

RESIDENCY DETERMINATION FOR TUITION PURPOSES

> Institutional Policy







Contents

Determination of Resident Student Status for the Purpose of Paying In-State Tuition Costs	3
Term Deadlines to Submit Application/Certification/Military Forms	4
Term Deadlines to Establish Domiciliary Ties	4
Foreign Nationals.....	4
Undergraduate Policy (“One Year Rule”): Twelve Continuous Months of Physical Presence in Utah and Declaring Financial Independence	5
Graduate Policy.....	5
Students on University of Utah Sponsored Programs.....	7
Scholarships that Impact Residency Reclassification.....	7
Reciprocity Agreement for Transfer Students.....	7
Utah Residents Away for Temporary Reasons.....	8
Military Service Exceptions.....	9
Other Exceptions to the Residency Policy.....	9
Who Should Complete a Residency Reclassification Application?	9
Who Should Complete a Certification Form for Resident Exceptions for Tuition Purposes?	10
Who Should Complete an Application for In-State Tuition Based Upon Military Service Exceptions?.....	11
Penalties for Giving Incorrect or Misleading Information	12
Appeal Process for Applicants who are Denied Reclassification.....	12
Checklist for Reclassification Process	13
Reference Materials & Forms	14



Residency Guidelines Provided Here Are Subject To Change Without Notice.

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

The University of Utah is mandated by a state law (Definition of Resident Student, 53B-8-102) to determine the initial classification of resident or non-resident status for tuition purposes. The university adheres to this law in determining an individual's eligibility to pay in-state (resident) tuition but also reserves the right to have a stricter policy.

An applicant's initial residency classification is made at the time of application and is posted in the applicant's official letter of acceptance from the Office of Admissions. Applicants must meet Utah law requirements at the time of application in order to be initially classified as a resident. Individuals coded as non-residents are charged non-resident tuition for fall and spring semesters. However, non-resident students may enjoy summer classes at the in-state tuition rate as the university charges all students at the resident rate for the summer only.

Applicants classified as non-residents who feel their residency status should be resident may apply to change their status through the reclassification process. Along with the Residency Reclassification Application, the Certification Form for Resident Exceptions for Tuition Purposes, or the Application for In-State Tuition Based Upon Military Service Exceptions, all applicants must provide required supporting documentation.

Students who have been classified as non-residents and who plan to apply for reclassification must read all information provided within this brochure and on our website. The information found at admissions.utah.edu/residency includes instructions on how to qualify, how to apply, and which forms and supporting documentation must be submitted. Applicants will also find the Residency Reclassification Application, the Certification Form for Resident Exceptions for Tuition Purposes, and the Application for In-State Tuition Based Upon Military Service Exceptions at this website.

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.

TERM DEADLINES TO SUBMIT

APPLICATION/CERTIFICATION/MILITARY FORMS

Applications for reclassification are accepted for all three academic terms. Students must submit the Residency Reclassification Application, the Certification Form for Resident Exceptions for Tuition Purposes, or the Application for In-State Tuition Based Upon Military Service Exceptions by the appropriate term deadline.



TERM DEADLINES TO ESTABLISH DOMICILIARY TIES

All students submitting a Residency Reclassification Application must take overt steps to prove their intent to make Utah their permanent residence. Students applying under the Undergraduate Policy or Graduate Policy must demonstrate that they have relinquished domiciliary ties (driver's license, vehicle registration, and voter registration) held in any other state and established them in Utah by the deadlines listed below, which fall before the Residency Reclassification Application deadlines.



FOREIGN NATIONALS

Foreign nationals who have been granted permanent U.S. resident status or have obtained asylum or refugee status under U.S. immigration law are classified for purposes of resident status according to the same criteria applicable to U.S. citizens. These students must submit verification of their statuses with their residency applications. **Residency reclassification will not be granted to foreign nationals without proof of permanent resident, asylum, or refugee status in the United States.**

NON RESIDENT TUITION WAIVERS

Information on special tuition waivers for foreign nationals and other non-residents can be found in the Board of Regents Policy R513. You may find this information at ushe.edu/ushe-policies/r513-tuition-waivers-and-reductions/ and admissions.utah.edu/tuitionwaivers/.

