

Kansas Administrative Regulations

State Board of Regents

Article 3.—Guidelines for the Determination of Residency for Fee Purposes

88-3-8a. Military personnel and veterans.

(a) "Armed forces" and "veteran" shall have the meanings specified in K.S.A. 2017 Supp. 48-3601, and amendments thereto.

(b) 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)(i) Is currently serving in the armed forces; or

(ii) is a veteran of the armed forces who files with the postsecondary educational institution at which the veteran is enrolled a letter of intent to establish residence in Kansas, lives in Kansas while attending the postsecondary educational institution at which the veteran is enrolled, and is eligible for benefits under the federal post-9/11 veterans educational assistance act or any other federal law authorizing educational benefits for veterans;

(B) is the spouse or dependent child of a person who qualifies for resident tuition rates and fees pursuant to paragraph (b)(2)(A)(i) or who, if qualifying through a veteran pursuant to paragraph (b)(2)(A)(ii), files with the postsecondary educational institution at which the spouse or dependent child is enrolled a letter of intent to establish residence in Kansas, lives in Kansas while attending the postsecondary educational institution at which the spouse or dependent child is enrolled, and is eligible for benefits under the federal post-9/11 veterans educational assistance act or any other federal law authorizing educational benefits for veterans; or

(C) is a person who is living in Kansas at the time of enrollment and is one of the following:

(i) A veteran who was permanently stationed in Kansas during service in the armed forces or had established residency in Kansas before service in the armed forces; or

(ii) the spouse or dependent of a veteran who was permanently stationed in Kansas during service in the armed forces or had established residency in Kansas before service in the armed forces.

(c) This regulation shall not be construed to prevent a person covered by this regulation from acquiring or retaining a bona fide residence in Kansas.

(d) Each person seeking the resident fee privilege pursuant to this regulation shall be responsible for providing the appropriate office at the state educational institution at which the person seeks admission or is enrolling with the information and written documentation necessary to verify that the person meets the applicable requirements of K.S.A. 2017 Supp. 48-3601 and K.S.A. 76-729, and amendments thereto, and this regulation. This documentation shall include one of the following:

(1) If claiming current status in the armed forces, written documentation verifying that status. For each reserve officers' training corps (ROTC) cadet and midshipman, this documentation shall include a copy of the person's current contract for enlistment or reenlistment in the armed forces;

(2) if claiming veteran status pursuant to paragraph (b)(2)(A)(ii), the following:

(A) Written documentation verifying that the veteran qualifies for benefits under the federal post-9/11 veterans educational assistance act or any other federal law authorizing educational benefits for veterans;

(B) written documentation verifying that the veteran lives or will live in Kansas while attending the state educational institution; and

(C) a letter signed by the veteran attesting an intent to become a resident of Kansas;

(3) if claiming spouse or dependent child status based upon the relationship to a current member of the armed forces, the following:

(A) Written documentation verifying the required relationship to the current member of the armed forces; and

(B) written documentation verifying that the member of the armed forces is currently serving;

(4) if claiming spouse or dependent child status based upon a relationship with a veteran pursuant to paragraph (b)(2)(B), the following:

(A) Written documentation verifying the required relationship to the veteran;

(B) written documentation verifying that the spouse or dependent child qualifies for benefits under the federal post-9/11 veterans educational assistance act or any other federal law authorizing educational benefits for veterans;

(C) written documentation verifying that the spouse or dependent child of the veteran lives or will live in Kansas while that person is a student attending the state educational institution; and

(D) a written letter signed by the spouse or dependent child of the veteran, attesting that the spouse or dependent child intends to become a resident of Kansas; or

(5) if claiming status as a veteran pursuant to paragraph (b)(2)(C)(i) who is not otherwise eligible for benefits under the federal post-9/11 veterans educational assistance act or any other federal law authorizing educational benefits for veterans, or the spouse or dependent of the veteran pursuant to paragraph (b)(2)(C)(ii), written documentation verifying both of the following:

(A) The veteran was previously assigned to a permanent station in Kansas while on active duty, or the veteran established Kansas residency before the veteran's service in the armed forces.

(B) The veteran, spouse, or dependent of the veteran who is seeking residency status is living in Kansas at the time of enrollment.

(Authorized by K.S.A. 76-730; implementing K.S.A. 2017 Supp. 48-3601, K.S.A. 2017 Supp. 76-729, and K.S.A. 76-730; effective July 27, 2007; amended Jan. 18, 2013; amended, T-88-8-10-15, Aug. 10, 2015; amended Dec. 18, 2015; amended May 26, 2017; amended June 7, 2018.)

***** Authenticated Kansas Administrative Regulation *****