

## **Residency Reclassification Packet**

Students requesting to be reclassified must fill out the attached Residency Core Questionnaire and return it along with any requested documentation to the Office of the Registrar prior to the official census day for the semester. Please note: if a student's residence in Texas is primarily for the purpose of education and not to establish a domicile, the student shall be classified as a nonresident.

Individuals can establish residency in two basic ways, one based on graduation from high school and the other based on the establishment of domicile. The option related to establishment of domicile is available to citizens or permanent residents of the U.S. and to international students who hold certain types of visas.

### Residency through High School Graduation

To establish residency through high school graduation, you must

1. Graduate from a Texas high school or receive a GED in Texas; and
2. Live in Texas for the 36 months immediately before high school graduation; and
3. Live in Texas for the 12 months immediately before the census date (usually the 12th class day) of the semester in which you enroll at UTPB.

### Residency by Establishing Domicile

To establish domicile, you must meet the following criteria:

1. Live in Texas for 12 consecutive months; and
2. Establish and maintain domicile for 12 consecutive months by doing one of the following:
  - Be gainfully employed in Texas (Jobs worked on campus as a student do not qualify as gainful employment.)
  - Ownership of real property in Texas
  - Own and operate a business in Texas
  - Be married for one year to a person who has established domicile in Texas

**Residency cannot be made retroactive. Failure to turn in the Residency Core Questionnaire and all required supporting documentation by the census date of the semester will result in your residency reclassification being postponed until the subsequent term.**

### Core Residency Questions

Texas Higher Education Coordinating Board rule 21.25 requires each student applying to enroll at an institution to respond to a set of core residency questions for the purpose of determining the student's eligibility for classification as a resident.

**PART A. Student Basic Information. All Students must complete this section.**

Name: \_\_\_\_\_ Student ID Number: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

**PART B. Previous Enrollment. For all students.**

1. During the 12 months prior to the term for which you are applying, did you attend a public college or university in Texas in a fall or spring term?

Yes \_\_\_ No \_\_\_

If you answered "no", please continue to **Part C**.

If you answered "yes", complete questions **2 - 5**:

2. What Texas public institution did you last attend? (Give full name, not just initials.)

\_\_\_\_\_

3. In which terms were you last enrolled? (check all that apply)

\_\_\_ fall, 20\_\_\_ \_\_\_ spring, 20\_\_\_

4. During your last semester at a Texas public institution, did you pay resident (in-state) or nonresident (out-of-state) tuition?

\_\_\_ resident (in-state) \_\_\_ nonresident (out-of-state) \_\_\_ unknown

5. If you paid in-state tuition at your last institution, was it because you were classified as a resident or because you were a nonresident who received a waiver?

\_\_\_ resident \_\_\_ nonresident with a waiver \_\_\_ unknown

**IMPORTANT:** If you were enrolled at a Texas public institution during a fall or spring semester within the previous 12 months and were classified as a Texas resident, skip to **Part I**, sign and date this form and submit it to your institution. If you were not enrolled, or if you were enrolled but classified as a nonresident, proceed to **Part C**.

**PART C. Residency Claim.**

Are you a resident of Texas? Yes \_\_\_ No \_\_\_

If you answered yes, continue to **Part D**.

If you answered no, complete the following question and continue to **Part I**.

Of what state or country are you a resident? \_\_\_\_\_

If you are uncertain, continue to **Part D**.

**PART D. Acquisition of High School Diploma or GED.**

	Yes	No
1. a. Did you graduate or will you graduate from high school or complete a GED in TX prior to the term for which you are applying?		
1. b. If you graduated or will graduate from high school, what was the name and city of the school?		
2. Did you live or will you have lived in TX the 36 months leading up to high school graduation or completion of the GED?		
3. When you begin the semester for which you are applying, will you have lived in TX for the previous 12 months?		
4. Are you a U.S. Citizen or Permanent Resident?		

*Instructions to Part D:*

- ◆ If you answered “no” to question 1a or 2 or 3, continue to **Part E**.
- ◆ If you answered “yes” to all four questions, skip to **Part I**.
  - ◆ If you answered “yes” to questions 1, 2 and 3, but “no” to question 4, complete a copy of the **Affidavit** in **Chart I**, provided as an Attachment to this form, skip to **Part I** of this form, and submit both this form and the affidavit to your institution.