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

UNDERGRADUATE POLICY (“ONE YEAR RULE”): TWELVE CONTINUOUS MONTHS OF PHYSICAL PRESENCE IN UTAH AND DECLARING FINANCIAL INDEPENDENCE

Individuals who come to Utah for the purpose of attending an institution of higher education or are incoming students who have lived in Utah for at least 12 months prior to applying for reclassification must submit a Residency Reclassification Application with evidence demonstrating that they have met the guidelines described below. Incoming graduate students (including those in the medical and law programs and excluding those in the dental program) may apply under this policy if they qualify prior to the start of their graduate studies.

- The student must provide evidence that they relinquished domiciliary ties (driver's license, voter registration, and vehicle registration if applicable) held in any other state and established them in Utah **by the domiciliary tie deadline.**
- The student must verify their financial independence by submitting a copy of their federal tax return showing that they claimed themselves. If the student did not claim themselves, then they must provide a copy of their parent(s) tax return verifying the student was not claimed for the tax year prior to the academic year for which the student wishes to be considered a resident.
 - A student applying for residency reclassification for Summer Semester 2019, Fall Semester 2019, or Spring Semester 2020 must provide taxes for the 2018 tax year.
 - A student applying for residency reclassification for Summer Semester 2020, Fall Semester 2020, or Spring Semester 2021 must provide taxes for the 2019 tax year.
- The student must provide proof that they have been physically present in Utah for the 12 continuous months immediately prior to the first day of class for the academic term for which they wish to be considered a resident. A student may have limited travel outside the state of Utah, **but total absences during the 12 month time period cannot exceed a cumulative total of 29 days**, including all holiday breaks, school breaks, and summer months. The burden is on the student to prove they have been physically present in Utah. The two best ways to prove physical presence are:
 - A transcript verifying enrollment in on-campus, term-length classes at a Utah college or university. Note: Transcripts can only be used to verify dates classes were in session.
 - Copies of pay stubs for the required time period or a letter from a Utah employer verifying physical presence for work inside the state of Utah (letter must be on company letterhead, dated, include from and to dates of employment and be signed by someone authorized to verify the student's employment).

GRADUATE POLICY

The Graduate Policy applies to all graduate students who have started their graduate programs, except for those in the medical, dental, or law programs. In order to qualify for reclassification, graduate students must submit a Residency Reclassification Application with evidence demonstrating that they have met the following requirements:

- The student must have completed 40 semester credit hours of graduate level course work at the University of Utah.
- The student must provide evidence that they relinquished domiciliary ties (driver's license, vehicle registration, and voter registration) held in any other state and established them in Utah **by the domiciliary tie deadline**.
- The student must verify their financial independence by submitting a copy of their federal tax return showing that they claimed themselves. If the student did not claim themselves, then they must provide a copy of their parent's tax return verifying the student was not claimed for the tax year prior to the academic year for which the student wishes to be considered a resident.
 - A student applying for residency reclassification for Summer Semester 2019, Fall Semester 2019, or Spring Semester 2020 must provide taxes for the 2018 tax year.
 - A student applying for residency reclassification for Summer Semester 2020, Fall Semester 2020, or Spring Semester 2021 must provide taxes for the 2019 tax year.
- The student must provide proof that they have been physically present in Utah for the 12 continuous months immediately prior to the first day of class for the academic term for which they wish to be considered a resident. A student may have limited travel outside the state of Utah, **but total absences during the 12 month time period cannot exceed a cumulative total of 29 days**, including all holiday breaks, school breaks, and summer months. The burden is on the student to prove they have been physically present in Utah. The two best ways to prove physical presence are:
 - A transcript verifying enrollment in on-campus, term-length classes at a Utah college or university. Note: transcripts can only be used to verify dates classes were in session.
 - Copies of pay stubs for the required time period or a letter from a Utah employer verifying physical presence for work inside the state of Utah (letter must be on company letterhead, dated, include from and to dates of employment and be signed by someone authorized to verify the student's employment).

