

UNIVERSITY OF KENTUCKY  <b>ADMINISTRATIVE REGULATIONS</b>	IDENTIFICATION <b>AR 4:5</b> <i>(Formerly AR III-1.1-4)</i>	PAGE 1
	DATE EFFECTIVE  3/6/07	SUPERSEDES REGULATION DATED 6/15/89 3/19/92 6/11/96 9/21/99 9/23/04 12/13/05

**RESIDENCY REVIEW COMMITTEE**  
(Approved By the Board of Trustees)

I. Introduction

The University is required to determine, pursuant to criteria established by 13 KAR 2:045, each student’s residency status for purposes of tuition. 13 KAR 2:045 also requires the University to provide for an administrative appeals process to consider student appeals of a residency determination, designate a residency appeals officer, and establish a residency review committee to consider appeals of residency determinations by the residency appeals officer.

II. Application for Change of Residency

A. Application for change of residency classification by a student enrolled in or an applicant to a program at the University shall be made in writing to the Residency Officer in the Office of the Assistant Provost for Enrollment Management for initial consideration.

B. The Residency Officer, a member of the Office of the Assistant Provost for Enrollment Management, is selected by the Assistant Provost for Enrollment Management and will serve as the Residency Officer as part of his or her job description.

C. Residency determinations shall be based on regulations promulgated by the Council on Postsecondary Education.

D. The Assistant Provost for Enrollment Management will not participate in the initial determination by the Residency Officer. The decision of the Residency Officer, if adverse to the applicant, may be appealed to the Residency Review Committee.

III. Residency Review Committee – Authority, Membership, and Quorum

A. The Residency Review Committee shall consider appeals from students whose requests for change in residency status have been denied by the Residency Officer.

B. The Committee shall have authority to establish procedural rules, consistent with Governing Regulations and approved by the Provost and to schedule meetings.

C. The Residency Review Committee is appointed by the President and reports to the Provost.

D. The Committee shall be comprised of four members:

1. Two members shall be recommended by the Provost from the faculty and staff, who may not be the Residency Officer.

2. One faculty member shall be recommended by the University Senate. The University Senate shall recommend three (3) faculty members to the President, who will select a member of the Committee from those named on this list.

3. One member shall be a student.

E. The chair shall be designated by the Provost from the Committee members. Faculty and staff members shall have three-year appointments. The student member shall have a one-year appointment. Members may serve consecutive terms.

F. Three members shall be necessary for Committee action, and three members shall constitute a quorum. A majority vote of the Committee members present shall be necessary for any decision.

#### IV. Residency Review Committee - Procedures

A. The Provost shall provide professional and administrative support for the Residency Review Committee, including but not limited to recording and preserving the minutes of Committee meetings, processing applications on appeal, and presenting the applications at Committee meetings.

B. A student may be invited to attend or may request the opportunity to attend a meeting of the Residency Review Committee that is considering his or her case by contacting the Chair of the Committee.

C. The student may bring one advisor to the meeting. The role of the advisor shall be limited to providing advice to the student. Even if accompanied by an advisor, a student shall present his or her case and personally respond to inquiries from the Committee. In consideration of the limited role of an advisor and of the compelling interest of the University to expeditiously conclude the matter, a

Committee meeting shall not, as a general practice, be delayed due to the unavailability of an advisor.

D. The Residency Review Committee shall base its decision on regulations promulgated by the Council on Postsecondary Education. The applicant shall be notified in writing as to the Committee's decision on the applicant's appeal.

E. If the applicant considers the decision of the Committee to be unsatisfactory, the applicant may request a formal hearing by contacting the Chair of the Residency Review Committee in writing within fourteen (14) days after receipt of the written notification.

V. Formal Residency Appeals Hearings

A. The Provost is authorized to appoint or employ a hearing officer to preside over formal residency hearings and shall arrange a formal hearing on a timely basis. The formal hearing shall include guarantees of due process including the right of a student to be represented by legal counsel and the right of the student to present information and testimony in support of a claim of Kentucky residency. The Hearing Officer shall have the authority to establish procedural rules for hearings. The Residency Office shall have the right to present information to the Hearing Officer.

B. The Hearing Officer shall make a recommendation to the Provost. The Provost shall decide the appeal and notify the student in writing.

C. The Office of Legal Counsel shall advise the Residency Officer and the Residency Review Committee on legal matters, including but not limited to interpretation of the regulations promulgated by the Council on Postsecondary Education, procedural questions, and applicable laws, cases, and regulations, and shall represent the University in formal hearings.

D. The Residency Review Committee shall submit an annual report on its activities to the Provost.

References: KRS 164.020(8); KRS 164.030; 13 KAR 2:045