**PART E. Basis of Claim to Residency. TO BE COMPLETED BY EVERYONE WHO DID NOT ANSWER “YES” TO QUESTIONS 1a, 2, AND 3 OF PART D.**

1. Do you file your own federal income tax as an independent tax payer? Yes\_\_\_ No \_\_\_  
(An independent tax payer should not be claimed as a dependent for tax purposes by another person. If you file a joint return with your spouse, answer “yes.”)
  
2. Are you claimed as a dependent or are you eligible to be claimed as a dependent by a parent or court-appointed legal guardian? Yes\_\_\_ No \_\_\_ (To be eligible to be claimed as a dependent, your parent or legal guardian must provide at least one-half of your support. A step-parent does not qualify as a parent if he/she has not adopted the student.)
  
3. If you answered “No” to both questions above, who provides the majority of your support?  
 Self\_\_\_ parent or guardian\_\_\_ other: (list)\_\_\_\_\_

*Instructions to Part E.*

- ◆ If you answered “yes” to question 1, and “no” to question 2, continue to **Part F**.
- ◆ If you answered “yes” to question 2, skip to **Part G**.
- ◆ If you answered “yes” to both questions 1 and 2, skip to **Part G**.
- ◆ If you answered “no” to 1 and 2 and “self” to question 3, continue to **Part F**.
- ◆ If you answered “no” to 1 and 2 and “parent or guardian” to question 3, skip to **Part G**.
- ◆ If you answered “no” to 1 and 2 and “other” to question 3, skip to **Part H** and provide an explanation, and complete **Part I**.

**PART F. Questions for students who answered “Yes” to Question 1 or “Self” to Question 3 of PART E.**

	Yes	No	Years	Mo.	Visa/Status
1. Are you a U.S. Citizen?					
2. Are you a Permanent Resident of the U.S.?					
3. Are you a foreign national whose application for Permanent Resident Status has been preliminarily reviewed? (You should have received a fee/filing receipt or Notice of Action (I-797) from USCIS showing your I-485 has been reviewed and has not been rejected).					
4. Are you a foreign national here with a visa or are you a Refugee, Asylee, Parolee or here under Temporary Protective Status? If so, indicate which.					
5. Do you currently live in Texas? If you are out of state due to a temporary assignment by your employer or another temporary purpose, please check “no” and explain in <b>Part H</b> .	Yes	No			
6. a. If you currently live in Texas, how long have you been living here?  b. What is your main purpose for being in the state? If for reasons other than those listed, give an explanation in <b>Part H</b> .			Months	Years	
			Go to College [ ]	Establish/maintain a home [ ]	Work Assignment [ ]
7. a. If you are a member of the U.S. military, is Texas your Home of Record? b. If not, what state will have been listed as your military legal residence for tax purposes on your Leave and Earnings Statement for the 12 months prior to enrollment?	Yes	No			
			State		

	Yes	No
<b>8. Do any of the following apply to you? (Check all that apply)</b>		
a. Hold the title (Warranty Deed, Deed of Trust, or other similar instrument that is effective to hold title) to residential real property in Texas? If yes, date acquired: _____		
b. Have ownership interest and customarily manage a business in Texas without the intention of liquidation in the foreseeable future? If yes, date acquired: _____		

<p><b>9. While living in Texas, have you: (Check all that apply)</b></p> <p>a. Been gainfully employed for a period of at least 12 consecutive months? (Gainful employment requires an average employment of at least 20 hours per week for one year or earnings equal to at least half of tuition and living expenses for one 9-month academic year. Employment conditioned on student status such as work-study, the receipt of stipends, fellowships or research or teaching assistantships does not constitute gainful employment.)</p>		
	<p>b. Received primary support through services from a social service agency for a period of at least 12 consecutive months?</p>	

<p><b>10.</b></p> <p>a. Are you married to a person who has been classified as a Texas resident by a Texas public institution or who could answer “yes” to any part of question 8 or 9?</p> <p>b. If yes, indicate which question (and which part of the question) could be answered yes by your spouse:</p> <p>c. How long will you have been married to the Texas resident prior to enrollment?</p>		
	<p><b>Question:</b></p>	
	<p><b>Months</b></p>	<p><b>Years</b></p>

Skip **Part G** and Continue to **Part H**.