Non-resident students admitted to the **School of Medicine** or **College of Law** are not eligible for residency reclassification once they begin their medical/law school studies. Medical, Law, and Dental students will pay tuition at the out-of-state rate for the duration of those studies even during approved "Leaves of Absence." This university institutional

residency policy supersedes all other means of qualifying for residency reclassification as outlined in the Board of Regents Policy R512 with the exception of (1) those who qualify for in-state tuition pursuant to Utah Code Section 53B-8-106, as amended; (2) those who qualify for a military service exception (as described in this policy); and (3) American Indians enrolled in qualifying tribes (as described in this policy).

For dental students, residency status will be determined by the student's state/province of residence as indicated on the AADSAS application. Dental applicants who indicate Utah residence on the AADSAS application must qualify under this policy for Utah residency at the time of application to be eligible for in-state (resident) tuition. Non-resident students admitted to the School of Dentistry are not eligible for residency reclassification after the date of application (with the exception of the three policies in the paragraph above).

STUDENTS ON UNIVERSITY OF UTAH SPONSORED PROGRAMS

A student who **must** leave the state during the 12 months in which they are attempting to qualify for reclassification for the purpose of satisfying the requirements for institutional internships, institutional courses, University of Utah study abroad programs, or athletic training required by the institution will be allowed to count this time toward the 12 continuous month requirement.

- The student must provide written documentation from the university's representative working with the particular program in which the student is participating including verification of the program dates and proof of major or area of study requirement of the internship or study abroad.
- The student's absence may only include one week prior to the program and one week at the end of the program for travel purposes.

SCHOLARSHIPS THAT IMPACT RESIDENCY RECLASSIFICATION

The time spent or hours earned at any Utah System of Higher Education (USHE) 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)
- Dixie State University Utah's Good Neighbor Students' Tuition Waiver

- Idaho Contract (medical students)

If you intend to qualify for residency reclassification, you may want to contact the Office of Admissions to discuss how these scholarships could disqualify you.

RECIPROCITY AGREEMENT FOR TRANSFER STUDENTS

The University of Utah honors the resident status determination by other Utah System of Higher Education (USHE) institutions unless one of the following applies:

- The student never attended the other USHE school as a resident student.
- The resident classification was obtained under false pretense.
- The facts at the time of the granting of residency have significantly changed.
- If a student has attended another Utah school within the past year as a resident and wishes to carry this resident status as they transfer to the University of Utah, the student must complete the Certification Form for Resident Exceptions for Tuition Purposes and submit it by the term deadline with a copy of their Utah driver's license and a letter from the other USHE school verifying their attendance and resident classification.

UTAH RESIDENTS AWAY FOR TEMPORARY REASONS

Once an individual has established resident student status under the Utah residency law, they have the right to leave the state for temporary reasons (education, government volunteer or ecclesiastical service, temporary employment, or military service) and continue to be considered a resident for tuition purposes, provided the individual has not taken action to establish domicile elsewhere during their absence from Utah.

- Students are required to submit the Residency Reclassification Application and provide documentation necessary to show that they did not lose their residency status for tuition purposes during their absence from Utah. How a student filed state income tax returns during their absence and whether they maintained or re-established Utah domiciliary ties (driver's license, car registration, etc.) will impact whether their request for reclassification may be approved.
- Students planning to leave Utah for religious or humanitarian service are required to return to Utah within thirty days of the end of their service period.
- If a student leaves Utah prior to being granted residency for tuition purposes, the student will have to start the 12 continuous month requirement over once they return to Utah. Students cannot split the 12 months before and after their service period.

MILITARY SERVICE EXCEPTIONS

The Utah Residency Law has exceptions that allow active duty military service members, veterans, eligible persons, and, in many cases, the military service member's immediate family, to qualify for residency immediately. Students who wish to qualify for residency under a military service exception must submit an Application for In-State Tuition Based Upon Military Service Exceptions with all required documentation. See page 11 for more information.



OTHER EXCEPTIONS TO THE RESIDENCY POLICY

There are a number of non-academic reasons for a move to Utah that allow the Office of Admissions to waive the time requirement and grant residency to a student immediately. Students are required to submit the appropriate application/certification/military form and all required supporting documentation to request consideration under an exception. For more information on residency exceptions, read the Board of Regents Policy R512 at ushe.edu/ushe-policies/r512-determination-of-resident-status/.

This institutional policy brochure lists all reclassification methods, categorized by which application/certification/military form is required to apply for in-state (resident) tuition.

