

DETERMINATION OF RESIDENCY STATUS

1. The following persons shall be classified as Texas residents and entitled to pay resident tuition:
 - a. a person who graduated from a public or accredited private high school in this state or received the equivalent of a high school diploma in this state, and maintained a residence continuously in this state for the thirty-six months immediately preceding the date of graduation or receipt of the diploma equivalent, as applicable; and the 12 months preceding the census date of the academic semester in which the person enrolls in an institution;
 - b. a person who established a domicile in this state not less than 12 months before the census date of the academic semester in which the person enrolls in an institution; and maintained a residence continuously in the state for the 12 months immediately preceding the census date of the academic semester in which the person enrolls in an institution; and
 - c. a dependent whose parent established a domicile in this state not less than 12 months before the census date of the academic semester in which the person enrolls in an institution; and maintained a residence continuously in the state for the 12 months immediately preceding the census date of the academic semester in which the person enrolls in an institution.
2. The following non-U.S. citizens may establish a domicile in this state for the purposes of subsection (1)(b) or (c) of this section:
 - a. a Permanent Resident;
 - b. a person who is eligible for permanent resident status;
 - c. an eligible nonimmigrant that holds one of the approved types of visas. A complete list is available at www.collegeforalltexas.com (<http://www.collegeforalltexas.com>);
 - d. a person classified by the USCIS as a Refugee, Asylee, Parolee, Conditional Permanent Resident, or Temporary Resident;
 - e. a person holding Temporary Protected Status, and Spouses and Children with approved petitions under the Violence Against Women Act (VAWA), an applicant with an approved USCIS I-360, Special Agricultural Worker, and a person granted deferred action status by USCIS;
 - f. a person who has filed an application for Cancellation of Removal and Adjustment of Status under Immigration and Nationality Act 240A(b) or a Cancellation of Removal and Adjustment of Status under the Nicaraguan and Central American Relief Act (NACARA), Haitian Refugee Immigrant Fairness Act (HRIFA), or the Cuban Adjustment Act, and who has been issued a fee/filing receipt or Notice of Action by USCIS; and
 - g. a person who has filed for adjustment of status to that of a person admitted as a Permanent Resident under 8 United States Code 1255, or under the "registry" program (8 United States Code 1259), or the Special Immigrant Juvenile Program (8 USC 1101(a)(27)(J)) and has been issued a fee/filing receipt or Notice of Action by USCIS.
3. The domicile of a dependent's parent is presumed to be the domicile of the dependent unless the dependent establishes eligibility for resident tuition under subsection (1)(a) of this section.
4. A domicile in Texas is presumed if, at least 12 months prior to the census date of the semester in which he or she is to enroll, the person owns real property in Texas, owns a business in Texas, or is married to a person who has established a domicile in Texas.

Gainful employment other than work-study and other such student employment can also be a basis for establishing a domicile.

5. The temporary absence of a person or a dependent's parent from the state for the purpose of service in the U.S. Armed Forces, Public Health Service, Department of Defense, U.S. Department of State, as a result of an employment assignment, or for educational purposes, shall not affect a person's ability to continue to claim that he or she is a domiciliary of this state. The person or the dependent's parent shall provide documentation of the reason for the temporary absence.
6. The temporary presence of a person or a dependent's parent in Texas for the purpose of service in the U.S. Armed Forces, Public Health Service, Department of Defense or service with the U.S. Department of State, or as a result of any other type of employment assignment does not preclude the person or parent from establishing a domicile in Texas.

For information on Residency Requirements contact the Residency Determination Officer for Texas State University at Residency@txstate.edu.

Exceptions. A non-resident or foreign student may qualify to pay in-state tuition. Questions and documentation should be directed to Student Business Services.

1. The student or student's spouse or parent is a member of the Armed Forces or a commissioned officer of the Public Health Service and is stationed in Texas. (Military and Public Health Service personnel who maintain their official home of record as Texas or who meet the criteria for establishing a domicile in Texas are considered to be Texas residents.)
2. The student or student's spouse or parent is employed at least half-time as a teaching or research assistant in a position related to the assistant's degree program at a Texas public institution of higher education.
3. The student or student's spouse or parent is employed at least half-time on a regular monthly salaried basis as a teacher or professor at a Texas public institution of higher education.
4. The student holds an approved competitive scholarship from Texas State of at least \$1000 for the academic year or summer awarded by an official Texas State scholarship committee.
5. The student or student's spouse or parent has located in Texas as an employee of a business or organization that became established in this state as part of the state economic development and diversification program. (Refer to www.collegeforalltexas.com (<http://www.collegeforalltexas.com/index.cfm?ObjectID=6D1466D9-AEA5-DE00-C12F3F75E7367718>) for a list of qualified employers.)
6. The student is a New Mexico resident who resides in a county bordering Texas.
7. The student is a Louisiana resident who resides in a parish bordering Texas.
8. The student is a resident of Mexico who has demonstrated a financial need.