

Texas Residency Information

It's never too early for incoming non-resident UHCO students to think ahead to gaining Texas residency. Independent students who have resided and established domicile in the state of Texas for 12 consecutive months may be eligible for residency reclassification. Please remember that living on the UH campus **does not** count toward 12 months living in Texas; however, numerous additional factors are taken into consideration – including steps OPT I students can take to apply toward residency. Students wishing to be reclassified as Texas residents should visit the Office of the University Registrar in the UH Welcome Center.

UHCO students who receive an academic scholarship and a renewable tuition waiver should still consider establishing Texas residency. While excellent academic performance and maintenance of the required GPA will renew the tuition waiver, establishing residency ensures that a student's tuition rate is not solely based on his or her academic achievement.

FAQs

(Source: <http://www.uh.edu/admissions/admitted/residency-requirements/residency-faqs/>)

What are the requirements for paying in-state tuition in Texas?

Independent students who have resided and established domicile in the state of Texas for 12 consecutive months may be eligible to be considered residents of Texas for tuition purposes. Dependent students may base residency on a parent or court-appointed legal guardian. The parent or court-appointed legal guardian, however, must have resided and established domicile in Texas for 12 consecutive months. In the state of Texas, residency for tuition purposes may not be based on a spouse. When applying for a residency reclassification, please submit a completed and signed Residency Questionnaire (the link to which may be found at the end of this document) and required supporting documents as listed on the questionnaire. If you are basing residency on a parent or court-appointed legal guardian, you must submit documents pertaining to the person on whom residency is based. Failure to submit supporting documents will result in a delayed decision. Individuals who hold eligible visas may also qualify for in-state tuition. Please visit the complete residency web page (cited as the source above) for a list of visas that are eligible to domicile/be considered a Texas resident for tuition purposes.

What is Senate Bill 1528 and who qualifies for it?

Senate Bill 1528 grants residency for tuition purposes to noncitizens, nonpermanent residents and visa holders. If a student attends a Texas high school for 36 months prior to graduation or resides in Texas for 36 months prior to the receipt of a GED, the student will qualify for resident tuition. If you believe you are eligible for Senate Bill 1528, you must submit a signed and notarized affidavit and an official high school transcript/GED certificate with date and scores.

What are the steps for residency reclassification?

Please review the complete guidelines and requirements posted on the complete UH residency web page. If you feel you are entitled to receive in-state tuition you may request a residency reclassification. To be considered for Texas residency, please submit a Residency Questionnaire or Senate Bill 1528 affidavit if you meet the requirements. The Residency Questionnaire must be submitted along with proof of at least 12 months' residency in Texas. From the date the documents are received, it will take between 10-15 business days for a decision to be reached. Once a decision is reached, the student's residency will be updated in myUH, and a letter will be mailed to the student notifying him or her of the change.

Where do I send my Residency Questionnaire?

A student who is a new undergraduate or graduate professional student, or who is in the first semester of enrollment at the University of Houston, should forward his or her Questionnaire and supporting documentation to the Office of Admissions at the appropriate address on the form. Former students or those who are requesting a change that will be effective after their first semester of enrollment should forward their Questionnaires and documents to the Office of the University Registrar .

Who makes residency decisions? What do I do if I have problems?

Residency decisions are made by the university you attend. If you have questions or issues regarding your residency status, please address them to the residency determination official at your university.

I was a nonresident when I enrolled in college last Fall. Will the college automatically review my file after the 12 months are up to see if I'm now a resident?

No. If you were classified as a nonresident student, the college will continue to classify you as a nonresident until you apply in writing to have your status changed and provide the college proof that you have established a domicile in Texas (i.e., made Texas your permanent home). Application should be submitted to the college well ahead of the official census date for the term in which you wish to be classified as a Texas resident in order for the college to have sufficient time to reach their conclusions.

If I enroll in college as a full-time nonresident and am also employed, after 12 months would I be considered a Texas resident?

