

# The University of Kansas

## Fee Privileges and Waivers of Tuition

As Defined By Kansas Statute and Administrative Rules and Board  
of Regents Articles



Published by the Office of the University Registrar, within the Division of Student Success,  
1450 Jayhawk Blvd 151 Strong Hall, The University of Kansas, Lawrence, KS

**November, 2007**

Revised 1/2/2008

# Fee Privileges for Resident Tuition and Waivers of Tuition

## Complete Tuition Waivers

Please see [www.registrar.ku.edu](http://www.registrar.ku.edu) or call 785-864-4472

### **Senate Bill 85. Foster Care Child Education Assistance Program.** *Be it enacted by the Legislature of the State of Kansas:*

New Section 1. (a) Sections 1 through 10 shall be known and may be cited as the Kansas foster child educational assistance act. (b) The purpose of the Kansas foster child educational assistance act is to establish an educational assistance program under which payment of the tuition charged to eligible foster children shall be waived.

New Sec. 2. As used in the Kansas foster child educational assistance act: (a) "Kansas educational institution" means and includes any area vocational school, area vocational-technical school, community college, the municipal university, state educational institution or technical college. (b) "Eligible foster child" means anyone: (1) Who (A) is in the custody of the secretary and in a foster care placement on the date such child attained 18 years of age, (B) has been released from the custody of the secretary prior to attaining 18 years of age, after having graduated from a high school or fulfilled the requirements for a general educational development (GED) certificate while in foster care placement and the custody of the secretary, (C) is adopted from a foster care placement on or after such child's 16th birthday, or (D) left a foster care placement subject to a guardianship under chapter 38 or 59 of the Kansas Statutes Annotated on or after such child's 16th birthday; and (2) who enrolls in a Kansas educational institution on or after July

1, 2006. (c) "Kansas foster child educational assistance program" or "program" means the program established pursuant to the provisions of the Kansas foster child educational assistance act which shall provide for undergraduate enrollment of eligible foster children through the semester the eligible foster child attains 23 years of age. (d) "Educational program" means a program which is offered and maintained by a Kansas educational institution and leads to the award of a certificate, diploma or degree upon satisfactory completion of course work requirements.

New Sec. 3. Any eligible applicant who received assistance before June 30, 2006, under the provisions of K.S.A. 74-32,161 and amendments thereto in effect prior to June 30, 2006, and who is deemed by the state board of regents to be eligible pursuant to this section shall be allowed to remain eligible pursuant to this section and in accordance with the provisions of K.S.A. 74-32,161 and amendments thereto in effect prior to June 30, 2006, and shall continue to receive the assistance until such eligible applicant completes such eligible applicant's course of study or becomes ineligible pursuant to the provisions of K.S.A. 74-32,161 and amendments thereto in effect prior to June 30, 2006.

New Sec. 4. (a) No eligible foster child who is enrolled at a Kansas educational institution and who is participating in the program shall be charged the amount of tuition charged by the Kansas educational institution for enrollment in courses necessary to satisfy the requirements of an

educational program. (b) Notwithstanding the provisions of subsection (a) an eligible foster child shall not have waived the amount of tuition waived for any course repeated or taken in excess of the requirements for completion of the educational program in which such foster child is enrolled. (c) Within the limits of appropriations available therefore, the secretary may make expenditures to reimburse each eligible foster child who is enrolled in a Kansas educational institution and who is participating in the program for room and board, technical equipment, course required fees and books. (d) Each eligible foster child who is enrolled in a Kansas educational institution and who is participating in the program shall be responsible for all fees charged by the Kansas educational institution that are not directly related to and required for the courses in the educational program of the eligible foster child.

New Sec. 5. In order to remain eligible for participation in the program, an eligible foster child shall remain in good standing at the Kansas educational institution where the eligible foster child is enrolled and shall make satisfactory progress toward completion of the requirements of the educational program in which the eligible foster child is enrolled.

