Financial Information

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270-809-4227 or 800-272-4678 ext. 5
msu.bursar@murraystate.edu

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Costs

A student who is classified as a graduate or doctoral student will be assessed graduate or doctoral fees for all courses, regardless of course level. All fees, including applicable room and board, must be paid by noon on the due date shown on the semester billing statement (see *Fee Payment* section below). Students who do not make payment of required fees are not registered students. All fees imposed by the university are subject to change without notice by action of the Murray State University Board of Regents.

All accounts owed by a student to the university must be paid in full before the student is entitled to receive a degree, a transcript, a record of grades, schedule classes for preregistration, or to enroll in classes.

Tuition and Registration Fees

Refer to *Costs* on the Murray State University website: www.murraystate.edu/admissions/bursarsoffice.

Fee Payment

Payments are due by noon on the due date shown on the semester billing statement. Payments can be made online using an electronic check from a checking or savings account, debit card, or credit card through Pay-Path®. There is a 2.75% or minimum $3 charge if making payment by credit card. Other payment methods do not have an additional charge and include checks, money orders, and cashier's checks. Other payments may be mailed to the **Cashier's Office**, 200 Sparks Hall, Murray, KY 42071.

Payment options. Payment arrangements with appropriate payment must be made with the Bursar's Office when parents and/or students are unable to make payment in full from personal funds by noon on the due date shown on the semester billing statement. Accounts with a balance of $200 or less are due in full.

Acceptable payment arrangements consist of the following:

- Payment of all fees in full by noon on the due date as published by MSU each semester and as posted on students ***myGate*** accounts. Credit cards, debit cards and checks are acceptable.
- Enrollment in the Murray State University Payment Plan (MSUPP) with appropriate payment. **Note:** There is a $30 fee to enroll in the payment plan. Students will enroll in the payment plan via their ***myGate*** account. Acceptable third-party agencies are foreign embassies, vocational rehabilitation, Kentucky state agencies, Veterans Affairs, Department of Labor, Fort Campbell, TAA, WIA, and company direct billing.

Payment must be credited to student's account in order to be officially enrolled at MSU and have access to *Canvas.*

Late registration fee. The late registration period begins approximately 14 calendar days prior to the first day of classes. (See the official university calendar under Racer Tools at www.murraystate.edu or at www.murraystate.edu/admissions/bursarsoffice for exact dates.) All current or returning students registering for the semester for the first time during the late registration period will be assessed a late registration fee. Failure to make payment by the published due dates will cause the student's class schedule to be dropped (purged) from the computer system. **Students who elect to reschedule after their original schedules have been officially purged will be assessed a late registration fee.**

Schedule change fee. Schedule changes made after the published deadline date to do so may be subject to a $50 schedule change fee. Please review the Academic Calendar for published add and drop dates, www.murraystate.edu/academics/academiccalendars.aspx.

Housing

All freshmen and sophomores who have not reached their 21st birthday prior to the first day of registration as it appears in the university academic calendar will be required to live in university housing and to purchase one of the available university food services meal plans.

Exempted from this requirement are students who are veterans of at least two years of active military service; students who daily commute from the permanent, legal residence of their parents or legal guardian (within a 50 mile radius); students who are married and living with their spouse; students who have resided in a university residential college four semesters, excluding summer terms; non-regional tuition students who have obtained junior status (sixty hours earned); regional tuition students who have obtained senior status (ninety hours earned); and students who have been enrolled full time at a postsecondary institution for four semesters, excluding summers.

Freshmen and sophomores receiving family grants or freshmen, sophomores, and juniors whose legal residence is in one of the regional tuition counties of Missouri, Illinois, Indiana, Ohio, Tennessee, and Alabama and who accept the regional tuition discount are also required to live in university housing.

For complete housing regulations, rules, discounts, and miscellaneous information, refer to the Residence Life section of the S*tudent Life Handbook* or contact the Housing Office, 270-809-2310, 809-3811, or 877-551-7774 or online at www.murraystate.edu/campus/housing.

Meal Plans

Freshman and sophomore students living in the residential colleges must participate in a meal plan program. All meal plans include Flex dollars that can be used in any dining location and are non-taxable thereby saving customers 6% at most locations.

For a listing and description of available meal plans, visit the Dining Services at: www.murraystate.edu/dining.

Racer ID

Students enrolled at Murray State are entitled to health services, admission to athletic events, Murray Civic Music Association performances, and certain activities sponsored by the University Center Board by presenting their MSU RacerCard Identification (ID Card).

The Murray State University RacerCard fee is assessed once to all students enrolled in main campus courses. Students enrolled in off-campus or online-only courses are not assessed an ID fee unless specifically requested by the student. Scheduling courses and payment for all financial obligations are necessary for appropriate ID activation each semester.

Declining Balance

Students may elect to deposit money on the declining balance section on their ID card. These funds then can be used to purchase items in all food service locations.

Other General Fee and Payment Information

All of the fees and charges in this *Bulletin* are subject to change without notice. The Bursar's Office, located on the first floor of Sparks Hall, is responsible for the interpretation and application of the university's policies related to fees and refunds. Any questions related to these should be directed to this office.

If a satisfactory determination or explanation of a specific fee or refund cannot be obtained after discussion with the Bursar's Office personnel, a written appeal should be made to the vice president for administrative services. Appeals should include as much detail as possible to allow for adequate and speedy review.