Possibly. Employment while enrolled in college during a 12-month period can be a basis for reclassification as a Texas resident at the end of that period if you can provide your college with other evidence that you have made efforts to make Texas your permanent home. Other evidence can include: leasing or purchasing a primary residence for a 12-month period, having banking accounts in Texas, filing a will in Texas, being registered to vote in Texas for 12 months, etc. Please note that

current rules/laws do not indicate either the number of hours you can enroll in college or the number of hours you must work. Residency is based on your meeting durational requirements, proving gainful employment and establishment of domicile.

If I receive a waiver that makes me eligible to pay resident tuition, does that mean I can apply for state financial aid?

No. Persons who receive waivers are not Texas residents, even though they can pay the resident tuition rate. Such persons are not eligible for state financial aid programs, although they may be eligible for federal or institutional financial aid. Visit with the UH Office of Scholarships and Financial Aid for details.

I'm 20, and my college has classified me as a Texas resident. My parents are moving out of state, but I'm going to remain in the state. Can I retain my residency?

Maybe. If your parents provide your college with a letter indicating they will not claim you on their income taxes for the current tax year, you could retain your Texas residency.

I've lived in Texas with my brother for the last year. My parents, who live in Ohio, gave him power of attorney over me. Is that the same as being a legal guardian? Am I a Texas resident if he's a Texas resident?

No. Guardians are appointed by the courts. In order to base your claim to residency on your brother's residency status, he would have to be your court-appointed legal guardian.

I married a Texas resident six months ago. Does marriage to a Texas resident make me a Texas resident by default?

No. Marrying a Texas resident does not make you a Texas resident. A nonresident who marries a resident of Texas must establish his or her own residency by meeting the standard requirements of an independent individual 18 years of age or older.

I was born in Texas, but I am moving to California to work for the next 16 months. Will I still be a Texas resident when I return for school next spring?

Maybe. Generally, persons who leave the state for a period longer than 12 months are considered nonresidents. If the move, however, was related to a temporary work assignment out-of-state and you can provide a letter from your employer that the move is temporary and you are expected to return to Texas by a specific date, it is possible that you could maintain your residency.

I am currently classified as a Texas resident at my college. I will be leaving for D.C. to do a 12-month internship (Fall, Spring and Summer). Will I lose my residency?

If the internship is related to your academic curriculum and you will be returning to the college upon completing your internship, your residency is not in jeopardy.

I'm a member of the U.S. armed forces stationed in Guam. My home of record is Texas. When I come back to Texas at the end of my tour, will I be considered a Texas resident?

Generally, unless specific efforts are made by the member to change his or her home state, members of the U.S. armed forces and commissioned Public Health Service Officers retain residency in the state listed as his or her home of record at the time of entry into service. If you do not return to the state within 12 months of your separation date, however, you will have to live and work in Texas for a year to re-establish your claim to residency.

My college classified me as a Texas resident in the fall. I did not enroll for the spring and summer sessions. Will I still be a Texas resident when I go back?

Yes. If you return to the college after being out of school for 12 months or less, the college may continue to classify you as a resident upon confirmation that your state of residence has not changed.

I am not a citizen or permanent resident, and I don't have a visa. I've lived in Texas with my mom for the last 16 years, though. Am I a Texas resident?

Possibly. If, while living with your mom or a legal guardian, you attended high school in Texas for at least 3 years, graduated from that school or earned your G.E.D. in Texas and took no college classes earlier than fall 2001, you could be considered a resident. If you are willing to provide your college with an affidavit that says you will apply for permanent resident status as soon as you are able to do so, you would be a Texas resident. This would allow you to pay the resident tuition at Texas public institutions. You also may be eligible for state-funded financial aid programs if you demonstrate financial need.

I've been enrolled in a Texas public college for two semesters. I was classified as a Texas resident the whole time. My parents are moving out of state at the end of the spring semester and plan to continue claiming me on their income tax returns. When I come back in the fall, will I still be a Texas resident?

Yes and no. Once your parents move, you become a nonresident, which means you would not be eligible for state financial aid; however, as long as you remain continuously enrolled (fall/spring semesters) at that college, you continue to pay the resident rate, even though you are no longer a resident.

