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4-207 Review Procedure

- A. Upon appeal, the university review committee shall be responsible for rendering a decision in accordance with Arizona State Statutes and Board Policy for determining tuition status.
- B. The university tuition classification review system shall consist of one or more review committees. Each committee shall consist of at least three voting members appointed by the president of the university for a term of one fiscal year. Members may be reappointed by the president. The president shall determine the number of committees required to expeditiously conduct review hearings.
- C. The president shall designate a chair for each committee, who shall serve at the pleasure of the president and shall retain voting privileges. Members of each committee may include representatives from the faculty, administration, staff, professionals and student body of the university. Classification officers shall not serve as members of such a committee. The president may also appoint alternates who shall serve in place of a regular committee member at any hearing at which such regular member may be absent or disqualified.
- D. At least three committee members, including any alternates, must be present to conduct a hearing and render a decision in any request for review of a classification determination.
- E. A request for review by a student classified as a nonresident shall be filed with the classification officer no later than 35 days from the last day of registration. The request shall be in writing, signed by the student and shall include (a) the student's current mailing address; (b) the reasons why the student claims the classification determination is erroneous; and (c) a signed statement setting forth all facts in support of the student's claim that the classification determination is erroneous.
- F. Failure to file a request for review within the time prescribed shall constitute a waiver of the right to request review.
- G. The review committee shall schedule a hearing within a reasonable time after receipt of request for review and shall provide the student with written notice of the date, time and place of the meeting at least seven days prior

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to the meeting. Such notice may be made personally or by certified mail to the current address listed by the student with the university.

- H. The student shall have the right to appear and may be represented by an advisor of his or her choice at the student's expense. If the student, without valid excuse or prior authorization, fails to appear, the committee may determine the matter on the basis of evidence before it. The student or the student's advisor, but not both, may examine and cross-examine witnesses and summarize the evidence in final argument to the committee.
- I. Every document filed with the university relating to classification of the student for tuition purposes shall constitute a part of the record. The committee shall also hear any relevant evidence, which the student or the university wishes to present.
- J. Formal rules of evidence shall not apply. The committee shall receive and consider oral and documentary evidence of the kind on which responsible persons are accustomed to rely in serious matters. The committee may exclude evidence that is cumulative or repetitious, and will determine the credibility or weight to be given to the evidence presented.
- K. The proceedings of the committee shall be recorded. Any copies of the record, or copies of a transcript if one is created, desired by the student shall be at the student's expense.
- L. The order of proof shall be determined by the committee.
- M. The committee may make such rules for the conduct of hearings as are not inconsistent with these procedures.
- N. The decision of the committee shall be final. The decision may be made by the committee at the time of the hearing, or the committee may take the matter under advisement in which case the matter shall be decided within ten days following the hearing.
- O. Written notice of the decision of the committee shall be promptly sent by certified mail to the student's current address filed with the university.
 - 1. If the committee determines that the student should be classified as

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a resident student, it shall direct the classification officer of the university to so classify the student, and the university shall then refund to the student the difference between the non-resident and resident tuition collected as a result of the nonresident classification. If the student files to appeal the initial classification of residency (upon admission) within the first term of attendance and the student is successful in that appeal, any difference between the in-state and out-of-state application fee paid by the student will also be refunded.

2. If the student is determined to be a nonresident, the written notice shall advise the student that no further procedures within the university are available; that the student may have right to judicial review in the state courts; that the time to pursue any legal action may be short; and that if the student wishes to pursue legal action, the student should seek legal counsel.