Refunds

Refunds will be made in accordance with the university's official *Schedule of Fees*, refer to the **Proration of Charges** on the Murray State website: www.murraystate.edu/admissions/bursarsoffice. Any questions concerning refunds should be directed to the Bursar's Office. **Students can have their refunds direct-deposited or have a check mailed.**

Withdrawal. A student who completes official withdrawal via their myGate account or is dismissed will receive a refund of tuition, fees, room and board in accordance with the official *Schedule of Fees.* Students residing in Murray State University residence halls will receive refunds only in the event of withdrawal from school, dismissal or marriage.

Federal Return of Title IV Funds Policy. This policy applies to all students receiving federal loans or grants. For complete information concerning this policy refer to the University Bursar's Office web page under Pro-Ration of Charges.

Dropping Classes. A student who drops through *myGate* may receive a refund of tuition and/or course fee if the student (1) drops below full-time, (2) is part-time and drops a class(es), or (3) is full-time and drops a class with refundable course fee. A student who drops a meal plan will receive a refund. Both types of refund will be in accordance with the dates given in the official *Schedule of Fees.* See the previous paragraph regarding withdrawing from all courses. All schedule changes should be verified by the student through his or her *myGate* account.

Appeals Process. Students who wish to appeal their refund amount must do so in writing to Refunds Appeals Committee, Bursar's Office, 1st Floor Sparks Hall.

Returned Check Policy

All checks returned by the bank as unpaid for any reason will carry a penalty of $20 per check. Any account for tuition, fees, room and board paid by a check which is returned by the bank will be considered not paid. Students who do not clear all returned checks within ten working days may be administratively withdrawn for nonpayment of required fees and/or be subjected to the appropriate legal action. Students who have had five or more returned checks will lose check-writing privileges on campus.

SREB Academic Common Market

The Academic Common Market is a cooperative tuition-reduction agreement among 14 Southern Regional Education Board states. If the public institutions in one of the states does not offer degree programs in a certain field of study, it may be possible to arrange a waiver of out-of-state tuition to attend a cooperating public institution of higher education in another participating state. Periodic changes are made in the inventory of programs available. Participating states are Alabama, Arkansas, Delaware, Florida (graduate programs only), Georgia, Kentucky, Louisiana, Maryland, Mississippi, Oklahoma, South Carolina, Tennessee, Texas (graduate programs), Virginia and West Virginia.

Write directly to the college or university for admission information. Once you have been accepted into a program and can prove you are a legal resident of Kentucky, contact the Kentucky Academic Common Market coordinator at the Council on Postsecondary Education, 1024 Capital Center Drive, Suite 320, Frankfort KY 40601, 502-573-1555 to certify your eligibility.

Reciprocity Tuition Discount

Students from the Tennessee counties of Henry, Weakly, and Obion counties will be assessed non-resident tuition. A tuition discount will be credited for the difference between Murray State University's non-resident tuition and in-state tuition. **Note:** This will result in the student paying the same as in-state tuition.

Regional Tuition Discount

Students from Montgomery County in Tennessee and students from Massac County in Illinois, or Posey, Vanderburgh or Warrick Counties in Indiana will be assessed non-resident tuition. A tuition discount will be credited for the difference between Murray State University's non-resident tuition and in-state tuition. Regional Tuition Discount for students admitted or re-admitted (after a one year absence):

•Other than residents from the Illinois, Indiana and Tennessee counties referred to above, residents of Alabama (admitted for Fall 2011 or after), Illinois, Indiana, Missouri, Ohio (admitted for Fall 2011-Summer 2014), and Tennessee will be charged non-resident tuition. A tuition discount will be credited for the difference between Murray State University's non-resident tuition and an average in-state rate, based on colleges from the student's state of residency on record with Admissions Services.

•In order to receive the Regional Tuition Discount, freshman, sophomore, and junior undergraduate students must be eligible for admission, enroll full-time, and pay for university housing. Graduate students will not be required to be full-time nor pay for university housing.

•Summer Regional Tuition Rates for all students will be based on their state's respective institution rates.

Legacy Grant

Provides out-of-state undergraduate children and grandchildren of Murray State University graduates with discounted tuition rates.

•Available during fall and spring semesters only.

•Covers eight semesters toward a first baccalaureate degree.

Application and additional information available at www.murraystate.edu.

Senior Citizen's Tuition Waiver

(Donovan Scholarship)

Murray State University in accordance with KRS 164.284, will waive tuition charges and fees (except for application fees, special workshops and noncredit continuing education courses) for any person sixty-five (65) years of age or older who is a resident of Kentucky. The individual must be 65 before the late registration dates for the term in which he or she wishes to enroll. Special course fees or necessary materials for class use are not covered in the waiver.

In the event that classes are full or the granting of free tuition requires additional staff or course sections, the university may deny an individual's request.

War Orphans and Spouse/Children of Disabled American Veterans Waivers

Murray State University in accordance with KRS 164.505 and 164.515 will waive tuition (except for special workshops and noncredit continuing education courses) for a dependent, widow or widower of servicemen or national guardsmen killed while in service or having died as a result of service-connected disability and the spouse or child of permanently disabled national guardsmen, war veterans, prisoners of war, or servicemen missing in action upon receipt of the required certification or other documents satisfactory to the university. For additional information contact Veterans' Affairs, in the Office of the Registrar in Sparks Hall.

Other State-Mandated Waivers

For information concerning other state-mandated waivers, contact msu.bursar@murraystate.edu or 270-809-4227.

Financial Assistance

Murray State University offers a wide variety of financial aid for deserving students. This aid is designed to assist students in financing their education, to recognize scholastic achievement, to encourage continued educational growth and to reward service to the university and community.

In all cases, the student and/or the student's family or spouse are expected to contribute to the costs of education in proportion to their total financial capabilities.

