

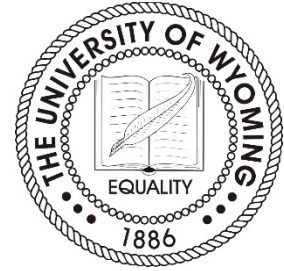
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## UNIVERSITY OF WYOMING REGULATIONS

**Subject:** Student Classification for In-State and Non-Resident Tuition

**Number:** UW Regulation 2-200

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### I. PURPOSE

To provide policies and procedures for determining whether a student qualifies for in-state or non-resident tuition.

### II. DEFINITIONS

**Domicile:** For purposes of this Regulation, domicile is defined as a person's fixed, permanent, and principal home for legal purposes for a period of at least twelve (12) consecutive months preceding the term of enrollment. It is the place where they intend to remain and to which they expect to return. A person can have more than one residence, but only one domicile. Domicile has two components – residence and the intent to remain. When these two occur, there is domicile.

Domicile also requires documentation of the person's continual residence in the State of Wyoming and a combination of 5 of the 8 criteria listed below to be completed at least twelve (12) consecutive months before making an appeal for residency tuition unless the Residency Classification Committee grants exemptions for the meeting of these requirements pursuant to Section (V) of this Regulation:

- A. Wyoming vehicle registration;
- B. A valid Wyoming driver's license or government issued photo Identification Card;
- C. Gainful Employment;
- D. A Wyoming voter registration;
- E. A Wyoming address on the most recent federal income tax return;
- F. Documented use of a local Wyoming bank;
- G. Change in permanent address on all records pertinent to Wyoming;
- H. Proof that the individual receives public assistance from the State of Wyoming or from a city, county or municipal agency in the State of Wyoming.

**Gainful Employment:** Documented employment or self-employment within the state of Wyoming of at least twenty (20) hours per week continuously for a period of at least twelve (12) months or the equivalent number of work hours over the same period. Employment and monies derived dependent upon a status as a student does not qualify for consideration as gainful employment.

### **III. STUDENT CLASSIFICATION FOR TUITION AND FEE PURPOSES**

Individuals who qualify as Wyoming Residents shall pay the in-state tuition rate, as established by the Board of Trustees. All other students will be classified as non-resident for tuition purposes and shall pay the out-of-state tuition rate, as established by the Board of Trustees. For the purposes of determining qualification for in-state or non-resident tuition, the following apply:

- A.** Students residing in Wyoming primarily as a student are not eligible for resident status for tuition purposes.
- B.** Students who can provide sufficient documentation of the following, will be considered a resident for tuition purposes:
  - 1.** Any person whose Domicile is in Wyoming.
  - 2.** Graduates of a Wyoming high school.
  - 3.** Active Wyoming National Guard members and U.S. Armed Forces members stationed in Wyoming, and their dependents.
  - 4.** Graduate students for the duration of a University-funded or externally sponsored fellowship or graduate assistantship.
  - 5.** Wyoming residents temporarily absent from the State due to military service, attendance at an educational institution, or other type of documented temporary absence.
  - 6.** Individuals who have received an associate's degree from a Wyoming Community College, have been awarded resident tuition status by the Community College, and who subsequently attend the University within one year of leaving the Wyoming Community College.
  - 7.** A financial dependent who is under the age of 24 and under the care, custody, and support of a parent or legal guardian who is a Wyoming resident pursuant to this Regulation.

8. A financial dependent who is the spouse of an individual who is a Wyoming resident pursuant to this Regulation.
9. An applicant for resident tuition who is a veteran, eligible individual, or covered individual as described in 38 U.S.C. 3679(c)(2), shall qualify as a resident for purposes of tuition at the University of Wyoming if the applicant provides:

- a. A certificate or other evidence of the veteran's or uniformed service member's qualifying service in the uniformed services of the United States;
- b. Documented evidence before or at the time of enrollment at the University of Wyoming that:

The applicant for resident tuition intends to live in Wyoming during the term of enrollment;

The veteran was discharged or released from a qualifying period of service in the active military, naval or air service before the date of enrollment or the uniformed service member is currently on active duty;

The applicant is a veteran, eligible individual or covered individual as described in 38 U.S.C. 3679(c)(2).

