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## **DETERMINATION OF RESIDENCE FOR TUITION PURPOSES**

Residence for tuition purposes is determined by state law for state-supported universities/colleges, and as such is subject to change by the Texas Legislature. Additional information may be obtained from the Office of Undergraduate Admissions (UADM). The following is a brief explanation of residence requirements under present law:

### **I. STUDENTS CLAIMED BY PARENT OR GUARDIAN FOR FEDERAL INCOME TAX**

An individual (minor 18 years of age or older) who is claimed as a dependent for federal income tax purposes by a parent or court appointed legal guardian the year of enrollment and the tax year prior to enrollment will have residency based on the residence of the parent or legal guardian and is considered dependent. Residency is based on the following circumstances:

- (a) The residence of the parent who has established a domicile in Texas 12 months ago
- (b) The residence of the parent with whom the dependent has resided 12 months prior to enrollment
- (c) The residence of the parent who is eligible to claim the dependent for federal income tax purposes both at the time of enrollment and for the tax year preceding enrollment (the parent or legal guardian must provide at least one half of the dependent's support) Documentation required: Federal Income tax 12 months preceding the census date.

### **II. STUDENTS NOT CLAIMED BY PARENTS OR GUARDIAN ON FEDERAL INCOME TAX (BASED ON SELF)**

A student who is **not** claimed by a parent or a guardian as a dependent for federal income tax purposes during the tax year including the enrollment period and the previous tax year will have residency based upon himself/herself and is considered independent. Independent individuals 18 years of age or over who move into the state and **who are gainfully employed within the state for a period of 12 months prior to enrolling in an institution of higher education** are entitled to classification as resident. An individual who is self-employed or employed as a homemaker within the home may be considered gainfully employed for tuition purposes. Contact UADM for more information regarding self-employment and homemaker status. **Student employment, such as work-study, the receipt of stipends, fellowships or research or teaching assistanceships do not qualify as a basis for establishing a domicile.**

If a student was gainfully employed **prior** to enrolling in an institution of higher education, a letter of employment is generally sufficient, but additional documentation may be requested.

- 1.) Letter from employer (letterhead) stating beginning, current, or ending dates that encompass at least 12 months.

### **III. A STUDENT ENROLLED IN AN INSTITUTION BEFORE BEING GAINFULLY EMPLOYED IN THE STATE**

If 12 months residence can be shown not to have been for the purpose of establishing residence in the state but to have been for some other purpose (i.e. educational), the individuals are **not** entitled to be classified as residents. Students **enrolling in an institution of higher education prior to having resided in the state for 12 months immediately preceding time of enrollment** shall be classified as non-residents for tuition purposes and must submit **ONE** of the following documents for establishment of **domicile (Section III, A)** for the 12 months prior to the census date of the term in which the person enrolls and must be accompanied by at least **ONE** type of document listed under **Section III, B** for **RECLASSIFICATION:**

**A. Documentation to support domicile (maintained for the 12 months prior to the census date of the term in which the person enrolls and ONE type of document listed in Part B, which can support the establishment of a domicile and demonstrate the maintenance of a residence in Texas for 12 months.**

1. Letter of Employment (letterhead) stating beginning and ending dates that encompass at least 12 months prior to census date.
2. Title to real property in Texas maintained 12 months prior to the census date
3. Marriage Certificate with documentation to support that spouse is a domiciliary of Texas.
4. Ownership of business in Texas with documents that evidence the organization or the business as a partnership or corporation and reflect the ownership interest of the person or dependent's parent.
5. State or local licenses to conduct a business or practice a profession in this state.
6. Letter of residence classification from a prior Texas state funded institution for transfer students who have been continually enrolled (not out for as much as a Fall/Spring combination).

**B. Documents that may be used to demonstrate Maintenance of a Residence for 12 months (These documents do not show establishment of a domicile. They only support a person's claim to have resided in the state for at least 12 months.**

**Activities in Part A and B of Section III must be submitted to establish domicile.**

1. A Texas high school transcript for full senior year preceding the census date;
2. A transcript from a Texas institution showing presence in the state for the 12 months preceding the census date;
3. A Texas driver's license or Texas ID card with an expiration date of not more than four years;
4. Cancelled checks that reflect a Texas residence for the 12 months preceding the census date;
5. A current credit report that documents the length and place of residence of the person or the dependent's parent;
6. Texas voter registration card that has not expired;
7. Pay stubs for the 12 months preceding the census date;
8. Bank statements reflecting a Texas address for the 12 months preceding the census date;
9. Ownership of real property with copies of utility bills for the 12 months preceding the census date;
10. Registration or verification from licensor, showing Texas address for licensee;
11. Written statements from the office of one or more social service agencies, attesting to the provision of services for at least the 12 months preceding the census date.
12. Lease or rental of real property, other than campus housing, in the name of the person or the dependent's parent for the 12 months preceding the census date.
13. Utility bills for the 12 months preceding the census date.

#### **IV. NON-RESIDENT ALIENS**

An alien is considered to be a non-resident unless he/she is in the United States on an immigration visa. Students on immigration visas are classified in reference to residence status the same as United States citizens. See sections I and/or II if student currently holds immigrant visa.

#### **V. RECLASSIFICATION OF NON-RESIDENT STATUS**

A student classified as a non-resident retains that classification until he/she requests reclassification in writing and provides proof of residence to the Undergraduate Admissions Office. Proof of residence consists of items

required for Reclassification listed in Section III. Application for reclassification must be submitted prior to the official census date of the relevant term. Please contact the Office of Undergraduate Admissions to obtain an application for reclassification.