If the student and his/her parents or spouse will commit all possible resources, the Financial Aid Office will make every effort to bridge the economic gap by a financial aid package. That package may consist of one or more of the following types of aid:

- Federal Pell Grant
- Federal Perkins Loan
- Federal PLUS (Parent) Loan
- Federal Subsidized Direct Loan
- Federal Unsubsidized Direct Loan
- Federal Supplemental Educational Opportunity Grant
- TEACH Grant
- Federal Work-Study (part-time employment)
- Kentucky Educational Excellence Scholarship (KEES)
- College Access Program Grant (CAP)
- KHEAA Scholarships
- Nursing Student Loan
- Scholarship
- University Student Employment (part-time employment)

Application forms and information concerning loans, grants, student employment, and scholarships may be obtained from the Financial Aid Office, 500 Sparks Hall or from www.murraystate.edu/students/undergraduate/payingforcollege/fas/financialaid/financialaidforms.

Financial Aid Satisfactory Academic Progress (SAP) *(Effective July 1, 2016 for the 2016-2017 aid year)*

The Department of Education and the Commonwealth of Kentucky each require you to meet Satisfactory Academic Progress (SAP) requirements in order to maintain eligibility for federal and state loans and grants. Failure to meet the standards as discussed below could lead to loss of eligibility for both federal and state financial assistance.

This policy applies to all students even if you are not receiving financial aid for the period currently being monitored.

Students who are not meeting the Financial Aid Policy will be notified via Murray State University email and can review their status in the Financial Aid tab within their myGate account.

How SAP is Determined

Qualitative and Quantitative requirements for SAP include:

- A minimum cumulative grade point average (GPA) (earned at Murray State University and all transferred credits)
- A maximum amount of time allowed to complete all degree requirements
- A minimum percentage of completed hours earned

Qualitative Standard

Minimum GPA

The minimum cumulative GPA requirements for Murray State University (as shown in the chart below) are determined by the number of credit hours you have attempted. Once the academic probationary period leads to academic suspension, you will also be suspended for financial aid.

GPA Hours Attempted	Cumulative GPA
1 - 32	1.50
33 - 64	1.70
65 - 79	1.90
80 or more	2.00

Quantitative Standard

Maximum Timeframe

The longest time you can take to complete your degree is 1½ times the length of the published program length as shown below:

Degree Type	Published Program Length (Hours)	Maximum Attempted Hours
Associate	60	90
Baccalaureate	120	180
Post-Baccalaureate seeking an Associate[1]	180	270
Post-Baccalaureate seeking a Baccalaureate[1]	240	360
Graduate/Master's	36	54
Doctoral	79	119

[1]These hours reflect first Baccalaureate attempted hours.

Completion Rate

You must earn a minimum of 67% of the total number of hours you have attempted during your entire college career after high school. To determine if you are meeting this requirement, multiply the total cumulative hours you have attempted times .67.

Example: 95 cumulative hours x .67 = requirement of 64 hours earned

Actions impacting course completion when calculating attempted and earned hours:

Action	Counts Toward Attempted	Counts toward earned
Audited, Withdrawn or Incomplete course	Yes	No
Transfer or Remedial course	Yes	Yes
Repeat or Non-degree related course	Yes	Yes - but only the last time attempted

Semester Withdrawal

More than two (2) official academic and/or administrative withdrawals from a semester while attending Murray State University will prevent you from meeting SAP.

Additional Information

- The same time frame to complete requirements apply even if changing majors.
- Financial Aid reviews SAP at the end of each spring semester and covers the preceding summer, fall, and spring terms.
- Financial Aid SAP requirements are not the same as the academic SAP regulations – each requires a separate appeal process.
- You may review your SAP status in the Financial Aid tab within your *myGate* account.

Impact of Not Meeting SAP

Failure to meet any of the SAP requirements will result in a Financial Aid Suspension and make you ineligible to receive any additional federal or state financial aid.

Official notice of suspension will be sent to you via your Murray State University email account.

What to Do if You are Suspended

If you receive a financial aid suspension, you may want to consider filing an appeal if you believe you have mitigating circumstances.

All appeals must be received within 30 days of the start of the semester for which you are appealing. Appeals received after this time frame will be administratively denied for that semester. However, you can request to have the appeal filed for the following semester.

To initiate a Financial Aid SAP appeal, you must complete a SAP Financial Aid Appeal form and provide supporting documentation as outlined below. The form may be obtained in the Financial Aid tab from within your *myGate* account.

Appeals may fall into one of the following categories and appropriate supporting documentation must be provided:

Medical

- Broken bone
- Cancer
- Catastrophic health or mental illness

Documentation Needed

-Official documentation from medical provider reflecting confirmed diagnosis and dates of illness or injury.

-If this is a recurring illness or other health issue, provide a statement explaining what has changed to enable you to perform better going forward.

-Additional documentation if there is a change in medication for recurring illness which addresses your ability to improve performance.

Severe Personal or Family Problems

- Death of immediate family member (parent/guardian, sibling, child, spouse)
- Divorce
- Accident
- Incarceration

Documentation Needed

-Death certificate or copy of obituary and documentation reflecting family connection.

-Divorce decree or letter confirming separation from an objective third party (representative of the court, pastor, counselor, social worker, etc.).

-Copy of police report.

-If accident resulting in injury, official documentation from medical provider reflecting confirmed diagnosis and dates of illness or injury.

-Court documentation reflecting period of incarceration for self or immediate family member and documentation reflecting family connection.

-If court documentation is unavailable, must provide other documentation substantiating arrest and/or period of incarceration.

