



# Residency Reclassification Regulations

## UCA Board Policy 700 - Student Residency Regulations

The purpose of these rules is to enable the administrative officers of the University of Central Arkansas to comply with the law in classifying students for the purposes of paying fees as either “instate” or “out-of-state” so as to accord fairness and equity to the students of the University and to Arkansas taxpayers from unfounded claims advanced for the purpose of evading payment of proper charges for educational services.

No student shall be admitted to the University of Central Arkansas and be classified as an in-state student for student fee purposes unless he or she is a bona fide domiciliary of Arkansas and has resided in this state in that status for at least six consecutive months prior to the beginning of the term or semester for which the fees are to be paid.

An out-of-state student enrolled for a full or substantially full program of courses or credits at an educational institution is considered to be in Arkansas primarily for the purpose of attending school and not for the purpose of establishing in good faith a true, fixed, and permanent home constituting an Arkansas domicile. Continued presence in Arkansas during vacation periods or during a period or periods when not enrolled in an educational institution, where any one such period does not extend for at least six continuous months, shall not justify reclassification to an in-state student status.

Initial classification as an out-of-state student shall not prejudice the right of that student to be reclassified thereafter for following semesters or terms of enrollment as an in-state student, provided he/she has actually acquired a bona fide Arkansas domicile and has resided in Arkansas thereafter for six continuous months’ duration as such domiciliary prior to his/her reclassification by the University. In a similar manner, an in-state student shall be reclassified for future semesters and terms where his/her domicile is moved to some other state. For University purposes, a local domicile, together with residing here as such for six continuous months or more, is acquired through Arkansas coming to be one’s home and residence as distinguished from a temporary sojourn in Arkansas as a student and involves the probability of remaining in Arkansas beyond graduation. The single fact of presence in Arkansas for at least six continuous months of attendance as a student enrolled in the University of Central Arkansas or in any other colleges or universities in Arkansas neither constitutes nor necessarily precludes the acquisition of a basis for reclassification, but is a factor to be considered.

The responsibility for registering under the proper classification for this purpose is placed upon the student and it is the duty of each student at each time of registration, if there be any question of his/her proper classification or reclassification for fee purposes, to raise the question of his/her status with the Office of the Registrar in order to have such question settled by the Registrar. Any classification initially on enrolling and on re-enrolling in the University or any reclassification made or concurred in by the Registrar may be appealed for review and determination to the Academic Adjustments and Appeals Committee. Written notice of such appeals procedures shall be provided to each student raising the question of his/her status with the Registrar.

A student from outside of Arkansas shall have the burden of establishing by proof any claim that he or she is entitled to be treated as an in-state student for fee purposes, and evidence to that effect must be presented in writing. Mere self-serving claims of local domicile and duration of stay are of little weight. A student who knowingly gives erroneous information in an attempt to evade payment of out-of-state fees shall be subject to dismissal from the University.

In determining proper classification and reclassifications of students for fee purposes, the following rules and definitions shall be used for guidance:

(1) Domicile-in-state student means that Arkansas is the legal home and place of permanent living of such student for all purposes, and that intention to make one's permanent home here has been manifested objectively by good faith acts, and that mere physical presence here is alone insufficient. In this sense, domicile is the equivalent of a legal residence. The rule requires that a domiciliary of Arkansas be also physically present in such domiciliary status in Arkansas for at least six continuous months prior to recognition of the status for fee purposes.

(2) For purposes where the student's status is dependent upon the domicile and place of residing of his/her parent or parents, the definition in (1) above shall govern the determination of domicile of the parents. Neither the mere fact of presence in Arkansas with his/her children while the latter are attending the University or some other educational institution or institutions in Arkansas, nor the mere ownership of property located in Arkansas is sufficient proof of such local domicile and place of residing, but are to be considered together with all pertinent circumstances.

(3) The domicile and legal residence of a minor student is the same as: (a) that of the parents or surviving parent; or (b) that of the parent to whom custody of the minor has been awarded by a divorce or other judicial decree; or (c) that of the parent with whom the minor in fact makes his home, if there has been a separation of parents without a judicial award of custody; or (d) that of adoptive parent, where there has been a legal adoption, even though the natural parents or parent be living; or (e) that of a "natural" guardian, such as a grandparent or other close relative with whom the minor, in fact, makes his home, where the parents are dead or have abandoned the minor.

(4) Appointment of a guardian in a state outside of Arkansas will attribute the domicile of the minor student to that of his/her out-of-state guardian. Establishment of guardianship or adoption for the purpose of evading fees will not be recognized.

(5) A minor emancipated by the law of his domicile or on reaching the legal age of majority has the power that any adult has to acquire a different domicile and different place of residing; however, his prior domicile or origin continues until he clearly establishes a new one. Marriage constitutes emancipation of minors, both male and female.

(6) For either an adult or an emancipated minor to acquire a domicile in this state, he must have permanently left his parental home, must have established a legal home (domicile) of permanent character in Arkansas other than for attendance in school here and resided for six continuous months as an Arkansas domiciliary, and must have no present definite intent of removing from there as of a certain time.

(7) Determination of local domicile shall be based on a review of all pertinent factors and circumstances that collectively may reasonably be deemed to objectively manifest a state of mind regarding domicile.

(8) Students living in the states bordering Arkansas who receive mail at an Arkansas post office are not domiciliaries of Arkansas.

(9) A student who is a veteran, dependent of a veteran, member of the armed forces, spouse of a member of the armed forces, or a dependent of a member of the armed forces stationed in the state of Arkansas pursuant to military orders, shall be entitled to classification as in-state students for fee paying purposes.