




UNIVERSITY OF KENTUCKY

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August 17, 2005

TO: Scott Smith
Provost

FROM: David Watt 
Associate Provost


RE: Revised Administrative Regulation III-1.1-4

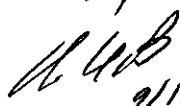
I am enclosing a revised version of Administrative Regulation III-1.1-4. I chaired an *ad hoc* committee of Suzanne McGurk, Don Witt, and Katherine Adams. We reviewed the CPE requirements and the prior AR in preparing this revision.

I would appreciate your discussing this with the President and requesting that he forward it to the Senate Council for their consideration. I would be willing to meet with the Senate Council to discuss the rationale behind the proposed revisions. Once we have their response, this will, of course, need to go the Board for approval, as required by the CPE.

attachment

cc: Ernest Yanarella
Rebecca Scott
Douglas Boyd
Don Witt
Suzanne McGurk
Katherine Adams

Approval recommended
 8/23/05

APPROVED BY LTI

9/14/05

UNIVERSITY OF KENTUCKY
ADMINISTRATIVE REGULATIONS

IDENTIFICATION **AR III-1.1-4**

DATE EFFECTIVE 7/1/05

SUPERSEDES REGULATION DATED
6/15/89 3/19/92
9/23/94 6/11/96 9/21/99

NON-RESIDENT FEE COMMITTEE

APPROVED BY THE BOARD OF TRUSTEES

Application for change of residency classification by a student enrolled in or an applicant to a program at the University of Kentucky shall be made in writing to the Residency Officer in the Registrar's Office for initial consideration. The Residency Officer is a member of the Registrar's Office who is selected by the Registrar and who will serve as the Residency Officer as part of his or her job description. Residency determinations shall be based on regulations promulgated by the Council on Postsecondary Education. The Registrar 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 Non-Resident Fee Committee.

The Non-Resident Fee Committee is appointed by the President of the University of Kentucky and reports to the Provost. The Committee shall be comprised of the Associate Provost for Academic Affairs, Registrar (who is not the Residency Officer), and a faculty member nominated by the Faculty Senate. The Faculty Senate will forward a list of three names to the President who will select a member of the Committee from among the names on this list. The chairperson shall be designated by the Provost. The faculty member normally shall have a three-year appointment. The Committee shall have authority to adopt by-laws, establish procedural rules, and schedule meetings. All three members shall be necessary for Committee action. A majority of the Committee will be necessary for any decision. A student may request the opportunity to attend a meeting of the Non-Resident Fee Committee that is considering his or her case by contacting the Chairperson of the Committee. If invited, the student may bring one advisor to the meeting, but the student must present his or her case.

The Provost shall provide professional and secretarial support for the Non-Resident Fee 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.

The Non-Resident Fee Committee shall consider appeals from students whose initial requests for change in residency status have been denied by the Residency Officer. Residency appeals shall be based 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.

If the applicant considers the decision of the Committee to be unsatisfactory, the applicant may request a formal hearing by contacting the Chairperson of the Non-Resident Fee Committee in writing within fourteen days after receipt of the written notification.

The Provost is authorized to appoint or employ a hearing officer to preside over formal residency hearings and will 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 will have the right to present information to the Hearing Officer.

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

The Office of Legal Counsel shall advise the Residency Officer and the Non-Resident Fee 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.

The Non-Resident Fee Committee shall submit an annual report on its activities to the Provost.