MEMORANDUM
Date: August 13, 2020

To: Residency Appeal Committee Members
From: Scott Thorpe, Assistant Registrar

I am extremely appreciative of your willingness to serve on the Residency Appeals Committee for the 2020-2021 school year. Your participation will have a significant impact on the University and our students. I think you will find the work to be interesting, challenging, occasionally heart-breaking, and often highly rewarding. I hope you enjoy your experiences on this committee and find this to be a worthwhile use of your time.

Charge to the Residency Classification Appeals Committee
The Residency Classification Appeals Committee is an appellate body authorized by the Arizona Board of Regents and the President of the University. The committee is tasked with hearing appeals from students who have been denied in-state classification by the Residency Office. Your decisions as a committee must adhere to current state law and ABOR guidelines. You will not have any authority to make exceptions, but will have the opportunity to add perspective and your collective wisdom.

Residency Classification 101
The term “Resident for Tuition Purposes” has a distinct meaning as defined by current ABOR guidelines and differs from other definitions of “resident”. One can be a resident of Arizona without being a resident for tuition purposes. The requirements for being a resident for tuition purposes, and for requesting reclassification are detailed in guidelines provided by the Arizona Board of Regents (which derives its authority from Arizona Revised Statutes).

Students formally request reclassification by submitting a residency petition. Students that are denied can appeal if they think the decision to deny them was made in error. Appellants will plead their cases before their assigned committee members, who will consider all factors necessary before rendering a decision. Per ABOR guidelines, decisions made by the Residency Appeal Committee are final and not subject to further administrative review.

Committee Requirements
Committee members must have a general understanding of current ABOR guidelines. Decisions made by the Residency Office are summarized in detail for every student that is denied. Committee members will be expected to read and understand these summaries, ask relevant questions, and exercise average care, skill, judgment and empathy in their deliberations.

Commitment
Committees are scheduled to meet on the same day at the same time every month. Members are expected to honor this commitment, but we all certainly understand there will be circumstances beyond your control that may be prohibit you from participating at certain times. In those instances, please inform the Residency Office of any schedule conflicts as soon as possible so that we can ensure we have a sufficient number of committee members to proceed. Our students ask that you commit to giving them a fair hearing by reviewing their files independently prior to your scheduled time with them.

Burden of Proof
The burden of proof always belongs to the student. The committee has no burden to prove a student is a nonresident or to prove residence in another state. Students that don’t meet this burden are justly denied.

Standards of Proof
The standard of proof is a preponderance of the evidence (more likely than not). The sum of the evidence and testimony presented does not need to be “clear and convincing” or “beyond a reasonable doubt”. This standard allows the tipping point to be somewhere in the middle, and often a student’s verbal testimony will be enough justify overturning a previous denial. Often, it will not.