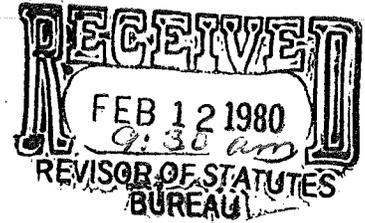


UWS 20

CERTIFICATE

ORDER ADOPTING RULES

STATE OF WISCONSIN)
BOARD OF REGENTS OF THE) SS
UNIVERSITY OF WISCONSIN SYSTEM)



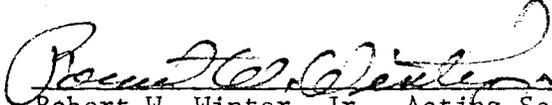
TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Robert W. Winter, Jr., Acting Secretary of the Board of Regents of the University of Wisconsin System and custodian of the official records of said board do hereby certify that the annexed rules relating to procedures for determinations and appeals of classifications of students for tuition purposes, were duly approved and adopted by this board on February 8, 1980.

I further certify that said copy has been compared by me with the original on file with this board and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Board of Regents of the University of Wisconsin System at 1860 Van Hise Hall in the City of Madison, this 11th day of February, 1980.

(SEAL)


Robert W. Winter, Jr., Acting Secretary

ORDER OF THE BOARD OF REGENTS
OF THE UNIVERSITY OF WISCONSIN SYSTEM
ADOPTING RULES

Relating to rules concerning procedures for determinations and appeals of classifications of students for tuition purposes under s. 36.27(2), Wis. Stats.

Analysis prepared by University of Wisconsin System:

These rules are in response to suggestions received from the State Legislative Joint Committee for Review of Administrative Rules. The purpose of these rules is to provide a level of consistency while allowing autonomy in the development of institutional procedures for administration of the nonresident tuition law.

Pursuant to authority vested in the board of regents of the university of Wisconsin system by section 36.09(1)(a), Wis. Stats., the board of regents adopts rules interpreting section 36.27(2), Wis. Stats., as follows:

Sections UWS 20.01, 20.02 and 20.03 of the Wisconsin Administrative Code are adopted to read:

CHAPTER UWS 20

NONRESIDENT TUITION DETERMINATION PROCEDURES AND APPEALS

UWS 20.01 Minimum Requirements. (1) The Chancellor of each institution in the university of Wisconsin system which classifies students for tuition purposes under s. 36.27(2), Wis. 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:

- (a) Designation of authorized personnel to make initial determinations of residency for tuition purposes;
- (b) 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;
- (c) A mechanism for appeal from an initial determination of nonresidency to a designated person or body at the institution;

(d) Appeal procedures, which shall include:

1. A time limit of fourteen (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;
2. Notice to the petitioner of the appeal hearing which shall:
 - a. be served at least 10 (ten) days before the hearing date either by personal service or by mailing;
 - b. specify the time and place of the hearing and the body or person hearing the appeal; and
 - c. state that the hearing is a class 3 proceeding under ch. 227, Wis. 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 sec. 36.27, Wis. Stats., and is conducted under authority conferred on the institution by ch. UWS 20, Wis. Adm. Code.
3. A right of personal appearance at an appeal;
4. A right of a petitioner to have assistance, including private legal counsel, in making a personal appearance at an appeal hearing;
5. A time limit for issuing a written decision of thirty (30) calendar days following the appeal hearing;
6. Observing applicable statutory requirements concerning open and closed hearings;
7. 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, Wis. Stats.; a copy of the written transcription shall otherwise be provided to the petitioner upon payment of a reasonable compensatory fee.

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 decision shall note that it is subject to judicial review within thirty (30) days after service of the decision, pursuant to s. 227.16, Wis. Stats.

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.

The rules contained in this order shall take effect as provided in s. 227.026(1), Wis. Stats.

Board of Regents of the
University of Wisconsin System


Acting Secretary

Dated: February 8, 1980
(Seal)