Academically Related

- Seeking additional degree
- Change of major
- Failed to apply myself to my studies

Documentation Needed

-Completed SAP Academic Plan form signed by academic advisor.

-Written statement explaining what has changed to enable you to perform better going forward.

Extenuating Circumstances

- Work conflict
- Financial emergency
- Technology issue
- Transportation issue

Documentation Needed

-Written statement explaining what has changed to enable you to perform better going forward.

-Other supporting documentation depending on situation.

NOTE: Additional supporting documentation may be requested after initial review.

Next Steps

Once a completed appeal and all supporting documentation is received by the Financial Aid Office, a review of your individual circumstance will be conducted and a determination will be made.

Decisions will fall into one of four potential categories.

1) Approved without Academic Plan
2) Approved with Academic Plan
3) Denied
4) Administratively Denied

Decisions will be communicated to you via your Murray State University email. All decisions are final.

If your appeal is approved, you will be placed on probation for a minimum of one (1) semester or for the length of the academic plan. At the end of the probationary term, you must meet all requirements of the Satisfactory Academic Progress Policy.

If your appeal is denied, you may continue enrollment without financial aid assistance and attempt to meet all requirements and regain eligibility. If you have met the requirements, or significantly improved performance, you may file a new appeal with the Financial Aid Office.

Depending on your credit, third party loans may be available to cover the cost of your tuition if you have been prohibited from receiving further federal and state aid. Visit http://www.murraystate.edu/fastchoice for more information.

General Information

If you do not meet SAP requirements, to allow consideration for financial aid in future terms, you must still complete the Free Application for Federal Student Aid (FAFSA) in a timely manner.

The Admissions, Academic Standing, Bursar, and Housing appeals are separate application processes. Decisions of these appeals are independent of each other.

If you have additional questions, please contact the Financial Aid office at 500 Sparks Hall, 270-809-2546 or 800-272-4678 option 3, or msu.sfa@murraystate.edu.

Student Employment

Murray State University offers part-time employment to a large number of students each year. The Federal Work-Study Program provides on-campus employment to eligible students who are enrolled in at least one (1) credit hour and who show a need for the earnings. The University Student Employment Program offers jobs to students enrolled in at least one (1) credit hour who do not qualify for the federal program. All student employees are paid biweekly and are required to perform their assigned duties in a satisfactory manner.

Scholarships

Scholarship Application Deadline - January 15 **Non-Traditional Student Specific Deadline - June 1**

Murray State University awards a number of scholarships each year to qualified students. Scholarships are supported by the Alumni Association, the Murray State University Foundation, and academic departments. Information on scholarships is available online at www.murraystate.edu/scholarships or in person through the Scholarship Office located in the Curris Center.

Students use one application which is updated each year. Qualifications and restrictions are listed, along with the names and requirements of all scholarships. In some areas, talent and proficiency are considered as well as academic information.

Generally, scholarships are offered on the basis of scholastic achievement, standardized testing scores (new freshmen only), character, leadership, and the promise of continued educational growth. In some cases, financial need is considered.

Scholarship applications can be accessed through *myGate* from the Financial Aid section beginning October 1 each year and must be submitted by the deadline of January 15. Awards are made for academic years and may be adjusted due to other aid students receive from federal, state, or external organizations. Policies for awarding, adjusting, and renewing scholarships can be accessed online at www.murraystate.edu/scholarships.

Questions may be directed to the Scholarship Office at 800-272-4678, ext. 4, or 270-809-3225.

Graduate Assistantships

Graduate teaching and research assistantships are available in most departments for highly qualified graduate students. To be eligible for a graduate assistantship, students must be admitted to a graduate program at MSU, have earned a cumulative GPA of at least 3.00, and be enrolled in a minimum of six graduate credit hours at Murray State. Full-time status for all graduate students is enrollment in a minimum of nine semester hours. To maximize academic success, graduate assistants may not carry a course load exceeding 13 hours. No overload requests will be approved for graduate assistants. Graduate students in their final semester of coursework may petition (in writing) the University Graduate Coordinator to qualify for an assistantship while enrolled in fewer than six graduate hours. During the summer, students on an assistantship must be enrolled for a minimum of three hours of coursework.

Non-resident graduate students awarded an assistantship may be charged the equivalent of in-state tuition during the semesters in which they are actively employed. In-state tuition equivalencies do not modify residency status. A student who has, or will have an approved graduate assistantship may request an in-state equivalency for one summer during his/her graduate career. Normally, assistantships are awarded to an individual student for a maximum of four semesters (excluding summers). Students may petition the associate provost for graduate education and research for up to two additional semesters. Stipends for assistantships may vary between departments.

Graduate assistants are expected to familiarize themselves with university policies and to fulfill their professional responsibilities to the university. An applicant for a graduate assistantship must be admitted to a graduate program as a degree-seeking student and enrolled in graduate courses during the semester of employment.

Applications for assistantships should be filed with the chair of the department of the student's major field of interest. Contact the academic department for information regarding deadlines and the application process.

Residency Reclassification

A student who wishes to request a review of residency classification should review the policy on Residency for Tuition Purposes found at http://www.murraystate.edu/residency. The affidavit should be completed, signed, and notarized. All supporting statements and documents must be attached. Insufficient information may delay the request indefinitely. The student should then present the affidavit to the Office of the Registrar, first floor, Sparks Hall, no later than 30 calendar days after the first day of classes of the semester for which the appeal is being made. Students applying during or after registration must pay fees as originally assessed.

