

# LOCATION POLICY AND RESIDENCY REQUIREMENTS

## Student Address and Location Policy

For the purposes of disclosures related to professional licensure programs, a student's location will be considered their residence hall address, if one exists. If this address does not exist, the student's location will be considered their current address, if one exists. If this address does not exist, the student's location will be considered their permanent address. If all of the student's listed addresses are inaccurate (by evidence of returned mail), the student's location will be considered to be in the state of Kansas. This policy is distinct from Washburn University's residency criteria, described below.

## Kansas Residency and Tuition Assessment Policy

The University charges two residency rates of tuition for undergraduate, graduate, and law courses: 1) a resident of Kansas rate for students who can meet the University's residence requirements and 2) a non-resident of Kansas rate for those who do not qualify as a resident of Kansas. No refund shall be made if residence qualifications are met after the end of the fifth week of the semester.

### Definitions

**"Residency"** or **"Resident Status"** shall mean that status which is achieved when sufficient proof of a domicile within a state is presented.

**"Domicile"** shall mean presence within a state with intent of making the state a permanent home for an indefinite period.

### Factual Criteria in Determination of Resident Status

1. A resident's attendance at an institution of higher education outside of Kansas shall be regarded as a temporary absence from the state; therefore, a student neither gains nor loses resident status solely by such attendance.
2. The burden of proof of establishing eligibility for Kansas resident status shall rest with the student.
3. In determining resident status for the state of Kansas, the following shall be sufficient proof of domicile of a person and their dependents within the state of Kansas:
  - a. Presence within the state of Kansas for a minimum of the six (6) consecutive months prior to the start of the period of attendance coupled with proof of an intent to make the state of Kansas a permanent home for an indefinite period;
4. In determining whether a student holds an intent to make the state of Kansas a permanent home for an indefinite period, the following factors, although not conclusive, shall be given heavy weight:
  - a. Continuous presence in the state of Kansas during those periods not enrolled as a student.
  - b. Presence within the state of Kansas upon marriage to a Kansas resident and the maintenance of a common domicile with the resident spouse.
  - c. Substantial reliance on sources within the state of Kansas for financial support.

- d. Former domicile within the state and maintenance of significant connections while absent.
- e. Ownership of a home within the state of Kansas.
- f. Employment within the State of Kansas.
 

The six- (6) month period of presence within the state, as stipulated in paragraph 3 of this rule, in and of itself, does not establish resident status in the absence of the required proof of intent.
5. The following factors indicate intent to make the state of Kansas a permanent home for an indefinite period shall be given equal weight than those in subsection above and include:
  - a. Acquisition of Kansas driver's license.
  - b. Voting or registration for voting.
  - c. Part-time employment.
  - d. Lease of living quarters.
  - e. Automobile registration or operator's license obtained in Kansas.
  - f. Payment of income, personal and property taxes in Kansas.
  - g. The factors listed in this subsection have applicability only as they support the intent to make the state of Kansas a permanent home for an indefinite period.
6. The following criteria shall be sufficient to establish eligibility for Kansas resident status pursuant to Section 702 of the Veterans Access, Choice and Accountability Act of 2014 ("Choice Act"):
  - a. A Veteran who lives in Kansas (regardless of his/her formal state of residence) and enrolls in the school within three years of discharge from a period of active duty service of 90 days or more.
  - b. A spouse or child (as defined in the Choice Act) using transferred benefits who lives in Kansas (regardless of his/her formal state of residence) and enrolls in the school within three years of the transferor's discharge from a period of active duty service of 90 days or more.
  - c. A spouse or child using benefits under the Marine Gunnery Sergeant John David Fry Scholarship who lives in Kansas (regardless of his/her formal state of residence) and enrolls in the school within three years of the Service member's death in the line of duty following a period of active duty service of 90 days or more.
  - d. Any person who qualifies for Kansas resident status pursuant to this Section 6 shall retain that status as long as the person remains continuously enrolled at Washburn University.
7. A student who transfers to the Washburn University campus from another Kansas public college or university without an interruption in enrollment, except for a summer term, and who possessed resident status at the prior institution shall be granted resident status at Washburn University.

## Educational Fee Assessment Rules

1. **Rates Assessed.** Residents of Kansas as defined in the residence rules will be assessed tuition at the resident rates. Students who are not residents of Kansas as defined by these rules will be assessed the tuition at the nonresident rates.
2. The **exception of the payment** of out-of-state tuition rates granted in paragraphs 4, 5, 6, and 7, shall be applicable only for the first six months such person is residing in the state of Kansas. Thereafter, he or she shall be eligible for in-state residence tuition rates only if he/she has established domiciliary residency in the state and can provide the indicia of residency in Kansas.

3. **Education Employment Tuition Waiver** - Persons who are full-time employees of a state educational institution.
4. **Active Duty Military Tuition Waiver** - Persons who are in active military service.
5. **Military Tuition Waiver** - For persons who do not already qualify for in-state tuition pursuant to The Choice Act, Section 6 above, persons who are domiciliary residents of the state, who were in active military service prior to becoming domiciliary residents of the state, who were present in the state for a period of not less than two years during their tenure in active military service, whose domiciliary residence was established in the state within thirty (30) days of discharge or retirement from active military service under honorable conditions, but whose domiciliary residence was not established at least six months prior to the first day of enrollment for the semester in which the students are enrolling.
6. **Employment Tuition Waiver** - Persons who are domiciliary residents of the state, who are employed on a full-time basis and whose employment requires at least 1,500 hours of work per year, whose domiciliary residence was not established at least six (6) months prior to the first day of enrollment for the semester in which the students are enrolling.
7. **Alumni Tuition Waiver** - Persons who are not domiciliary residents of Kansas, but are the dependent children (legal children, stepchildren or wards) of a graduate of Washburn University. For the purposes of this policy a graduate is any person who has earned a Certificate, Associate, Bachelor's, Master's, or Doctorate degree at Washburn University.

## Appeals

Any student wanting to appeal a residency relative to his or her current residency status shall complete the Resident Status Appeal Form (<https://www.washburn.edu/admissions/paying-for-college/Residency/full-residency.html>) and submit to the campus residency officer (Associate University Registrar). The Resident Status Appeals Committee will review the appeal and all provided documentation.

The Resident Status Appeals Committee shall review the appeal and provide such student with a decision based upon submitted materials. The committee will also notify the University Registrar's Office, the Financial Aid Office, and the Business Office of their final decision.

The student may appeal an adverse ruling with new or additional information to the Executive Director of Strategic Enrollment Management, whose decision shall be final.

## Resident Status Appeal Committee Procedures

1. Student needs to submit completed appeal form with supporting documentation to Associate University Registrar within 30 days after the start of a semester. Students will be encouraged to submit the form and all documentation at once not separately.
2. The committee will meet as needed to review appeals.
3. All residency status changes will be reviewed as a group.
4. Once the committee decision has been made the student will be notified by their MyWashburn email.
5. Students wanting to appeal the committee's decision will be directed to the Executive Director of Strategic Enrollment Management only if new or additional information can be provided.