

<b>Residency Regulations</b>	Procedure Number	595
	Effective Date	May 12, 2023

**PURPOSE**

To establish these regulations is to enable the administrative officers to classify students for the purpose of paying student fees, as either “in-state” or “out-of-state” in accordance with [UA Board Policy 520.8](#).

**REVISION HISTORY**

Adopted on:

**PERSONS AFFECTED**

Students

**DEFINITIONS**

**Initial Classifications**

1. A student shall be admitted to UA-PTC in an “in-state” or “out-of-state” status for university fee purposes, as established under these regulations. Except as otherwise provided under these regulations, a student classified as “in-state” for university fee purposes at the time of admission must have established a bona fide domicile in Arkansas and must have resided continuously in this state in that bona fide domiciliary status for at least six (6) consecutive months prior to the beginning of the term or semester for which fees are paid.
2. A bona fide domicile is a home of apparent true, fixed, and permanent nature, a place of actual residing for all purposes of living that may be distinguished from a temporary sojourn in this state as a student. The person claiming domicile in Arkansas must provide evidence of permanent connection with the State of Arkansas and demonstrate the expectation of remaining in this state beyond graduation. For purposes of implementing these policies, the administration is directed to articulate standards which will be applied in making the determination of residence.
3. Except as otherwise provided under these regulations, the domicile of an adult (18 years of age or older) or emancipated minor student shall be determined on the basis of his or her own domicile.
4. Except as otherwise provided under these regulations, the domicile and residence of an unemancipated minor student (less than 18 years of age) or an unmarried dependent who has not attained the age of 24 is legally that of the parents or surviving parent; or such other person legally standing in the place of a parent to the student and with whom the student in fact makes his or her home and who has been making substantial contributions to the support of the student for at least six (6) consecutive months prior to the term or semester for which the fees are paid.

5. A student who cannot satisfy the criteria for Arkansas domicile and residence will be classified as an “out-of-state” student and will pay fees and tuition accordingly. The student on a temporary visa will be classified as a foreign student and will pay nonresident tuition and fees. A student who has been granted a permanent visa and has been domiciled in Arkansas for six (6) consecutive months following receipt of the permanent visa shall be classified as an Arkansas resident for fee purposes.
6. The responsibility for registering under a proper classification for student fee purposes is placed upon the student. It is the duty of each student at each time of registration to call any question about residence classification status to the attention of the campus classification review officer in a timely fashion in order that the question may be settled (see Procedures, below).
7. The six-month period required in paragraph 1 of these regulations may be waived for persons, their spouses, and their unmarried children (who have not yet attained the age of 24) who move to Arkansas with attendance at UA-PTC only a by-product of the primary purpose of establishing domicile in this state.
8. An unmarried student who has not reached the age of 24 years having one parent residing in Arkansas (for at least six (6) consecutive months immediately prior to the beginning of the term or semester in which the fees are to be paid) may be considered an “in-state” student for fee purposes, even if that student resided outside the state with the other parent before coming to Arkansas to attend UA-PTC.
9. Marriage is recognized as emancipation for both females and males.
10. The spouse of a person continuously domiciled in Arkansas (for at least six (6) consecutive months immediately prior to the beginning of the term or semester in which the fees are to be paid) upon request shall be classified as “in-state” for fee purposes.

#### Reclassifications

1. The initial classification of a student will not prejudice a different classification for following terms or semesters. However, a student’s prior domicile is assumed to continue until he or she clearly establishes a new domicile in Arkansas (see Procedures, below).
2. A student previously classified as “out-of-state” may be reclassified as “in-state” for fee purposes if he or she has established a bona fide domicile in Arkansas and has resided continuously in this state in that bona fide domiciliary status for at least six (6) consecutive months prior to his or her reclassification by UA-PTC. In order for an adult or an emancipated minor to establish a bona fide domicile in Arkansas for fee purposes, he or she must have left the parental home, must have established in this state a home of a permanent character as manifested objectively by good faith acts, and must have the expectation of remaining in this state beyond graduation. The single fact of presence in Arkansas for at least six months of attendance as a student enrolled in the University of Arkansas Pulaski Technical College, or any other education institution, neither constitutes nor necessarily precludes reclassification as one domiciled in Arkansas, but will be a factor to be considered.