I'm 17, but I'm married. Am I a dependent student or an independent student? On whom do I base my claim to residency?

Minors who are married may establish their own claim to residency following the rules applicable to independent individuals 18 years of age or older.

I moved to Texas from Iowa 15 months ago. I came here to go to work but enrolled in college almost immediately. When I enrolled, the college classified me as a nonresident. I've been working full time and going to school full time for the 12 months. Can I be reclassified as a Texas resident?

Maybe. Employment while enrolled in college during a 12-month period can be a basis of reclassification as a resident at the end of that period if you can also provide the college with other evidence that convinces them that you have made Texas your permanent home.

I have been in Texas for 18 months. I have leased an apartment here, have Texas banking accounts and have a Texas driver's license. I am here as a foreign student on an F-1 Visa. Am I a Texas resident?

No, you are not eligible to be considered a Texas resident for tuition purposes. One of the fundamental requirements for establishing residency in Texas is that the student must be able to prove that Texas is his or her domicile or permanent home. At this time, the F-1 Visa is not on the list of Visa Types Permitting Establishment of Domicile. Students with F-1 Visas are considered temporary residents here for the purpose of education and are not eligible to establish domicile. However, you may be eligible to receive in-state tuition based on two very specific exceptions:

1. Senate Bill 1528 grants residency for tuition purposes to noncitizens, nonpermanent residents and Visa holders. If a student attends a Texas high school for 36 months prior to graduation or resides in Texas for 36 months prior to the receipt of a GED, the student will qualify for resident tuition. If you believe you are eligible for Senate Bill 1528, you must submit a signed and notarized affidavit and an official high school transcript/GED certificate with date and scores.
2. If your parents or court-appointed legal guardians are US citizens or permanent residents, have filed for permanent residency or hold visas eligible to domicile AND claimed you as a dependent for tax purposes for the most recently filed tax year, you are eligible to apply for Texas residency based on their status. If you are basing residency on a parent or court-appointed legal guardian, you must submit documents pertaining to the person on whom residency is based. General residency rules will apply.

If you do not qualify for either of these two specific exceptions, you will not be eligible to apply for in-state tuition for the entire time that an F-1 visa is maintained.

I'm 17. My parents are in New Mexico, and I have lived in Texas on my own since I was 15. I have an apartment, and I'm on the lease. I also have a savings account in my name and a Texas I.D. Am I a Texas resident?

Maybe. If your parents have moved out of state and you remained in Texas, you could be classified as a Texas resident if you meet the qualifications for being an abandoned child or a legally emancipated minor. Visit with UH Admissions to discuss the details of your specific situation.

I'm a civil service employee who was transferred to Texas. Is my situation similar to that of military members who are transferred to Texas? Am I a Texas resident?

No. The provisions for military members and commissioned Public Health Service Officers do not apply to civil service employees. You must meet the standard residency requirements applicable to independent individuals 18 years of age or older to qualify for Texas resident status.

If I'm a U.S. citizen or permanent U.S. resident but my parents are undocumented, would I qualify for Texas residency? All of us have lived in Texas for over a year.

If you are a dependent student (a minor, under the age of 25, unmarried), you could not establish residency as your parents are not able to establish residency. If, however, you were an independent student and had been gainfully employed in the state for at least a year, you could be classified as a resident for tuition purposes.

I'm married to an active-duty service member. His home of record is Texas. We list a Texas address as our permanent address for income tax purposes (LES), but we don't live there now; we move around as his duty station changes. When I start college in the fall at a Texas public institution, will I be a resident or nonresident?

A Texan's spouse and dependent children, unless they have established or maintained a separate residence from the military member, are also Texas residents and are eligible to pay the resident tuition rate at any public institution in Texas. Visit with the UH Office of the Registrar for more information.

For any questions pertaining to residency, please contact:

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713-743-8342 (fax)

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<http://www.uh.edu/about/offices/enrollment-services/registrar/>

UH Registration & Academic Records Residency Questionnaire:

<http://www.uh.edu/admissions/apply/admissions-forms/RQ-Official-2012-PDF>