



KANSAS

The following information was obtained from a review of the statute and Board of Regents Articles (KAR 88-3-1 through 88-3-12) and provided by Kansas State University and the University of Kansas.

Type and Citation: Statutory. KAN.STAT. 76-729. The six institutions* which fall under the authority of the Kansas Board of Regents operate under the same law. However, legislative amendments to the residency statutes have been discussed during 2001 to relax the 12-month durational requirement to six months at certain institutions. Check with the specific university for accurate details.

Requirements for Resident Classification: Individuals enrolling in one of the state educational institutions in Kansas listed above are residents for fee purposes if they, or their parents if they are minors, have been residents of Kansas for twelve consecutive months prior to enrollment. For students under eighteen or not emancipated, residency is determined by the parents. However, if the parents are divorced or separated, residency is determined by the parent providing most of the support. A student whose parents are deceased assumes the residence of the legal guardian or custodian or, if none exists, the person providing most of the financial support.

Legally emancipated minors are treated like adults in determining residency. They must prove financial independence from their parents for at least one year, however, before they may establish their own residence and be in Kansas for purposes other than education. If their parents live outside of Kansas and provide any financial support which helps the students stay in school, then the students are considered nonresidents.

The residence status of spouses is determined separately.

Aliens granted immigrant or permanent resident status by the INS may establish *bona fide* legal residence for tuition purposes.

Evidence of Residence, Including but not Limited to: continuous presence in Kansas when not enrolled as a student; employment in Kansas; payment of KS state resident income taxes; reliance on KS sources of financial support; commitment to an education program which indicates an intent to remain permanently in Kansas; acceptance of an offer of permanent employment in Kansas; admission to a licensed practicing profession in Kansas; and ownership of a home in Kansas.

The following circumstances, standing alone, ordinarily will not constitute sufficient evidence of a change to Kansas residence: voting or registration for voting in Kansas; employment in



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any position normally filled by a student; lease of living quarters in Kansas; a statement of intention to acquire residence in Kansas; residence in Kansas of a student's spouse; KS vehicle registration; acquisition of a KS driver's license; payment of KS personal property taxes; or continuous enrollment in a KS postsecondary educational institution.

Students who are classified as residents by reason of their parents being residents of Kansas shall, when such parents change their residence to another state, be considered to be residents for six months after that change.

Others Accorded Resident Fee Privileges: 1) Full-time active-duty U.S. military personnel and their dependent spouses and children assigned to and living in Kansas [Service members may acquire and retain *bona fide* residence in Kansas]; 2) honorably discharged or retired military personnel who were stationed for not less than two years in Kansas in active military service prior to becoming domiciliary residents of Kansas and who have been KS domiciliary residents for less than twelve months, their spouses and dependents [This privilege extends for a maximum of 12 months.]; 3) Kansas high school graduates who begin college within six months of graduation and who were KS residents for fee purposes at the time of graduation from high school or within 12 months prior to HS graduation (regardless of their parents' or guardians' current residence); 4) employees of institutions under the State Board of Regents, classified and unclassified, on regular payroll appointments for .4 time or more and their dependent spouses and children; 5) those who have been recruited by a KS employer or transferred to Kansas for full-time employment, their spouses and dependent children (excepting self-employed individuals and military personnel) [This privilege extends for a maximum of 12 months.]; and 6) Native Americans who attended Haskell Indian Nations University and who are enrolled as American Indians on a tribal membership roll maintained by the Department of the Interior.

Missouri, Oklahoma and Iowa students in certain specific academic reciprocal programs may be accorded fee privileges at less than out-of-state rates if they meet eligibility requirements and quota limitations. Such programs exist at Kansas State University, U Kansas and Pittsburg State U. Contact the institutional admissions office of your choice for up-to-date information about these programs.

Temporary Absence from the State: Spouses and dependent children of military personnel reassigned from Kansas to a duty station outside the U.S. may retain resident fee privilege as long as the family continues to reside in Kansas and the service person remains abroad.

* They are: Kansas State University, the University of Kansas, Wichita State University, Emporia State University, Fort Hays State University, and Pittsburg State University.



For specific institutional requirements, contact:

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