New Sec. 6. No Kansas educational institution shall delay enrollment of an eligible foster child who is participating in the program because appropriations are not available therefore.

New Sec. 7. The secretary shall adopt rules and regulations for administration of the Kansas foster child educational assistance act.

New Sec. 8. On or before January 15, 2007, and January 15, 2008, the secretary shall publish an annual report on the Kansas foster child educational assistance act and shall

present the report to the legislature. The annual report shall specifically account for the ways in which the purpose of this act have been carried out and the recommendations shall specifically note tuition waiver before June 30, 2008, under the provisions of the Kansas foster child educational assistance program in effect prior to June 30, 2008, and is deemed by the state board of regents to be eligible pursuant to this section and the provisions of the Kansas foster child educational assistance program in effect prior to June 30, 2008, shall be allowed to remain eligible and continue to receive the waiver of tuition in accordance with the provisions of the Kansas foster child educational assistance program in effect prior to June 30, 2008, until such eligible foster child completes such eligible foster child's course of study or becomes ineligible pursuant to the provisions of the Kansas foster child educational assistance program in effect prior to June 30, 2008. what changes are necessary to better address the purposes described in this act.

New Sec. 9. The provisions of sections 1 through 9 shall expire on June 30, 2008.

New Sec. 10. Any eligible foster child who received a tuition waiver before June 30, 2008, under the provisions of the Kansas foster child educational assistance program in effect prior to June 30, 2008, and is deemed by the state board of regents to be eligible pursuant to this section and the provisions of the Kansas foster child educational assistance program in effect prior to June 30, 2008, shall be allowed to remain eligible and continue to receive the waiver of tuition in accordance with the provisions of the Kansas foster child educational assistance program in effect prior to June 30, 2008, until such eligible foster child completes

such eligible foster child's course of study or becomes ineligible pursuant to the provisions of the Kansas foster child educational assistance program in effect prior to June 30, 2008.

**75-4364. Educational benefits for spouses and dependents of deceased public safety officers and certain deceased military personnel and prisoners of war; enrollment at Kansas educational institutions without charge of tuition or fees.** (a) As used in this section:

(1) "Kansas educational institution" means and includes area vocational schools, area vocational-technical schools, community colleges, the municipal university, state educational institutions, and technical colleges.

(2) "Public safety officer" means a law enforcement officer or a firefighter or an emergency medical services attendant.

(3) "Law enforcement officer" means a person who by virtue of office or public employment is vested by law with a duty to maintain public order or to make arrests for violation of the laws of the state of Kansas or ordinances of any municipality thereof or with a duty to maintain or assert custody or supervision over persons accused or convicted of crime, and includes wardens, superintendents, directors, security personnel, officers and employees of adult and juvenile correctional institutions, jails or other institutions or facilities for the detention of persons accused or convicted of crime, while acting within the scope of their authority.

(4) "Firefighter" means a person who is: (1) Employed by any city, county, township or other political subdivision of the state and who is assigned to the fire department thereof and engaged in

the fighting and extinguishment of fires and the protection of life and property therefrom; or (2) a volunteer member of a fire district, fire department or fire company.

(5) "Emergency medical services attendant" means a first responder, emergency medical technician, emergency medical technician-intermediate, emergency medical technician-defibrillator or a mobile intensive care technician certified by the emergency medical services board pursuant to the statutory provisions contained in article 61 of chapter 65 of Kansas Statutes Annotated. (6)

"Dependent" means (A) a birth child, adopted child or stepchild or (B) any child other than the foregoing who is actually dependent in whole or in part on the individual and who is related to such individual by marriage or consanguinity.

(7) "State board" means the state board of regents.

(8) "Military service" means any active service in any armed service of the United States and any active state or federal service in the Kansas Army or Air National Guard.

(9) "Prisoner of war" means any person who was a resident of Kansas at the time the person entered service of the United States armed forces and who, while serving in the United States armed forces, has been declared to be a prisoner of war, as established by the United States secretary of defense, after January 1, 1960.

