

KANSAS BOARD OF REGENTS

APPLICATION FOR RESIDENT CLASSIFICATION FOR FEE PURPOSES

READ CAREFULLY AND ANSWER FULLY.

If more space is needed for any answers, please use an additional sheet of paper.

1 Full legal name \_\_\_\_\_ STUDENT NO. \_\_\_\_\_  
LAST NAME FIRST MIDDLE

Other names, if any, under which you have been enrolled or employed: \_\_\_\_\_  
2 Current address while attending this institution \_\_\_\_\_  
STREET AND NUMBER or RURAL ROUTE (a P.O. BOX IS NOT SUFFICIENT) PHONE  
CITY STATE ZIP

3 Permanent address \_\_\_\_\_  
STREET AND NUMBER or RURAL ROUTE CITY STATE ZIP

4 For which semester are you applying for residency? \_\_\_\_\_  
SEMESTER YEAR

Have you previously applied for residency at a Kansas Regents' institution? ☐ Yes ☐ No

If yes, indicate institution and year you applied \_\_\_\_\_

Have you read the accompanying regulations pertaining to Residence for Fee Purposes? ☐ Yes ☐ No

5 Date of birth \_\_\_\_\_ Place of birth \_\_\_\_\_  
MONTH DAY YEAR STATE or COUNTRY

6 Are you a CITIZEN of the United States? ☐ Yes ☐ No

If NO, have you been granted Immigrant or Permanent Resident status by the U.S. Immigration & Naturalization Service? ☐ Yes ☐ No

If NO, indicate type of VISA \_\_\_\_\_  
If YES, attach a copy of your Alien Registration card.

7 When did your current period of physical presence in Kansas begin? \_\_\_\_\_  
MONTH / DAY / YEAR

Have you lived in Kansas continuously since this date? ☐ Yes ☐ No

8 Where did you live before moving to Kansas (before the date above)?

_____	from _____	to _____
CITY/STATE/COUNTRY	MONTH/YEAR	MONTH/YEAR
_____	from _____	to _____
CITY/STATE/COUNTRY	MONTH/YEAR	MONTH/YEAR
_____	from _____	to _____
CITY/STATE/COUNTRY	MONTH/YEAR	MONTH/YEAR

9 Where did you spend the current/previous summers? (June thru August - provide specific dates)

_____	from _____	to _____
CITY/STATE/COUNTRY	MONTH/YEAR	MONTH/YEAR
_____	from _____	to _____
CITY/STATE/COUNTRY	MONTH/YEAR	MONTH/YEAR
_____	from _____	to _____
CITY/STATE/COUNTRY	MONTH/YEAR	MONTH/YEAR

10 Marital Status: \_\_\_\_\_ If married, provide the following:

Date of marriage (MONTH/DAY/YEAR) \_\_\_\_\_

Legal name of spouse \_\_\_\_\_  
LAST MAIDEN/BIRTH NAME FIRST MIDDLE

Complete CURRENT address and telephone number of spouse: ( ) \_\_\_\_\_  
AREA CODE AND PHONE NUMBER

STREET/NUMBER/APT./RURAL ROUTE CITY/STATE/ZIP CODE

You may be required to provide a copy of your marriage certificate.

**11 PARENTAL INFORMATION** (required if you are single and under 18 year of age OR are still claimed as a dependent on your parent's tax return; recommended if you are single and one or more of your parents reside in Kansas)

- a. Father's full legal name \_\_\_\_\_ Address \_\_\_\_\_  
CITY/STATE/COUNTRY
- b. Mother's full legal name \_\_\_\_\_ Address \_\_\_\_\_  
CITY/STATE/COUNTRY
- c. If your parents are divorced, which parent has legal custody of you? \_\_\_\_\_
- d. From which parent do you receive the preponderance of your support? \_\_\_\_\_
- e. If neither parent is living, or if you have a guardian, give the full name and address of guardian.
- \_\_\_\_\_

*If requested, a certified copy of the court order establishing custody or guardianship must be presented.  
 Guardianships established for the sole or main purpose of qualifying the ward for resident fees will not be honored.*

- f. Did your parents or guardian file a Kansas State Resident Income tax return for the last tax year?    ☐ Yes    ☐ No
- 12** Have you been licensed or certified to practice a profession in Kansas? (doctor, lawyer, nurse, teacher, etc.)
- ☐ Yes    (IDENTIFY WHICH ONE) \_\_\_\_\_    ☐ No