**PART G. Questions for students who answered “Yes” to Question 2 of Part E or who answered “Parent or Guardian” to Question 3 of PART E.**

	Yes	No	Years	Mo.	Visa/Status
1. Is the parent or legal guardian upon whom you base your claim of residency a U.S. citizen?					
2. Is the parent or legal guardian upon whom you base your claim of residency a Permanent Resident?					
3. Is this parent or legal guardian a foreign national whose application for Permanent Resident Status has been preliminarily reviewed? (He or she should have received a fee/filing receipt or Notice of Action (I-797) from the USCIS showing his or her I-485 has been reviewed and has not been rejected)					
4. Is this parent or legal guardian a foreign national here with a visa or a Refugee, Asylee, Parolee or here under Temporary Protective Status? If so, indicate which.					

5. Does this parent or guardian currently live in Texas? If he or she is out of state due to a temporary assignment by his or her employer or another temporary purpose, please check "no" and explain in <b>Part H</b> .					
6. a. If he or she is currently living in Texas, how long has he or she been living here?  b. What is your parent's or legal guardian's main purpose for being in the state? If for reasons other than those listed, give an explanation in <b>Part H</b> .			Months	Years	
	Go to College [ ]		Establish/maintain a home [ ]		Work Assignment [ ]
7. a. If he or she is a member of the U.S. military, is Texas his or her Home of Record? b. If not, what state will have been listed as his or her military legal residence for tax purposes on his or her Leave and Earnings Statement for the 12 months prior to enrollment?					
	State				

	Yes	No
<b>8. Do any of the following apply to your parent or guardian? (Check all that apply)</b>		
a. Hold the title (Warranty Deed, Deed of Trust or other similar instrument that is effective to hold title) to residential real property in Texas? If yes, date acquired: _____		
b. Have ownership interest and customarily manage a business in Texas without the intention of liquidation in the foreseeable future? If yes, date acquired: _____		
<b>9. While living in Texas, has your parent or guardian: (Check all that apply)</b>		
a. Been gainfully employed for a period of at least 12 consecutive months? (Gainful employment requires an average employment of at least 20 hours per week for one year or earnings equal to at least half of tuition and living expenses for one 9-month academic year. Employment conditioned on student status such as work-study, the receipt of stipends, fellowships, or research or teaching assistanceships does not constitute gainful employment.)		
b. Received services from a social service agency for a period of at least 12 consecutive months? Note: the dollar value of social services received may be combined with earnings to total at least one-half of tuition and living expenses for one 9-month academic year.		

<p><b>10.</b></p> <p>a. Is your parent or legal guardian married to a person who has been classified as a Texas resident by a Texas public institution or who could answer “yes” to any part of question 8 or 9?</p> <p>b. If yes, indicate which question (and which part of the question) could be answered yes by your parent or guardian’s spouse:</p> <p>c. How long will your parent or guardian have been married to the Texas resident prior to enrollment?</p>		
	<b>Question:</b>	
	<b>Months</b>	<b>Years</b>

**Part H. General Comments.** Is there any additional information that you believe your college/university should know in evaluating your eligibility to be classified as a resident? If so, please provide it below:

February 2011

**PART I. Certification of Residency. All students must complete this section.**

I understand that officials of my college/university will use the information submitted on this form to determine my status for residency eligibility. I authorize the college/university to verify the information I have provided. I agree to notify the proper officials of the institution of any changes in the information provided. I certify that the information on this application is complete and correct and I understand that the submission of false information is grounds for rejection of my application, withdrawal of any offer of acceptance, cancellation of enrollment and/or appropriate disciplinary action.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



**AFFIDAVIT**

**STATE OF TEXAS**

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**COUNTY OF \_\_\_\_\_**

Before me, the undersigned Notary Public, on this day personally appeared

\_\_\_\_\_

known to me, who being by me duly sworn upon his/her oath, deposed and said:

1. My name is \_\_\_\_\_. I am \_\_\_ years of age and have personal knowledge of the facts stated herein, and they are all true and correct.
2. I graduated or will graduate from a Texas high school or received my GED certificate in Texas.
3. I resided in Texas for three years leading up to graduation from high school or receiving my GED certificate.
4. I have resided or will have resided in Texas for the 12 months prior the census date of the semester in which I will enroll in \_\_\_\_\_ (college/university).
5. I have filed or will file an application to become a permanent resident at the earliest opportunity that I am eligible to do so.

In witness whereof, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Student I.D.#)

**SUBSCRIBED TO AND SWORN TO BEFORE ME**, on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, to certify which witness my hand and official seal.