(10) "Resident of Kansas" means a person who is a domiciliary resident as defined by K.S.A. 76-729, and amendments thereto. (11) "Spouse" means the spouse of a deceased public safety officer or deceased member of the military service who has not remarried. (b) Every Kansas educational institution shall provide for enrollment without

charge of tuition or fees for: (1) Any dependent or spouse of a public safety officer who died as the result of injury sustained while performing duties as a public safety officer so long as such dependent or spouse is eligible; (2) any dependent or spouse of any resident of Kansas who died on or after September 11, 2001, while, and as a result of, serving in military service; and (3) any prisoner of war. Any such dependent or spouse and any prisoner of war shall be eligible for enrollment at a Kansas educational institution without charge of tuition or fees for not to exceed 10 semesters of undergraduate instruction, or the equivalent thereof, at all such institutions. (c) Subject to appropriations therefore, any Kansas educational institution, at which enrollment, without charge of tuition or fees, of a prisoner of war or a dependent or spouse is provided for under subsection (b), may file a claim with the state board for reimbursement of the amount of such tuition and fees. The state board shall include in its budget estimates pursuant to K.S.A. 75-3717, and amendments thereto, a request for appropriations to cover tuition and fee claims pursuant to this section. The state board shall be responsible for payment of reimbursements to Kansas educational institutions upon certification by each such institution of the amount of reimbursement to which entitled. Payments to Kansas educational institutions shall be made upon vouchers approved by the state board and upon warrants of the director of accounts and reports. Payments may be made by issuance of a single warrant to each Kansas educational institution at which one or more eligible dependents or spouses or prisoners of war are enrolled for the total

amount of tuition and fees not charged for enrollment at that institution. The director of accounts and reports shall cause such warrant to be delivered to the Kansas educational institution at which any such eligible dependents or spouses or prisoners of war are enrolled. If an eligible dependent or spouse or prisoner of war discontinues attendance before the end of any semester, after the Kansas educational institution has received payment under this subsection, the institution shall pay to the state the entire amount which such eligible dependent or spouse or prisoner of war would otherwise qualify to have refunded, not to exceed the amount of the payment made by the state in behalf of such dependent or spouse or prisoner of war for the semester. All amounts paid to the state by Kansas educational institutions under this subsection shall be deposited in the state treasury and credited to the state general fund. (d) The state board shall adopt rules and regulations for administration of the provisions of this section and shall determine the qualification of persons as dependents and spouses of public safety officers or United States military personnel and the eligibility of such persons for the benefits provided for under this section.

### **Fee Privileges for Resident Tuition**

Please see [www.Registrar.ku.edu](http://www.Registrar.ku.edu) or call 785-864-4472

**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.

**K.S.A. 76-731a, Certain persons without lawful immigration status deemed residents for purpose of tuition and fees.**

Section 1. (a) Any individual who is enrolled or has been accepted for admission at a post-secondary educational institution as a post-secondary student shall be deemed to be a resident of Kansas for the purpose of tuition and fees for attendance at such post-secondary educational institution. (b) As used in this section: (1) "Post-secondary educational institution" has the meaning ascribed thereto in K.S.A. 74-3201b, and amendments thereto; and (2) "individual" means a person who (A) has attended an accredited Kansas high school for three or more years, (B) has either graduated from an accredited Kansas high school or has earned a general educational development (GED) certificate issued within Kansas, regardless of whether the person is or is not a citizen of the United States of America; and (C) in the case of a person without lawful immigration status, has filed with the post-secondary educational institution an affidavit stating that the person or the person's parents have filed an application to legalize such person's immigration status, or such person will file such an application as soon as such person is eligible to do so or, in the case of a person with a legal, non-permanent immigration status, has filed with the post-secondary educational institution an affidavit stating that such person has filed an application to begin the process for