- 13** Where are you currently registered to vote? (city and state) \_\_\_\_\_
- When did you last register to vote in Kansas? \_\_\_\_\_

- 14** List all colleges you have attended in the last five years, with dates of attendance, credit hours earned, and student resident status (for fees) at each institution:

Name	INSTITUTION: City, State	FROM: MONTH & YEAR	TO: MONTH & YEAR	CREDIT HOURS EARNED	FEE STATUS: Resident or Non-Resident
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

**15 EMPLOYMENT RECORD:** List all employment since your latest period of residence **in Kansas** began (latest employment first, list periods of full-time and part-time employment with the same company separately):

COMPANY NAME	ADDRESS (street & no., city, state)	FROM: MONTH & YEAR	TO: MONTH & YEAR	HOW MANY HOURS PER WEEK?
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

## 16 FINANCIAL SUPPORT and EXPENSES

- a. **Financial Support:** List all financial support for the past twelve months. Include scholarships, loans, grants, employment, personal savings, interest, governmental benefits, monetary gifts, spousal contribution, etc.

Provide documentation of all support listed below: eg., current Kansas income tax returns, W-2's, current pay stubs, financial aid offers, trust, stock, mutual fund documents, statement of support by friends, family or relatives, etc.

<u>Source of Support</u>	<u>Address</u>	<u>Dates</u>	<u>Total Dollar Amount</u>
_____	_____	From: _____ To: _____	\$ _____
_____	_____	From: _____ To: _____	\$ _____
_____	_____	From: _____ To: _____	\$ _____
_____	_____	From: _____ To: _____	\$ _____
_____	_____	From: _____ To: _____	\$ _____
_____	_____	From: _____ To: _____	\$ _____
<b>TOTAL INCOME</b>			\$ _____

- b. **Expenses:** List all expenses for the past twelve months:

Note: If you share expenses, list only your portion of these expenses.

Housing .....	monthly _____	Total for past 12 months \$ _____
Food costs .....	monthly _____	Total for past 12 months \$ _____
Phone, electric, gas, etc. ....	monthly _____	Total for past 12 months \$ _____
Health care costs,/insurance .....	monthly _____	Total for past 12 months \$ _____
Vehicle and transportation .....	monthly _____	Total for past 12 months \$ _____
Clothing/laundry/entertainment .....	monthly _____	Total for past 12 months \$ _____
Tuition and Fees per term: Summer: _____	Fall: _____ Spring: _____	Total \$ _____
Books & supplies per term: Summer: _____	Fall: _____ Spring: _____	Total \$ _____
<b>TOTAL EXPENSES</b>		\$ _____

*You may be required to provide documentation to substantiate all listed expenses.*

- c. Do you have health insurance? ☐ Yes ☐ No If YES, who pays the cost? \_\_\_\_\_  
If NO, who pays the cost of your health care? \_\_\_\_\_

17 With what state did you file your last STATE income tax return? \_\_\_\_\_  
YEAR AND STATE

*(Submit a copy of your last federal and state income tax returns)*

18 Were you claimed as a dependent on another person's last federal income tax return? ☐ Yes ☐ No  
WHO (name) \_\_\_\_\_ Relationship to you \_\_\_\_\_  
Complete Address \_\_\_\_\_

*(Submit a copy of page 1 of this person's last federal and state income tax returns)*

19 Was Kansas personal property tax paid on the vehicle you currently own or drive?  
a. ☐ No b. ☐ Yes If yes, what year? \_\_\_\_\_ c. ☐ No vehicle in my possession

20 Provide information concerning the present license plate on the vehicle you own or drive.

a. \_\_\_\_\_  
STATE LICENSE PLATE NUMBER DATE PLATE OBTAINED  
b. \_\_\_\_\_  
VEHICLE OWNED BY WHOM? c. ☐ No vehicle in my possession.