The registrar will act upon the request within 14 calendar days. Questions concerning eligibility or the status of a request should be directed to the Registrar at (270) 809-3759 or emailed to msu.registrar@murraystate.edu. A student whose request was denied by the Registrar will have 14 calendar days from the receipt of the denial letter, as determined by the postal notification of receipt of certified mail, to formally appeal the decision. Appeals should be addressed to the Bursar's Office, 200 Sparks Hall, Murray KY 42071-3312. The appeal should include a letter and any additional supportive documentation. Students whose requests were approved by the registrar or by the residency review committee will be reported to the bursar so that fee adjustments or refunds can be processed accordingly.

A copy of the complete operational policy on classification of residency for fee assessment purposes is available at http://www.murraystate.edu/residency or in the Office of the Registrar, first floor of Sparks Hall.

Residency Fee Policy

As a part of the state-supported system of higher education in Kentucky, Murray State University is governed by the following statewide policy (approved January 14, 1991). For additional information and a copy of the affidavit for a review of residency status, write Office of the Registrar, Murray State University, 113 Sparks Hall, Murray KY 42071-3312, call 270-809-5630 or visit www.murraystate.edu/registrar.

13 KAR 2:045. Determination of residency status for admission and tuition assessment purposes.

RELATES TO: KRS 13B, 164.020, 164.030, 164A.330(6) 38 U.S.C 3301-3325 (As amended at ARRS, June 9, 2015) STATUTORY AUTHORITY: KRS 164.020(8) NECESSITY, FUNCTION, AND CONFORMITY: KRS 164.020(8) requires the Council on Postsecondary Education to determine tuition and approve the minimum qualifications for admission to a state-supported postsecondary education institution and authorizes the Council to set different tuition amounts for residents of Kentucky and for nonresidents. This administrative regulation establishes the procedure and guidelines for determining the residency status of a student who is seeking admission to, or who is enrolled at, a state-supported postsecondary education institution.

Section 1. Definitions. (1) "Academic term" means a division of the school year during which a course of studies is offered, and includes a semester, quarter, or single consolidated summer term as defined by the institution.

(2) "Continuous enrollment" means enrollment in a state-supported postsecondary education institution at the same degree level for consecutive terms, excluding summer term, since the beginning of the period for which continuous enrollment is claimed unless a sequence of continuous enrollment is broken due to extenuating circumstances beyond the student's control, such as serious personal illness or injury, or illness or death of a parent.

(3) "Degree level" means enrollment in a course or program which could result in the award of a:

(a) Certificate, diploma or other program award at an institution;

(b) Baccalaureate degree or lower including enrollment in a course by a nondegree-seeking postbaccalaureate student;

(c) Graduate degree or graduate certification other than a first-professional degree in law, medicine, dentistry or "Pharm. D"; or

(d) Professional degree in law, medicine, dentistry, or “Pharm. D".

(4) “Dependent person” means a person who cannot demonstrate financial independence from parents or persons other than a spouse and who does not meet the criteria for independence established in Section 5 of this administrative regulation.

(5) “Determination of residency status” means the decision of a postsecondary education institution that results in the classification of a person as a Kentucky resident or as a nonresident for admission and tuition assessment purposes.

(6) “Domicile” means a person’s true, fixed, and permanent home and is the place where the person intends to remain indefinitely, and to which the person expects to return if absent without intending to establish a new domicile elsewhere.

(7) “Full-time employment” means continuous employment for at least forty-eight (48) weeks at an average of at least thirty (30) hours per week.

(8) “Independent person” means a person who demonstrates financial independence from parents or persons other than a spouse and who meets the criteria for independence established in Section 5 of this administrative regulation.

(9) “Institution” means an entity defined in KRS 164.001(12) if the type of institution is not expressly stated and includes the Kentucky Virtual University, the Council on Postsecondary Education, and the Kentucky Higher Education Assistance Authority.

(10) “Kentucky resident” means a person determined by an institution for tuition purposes to be domiciled in and is a resident of Kentucky as determined by this administrative regulation.

(11) “Nonresident” means a person who is (a) domiciled outside of Kentucky (b) currently maintains legal residence outside Kentucky, or (c) is not a Kentucky resident as determined by this administrative regulation.

(12) “Parent” means one (1) of the following:

(a) A person’s father or mother; or

(b) A court-appointed legal guardian if:

1. The guardianship is recognized by an appropriate court within the United States;

2. There was a relinquishment of the rights of the parents; and

3. The guardianship was not established primarily to confer Kentucky residency on the person.

(13) “Preponderance of the evidence” means the greater weight of evidence, or evidence which is more credible and convincing to the mind.

(14) “Residence” means the place of abode of a person and the place where the person is physically present most of the time for a noneducational purpose in accordance with Section 3 of this administrative regulation.

(15) “Student financial aid” means all forms of payments to a student if one (1) condition of receiving the payment is the enrollment of the student at an institution, and includes student employment by the institution or a graduate assistantship.

(16) “Sustenance” means

(a) Living expenses, such as room, board, maintenance, and transportation; and

(b) Educational expenses, such as tuition, fees, books, and supplies.

Section 2. Scope. (1) State-supported postsecondary education institutions were established and are maintained by the Commonwealth of Kentucky primarily for the benefit of qualified residents of Kentucky. The substantial commitment of public resources to postsecondary education is predicated on the proposition that the state benefits significantly from the existence of an educated citizenry. As a matter of policy, access to postsecondary education shall be provided so far as feasible at reasonable cost to a qualified individual who is domiciled in Kentucky and who is a resident of Kentucky.

(2) In accordance with the duties established in KRS 164.020, the Council on Postsecondary Education may require a student who is neither domiciled in nor a resident of Kentucky to meet higher admission standards and to pay a higher level of tuition than resident students.