WHO SHOULD COMPLETE A RESIDENCY RECLASSIFICATION APPLICATION?

The application found at admissions.utah.edu/apply/residency/secure/residency-application.php should be completed by students trying to qualify for in-state (resident) tuition under the following policy provisions:

- Graduate Policy: For all graduate students who have started their graduate programs, except those in the medical, dental or law programs.

- Undergraduate Policy (“One Year Rule”): Twelve continuous months of physical presence in Utah and financial independence. Incoming graduate students, including those in the medical and law programs, and excluding those in the dental program, may apply under this policy if they qualify prior to the start of their graduate studies.
- Marriage to a Utah resident.
- Dependent child with a parent domiciled in Utah for at least 12 continuous months.
- Your move to Utah is for full-time, permanent employment in Utah (including cases where the employment is for a spouse or parent).
- Extenuating circumstances (such as divorce, death of spouse, long-term health care responsibilities of family members, or refugee placed directly in Utah).
- Utah resident away for school, generally for the purpose of attending an out-of-state college/university.
- Utah resident away for government volunteer service or ecclesiastical service.
- Utah resident away for temporary employment.

WHO SHOULD COMPLETE A CERTIFICATION FORM FOR RESIDENT EXCEPTIONS FOR TUITION PURPOSES?

The certification form found at admissions.utah.edu/apply/residency/secure/residency-application.php should be completed by students trying to qualify for in-state (resident) tuition under one of the following exceptions:

- American Indian on the rolls of a tribe whose reservation or trust lands lie partly or wholly within Utah or whose border is at any point contiguous with the border of Utah. Qualifying tribes include:
 - Confederated Tribes of the Goshute Reservation
 - Navajo Nation (Diné)
 - Northwestern Band of Shoshoni Nation of Utah (Washakie)
 - Paiute Indian Tribe of Utah (Cedar City Band of Paiutes, Kanosh Band of Paiutes, Koosharem Band of Paiutes, Indian Peaks Band of Paiutes, and Shivwits Band of Paiutes)
 - Skull Valley Band of Goshute Indians of Utah
 - Ute Indian Tribe of the Uintah and Ouray Reservation, Ute Mountain Tribe of the Ute Mountain Reservation
 - Hopi
 - Zuni
 - Shoshone-Bannock Tribe

- Member of a federally recognized or known Utah tribe who has graduated from a Utah high school
- Student who has attended another Utah school (in the USHE system) within the past year classified as a Utah resident for tuition purposes
- Utah State social or rehabilitation services agency assistance recipient receiving full tuition and fees allowance
- Participant in Olympic Athlete Training Program in Utah
- Job Corps student

WHO SHOULD COMPLETE AN APPLICATION FOR IN-STATE TUITION BASED UPON MILITARY SERVICE EXCEPTIONS?

The military application found at admissions.utah.edu/apply/residency/secure/residency-application.php should be completed by students trying to qualify for in-state (resident) tuition under one of the following exceptions:

- Individual serving on active duty in the U.S. Armed Forces within the state of Utah, an individual who is a member of a reserve component of the U.S. Armed Forces assigned in Utah, or an individual who is a member of the Utah National Guard.
- Immediate family member of either an individual serving on active duty in the U.S. Armed Forces within the state of Utah, an individual who is a member of a reserve component of the U.S. Armed Forces assigned in Utah, or an individual who is a member of the Utah National Guard.
- U.S. military veteran who has separated or retired with an honorable or general discharge.
- Immediate family member of a U.S. military veteran who has separated or retired with an honorable or general discharge within the last five years.
- Eligible person entitled to benefits under 38 U.S.C. Chapter 30, Montgomery G.I. Bill – Active Duty Educational Assistance Program, or Chapter 33, Post 9/11 Educational Assistance Program. Eligible persons must certify that they will use these benefits.
- Utah resident away on active military duty taking only online classes at the University of Utah (including cases where the student is a spouse or dependent child).
- An individual who maintains residency in Utah with an intent to return but who is serving on active duty in the U.S. Armed Forces and is assigned outside of Utah (includes cases where the student is a spouse or dependent child).