21 What state issued your current driver's license? \_\_\_\_\_ License No. \_\_\_\_\_ Date Issued \_\_\_\_\_

22 Why did you come/return to Kansas? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

23 Other than being physically present in Kansas, what relationships or obligations connect you to the state, making it your permanent home?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

24 How long do you plan to remain in Kansas?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

25 What are your plans after your academic work here is completed?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**If you feel that there are other pertinent facts not covered by any of the previous questions/answers, please write them on a separate sheet of paper and attach it this form.**

I CERTIFY THAT THE INFORMATION GIVEN ON THIS APPLICATION IS CORRECT. I UNDERSTAND THAT FALSIFIED INFORMATION CAN RESULT IN FINANCIAL OBLIGATION (NON-RESIDENT FEES) TO, AND DISMISSAL FROM THIS INSTITUTION AND THAT MAKING A FALSE WRITING IS A FELONY UNDER KANSAS LAW (K.S.A. 21-3711). I ALSO UNDERSTAND THAT INFORMATION FROM MY APPLICATION FOR ADMISSION AND OTHER UNIVERSITY RECORDS WILL BE CONSIDERED A PART OF THIS APPLICATION.

Date \_\_\_\_\_ Signature \_\_\_\_\_  
(IN THE PRESENCE OF A NOTARY PUBLIC)

**NOTARIZATION:**

Subscribed and sworn to/affirmed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_

Notary Signature: \_\_\_\_\_ CITY  
MY APPOINTMENT EXPIRES: \_\_\_\_\_

**Return to:**

Debbie Greve, Registrar  
Pittsburg State University  
1701 S. Broadway  
Pittsburg, KS 66762  
Telephone: 620-235-4205  
Fax: 620-235-4015

## KANSAS RESIDENCY FOR TUITION PURPOSES

Qualifying for Kansas residency for tuition purposes at state universities is frequently misunderstood. Students from out-of-state can be misled into thinking they can establish Kansas residency when, in fact, it is extremely difficult to do while they are students.

The pertinent laws and regulations are quoted in this document and are in *italics* type. Abbreviations used: K.S.A. stands for Kansas Statutes Annotated, and K.A.R. stands for Kansas Administrative Regulation. **Frequently asked questions and answers, and editorial comments, are in shaded boxes.**

**WHAT DIFFERENCE DOES IT MAKE?** Most undergraduate degree programs require 124 credit hours for completion. If Kansas residency is NOT established, and all 124 hours are at the non-resident rate, the total cost would be almost **\$37,000.** at today's rates. The same hours at resident rates would be less than \$11,000.

**WHO SETS THE POLICIES REGARDING RESIDENCY?** Classification as a resident of Kansas for tuition purposes, is governed by Kansas state law and regulations, not university policy. Residency for other purposes or at Kansas community colleges, is governed by different laws and regulations. A person can be a resident for any other purpose and NOT be a resident for tuition purposes at a state university.

**IF I'M NOT A RESIDENT HERE, WHERE AM I A RESIDENT?** All we can do is decide whether or not a person qualifies for resident rates in Kansas. Each state has its own law and regulations pertaining to this. It is quite possible to be a person without a state, for tuition purposes.

(also see questions on page 3)

**★ CAREFULLY READ the information, statute and regulations which follow (all four yellow pages).** Then, if you believe you should be eligible for resident classification for fee purposes, complete the attached application for residence classification and submit it to the registrar within 30 days of the date that you were notified of classification as a non-resident for fee purposes. (K.A.R. 88-3-1)

### Initial Residence classification

(a) *The registrar of each institution governed by the state board of regents shall determine the residence status for fee purposes of each student who enrolls in the institution. If the registrar determines that the original residency classification of any student was incorrect, the registrar shall give written notice of reclassification to that student, together with a statement of any additional fees owed by or any refund due to that student for any terms or semesters, and the same shall be due and payable immediately.*

(b) *Any residency determination by an agent duly designated by a registrar to make a determination shall be deemed to be the residency determination of that registrar (K.A.R. 88-2-1).*

Your initial residence classification is determined by the admissions office.

### Responsibility

*The responsibility of enrolling under proper residence classification for fee purposes is placed on the student. If there is any possible question of residence classification under the regulations of the Kansas Board of Regents, it is the duty of the student when registering and paying fees to raise the question with the registrar. (K.A.R. 88-3-1)*

### Payment of Fees

*When an appeal is made by a student from a determination that the student is non-resident, **such student must pay non-resident fees at the time designated for payment of fees.** If the student is found to be a resident, the difference between resident and non-resident fees will be refunded. (K.A.R. 88-3-1) If a student enrolls incorrectly as a resident of Kansas and it is determined at a later date that the student was a non-resident for fee purposes, the student will be required to pay the non-resident fee for all terms during which the student was incorrectly registered. (K.A.R. 88-3-1)*

# INSTRUCTIONS - Application for Resident Classification

**(Read all four yellow pages first)**

**I've lived in Kansas over a year. Why do I have to fill out this long form??**

Qualifying as a resident for tuition purposes requires more than just being present in the state for a year. And a change in residence classification has significant financial ramifications. We have to be able to justify each change with the auditors. This form provides, in one place, all the information we need to make, and justify, an informed residency decision. It also gives us more current information than we usually have on other forms that you filled out weeks or months earlier, and it provides your signed (and notarized) affirmation that all the information provided on it is true.