(3) Unless otherwise indicated, this administrative regulation shall apply to all student residency determinations, regardless of circumstances, including residency determinations made by:

(a) The state-supported institutions for prospective and currently-enrolled students;

(b) The Southern Regional Education Board for contract spaces;

(c) Reciprocity agreements, if appropriate;

(d) The Kentucky Virtual University;

(e) Academic common market programs;

(f) The Kentucky Educational Excellence Scholarship Program; and

(g) Other state student financial aid programs, as appropriate.

Section 3. Determination of Residency Status; General Rules.

(1) A determination of residency shall include:

(a) An initial determination of residency status by an institution:

1. During the admission process;

2. Upon enrollment in an institution for a specific academic term; or

3. For admission into a specific academic program;

(b) A reconsideration of a determination of residency status by an institution based upon a changed circumstance; or

(c) A formal hearing conducted by an institution upon request of a student after other administrative procedures have been completed.

(2) An initial determination of residency status shall be based upon:

(a) The facts in existence when the credentials established by an institution for admission for a specific academic term have been received and during the period of review by the institution;

(b) Information derived from admissions materials;

(c) If applicable, other materials required by an institution and consistent with this administrative regulation; and

(d) Other information available to the institution from any source.

(3) An individual seeking a determination of Kentucky residency status shall demonstrate that status by a preponderance of the evidence.

(4) A determination of residency status shall be based upon verifiable circumstances or actions.

(5) Evidence and information cited as the basis for Kentucky domicile and residency shall accompany the application for a determination of residency status.

(6) A student classified as a nonresident shall retain that status until the student is officially reclassified by an institution.

(7) A student may apply for a review of a determination of residency status once for each academic term.

(8) If an institution has information that a student's residency status may be incorrect, the institution shall review and determine the student's correct residency status.

(9) If the Council on Postsecondary Education has information that an institution's determination of residency status for a student may be incorrect, it may require the institution to review the circumstances and report the results of that review.

(10) An institution shall impose a penalty or sanction against a student who gives incorrect or misleading information to an institutional official, including payment of nonresident tuition for each academic term for which resident tuition was assessed based on an improper determination of residency status. The penalty may also include:

(a) Student discipline by the institution through a policy written and disseminated to students; or

(b) Criminal prosecution.

Section 4. Presumptions Regarding Residency Status. (1) In making a determination of residency status, it shall be presumed that a person is a nonresident if:

(a) A person is, or seeks to be, an undergraduate student and admissions records show the student to be a graduate of an out-of-state high school within five (5) years prior to a request for a determination of residency status;

(b) A person's admissions records indicate the student's residence to be outside of Kentucky when the student applied for admission;

(c) A person moves to Kentucky primarily for the purpose of enrollment in an institution;

(d) A person moves to Kentucky and within twelve (12) months enrolls at an institution more than half time; or

(e) A person has a continuous absence of one (1) year from Kentucky.

(f) A person attended an out-of-state higher education institution during the past academic year and paid in-state tuition at that institution.

(2) A presumption arising from subsection (1) of this section shall only be overcome by preponderance of evidence sufficient to demonstrate that a person is domiciled in and is a resident of Kentucky.

Section 5. Determination of Whether a Student is Dependent or Independent. (1) In a determination of residency status, an institution shall first determine whether a student is dependent or independent. This provision shall be predicated on the assumption that a dependent person lacks the financial ability to live independently of the person upon whom the student is dependent, and therefore, lacks the ability to form the requisite intent to establish domicile. A determination that a student is independent shall be one (1) step in the overall determination of whether a student is or is not a resident of Kentucky.

(2) In determining the dependent or independent status of a person, the following information shall be considered as well as other relevant information available when the determination is made:

(a) 1. Whether the person has been claimed as a dependent on the federal or state tax returns of a parent or other person for the year preceding the date of application for a determination of residency status; or

2. Whether the person is no longer claimed by a parent or other person as a dependent or as an exemption for federal and state tax purposes; and

(b) Whether the person has financial earnings and resources independent of a person other than an independent spouse necessary to provide for the person's own sustenance.

(3) An individual who enrolls at an institution immediately following graduation from high school and remains enrolled shall be presumed to be a dependent person unless the contrary is evident from the information submitted.

(4) Domicile may be inferred from the student's permanent address, parent's mailing address, or location of high school of graduation.

(5) Marriage to an independent person domiciled in and who is a resident of Kentucky shall be a factor considered by an institution in determining whether a student is dependent or independent.

(6) Financial assistance from or a loan made by a parent or family member other than an independent spouse, if used for sustenance of the student:

(a) Shall not be considered in establishing a student as independent; and

(b) Shall be a factor in establishing that a student is dependent.

Section 6. Effect of a Determination of Dependent Status on a Determination of Residency Status. (1) The effect of a determination that a person is dependent shall be:

(a) The domicile and residency of a dependent person shall be the same as either parent. The domicile and residency of the parent shall be determined in the same manner as the domicile and residency of an independent person; and

(b) The domicile and residency of a dependent person whose parents are divorced, separated, or otherwise living apart shall be Kentucky if either parent is domiciled in and is a resident of Kentucky regardless of which parent has legal custody or is entitled to claim that person as a dependent pursuant to federal or Kentucky income tax provisions.

(2) If the parent or parents of a dependent person are Kentucky residents and are domiciled in Kentucky but subsequently move from the state: (a) The dependent person shall be considered a resident of Kentucky while in continuous enrollment at the degree level in which currently enrolled; and

(b) The dependent person's residency status shall be reassumed if continuous enrollment is broken or the current degree level is completed.

