

Chapter UWS 20

NONRESIDENT TUITION DETERMINATION PROCEDURES AND APPEALS

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UWS 20.01 Minimum requirements. The chancellor of each institution in the University of Wisconsin System which classifies students for tuition purposes under s. 36.27 (2), Stats., shall develop and file with the secretary of the Board of Regents procedures for determination of classifications and provide for appeals from classifications of nonresidency which shall, at minimum, provide for the following:

(1) Designation of authorized personnel to make initial determinations of residency for tuition purposes;

(2) A mechanism for reconsideration of an initial determination of nonresidency when a petitioner has new or different information to present concerning resident status which was not available at the time of the initial determination or which was available but, for good reason shown, the petitioner did not know about at the time of the initial determination;

(3) A mechanism for appeal from an initial determination of nonresidency to a designated person or body at the institution;

(4) Appeal procedures, which shall include:

(a) A time limit of 14 calendar days for filing an appeal from date of notification of classification from the initial determination, or, if a reconsideration is requested, from the date of notification of that classification;

(b) Notice to the petitioner of the appeal hearing which shall:

1. Be served at least 10 days before the hearing date either by personal service, electronic means, or mailing;

2. Specify the time and place of the hearing and the body or person hearing the appeal; and

3. State that the hearing is a class 3 proceeding under ch. 227, Stats., is for the purpose of determining petitioner's residency status for tuition purposes under the authority conferred on the Board of Regents of the University of Wisconsin System by s. 36.27, Stats., and is conducted under authority conferred on the institution by ch. UWS 20.

(c) A right of personal appearance at an appeal;

(d) A right of a petitioner to have assistance, including private legal counsel, in making a personal appearance at an appeal hearing;

(e) A time limit for issuing a written decision of 30 calendar days following the appeal hearing;

(f) Observing applicable statutory requirements concerning open and closed hearings;

(g) A stenographic, electronic or other record of the hearing. This record shall be transcribed and a copy of the written transcription provided to the petitioner at no cost in the event judicial review of the appeal decision is sought under ch. 227, Stats.; a copy of the written transcription shall otherwise be provided to the petitioner upon payment of a reasonable compensatory fee.

History: Cr. Register, March, 1980, No. 291, eff. 4-1-80; corrections made under s. 13.93 (2m) (b) 1., Stats., Register, June, 1995, No. 474; 2015 Wis. Act 330 ss. 17, 20: am. (intro.), (4) (b) 1., 3. Register April 2016 No. 724, eff. 5-1-16.

UWS 20.02 Finality of decisions. Decisions by the appeal person or body of an institution in the University of Wisconsin System concerning residence classification for tuition purposes shall be final in the University of Wisconsin System. The decisions shall note that it is subject to judicial review within 30 days after service of the decision, pursuant to s. 227.53, Stats.

History: Cr. Register, March, 1980, No. 291, eff. 4-1-80; correction made under s. 13.93 (2m) (b) 7., Stats., Register, June, 1995, No. 474; 2015 Wis. Act 330 s. 20: am. Register April 2016 No. 724, eff. 5-1-16.

UWS 20.03 Students transferring between institutions. A decision that a student is a resident for tuition purposes at one institution in the University of Wisconsin System shall require that the student be treated as a resident for tuition purposes in other institutions in the University of Wisconsin System, if the student transfers to another institution in the University of Wisconsin System and has maintained substantially the same determining factors.

History: Cr. Register, March, 1980, No. 291, eff. 4-1-80; 2015 Wis. Act 330 s. 20: am. Register April 2016 No. 724, eff. 5-1-16.