This form was developed with the attorney for the Kansas Board of Regents by representatives from all the state universities in Kansas, and all of them use the same form.

**Now to the form! Please read each question carefully, and answer each one fully.**

Exception: If you are completely self-supporting and have been employed full-time for the last twelve months, and have not been a full-time student, skip question 16 and just attach a copy of the first page of last year's Kansas income tax return and a current pay stub with year-to-date totals.

**Your signature must be notarized.** We have notaries in the Registrar's Office.

## REGULATIONS (continued)

### *Appeals*

*Each university under the state board of regents shall establish a committee of at least three members to act as an appellate body to hear and determine appeals concerning the status of students as residents or non-residents of Kansas for fee purposes. (K.A.R. 88-2-3 implementing K.S.A. 76-730). Subject to the provisions of K.S.A. 77-601, decisions of the Residence Committee shall not be subject to further administrative review by any officer or committee of the university or by the Kansas Board of Regents. (K.A.R. 88-3-1)*

*Appeal of an adverse residency determination by the Residence Committee should be made to the District Court within 30 days of receipt of the notification of such decision, pursuant to K.S.A. 77-601, et seq.*

The appeal form, "Application for Resident Classification for Fee Purposes," is attached. The University Committee on Residency reviews and decides written appeals only. That committee is charged with applying the residence law and regulations to individual circumstances, but is not an "exceptions" committee.

### *The Statutes (K.S.A.)*

**K.S.A. 76-729. Residence of students for fee purposes; basic rule; certain exceptions authorized.**

*Persons enrolling at the state educational institutions under the control and supervision of the state board of regents who, if such persons are adults, have been domiciliary residents of the state of Kansas or, if such persons are minors, whose parents have been domiciliary residents of the state of Kansas for at least 12 months prior to enrollment for any term or session at a state educational institution are residents for fee purposes. A person who has been a resident of the state of Kansas for fee purposes and who leaves the state of Kansas to become a resident of another state or country shall retain status as a resident of the state of Kansas for fee purposes if the person returns to domiciliary residency in the state of Kansas within 12 months of departure. All other persons are nonresidents of the state of Kansas for fee purposes.*

The state board of regents may authorize the following persons, or any class or classes thereof, and their spouses and dependents to pay an amount equal to resident fees (abridged): (1) persons who are employees of a state educational institution; (2) persons who are in military service; (3) persons who were in active military service in Kansas and who were discharged or retired in Kansas; (4) persons having special domestic relations circumstances; (5) persons who graduated from an accredited high school within six months of enrollment; (6) persons who were recruited to or transferred to Kansas for a full-time job.

The details about each of these six exceptions are critical, and are found on page 4 of this document. Several of these exceptions require certification of appropriate information on a special form. These exceptions are not automatic!



**K.S.A. 76-730. Rules and regulations for criteria and guidelines.** The state board of regents shall adopt rules and regulations prescribing criteria or guidelines for determination of residence of persons enrolling at the state educational institutions; so long as such criteria or guidelines are not in conflict with the provisions of this act.

**K.S.A. 76-731. Certain American Indians deemed residents of state for purpose of tuition and fees.** Any person who is attending or who has attended Haskell Indian Junior College and who is enrolled as an American Indian on a tribal membership roll maintained by the Bureau of Indian Affairs of the United States department of the interior shall be deemed to be a resident of this state for the purpose of tuition and fees for attendance at any state educational institution under the State Board of Regents.

Definitions (K.S.A. 76-729)

- (1) "Parents means and includes natural parents, adoptive parents, stepparents, guardians and custodians.
  - (2) "Guardian" has the meaning ascribed thereto by K.S.A. 59-3002, and amendments thereto.
  - (3) "Custodian" means a person, agency or association granted legal custody of a minor under the Kansas code for care of children.
  - (4) "Domiciliary resident" means a person who has present and fixed residence in Kansas where the person intends to remain for an indefinite period and to which the person intends to return following absence.
  - (5) "Full-time employment" means employment requiring at least 1,500 hours of work per year.
- 88-3-3. Definition of "one year."** The phrase "one year prior to enrollment" as used in K.S.A. 76-729 means a continuous 365 day period immediately prior to the first day of classes for a specified term or session.

