Commission law, the car should be registered in Utah).

  - Secondary ties – these ties are helpful in further documenting a student’s actions to establish resident student status:
    - Filing a Utah State tax return as a part-year or full-year Utah resident,
    - Holding a lease/rental agreement in Utah for at least twelve months, and
    - Having utility bills in the student’s name for at least 12 months.

**GRADUATE DOMESTIC NON-RESIDENT STUDENT, EXCEPT FOR A MEDICAL OR DENTAL STUDENT, must:**

1. Read the “University of Utah Institutional Policy” and all instructions on the application before completing the application.
2. Submit an application for resident reclassification by the appropriate term deadline to the Office of Admissions.
3. Over a period of 12 or more continuous months, earn forty (40) graduate level semester credit hours at the University of Utah. AND
4. Take steps to become a resident of Utah. Students planning to apply for residency reclassification should begin early to establish resident student status by obtaining the following ties:
   - **Primary ties** – every graduate student applying for reclassification based on the forty hours rule must provide these ties, as applicable, by the required deadlines listed below:
     - **Summer Term, February 1 / Fall Semester, May 1 / Spring Semester, October 1.**
   - The Primary ties are:
     - A Utah driver’s license; if a student does not hold a valid driver’s license from any state, the student should obtain a Utah ID card,
     - Utah voter registration, and
     - Utah car registration (If a student is operating a vehicle in Utah, where the car registration includes the student’s name, by Utah State Tax Commission law, the car should be registered in Utah).
   - **Secondary ties** – these ties are helpful in further documenting a student’s actions to establish resident student status:
Filing a Utah State tax return as a part-year or full-year Utah resident,

Holding a lease/rental agreement in Utah for at least twelve months, and

Having utility bills in the student’s name for at least 12 months.

GRADUATE MEDICAL AND DENTAL STUDENTS RESIDENCY REQUIREMENTS

The University of Utah maintains different residency requirements for graduate students in the Schools of Medicine and Dentistry.

Non-resident graduate students admitted to the School of Medicine or to the School of Dentistry are not eligible for residency reclassification once they begin their Medical/Dental School studies, and will pay tuition at the out-of-state tuition rate for the duration of their medical/dental school studies even during approved “Leaves of Absence.”

A student admitted to the School of Medicine or Dentistry may qualify for residency under the general rule of the law (12 continuous months of physical presence in Utah, financial independence, and the establishment of significant ties to prove resident student status) if the eligibility is granted prior to the first day of the student’s admit semester to the Medical or Dental programs. Failure to qualify for residency prior to the beginning of a student’s admit term will result in the student maintaining the non-resident classification throughout their medical or dental school studies. This University residency policy supersedes all other means of qualifying for residency reclassification as outlined in the Board of Regents Policies R512-4 and R512-5. Possible exceptions to this policy are found in the Board of Regents Policy R512-6.

HOW DO YOU TRANSFER YOUR RESIDENCY STATUS TO THE UNIVERSITY OF UTAH FROM ANOTHER USHE INSTITUTION?

The University of Utah honors the resident status determination by other Utah System Higher Education institutions unless the resident classification was obtained under false pretense or the facts at the time of the granting of residency have significantly changed. If a student has attended another USHE school within the past year as a resident; and if the student wishes to carry this resident status as he/she transfers to the University of Utah, the student must request a letter from the other Utah school be sent to the University of Utah, Office of Admissions verifying the resident classification at the previous USHE institution.

QUALIFYING AS A RESIDENT FOR OTHER REASONS

There are a number of non-academic reasons for a move to Utah that allow the Office of Admissions to waive the time requirement or the credit hours to grant residency to a student immediately. Students are required to submit the appropriate application/certification form and supporting documents to request consideration under one of these exceptions. To learn the details, please read the Board of Regents Policy R512, http://higheredutah.org/sbr/policy/pdf/R512.pdf.
For the following exceptions, found in R512-5, students must complete the Residency Reclassification Application found at http://admissions.utah.edu/_documents/residency/residency-reclassification-application.pdf:

- United States Armed Forces Personnel who are Utah Residents prior to active duty assignment/deployment or reserve assignment outside of Utah and return to Utah within 90 days of their separation from the military.
- United States Military Veterans, who have been discharged, other than a dishonorable discharge, from the United States Armed Forces within 12 months of the beginning of the term the student veteran wishes to be a resident. (Immediate family members living with the veteran may also qualify for this exception.)
- Marriage to a Utah resident.
- Full-time, permanent employment in Utah.
- Spouse’s or parent’s full-time work.
- A dependent child of parents, where one of the parents is a Utah resident and that parent has resided in Utah for at least 12 continuous months prior to the first day of class for the term the student wishes to be a resident.
- Extenuating circumstances. (For example: a recent divorce or death of a spouse and the move to Utah is for family support.)
- Immigrant placed in Utah as political refugee.

For the following exceptions, found in R512-6, students must complete the “Certification for Resident Exception for Tuition Purposes” form found at http://admissions.utah.edu/_documents/residency/residency-exception-application.pdf:

- Job Corps students.
- Participation in Olympic Training Program in Utah.
- Member of Utah National Guard.
- Active duty United States Armed Forces personnel or members of a reserve component of the United States Armed Forces, who are residents of other states, but are assigned to active duty in Utah. (Immediate family members may also qualify under this exception.)
- A dependent child of United States Military parents whose state of legal residence and home of record is Utah.
- Recipient of educational benefits, covering full tuition and fees expenses, from a Utah State social or rehabilitation services agency.