citizenship of the United States or will file such application as soon as such person is eligible to do so. (c) The provisions of this section shall not apply to any individual who: (1) Has a valid student visa; or (2) at the time of enrollment, is eligible to enroll in a public post-secondary educational institution located in another state upon payment of fees and tuition required of residents of such state. (d) Any individual who: (1) Files an affidavit which contains false information; (2) fails to file an application to legalize such person's immigration status within one year of becoming eligible; (3) fails to begin the process for citizenship within one year of becoming eligible; or (4) fails to maintain an active application for citizenship after filing therefore shall not be deemed a resident of the state of Kansas for the purpose of tuition and fees. In addition, such individual shall be required to repay the difference between the amount of fees and tuition actually paid and the amount such person would have paid as a nonresident of the state of Kansas, plus interest at a rate not to exceed the maximum under K.S.A. 16-201, and amendments thereto, for the time such individual was enrolled as a resident pursuant to this section.

**88-3-8a. Military personnel.** (a) The resident fee privilege shall be accorded to any person who meets the following conditions: (1) Is enrolled at any state educational institution as defined by K.S.A. 76-711 and amendments thereto; and (2) meets one of the following conditions: (A) Is actively serving in any armed service of the United States and, regardless of the individual's duty station, resides in Kansas; or (B) is a member of the Kansas army or air national guard. (b) The resident fee privilege shall be accorded to a spouse and the dependents of a person that meets

the requirements of paragraph (a)(2)(A) unless one of the following occurs: (1) The person meeting the requirements of paragraph (a)(2)(A) is reassigned from a Kansas duty station to a duty station outside the state, and the spouse or dependents do not continue to reside in Kansas. (2) The person meeting the requirements of paragraph (a)(2)(A) never had a duty station assignment in Kansas and does not continue to reside in Kansas. (c) The resident fee privilege shall be accorded to a spouse and the dependents of a person that meets the requirements of paragraph (a)(2)(B) unless the spouse or dependents do not reside in Kansas. (d) This regulation shall not be construed to prevent a person in the military service from acquiring or retaining a bona fide residence in Kansas. (e) This regulation shall apply retroactively beginning with any student who enrolled in the fall semester of 2006 at any state educational institution as defined by K.S.A. 76-711 and amendments thereto. (Authorized by K.S.A. 76-730; implementing K.S.A. 2006 Supp. 76-729, as amended by 2007 HB 2425, §1 and 2007 HB 2185, §10, and K.S.A. 76-730; effective July 27, 2007.)

**88-3-9. Institutional personnel.** (a) Any employee of an institution governed by the state board of regents, classified and unclassified, on a regular payroll appointment for .4 time or more, shall be accorded the resident fee privilege. (b)(1) The dependent spouse and children of any employee of an institution governed by the state board of regents, whether the employee's position is classified or unclassified, shall be accorded the resident fee privilege, provided that the employee holds a regular payroll appointment for 1.0 time. (2) The

dependent spouse and children of any employee of an institution governed by the state board of regents, whether the employee's position is classified or unclassified, shall be accorded the resident fee privilege, provided that the employee holds a regular payroll appointment for at least .4 time but less than 1.0 time and is enrolled in a graduated program on the effective date of this regulation, until one of the following criteria is met: (A) the expiration of the time allowed in the relevant university catalog for the employee to complete the aforesaid graduate program; (B) a break in enrollment by the employee; (C) the employee's being awarded the graduate degree from the aforesaid graduate program; or (D) the end of the employee's employment. (c) The provisions of this regulation shall not apply to seasonal, temporary or hourly employees.