PENALTIES FOR GIVING INCORRECT OR MISLEADING INFORMATION

A student who gives incorrect or misleading information to evade payment of non-resident fees shall be subject to serious disciplinary action and must also pay the applicable non-resident fee for each term previously attended.



APPEAL PROCESS FOR APPLICANTS WHO ARE DENIED RECLASSIFICATION

If the application for reclassification is denied, the student may meet with the Residency Officer to submit additional documentation or have the application reviewed in person. This meeting must be requested within 10 days of denial notification. If the Residency Officer maintains the denial, the student may request a hearing through the Residency Officer with the full Residency Appeals Committee. Again, the appeal request must be made within 10 days of the Residency Officer's final decision.

If an appeal decision is made to grant residency to a student who has already paid non-resident tuition for the term the applicant's reclassification request was considered, a refund of the non-resident portion of the tuition charges for that term will be granted.



Checklist for Reclassification Process

- ✓ Students must be admitted or permitted to enroll in classes at the University of Utah before an application/certification/military form will be processed.
- ✓ Students may only apply for future academic terms. **No appeal requests to process residency application/certification/military forms for past academic terms are granted.**
- ✓ Students should plan ahead to make sure they meet all requirements and deadlines. Students applying under the Undergraduate Policy (“One Year Rule”) and Graduate Policy must establish their Utah ties, Utah driver’s license, Utah vehicle registration, and Utah voter registration, by the appropriate domiciliary tie deadline.
- ✓ Students must submit a complete application/certification/military form with all required supporting documentation by the term deadline.
- ✓ Unless a student qualifies for one of the exceptions listed in Board of Regents R512, the student must reside (be physically present) in Utah for the 12 continuous months immediately prior to the first day of class for the academic term in which the student wishes to be considered a resident, be financially independent, and have established domiciliary ties by the tie deadline of the semester that a student is seeking resident status.
- ✓ Students should have copies of their documents for their own records prior to submitting the application. Once submitted, materials will not be photocopied or returned to the applicant.
- ✓ Students must check their UMail accounts regularly to be sure they receive any notifications for additional documentation in a timely manner.
- ✓ Students must submit additional documentation by the deadline posted in our request notification. It is the student’s responsibility to follow up on their application and supporting documents to make certain everything is received in the Office of Admissions by the appropriate deadlines. If students are unable to submit required documentation, they must provide a written statement, including their full name, uNID, and an explanation of why they cannot provide the documentation. Providing the written statement does not waive the required documentation. Failure to provide documentation can and often does result in denying a student’s request for reclassification.

- ✓  Students must keep their contact information up-to-date in the Campus Information System. The student will be notified **through their university email account** as soon as a decision is reached concerning his/her eligibility for residency reclassification.
- ✓  Students submitting late application/certification forms during the first week of term-length classes must include a Letter of Appeal explaining the reasons they were not able to apply prior to the start of the term for which they wish to be considered a resident student. Late application/certification forms submitted after the Friday of the first week of term-length classes will be considered for the next available academic term.
- ✓  The Office of Admissions will only release information regarding a student's residency file directly to the student. If the student calls in, they will be asked a number of identifying questions (such as uNID and date of birth). If the student comes to our service window, he/she must provide picture ID.

Reference Materials & Forms



Utah State Residency Law – Utah Code Title 53B Chapter 8 Section 102

le.utah.gov/xcode/Title53B/Chapter8/53B-8-S102.html

Utah State Board of Regents Policy R512

ushe.edu/ushe-policies/r512-determination-of-resident-status

University of Utah Institutional Policy on Residency Determination for Tuition Purposes

admissions.utah.edu/apply/residency/institutional_policy.php

Residency Reclassification Application

admissions.utah.edu/apply/residency/secure/residency-application.php

Certification Form for Resident Exceptions for Tuition Purposes

admissions.utah.edu/apply/residency/secure/residency-application.php

Application for In-State Tuition Based Upon Military Service Exceptions

admissions.utah.edu/apply/residency/secure/residency-application.php



Contact Information

**OFFICE OF ADMISSIONS
THE UNIVERSITY OF UTAH**

201 South 1460 East, Rm 250 S
Salt Lake City, Utah 84112-9057

801-581-8761, Option #5
Fax 801-585-7864

**residency@utah.edu
admissions.utah.edu/residency**