#### Residence Status of University Employees

Pursuant to the provisions of [University of Arkansas Board Policy 520.6](#), university employees whose appointment for pay purposes is for half-time or greater shall be considered in-state residents for tuition and fee purposes. Similarly, such employee’s spouse, children under the age of eighteen, and children

who are dependent upon the employee for support (as defined by the Internal Revenue Service) and are full-time students at UA-PTC shall also be considered as residents for fee purposes.

Post-doctoral fellows, resident doctors, and interns employed by the University of Arkansas for Medical Sciences and graduate students and graduate assistants are considered students and are not considered employees for purpose of this policy.

#### **Residence Status of Native Americans**

Native American people in other states belonging to tribes which formerly lived in Arkansas before relocation, and whose names are on the rolls in tribal headquarters, shall be classified as in-state students of Arkansas for tuition and fee purposes pursuant to [University of Arkansas Board Policy 520.1](#). Tribes so identified include the Caddo, Cherokee, Chickasaw, Choctaw, Creek (Muskogee), Delaware, Kickapoo, Osage, Quapaw, Shawnee, Tunica, and Peoria.

#### **Residence Status of Members of Armed Forces and Dependents**

For purposes of tuition and fees applicable for all programs of study, including distance learning programs, the University of Arkansas Pulaski Technical College shall classify students who are veterans or members of the armed forces, and their spouses and dependents, as “in-state” or “resident,” in accordance with Section 702 of the Veterans Access, Choice and Accountability Act of 2014, 28 U.S.C. 3679(c), as amended, and Arkansas Code Annotated Sec. 6-60-205 (UA Board Policy 520.7).

The specific criteria for eligibility are to be set forth in [UA Systemwide Policy and Procedure No. 520.7](#), which policy shall be amended from time to time as needed to ensure compliance with current state and federal law. UA-PTC will also publish the criteria as set forth in [UASP 520.7](#) in its student catalog and/or other relevant publications.

#### **Residence Status of Students from Texarkana, Texas, and Bowie County, Texas**

In accordance with the reciprocity agreement described in H.C.R. 32, signed by the Governor of Arkansas on February 12, 1965 and [University of Arkansas Board Policy 520.10](#), residents of Texarkana, Texas, and Bowie County, Texas, will be classified as in-state students for university fee purposes at the University of Arkansas.

#### **Students with Nontraditional Document Immigration status**


Under Arkansas Code Ann. § 6-60-215, students may qualify for in-state tuition if they satisfy the following requirements.

1. Documentation of nontraditional documented immigration status, which includes one of the following: a. Federal Form I-766 Employment Authorization Card b. Documentation of immigration from the Republic of Marshall Islands and verified legal presence in Arkansas c. Form I-797 Notice of Action – approval for an exemption under the Deferred Action of Childhood Arrivals (DACA).
2. Documentation of legal residency in Arkansas for a minimum of three (3) years prior to the date of application for admission to UA-PTC, which includes one of the following: a. A driver’s license or state identification card issued in the State of Arkansas at least three (3) years prior to the date of application for admission b. An official high school transcript from an accredited Arkansas public or private high school

- c. Billing history indicating in-state residence for at least three (3) years prior to the date of application for admission
  - d. A notarized letter from an employer or landlord verifying Arkansas residency status for at least three (3) years prior to the date of application for admission
3. Documentation of graduation from an accredited Arkansas public or private high school or completion of an Arkansas high school equivalency (GED)

**PROCEDURES**

1. A student shall have the burden of establishing any claim that he or she is entitled to be treated as “in-state” for fee purposes. Persuasive evidence to that effect must be presented in writing and verified under oath by the student. Mere claims of local domicile and duration of stay are of little weight. A student who knowingly gives erroneous information in an attempt to evade the payment of “out-of-state” fees may be subject to dismissal from UA-PTC.
2. All disputed classifications for student fee purposes, whether at initial enrollment or subsequent enrollments, and all disputed reclassifications will be decided on each campus by a classification review officer designated by each chancellor.
3. Determination of domicile will be based on a review of all pertinent facts, evidence, and circumstances, which collectively show, in an objective and clear manner, the actual domicile of the student.
4. Required documentation to submit a reclassification appeal are located on UA PTC’s website.

REQUIRED APPROVALS	NAME/SIGNATURE	DATE
Originator(s) Name(s):	Student Academic and Affairs Committee	April 26, 2023
Ratified by:	College Council	May 12, 2023
Recommended by Chancellor (Signature)		July 18, 2023
UA Policy Alignment:	University of Arkansas Policy 520.7, 520.8, and 520.10	