\_\_\_\_\_  
Notary Public in and for the State of Texas

**Revised Chart II**  
**Documentation to Support Establishing and Maintaining Domicile in Texas**

The following documentation may be requested by the institution regarding a person's responses to the Core Residency Questions. Documents that may be used as proof that:

- (1) The person or the dependent's parent established domicile in Texas, and
- (2) The person or the dependent's parent has maintained domicile in Texas continuously for at least 12 consecutive months immediately preceding the census date of the term in which the person enrolls,

include but are not limited to the following:

<b>Part A</b> <b>Documents that may Support the Establishment of a Domicile in Texas and Maintenance of Domicile in Texas</b>
<p>1. SIGNIFICANT GAINFUL EMPLOYMENT</p> <p>a. An employer's statement of dates of employment in Texas (beginning and current or ending dates) that encompass at least 12 consecutive months immediately preceding the census date of the term in which the person enrolls.</p> <p>b. Other documents that show the person or the dependent's parent, for at least 12 consecutive months immediately preceding the census date of the term in which the person enrolls:</p> <ol style="list-style-type: none"><li>1) has been engaged in employment intended to provide an income to the person or allow the person to avoid the expense of paying another to perform tasks (as in child care) that is sufficient to provide at least one-half of the individual's tuition and living expenses or represents an average of at least 20 hours per week; or</li><li>2) is self-employed in Texas or is living off his/her earnings; or</li><li>3) is primarily supported by public assistance in Texas.</li></ol> <p>c. For a homeless person, written statements from the office of one or more social service agencies located in Texas that attest to the provision of services to the homeless person for the 12 consecutive months immediately preceding the census date of the term in which the person enrolls.</p>
<p>2. SOLE OR JOINT MARITAL OWNERSHIP OF RESIDENTIAL REAL PROPERTY</p> <p>Title to residential real property in Texas with documentation to verify 12 consecutive months of ownership immediately preceding the census date of the term in which the person enrolls, such as a Warranty Deed, with the person or the dependent's parent having established and maintained domicile at that residence.</p>
<p>3. MARRIAGE TO A PERSON WHO HAS ESTABLISHED AND MAINTAINED DOMICILE IN TEXAS</p> <p>Marriage Certificate or Declaration of Registration of Informal Marriage with documentation to support that spouse has established and maintained domicile in Texas for the 12 consecutive months preceding the census date of the term in which the person enrolls.</p>

4. OWNERSHIP OF A BUSINESS ENTITY

Documents that evidence the organization of the business in Texas that reflect the ownership interest of the person or dependent's parent, and the customary management of the business by the person or dependent's parent without the intention of liquidation for the foreseeable future.

**Part B**

**Documents that May Provide Support to a Claim of Residence in Texas for the 12 Consecutive Months Immediately Preceding the Census Date of the Term in which the Person Enrolls**

1. Utility bills for the 12 consecutive months preceding the census date;
2. A Texas high school transcript for full senior year immediately preceding the census date;
3. A transcript from a Texas institution showing presence in the state for the 12 consecutive months preceding the census date;
4. A Texas driver's license or Texas ID card that has not expired and, if it reflects an origination date, shows an origination date at least 12 months prior to the census date;
5. Cancelled checks that reflect a Texas residence for the 12 consecutive months preceding the census date;
6. A current credit report that documents the length and place of residence of the person or the dependent's parent to be in Texas and the length of residence to be at least 12 consecutive months preceding the census date.
7. Texas voter registration card that was issued at least 12 months prior to the census date.
8. Pay stubs for the 12 consecutive months immediately preceding the census date, reflecting significant gainful employment in Texas;
9. Bank statements reflecting a Texas address for the 12 consecutive months immediately preceding the census date;
10. Written statements from the office of one or more social service agencies, attesting to the provision of services for at least the 12 consecutive months immediately preceding the census date.
11. Lease or rental of residential real property in the name of the person or the dependent's parent for the 12 consecutive months immediately preceding the census date.

**Part C**  
**Other Documents that May be Used to Lend Support To or Clarify  
an Individual's Claim of Domicile or Residence,, as Appropriate, in Texas**

Among other documents that may be used to lend support to or clarify an individual's claim of having established and maintained domicile or residence, as appropriate, in Texas are the following:

1. Tax return of the student or parent(s).
2. Visa, passport or other pertinent immigration documents.
3. Leave and Earnings Statements (LES).
4. Documents or statements to clarify answers to Core Residency Questions.
5. A Texas high school transcript to verify thirty-six months' presence in the state and graduation from a Texas high school.
6. State or local licenses to conduct a business or practice a profession in this state.