Kansas Administrative Regulations (K.A.R.) 8-3-2. Definition of "residence" for fee purposes.

(a) Except as otherwise provided in the rules and regulations of the state board of regents, **residence means a person's place of habitation, to which, whenever the person is absent, the person has the intention of returning.** A person shall not be considered a resident of Kansas unless that person is in continuous physical residence and intends to make Kansas a permanent home, not only while in attendance at an educational institution, but indefinitely thereafter as well.

(b) The factors which, while not conclusive, will be given probative value in support of a claim for resident status include, but are not limited, to the following: (1) continuous presence in Kansas during periods when not enrolled as a student, (2) employment in Kansas, (3) payment of Kansas state income taxes, (4) reliance on Kansas sources for financial support, (5) commitments to an educational program which indicates an intent to remain permanently in Kansas, (6) acceptance of an offer of permanent employment in Kansas, (7) admission to a licensed practicing profession in Kansas, or (8) ownership of a home in Kansas. **No factor shall be considered in support of a claim for resident status unless the factor has existed for a least one year prior to enrollment or re-enrollment.**

(c) The following circumstances, standing alone, ORDINARILY WILL NOT constitute sufficient evidence of a change to Kansas residence: (1) voting or registration for voting in Kansas, (2) employment in any position normally filled by a student, (3) lease of living quarters in Kansas, (4) a statement of intention to acquire residence in Kansas, (5) residence in Kansas of the student's spouse, (6) vehicle registration in Kansas, (7) acquisition of a Kansas driver's license, (8) payment of Kansas personal property taxes, or (9) continuous enrollment in a post-secondary educational institution in Kansas.

(d) If a person is continuously enrolled for a full academic program as defined by the institution where enrolled, it will be presumed that the student is in Kansas for educational purposes and the burden will be on the student to prove otherwise.

(e) Maintenance of ties with another state or country, including financial support, voting, payment of personal property taxes, registering a vehicle or securing a driver's license in that state or country, may be considered sufficient evidence that residence in the other state or country has been retained.

**CAN I BECOME A RESIDENT WHILE GOING TO SCHOOL FULL-TIME?** Usually, NO. Someone who comes to Kansas to go to school, and who goes to school full-time, has to overcome a strong negative presumption that he/she is only here temporarily for the duration of his/her educational program. Overcoming that presumption is very difficult to do while someone is a full-time student, especially if there are no immediate family members in the area.

**CAN A FOREIGN STUDENT BECOME A RESIDENT?** Usually, No. Anyone who is here on a temporary visa - including student, training, and practical experience visas - must leave this country when the purpose for which they were allowed to enter the country has been met. Not having permission to stay in this country permanently, such persons, therefore, cannot demonstrate the required intention of making Kansas their permanent home.

Other Considerations (Kansas Administrative Regulations continued)

**88-3-4. Residence of persons under eighteen years of age.** Generally, the residence of a person who is under 18 years of age is determined by the residence of the person's custodial parent or parents or of the parent providing the preponderance of the student's support. If both parents are deceased, residence shall be determined by the residence of the person's legal guardian or custodian, or if none exists, of the person providing the preponderance of support. Any person under 18 years of age who is legally emancipated shall be considered an adult for residence purposes.

**88-3-6. Equal treatment of men and women.** In the application of K.S.A. 76-729 and these regulations, men and women shall be treated the same.

**88-3-7. Residence of married persons.** The residence of married persons shall be determined separately for each spouse.

Exceptions (Kansas Administrative Regulations continued)

**88-3-8. Military personnel.**

(a) Active United States military personnel and their dependent spouses and children shall be accorded the resident fee privilege while enrolled in any institution governed by the state board of regents if such personnel are assigned full-time to a duty-station in Kansas and are living in Kansas.

(b) If such a service person is reassigned from Kansas to a duty-station outside the United States, the resident fee privilege shall be extended to the person's spouse and children so long as they continue to reside in Kansas and the service-person remains outside the United States.