Section 7. Member or Former Member of Armed Forces of the United States, Spouse and Dependents; Effect on a Determination of Residency Status. (1) A member, spouse, or dependent of a member whose domicile and residency was Kentucky when inducted into the Armed Forces of the United States, and who maintains Kentucky as home of record and permanent address, shall be entitled to Kentucky residency status:

(a) During the member's time of active service; or

(b) If the member returns to this state within six (6) months of the date of the member's discharge from active duty.

(2)(a) A member of the armed services on active duty for more than thirty (30) days and who has a permanent duty station in Kentucky

shall be classified as a Kentucky resident and shall be entitled to in-state tuition as shall the spouse or a dependent child of the member.

(b) A member, spouse, or dependent of a member shall not lose Kentucky residency status if the member is transferred on military orders while the member, spouse, or dependent requesting the status is in continuous enrollment at the degree level in which currently enrolled.

(3) Membership in the National Guard or civilian employment at a military base alone shall not qualify a person for Kentucky residency status under the provisions of subsections (1) and (2) of this section. If a member of the Kentucky National Guard is on active duty status for a period of not less than thirty (30) days, the member shall be considered a Kentucky resident, as shall the spouse or a dependent child of the member.

(4) A person eligible for benefits under the federal Post-9/11 Veterans Educational Assistance Act of 2008, 38 U.S.C. 3301-3325, or any other educational benefits provided under Title 38 of the United States Code shall be entitled to Kentucky resident status for purposes of tuition charged at state-supported institutions.

(5) A person's residency status established pursuant to this section shall be reassessed if the qualifying condition is terminated.

Section 8. Status of Nonresident Aliens; Visas and Immigration. (1)(a) A person holding a permanent residency visa or classified as a political refugee shall establish domicile and residency in the same manner as another person.

(b) Time spent in Kentucky and progress made in fulfilling the conditions of domicile and residency prior to obtaining permanent residency status shall be considered in establishing Kentucky domicile and residency.

(2) A person holding a nonimmigrant visa with designation A, E, G, H-1, H-4 if accompanying a person with an H-1 visa, I, K, L, N, R, shall establish domicile and residency the same as another person.

(3)(a) An independent person holding a nonimmigrant visa with designation B, C, D, F, H-2, H-3, H-4 if accompanying a person with an H-2 or H-3 visa, J, M, O, P, Q, S, TD, or TN shall not be classified as a Kentucky resident, because that person does not have the capacity to remain in Kentucky indefinitely and therefore cannot form the requisite intent necessary to establish domicile as defined in Section 1(6) of this administrative regulation.

b) A dependent person holding a visa as described in paragraph (a) of this subsection, but who is a dependent of a parent holding a visa as described in subsection (2) of this section, shall be considered as holding the visa of the parent.

(c) A dependent person holding a visa described in subsection (2) of this section or paragraph (a) of this subsection, if a parent is a citizen of the United States and is a resident of and domiciled in Kentucky, shall be a resident of Kentucky for the purposes of this administrative regulation.

(4) A person shall be a Kentucky resident for the purpose of this administrative regulation if the person graduated from a Kentucky high school and:

(a) Is an undocumented alien;

(b) Holds a visa listed in subsections (2) or (3)(a) of this section; or

(c) Is a dependent of a person who holds a visa listed in subsections (2) or (3)(a) of this section.

(5)(a) Except as provided in paragraph (b) of this subsection, a person who has petitioned the federal government to reclassify visa status shall continue to be ineligible until the petition has been granted by the federal government.

(b) A person who has petitioned the federal government to reclassify his or her visa status based on marriage to a Kentucky resident and who can demonstrate that the petition has been filed and acknowledged by the federal government, may establish Kentucky domicile and residency at that time.

Section 9. Beneficiaries of a Kentucky Educational Savings Plan Trust. A beneficiary of a Kentucky Educational Savings Plan Trust shall be granted residency status if the beneficiary meets the requirements of KRS 164A.330(6).

Section 10. Criteria Used in a Determination of Residency Status. (1)(a) A determination of Kentucky domicile and residency shall be based upon verifiable circumstances or actions.

(b) A single fact shall not be paramount, and each situation shall be evaluated to identify those facts essential to the determination of domicile and residency.

(c) A person shall not be determined to be a Kentucky resident by the performance of an act that is incidental to fulfilling an educational purpose or by an act performed as a matter of convenience.

(d) Mere physical presence in Kentucky, including living with a relative or friend, shall not be sufficient evidence of domicile and residency.

(e) A student or prospective student shall respond to all requests for information regarding domicile or residency requested by an institution.

(2) The following facts, although not conclusive, shall have probative value in their entirety and shall be individually weighted, appropriate to the facts and circumstances in each determination of residency:

(a) Acceptance of an offer of full-time employment or transfer to an employer in Kentucky or contiguous area while maintaining residence and domicile in Kentucky;

(b) Continuous physical presence in Kentucky while in a nonstudent status for the twelve (12) months immediately preceding the start of the academic term for which a classification of Kentucky residency is sought;

(c)1. Filing a Kentucky resident income tax return for the calendar year preceding the date of application for a change in residency status; or

2. Payment of Kentucky withholding taxes while employed during the calendar year for which a change in classification is sought;

(d) Full-time employment of at least one (1) year while living in Kentucky;

(e) Attendance as a full-time, nonresident student at an out-of-state institution based on a determination by that school that the person is a resident of Kentucky;

(f) Abandonment of a former domicile or residence and establishing domicile and residency in Kentucky with application to or attendance at an institution following and incidental to the change in domicile and residency;

(g) Obtaining licensing or certification for a professional and occupational purpose in Kentucky;

(h) Payment of real property taxes in Kentucky;

(i) Ownership of real property in Kentucky, if the property was used by the student as a residence preceding the date of application for a determination of residency status;

(j) Marriage of an independent student to a person who was domiciled in and a resident of Kentucky prior to the marriage; and

(k) The extent to which a student is dependent on student financial aid in order to provide basic sustenance.