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

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 at the time of graduation from high school or within 12 months prior to graduation from high school; and (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 upon enrollment has been a domiciliary resident of the state of Kansas for fewer 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 regulation shall provide a statement from the employer that supports the claim and meets these requirements: (1) Be notarized; (2) be signed by the personnel director of the employer, and one of the following: (A) the owner; (B) a partner; or (C) the chief executive officer 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 as full-time; 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 shall be considered

pursuant to K.A.R. 88-3-8 and not pursuant to the provisions of this regulation. (e) Each person seeking the resident fee privilege pursuant to the provisions of this regulation shall be responsible for providing information 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 extend by this regulation shall continue for a maximum of 12 months, but this privilege shall be extended during the pendency of the labor certification process with the United States 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 meets the following requirements: (1) Has been a domiciliary resident of Kansas for less than 12 months; (2) had a permanent change of station order for active duty in Kansas; (3) has retired or has been honorably discharged from military service; and (4) established current domiciliary residence at enrollment. 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 this regulation shall be responsible for providing the registrar at the state educational institution, as defined by K.S.A. 76-711 and amendments thereto, at which the person is enrolling with the information

necessary to indicate domiciliary residence in Kansas and shall provide a statement in support of the claim that meets the following requirements: (1) Is notarized; (2) is signed by an appropriate military officer; (3) provides the date of discharge or retirement from active military service and specifies whether the discharge or retirement was under honorable conditions; (4) provides the date of initial presence in Kansas; and (5) provides the dates of all active duty service in Kansas, including the date of the permanent change of station order for active duty in Kansas. (c) The resident fee privilege extended by this regulation shall continue for a maximum of 12 months. (d) This regulation shall apply retroactively beginning with any student who enrolled in the fall semester of 2006 at any state educational institution as defined in K.S.A. 76-711 and amendments thereto. (Authorized by K.S.A. 76-730, implementing K.S.A. 2006 Supp. 76-729, as amended by 2007 HB 2425 §1 and 2007 HB 2185, §10; effective Nov. 14, 1988; amended Nov. 18, 1991; amended July 27, 2007.)

### **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.

### **APPLICATION PROCEDURES**

While attending KU, if you feel that you have met the criteria and your classification should be changed, applications for a change in resident tuition classification may be obtained from the Office of the University Registrar, 151, Strong Hall on the Lawrence campus. The earliest completed applications may be submitted to the Office of the University Registrar is 75 days prior to the first day of classes for the semester for which the change is being requested. The last day for applying is thirty calendar days after the first day of classes for the semester in which the change is being requested. All questions on the application must be answered and all supporting documentation must be attached. The documentation should be in the form of photocopies, because all information becomes the property of the University of Kansas. These are confidential records and are maintained in accordance with the University of Kansas Student Records Policy.

In reviewing the application, the Office of the University Registrar will consider each individual situation as presented and assess it in relation to pertinent Kansas statutes and Board of Regents regulations. Once a decision has been made, the student will be notified in writing. The decision may be appealed (see Appeal Procedure below).

### **APPEAL PROCEDURE**

If your application for resident status is denied, you may appeal the decision. An appeal must be submitted no later than thirty calendar days after the decision has been made. The Residency Appeals Committee reviews appeals of resident classification. The decision of

the Residency Appeals Committee is the final determination made by the University of Kansas.

### **RESIDENT FEE PRIVILEGES**

Students who meet certain categories of criteria are eligible for tuition assessments equal to resident rates when authorized by the Kansas legislature and the Kansas Board of Regents. These

privileges do not change a non-resident classification. Please see K.A.R 88-3-8 through 88-3-12. This information is also available on our website at:

[www.registrar.ku.edu/residency](http://www.registrar.ku.edu/residency).

This brochure is a supplement to the Resident Tuition Classification brochure available at:

[www.registrar.ku.edu/residency](http://www.registrar.ku.edu/residency).

### **FOR MORE INFORMATION**

If you have questions regarding resident tuition classification, or would like application forms please contact the Assistant University Registrar, or the KUMC Registrar at the following:

Assistant Registrar  
151 Strong Hall  
1450 Jayhawk Blvd,  
Lawrence, KS 66045-7535  
785-864-4472

KUMC Registrar  
3001 Student Center  
3901 Rainbow Blvd., MS 4029  
Kansas City, KS 66160  
913-588-7055

Online Information  
[www.registrar.ku.edu/residency](http://www.registrar.ku.edu/residency)