(c) This regulation shall not be construed to prevent a service-person from acquiring or retaining a bona fide residence in Kansas

**88-3-9. Institutional personnel.**

Employees of universities or colleges under the State Board of Regents, classified and unclassified, on regular payroll appointments for four-tenths (.4) time or more, and their dependent spouses and children shall be accorded the resident fee privilege. The provisions of this regulation shall not apply to seasonal, temporary or hourly employees.

**88-3-10. Kansas high school graduates.**

(a) The resident fee privilege shall be granted to any person graduating from a Kansas high school accredited by the state board of education who: (1) Qualifies for admission and begins classes at any institution governed by the state board of regents within six months of high school graduation; (2) was a Kansas resident for fee purposes OR a dependent of a person in military service within the state (K.S.A. 76-729) at the time of graduation from high school or within 12 months prior to graduation from high school; (3) provides an official copy of that person's high school transcript to the university of enrollment.

(b) This resident fee privilege shall be granted even if the student is not otherwise qualified for this privilege due to the current residence of the student's parents or guardians.

(c) This privilege shall be granted as long as the student remains continuously enrolled at any institution governed by the state board of regents.

(d) Each person seeking the resident fee privilege pursuant to the provisions of these rules shall be responsible for providing such information necessary to verify graduation from a Kansas high school and resident status at or 12 months prior to graduation from high school.

**88-3-11. Recruited or transferred employees.**

(a) The resident fee privilege shall be granted to any person who has been a domiciliary resident of the state of Kansas for less than 12 months and whose current domiciliary residence was established to accept or retain full-time employment in the state of Kansas. The resident fee privilege shall also be granted to the spouse and dependent children of that person.

(b) Any person seeking the resident fee privilege pursuant to the provisions of this rule shall provide a statement from the employer in support of the claim which shall: (1) Be notarized; (2) be signed by the owner, a partner or the chief executive officer and the personnel director of the employer; (3) indicate whether residence in Kansas was established as the result of a job transfer or recruitment; (4) indicate the date of initial employment in Kansas in case of a job transfer; (5) indicate the date of hire in the case of an employment recruitment; (6) set forth the nature of the position in Kansas and the number of hours the individual is expected to work during the next 12 months; and (7) set forth the expected length of employment in Kansas.

(c) An individual who is self-employed shall not be considered eligible for the resident fee privilege under this regulation.

(d) Military personnel will be considered pursuant to regulation 88-3-8 and not pursuant to the provisions of this regulation.

(e) Any person seeking the resident fee privilege pursuant to the provisions of these rules shall be responsible for providing such information as necessary to indicate that the establishment of residence in the state of Kansas was solely as a result of accepting, upon recruitment by an employer, or retaining, upon a transfer request by an employer, full-time employment in the state of Kansas.

(f) The resident fee privilege extended by this regulation shall continue for a maximum of twelve months, but this privilege shall be extended during the pendency of the labor certification process with the United State department of labor or of a petition for adjustment of status with the immigration and naturalization service, when the recruited or transferred employee is a foreign national who has presented proof of each relevant filing



**88-3-12. Discharged or retired from active military duty in Kansas.**

(a) The resident fee privilege shall be granted to each person who has been a domiciliary resident of Kansas for less than 12 months, who was present in the state in active military service prior to becoming a domiciliary resident of the state, who was present in the state for a period of not less than two years sometime during the person's tenure in the active military service and whose current domiciliary residence was established within 30 days of the date of discharge or retirement from active military service under honorable conditions. The resident fee privilege shall also be granted to the spouse and dependent children of that person.

(b) Each person seeking the resident fee privilege according to the rule shall be responsible for providing the information necessary to indicate domiciliary residence in Kansas and shall provide a statement in support of the claim that shall: (1) be notarized; (2) be signed by an appropriate military officer; (3) indicate the date of discharge or retirement from active military service and whether the discharge or retirement was under honorable conditions; (4) indicate the date of initial presence in Kansas; (5) indicate the dates of all active duty service in Kansas.

(c) The resident fee privilege extended by this regulation shall continue for a maximum of twelve months.

**88.3.13. Persons with special domestic relations circumstances.**

(a) The resident fee privilege shall be granted to any dependent student whose parents are divorced, as long as at least one parent is a Kansas resident pursuant to articles 2 and 3 of these regulations.

(b) A dependent student who is correctly classified as a resident and who maintains continuous fall and spring enrollment and domiciliary residence in Kansas shall maintain the resident fee privilege. Brief temporary absences shall not end the eligibility for the resident fee privilege, as long as domiciliary residence is maintained.

Office of the Registrar, October, 1998