QUALIFYING AS A UTAH RESIDENT AWAY FROM UTAH FOR TEMPORARY REASONS

Having established residency in Utah under the Board of Regents Residency Policy R512-4.4 prior to leaving Utah, an individual may be absent from the state for purposes such as temporary employment, education, or religious, charitable,
or military service and continue to be considered a resident for tuition purposes provided he/she has not taken action to establish domicile elsewhere during his/her absence from Utah. Students will be requested to complete the residency reclassification application to provide the documentation necessary to show that they did not lose their residency status for tuition purposes during their absence from Utah.

FOREIGN NATIONALS

Foreign nationals who are present in the United States on visitor, student, or other visas that have authorized only temporary presence in this country do not have the capacity to intend to reside in Utah for an indefinite period and, therefore, are classified as non-residents for tuition purposes. Foreign nationals who have been granted legal immigrant or permanent U.S. resident status are classified for purposes of resident status according to the same criteria applicable to U.S. citizens.

Information on special tuition waivers for foreign nationals can be found in the Board of Regents Policy R513. You may find this information at http://higheredutah.org/sbr/policy/pdf/R513.pdf. You may also contact the Office of Admissions for more detailed information.

- Non-Resident Tuition waiver under HB 144 is explained in R513-13 Exemption for Certain Students with Utah High School Graduation.
- Non-Resident Tuition Waiver under HB 118 is explained in R513-14 Exemption of Nonresident Tuition for Certain Foreign Nationals.

TUITION BENEFIT PROGRAMS THAT AFFECT ELIGIBILITY FOR RESIDENCY RECLASSIFICATION

The time spent in Utah or the hours earned at any Utah System Higher Education institution while participating in any of the following programs will not count toward the requirements to qualify for residency for tuition purposes:

- Western Undergraduate Exchange (WUE) sponsored by WICHE
- Professional Student Exchange Program (PSEP) sponsored by WICHE
- Western Regional Graduate Program (WRGP) sponsored by WICHE
- National Student Exchange (NSE)
- International Student Exchange Program (ISEP)
- Alumni Legacy Non-Resident Scholarship
- Alumni Non-Resident U Tradition Award
- The Dixie State College Utah’s Good Neighbor Students’ Tuition Waiver
- Idaho Contract (Medical Students)
DUE PROCESS FOR AN APPLICANT THAT IS DENIED RESIDENT RECLASSIFICATION

If the application for reclassification is denied, the student may meet with the Residency Officer to submit additional information or have the application reviewed in person. If a student does not have additional documentation but wants to appeal the denial of residency reclassification, he/she may do so through the Director of Admissions, who serves as the Appeal Officer. The request for an appeal must take place within 10 days of the Residency Officer’s final decision. If the Appeal Officer maintains the denial, the student may request a hearing, through the Appeal Officer, with the full Residency Appeals Committee. Again, the appeal request must be made within 10 days of the Appeal Officer’s final decision.

RESIDENCY RECLASSIFICATION APPLICATION/CERTIFICATION FORM PROCESS HIGHLIGHTS

☑ You must plan ahead to be sure you are meeting all requirements and all deadlines to qualify for residency reclassification.

☑ You must plan ahead to be sure you are establishing a domicile in Utah, such as a driver’s license issued several months in advance of the residency application deadline.

☑ Your request for residency reclassification status can be determined only upon a complete statement of facts. A complete application or certification packet includes the application or certification form and all required supporting documentation.

☑ You must be admitted or permitted to enroll in classes before a residency application will be processed.

☑ Submit your residency application or certification form by or before the appropriate term deadline.

☑ Early filing will accommodate early notification of eligibility.

☑ Do not miss the deadline because you are waiting for supporting documentation. We will accept supporting documentation up to the Friday of the first week of term-length classes.

☑ Be aware that if you are filing under the one-year rule, you will be asked to complete verification of your physical presence in Utah through the 12-month time period. We will not be able to rule on your eligibility until the twelve months have passed and verification is complete.

☑ Late applications or certification forms submitted during the first week of term-length classes must include a letter of appeal explaining why you were not able to apply by the term deadline.

☑ No application, certification form, or supporting documentation will be accepted after the Friday of the first week of term-length classes.

☑ You should make a copy of your completed application packet for your own records prior to submitting the application. Once submitted, the application materials will not be photocopied for or returned to the applicant.
☑ It is your responsibility to follow up on your application and the supporting documents to be certain everything is received in the Office of Admissions by the appropriate deadlines.
☑ Applicants will be notified through their UMail account if additional information is needed to complete their residency file.
☑ Applicants will be notified by postal mail as soon as a decision is reached concerning residency eligibility.
☑ ABSOLUTELY NO APPEAL REQUESTS TO PROCESS RESIDENCY APPLICATIONS/ CERTIFICATION FORMS FOR PAST ACADEMIC TERMS ARE GRANTED.

RESIDENCY RECLASSIFICATION APPLICATION:

RESIDENCY CERTIFICATION FORM:
http://admissions.utah.edu/_documents/residency/residency-exception-application.pdf

REFERENCES:
University of Utah Institutional Policy found at: http://admissions.utah.edu/

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THESE GUIDELINES ARE SUBJECT TO CHANGE WITHOUT NOTICE.
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