(3) Except as provided in subsection (4) of this section, the following facts, because of the ease and convenience in completing them, shall have limited probative value in a determination that a person is domiciled in and is a resident of Kentucky:

(a) Kentucky automobile registration;

(b) Kentucky driver's license;

(c) Registration as a Kentucky voter;

(d) Long-term lease of at least twelve (12) consecutive months of noncollegiate housing; and

(e) Continued presence in Kentucky during academic breaks.

(4) The absence of a fact contained in subsection (3) of this section shall have significant probative value in determining that a student is not domiciled in or is not a resident of Kentucky.

Section 11. Effect of a Change in Circumstances on Residency Status. (1) If a person becomes independent or if the residency status of a parent or parents of a dependent person changes, an institution shall reassess residency either upon a request by the student or a review initiated by the institution.

(2) Upon transfer to a Kentucky institution, a student's residency status shall be assessed by the receiving institution.

(3) A reconsideration of a determination of residency status for a dependent person shall be subject to the provisions for continuous enrollment, if applicable.

Section 12. Student Responsibilities. (1) A student shall report under the proper residency classification, which includes the following actions:

(a) Raising a question concerning residency classification;

(b) Making application for change of residency classification with the designated office or person at the institution; and

(c) Notifying the designated office or person at the institution immediately upon a change in residency.

(2) If a student fails to notify an institutional official of a change in residency, an institutional official may investigate and evaluate the student's residency status.

(3)(a) If a student fails to provide, by the date specified by the institution, information required by an institution in a determination of residency status, the student shall be notified by the institution that the review has been canceled and that a determination has been made.

(b) Notification shall be made by registered mail, return receipt requested.

(c) Notification shall be made within ten (10) calendar days after the deadline for receipt of materials has passed.

(4)(a) The formal hearing conducted by an institution and the final recommended order shall be a final administrative action with no appeal to the Council on Postsecondary Education.

(b) A formal administrative hearing conducted by the Council on Postsecondary Education for residency determinations related to eligibility for the Academic Common Market and Regional Contract Programs shall be conducted pursuant to the provisions of KRS Chapter 13B and 13 KAR 2:070. The recommended order issued by the President of the Council shall be a final administrative action.

(5) A student shall not be entitled to appeal a determination of residency status if the determination made by an institution is because a student has failed to meet published deadlines for the submission of information as set forth in subsection (3) of this section. A student may request a review of a determination of residency status in a subsequent academic term.

Section 13. Institutional Responsibilities. Each institution shall: (1) Provide for an administrative appeals process that includes a residency appeals officer to consider student appeals of an initial residency determination and which shall include a provision of fourteen (14) days for the student to appeal the residency appeals officer's determination;

(2) Establish a residency review committee to consider appeals of residency determinations by the residency appeals officer. The residency review committee shall make a determination of student residency status and notify the student in writing within forty-five (45) days after receipt of the student appeal;

(3) Establish a formal hearing process as described in Section 14 of this administrative regulation; and

(4) Establish written policies and procedures for administering the responsibilities established in subsections (1), (2), and (3) of this section and that are:

(a) Approved by the institution's governing board;

(b) Made available to all students; and

(c) Filed with the council.

Section 14. Formal Institutional Hearing. (1) A student who appeals a determination of residency by a residency review committee shall be granted a formal hearing by an institution if the request is made by a student in writing within fourteen (14) calendar days after notification of a determination by a residency review committee.

(2) If a request for a formal hearing is received, an institution shall appoint a hearing officer to conduct a formal hearing. The hearing officer shall:

(a) Be a person not involved in determinations of residency at an institution except for formal hearings; and

(b) Not be an employee in the same organizational unit as the residency appeals officer.

(3) An institution shall have written procedures for the conduct of a formal hearing that have been adopted by the board of trustees or regents, as appropriate, and that provide for:

(a) A hearing officer to make a recommendation on a residency appeal;

(b) Guarantees of due process to a student that include:

1. The right of a student to be represented by legal counsel; and

2. The right of a student to present information and to present testimony and information in support of a claim of Kentucky residency; and

(c) A recommendation to be issued by the hearing officer.

(4) An institution's formal hearing procedures shall be filed with the Council on Postsecondary Education and shall be available to a student requesting a formal hearing.

Section 15. Cost of Formal Hearings. (1) An institution shall pay the cost for all residency determinations including the cost of a formal hearing.

(2) A student shall pay for the cost of all legal representation in support of the student's claim of residency.

(17 Ky.R. 2557; eff. 4-5-1991; Am. 22 Ky.R. 1656; 1988; eff. 5-16-1996; 23 Ky.R. 3380; 3797; 4099; eff. 6-16-1997; 24 Ky.R. 2136; 2705; 25 Ky.R. 51; eff. 7-13-1998; 25 Ky.R. 2177; 2577; 2827; eff. 6-7-1999; 749; 1238; eff. 11-12-2002; 36 Ky.R. 1083; 1951; 2033-M; eff. 4-2-2010.)

For additional information, write or call the Office of the Registrar, Murray State University, 113 Sparks Hall, Murray KY 42071-3312; 270-809-5630.