- c. A person who has qualified for resident tuition pursuant to the above requirements of this section, shall remain qualified in subsequent years if the person pursues one (1) or more courses of education while remaining continuously enrolled other than during regularly scheduled breaks, lives in the state during the term of enrollment; and, if the person is eligible through a transfer of eligibility pursuant to 38 U.S.C. 3319, the transfer has not been validly revoked. A spouse or child of a veteran, eligible individual, or covered individual as described in 38 U.S.C. 3679(c)(2) who is eligible for resident tuition under paragraph 8 at the time of admittance to the University of Wyoming shall not lose eligibility for resident tuition before the time of enrollment at the University because the veteran, eligible individual, or covered individual as described in 38 U.S.C. 3679(c)(2) is transferred on military orders outside of this state.

- C. Individuals who are not U.S. citizens or permanent residents are considered non-residents except as provided by Section (III)(B)(2) above.

#### **IV. PETITIONING AND APPEALING TUITION DETERMINATIONS**

A student may petition for classification as a resident by submitting to the University Registrar or designee all accompanying documentation on or before the first day of classes for the semester the student wants the tuition classification to be reconsidered.

A student may appeal the Registrar's decision to the Residency Classification Committee, within ten (10) calendar days of the date of the Registrar's or designee's decision. The members of the Residency Classification Committee shall be appointed by the President or designee.

The Residency Classification Committee will review the written decision of the Registrar along with the student's original application and accompanying documentation which were submitted to the Registrar prior to the submission deadline for that semester and make a written finding to affirm or reverse the classification decision of the Registrar. The student has the burden of proof to show that the Registrar committed error in making the original decision regarding classification. The decision of the Residency Classification Committee is final.

Individuals may be reclassified when facts indicate that a change in residency has occurred since the time of original residence classification or since their most recent appeal. Such reclassification will remain in effect so long as the individual is continuously enrolled at the University. Reclassification as an in-state student will not be applied retroactively to previous terms.

#### **V. EXTENUATING CIRCUMSTANCES**

In special cases where nonresident students can demonstrate that they have experienced extenuating circumstances which have prevented them from meeting the requirements for residency listed above, the student may submit information representing their situation to the Residency Classification Committee. In these instances the student will not be limited to the written review in section IV and may request a meeting be held in person or virtually. Students requesting this type of exception must: (1) provide substantial evidence of the extenuating circumstances; and (2) provide sufficient evidence to the Residency Classification Committee of a non-academic reason for being in-state and of established residency for a minimum period of 12 months prior to the semester for which resident tuition is requested. The ruling of the Residency Classification Committee is final and no other opportunity for appeal will be granted. If a student wishes to request an exception to this Regulation based on a disability the student should work through University Disability Support Services to make the request.

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**Responsible Division/Unit:** Office of the Provost and Vice President for Academic Affairs

**Source:** Wyoming Statute § 21-17-105; 38 U.S.C. § 3679(c)(2); 38 U.S.C. § 3311(b)(9); 38 U.S.C. § 3319

**Links:** <http://www.uwyo.edu/regs-policies>

**Associated Regulations, Policies, and Forms:** University of Wyoming Fee Book

**History:**

Trustee Regulation VIII; UW Regulation 8-1 adopted 7/17/2008 Board of Trustees meeting  
Revisions adopted 11/18/2010 Board of Trustees meeting  
Revisions adopted 11/12/2014 Board of Trustees meeting  
Revisions adopted 1/15/2015 Board of Trustees meeting  
Revisions adopted 4/13/2015 Board of Trustees meeting  
Revisions adopted 11/20/2015 Board of Trustees meeting  
Revisions adopted 7/13/2016 Board of Trustees meeting  
Revisions adopted 3/23/2017 Board of Trustees meeting  
Reformatted 7/1/2018: previously UW Regulation 8-1, now UW Regulation 2-200  
Revisions adopted 7/12/2018 Board of Trustees meeting  
Revisions adopted 12/9/2020 Board of Trustees meeting  
Revisions adopted 10/13/2021 Board of Trustees meeting