

KANSAS BOARD OF REGENTS RESIDENCY STATUTES

76-729

Chapter 76.--STATE INSTITUTIONS AND AGENCIES; HISTORICAL PROPERTY Article 7.--STATE EDUCATIONAL INSTITUTIONS; MANAGEMENT AND OPERATION 76-729. Residence of students for fee purposes; basic rule, certain exceptions

authorized; definitions. (a) 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.

(b) 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:

(1) Persons who are employees of a state educational institution;

(2) persons who are in military service;

(3) persons who are domiciliary residents of the state, who were in active military service prior to becoming domiciliary residents of the state, who were present in the state for a period of not less than two years during their tenure in active military service, whose domiciliary residence was established in the state within 30 days of discharge or retirement from active military service under honorable conditions, but whose domiciliary residence was not timely enough established to meet the residence duration requirement of subsection (a);

(4) persons having special domestic relations circumstances;

(5) persons who have lost their resident status within six months of enrollment;

(6) persons who are not domiciliary residents of the state, who have graduated from a high school accredited by the state board of education within six months of enrollment, who were domiciliary residents of the state at the time of graduation from high school or within 12 months prior to graduation from high school, and who are entitled to admission at a state educational institution pursuant to K.S.A. 72-116, and amendments thereto;

(7) persons who are domiciliary residents of the state, whose domiciliary residence was established in the state for the purpose of accepting, upon recruitment by an employer, or retaining, upon transfer required by an employer, a position of full-time employment at a place of employment in Kansas, but the domiciliary residence of whom was not timely enough established to meet the residence duration requirement of subsection (a), and who are not otherwise eligible for authorization to pay an amount equal to resident fees under this subsection; and

(8) persons who have graduated from a high school accredited by the state board of education within six months of enrollment and who, at the time of graduation from such a high school or while enrolled and in attendance at such a high school prior to graduation therefrom, were dependents of a person in military service within the state; if the person, whose dependent is eligible for authorization to pay an amount equal to resident fees under this provision, does not establish domiciliary residence in the state upon retirement from military service, eligibility of the dependent for authorization to pay an amount equal to resident fees shall lapse.

(c) As used in this section:

(1) "Parents" means and includes natural parents, adoptive parents, stepparents, guardians and custodians.

(2) "Guardian" has the meaning ascribed thereto by K.S.A. 2003 Supp. 59-3051, 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.

History: L. 1971, ch. 290, § 1; L. 1975, ch. 469, § 1; L. 1977, ch. 237, § 44; L. 1987, ch. 264, § 1; L. 1988, ch. 363, § 2; L. 1991, ch. 214, § 2; L. 1996, ch. 165, § 2; L. 1998, ch. 176, § 1; L. 2002, ch. 114, § 77; July 1.

76-730

Chapter 76.--STATE INSTITUTIONS AND AGENCIES; HISTORICAL PROPERTY

Article 7.--STATE EDUCATIONAL INSTITUTIONS; MANAGEMENT AND OPERATION

76-730. Same; rules and regulations for criteria and guidelines; student residence committees. (a) 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.

(b) If the state board of regents authorizes persons specified in subsection (b) of K.S.A. 76-729 and amendments thereto to pay an amount equal to resident fees when enrolling at the state educational institutions, the state board shall adopt rules and regulations prescribing criteria or guidelines for determination of eligibility of such persons therefor, and shall determine the evidence deemed necessary to be submitted as proof of eligibility. Evidence submitted by a person as proof of eligibility claimed under subsection (b)(7) of K.S.A. 76-729 and amendments thereto must include, but not by way of limitation, certification of the claim by the employer of the person.

(c) The state board of regents shall adopt rules and regulations prescribing guidelines for the membership composition and procedure of a residence committee for each state educational institution under its control and supervision.

History: L. 1971, ch. 290, § 2; L. 1977, ch. 237, § 45; L. 1987, ch. 264, § 2; L. 1988, ch. 363, § 3; July 1.

76-731

Chapter 76.--STATE INSTITUTIONS AND AGENCIES; HISTORICAL PROPERTY

Article 7.--STATE EDUCATIONAL INSTITUTIONS; MANAGEMENT AND OPERATION

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.

History: L. 1974, ch. 408, § 1; L. 1977, ch. 237, § 46; April 21.