

# RESIDENT STATUS FOR STUDENTS

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Students must accurately answer questions about their residency on the Application for Admission and provide supporting documentation as set out below, if necessary. Any violation of residency rules and regulations may result in disciplinary action.

For purposes of determining residency, South Texas College (STC) complies with all applicable state and federal regulations, as well as the Texas Higher Education Coordinating Board recommendations. The STC district includes all of Hidalgo and Starr counties. STC uses three residency classifications for students: "in-district" (students who live in Hidalgo or Starr counties), "out-of-district" (students who live in all other counties within the state of Texas), and "non-residents" (out-of-state or international students). According to STC policy, international students will always be classified as "non-residents."

It is the student's responsibility to provide a copy of one of the documents listed as 1-7 below, and any other supporting documents required. These documents will be used to establish that the student is domiciled in Texas and has maintained a residence in Texas continuously for at least 12 months prior to the census date of the semester in which the student is enrolling. These documents must be in the name of the student or dependent student's parent(s) and dated to encompass at least 12 months prior to the census date of the semester in which the student is enrolling.

## 1. Gainful Employment

- 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 (employment letter must be written in letter head paper and it must be dated) And
- b. W-2 Form.

Student employment, such as work-study, fellowship, research or teaching assistant positions do not qualify as basis for establishing domicile.

2. **Lease or Rental Agreement/Contract** of real property, other than campus housing, which encompasses at least 12 months prior to the census date. If this document is provided as the sole basis of a domicile, it must be accompanied by at least three documents that support the maintenance of this residence for at least 12 months prior to the census date, as follows:

### Supporting Documents:

- Texas high school transcript
- Texas college or university transcript
- Permanent Texas Driver License (at least one-year-old)  
Generally, the license expiration date minus the date of enrollment should not exceed three years.
- Texas Voter Registration Card
- Texas vehicle registration
- Bank statements or cancelled checks

- Utility bill (electric, telephone, water or cable for the year preceding enrollment)
- Federal income tax return for the previous year

## 3. Ownership of Residential Real Property

- Title to residential real property in Texas, tax statement and receipt (tax statement must be re-submitted annually) to verify 12 consecutive months of ownership immediately preceding the census date of the term in which the person enrolls; which must be
- a. accomplished and maintained for at least 12 months prior to the census date and
  - b. accompanied by at least one of the supporting documents listed above.

## 4. Ownership of a Business Entity

- a. Documents that evidence the organization in Texas is a partnership or corporation and reflect the ownership interest of the person or dependent's parent; and accompanied by at least one of the supporting documents listed above.

## 5. State or Local License

- a. State or local license to conduct in business or practice a profession in Texas for the 12 consecutive months immediately preceding the census date; and accompanied by at least one of the supporting documents listed above.

## 6. Health & Human Services Benefits

Written statements from the office of one or more social service agencies, attesting to the provision of services for at least 12 consecutive months immediately preceding the census date AND accompanied by at least one of the supporting documents listed above.

## 7. Assigned to Duty in Texas

Nonresident members of the U.S. Armed Forces, members of Texas units of the Army or Air National Guard, Army, Air Force, Navy, Marine Corps or Coast Guard Reserves and Commissioned Officers of the Public Health Service who are assigned to duty in Texas, and their spouses, or dependent children, shall pay resident tuition. To qualify, the person shall submit during his/her first semester of enrollment in which he/she will be using the waiver program, a statement from an appropriately authorized officer in the service, certifying that he/she will be assigned to duty in Texas on the census date of the term he/she plans to enroll and that he/she, if a member of the National Guard or Reserves, is not in Texas only to attend training with Texas units. Such persons shall pay resident tuition so long as they reside continuously in Texas or remain continuously enrolled in the same degree or certificate program. For purposes of this subsection, a person is not required to enroll in a summer semester to remain continuously enrolled.

## Dependent Student's Parent Who Has Established and Maintained Domicile in Texas

- a. Federal income tax return And
- b. Documentation from options 1 thru 6 above, to support that the parent(s) has established and maintained domicile for the 12 consecutive months preceding the census date of the term in which the person is enrolled.

## **Marriage to a Person Who Has Established and Maintained Domicile in Texas**

- a. Marriage certificate or federal income tax return And
- b. Documentation from options 1 thru 6 above, to support that the parent(s) has established and maintained domicile for the 12 consecutive months preceding the census date of the term in which the person is enrolled.

## **Aliens Eligible to Domicile or be Treated as Permanent Residents in the United States**

Texas Education Code 54.232 "A nonimmigrant alien, who is living in this country under a visa permitting permanent residence or has applied to or has a petition pending with the U.S. Immigration and Naturalization Services to attain lawful status under federal immigration law, has the same privilege of qualifying for resident status for fee purposes under this Act as a citizen of the United States..." Students should contact the Enrollment Center to determine if they have a visa that allows them to domicile.

## **Aliens Who are Residents of Texas Based on their High School Graduation or Receipt of a GED Certification**

Texas Education Code 54.053 provides:

An individual shall be classified as a Texas resident until the individual establishes a residence outside this state, if the individual resided with their parent(s), guardian or conservator while attending a public high school in Texas and:

1. graduated from a public high school or received the GED in Texas;
2. resided in Texas for at least three years as of the date the student graduated from high school or received the GED in Texas;
3. resided in Texas for 12 months prior to the census date of the semester in which the student plans to enroll;
4. provides to the institution an Affidavit, stating that the student will file an application to become a permanent resident at the earliest opportunity the student is eligible to do so.

All documentation must include the student's name and address.

## **In-District**

Persons and their dependents, who do not live in the STC district, but who own property that is subject to ad valorem taxation by the STC taxing district, are also classified as "in-district" students. Proof of ownership of such property is a current certificate of payment provided by the Tax-Assessor Collector of either Starr or Hidalgo counties, which must be submitted with the Application for Admission, re-submitted annually and retained by the College. Dependents of property owners must submit a copy of the income tax return for the previous year, naming the student as a dependent.

If there are any questions about residency classification, it is the student's obligation, prior to or at the time of enrollment, to raise the questions with the proper College official for a determination.

Students classified as "in-district" or "out-of-district" must provide proof of that classification as part of the admissions process, as explained above. If a student's residency classification changes for any reason, it is the responsibility of the student to notify the proper College official, and failure to do so constitutes a violation. Out-of-state students classified as "non-residents" have not met the state requirements for establishing residency prior to the census date of the semester in which they are enrolling.