

University of Colorado

Residency Appeals Petition

The Colorado tuition classification statute [C.R.S. §23-7-101, et seq.] delegates responsibility to the University to determine eligibility for in-state tuition in accordance with rules that apply to all public colleges and universities in the state. The University of Colorado is committed to a process that provides students all rights specified by law, that is fair and impartial, and that affords students a full opportunity to present their cases in writing. As a part of this process, students whose petitions for in-state tuition classification have been denied by the Tuition Classification Officer(s) (TCO) may submit additional information for consideration by the TCO according to campus policy.

If the TCO denies either an initial petition for in-state tuition or a request for reconsideration, the student may appeal that decision to the University Tuition Classification Review Board using the following process.

Appeal Process

1. Because the regulations for in-state tuition are governed by state law, the Review Board cannot consider requests for exceptions to these regulations. Exceptions will not be granted.
2. Petitioners must state the reasons for requesting the review. The **basis for the review** is limited to one of the three following:
 - a. Whether the TCO considered the appropriate evidence
 - b. Whether the TCO weighed the evidence appropriately.
 - c. Whether the TCO applied the appropriate sections of the Colorado Tuition Classification Statute.
3. All requests for an appeal must be made in writing through the “Residency Appeals Petition.” The Board will consider the written appeal based upon the strength of the arguments under the permissible grounds for appeal listed in #2 above.
4. Petitions must be submitted within 14 calendar days of receipt of the denial. This deadline will be specified in the denial notice from the TCO.
5. The Board will make its decision based on the written submission, except that the Review Board may, in its sole discretion, request that a petitioner appear in person or telephonically to provide additional or clarifying information. If a petitioner is unable to participate on the date that the Board requests, the Board will consider the petition based on the petitioner’s written submission.

6. No appeal will be considered for a past semester, and decisions will not apply retroactively.
7. No new information may be presented to the Review Board that hasn't already been considered by the home campus TCO officer.

Review Process

The University of Colorado Review Board includes one representative from each campus, and meets once per month (normally the second Friday of each month). The petitioner will be notified within one week of the board's decision. The Review Board has the authority to:

- a. Find that the TCO did not request or consider all relevant evidence or apply appropriate sections of the law. The Board will refer the case back to the TCO with instructions to reconsider the decision based on the appropriate evidence and law.
- b. Find that the TCO did consider all relevant evidence and did apply the appropriate sections of the statute, but that the judgment of the TCO in denying in-state status was arbitrary and capricious. "Arbitrary and capricious" means that the decision must be shown to be without reasonable basis or determining principle. The Board must then approve the student's petition for in-state tuition.
- c. Find that the TCO did consider all relevant evidence and did apply the appropriate sections of the statute and that the judgment of the TCO in denying in-state status was not arbitrary and capricious. The Board must then affirm the decision of the TCO and deny the student's petition for in-state tuition.

**University of Colorado
Residency Appeals Petition**

Petitioner Name: _____

SID: _____

Date by which domicile must have been established (as noted in the denial letter):

**NOTE DIFFERENCE IN TIME BETWEEN THE DOMICILE QUALIFYING DATE (NOTED ABOVE)
AND THE ACTUAL DATE EACH ITEM WAS COMPLETED (BELOW).**

Date petitioner began living in Colorado: _____ +/- _____
days/weeks/months.

Colorado Permanent Employment started _____ +/- _____
days/weeks/months.

Colorado Voter Registration established _____ +/- _____
days/weeks/months.

Colorado Vehicle Registration established _____ +/- _____
days/weeks/months.

Colorado Driver's License received _____ +/- _____
days/weeks/months.

Colorado Residence Property Ownership began _____ +/- _____
days/weeks/months.

(+ indicates days this action was completed before the deadline; - indicates how long after the qualifying deadline this action was completed. Indicate N/A if there has been no action).

When were Colorado taxes filed (please include the month and day you indicated on your Colorado State Tax forms):

State your reasons for requesting the review. The explanation must address the "Basis for the Review" items noted in #2 on the cover letter. You may attach additional notes to this application.