

## FACT SHEET: PROCESS USED TO DETERMINE IDAHO RESIDENCY FOR TUITION PURPOSES

Relevant Law and Regulations. The statutory and regulatory provisions relevant to residency determinations may be found at:

- Idaho Code Section 33-3717B (institutions other than community colleges)
- Idaho Code Section 33-2110A (community colleges)
- IDAPA 08.01.04

### Initial Determination of Residency Status

Residency is determined at the time of application to an Idaho postsecondary college or university (collectively “Institutions”) and is based on information provided on the student’s application for admission.

### Residency Worksheet: Requesting a Change of Residency Classification

If a student disagrees with a classification as a non-resident, the student bears the burden of proof in requesting reclassification. The student must complete the Idaho Residency Determination Worksheet (“Worksheet”) in order to provide the Institution with the information necessary to re-evaluate the residency determination. **The Worksheet, and all requested documentation, must be submitted to the Institution by the 10th day of the semester in which reclassification is sought, and the student must comply with the Institution’s process for appealing residency determinations.**

A student who disputes classification as a non-resident should take the following steps:

1. Thoroughly review the options for establishing Idaho residency and determine which option best fits the student’s situation.
2. If applying for residency as a dependent or independent student, review domicile requirements to ensure that the person on whom residency is based (self, parent, or spouse) has met all criteria.
3. Review documentation requirements on the Worksheet to confirm that documentation supporting the claim of residency can be provided to the Institution.
4. Submit the completed Worksheet and all required documentation to the Institution according to the Institution’s procedures for reviewing residency determinations.

After submitting the Worksheet and required documentation, the Institution will review its initial residency determination and provide the student with a written notice regarding its determination. The notice will specify the student’s appeal rights and the timing for filing an appeal with the Institution.

### Institutional Appeal

If a student files an appeal, it will be heard by a committee consisting of 3 – 5 faculty and administration members (“Committee”). The student is responsible for presenting evidence requested by the

Committee. The Committee will meet and consider the appeal within 30 days of the date of appeal. The student will be notified in writing of the review Committee's decision. The decision of the Committee is final unless the student elects to appeal further to the Board.

#### Board Appeal.

A student may appeal the Committee's decision to the Idaho State Board of Education ("Board"). The decision of the Board is final and binding on all parties concerned, unless the student appeals to District Court.

#### Appeal to District Court.

Appeal from a final determination denying resident status may be initiated by the filing of an action in the district court of the county in which the Institution is located.