
Appendix I

Rules, Regulations, and Statutory Requirements

A. Student Conduct and Discipline

The University of Texas System and The University of Texas at Dallas have rules and regulations for the orderly and efficient conduct of their business. It is the responsibility of each student and each student organization to be knowledgeable about the rules and regulations which govern student conduct and activities. General information on student conduct and discipline is contained in the U.T. Dallas publication, A to Z Guide, which is provided to all registered students each academic year.

The University of Texas at Dallas administers student discipline within the procedures of recognized and established due process. Procedures are defined and described in the Rules and Regulations, Board of Regents, The University of Texas System, Series 50101 and in Title V, Rules on Student Services and Activities, Chapter 49 of the university's [Handbook of Operating Procedures](#). Copies of these rules and regulations are available to students in the Office of the Dean of Students where staff are available to assist students in interpreting the rules and regulations (SU 1.602, (972)883-6391).

A student at the university neither loses the rights nor escapes the responsibilities of citizenship. He or she is expected to obey federal, state, and local laws as well as the Regents' Rules, university regulations, and administrative rules. Students are subject to discipline for violating its standards of conduct whether such conduct takes place on or off campus or whether civil or criminal penalties are also imposed for such conduct.

1. Academic Dishonesty. The faculty expects from its students a high level of responsibility and academic honesty. Because the value of an academic degree depends upon the absolute integrity of the work done by the student for that degree, it is imperative that a student demonstrate a high standard of individual honor in his or her scholastic work.

Scholastic dishonesty includes, but is not limited to, statements, acts or omissions related to applications for enrollment or the award of a degree, and/or the submission as one's own work of material that is not one's own. As a general rule, scholastic dishonesty involves one of the following acts: cheating, plagiarism, collusion and/or falsifying academic records. Students suspected of academic dishonesty are subject to disciplinary proceedings.

2. Campus Solicitations. "Solicitations," as defined by the Rules and Regulations of the Board of Regents of The University of Texas System, means the sale, lease, rental of any property product, merchandise, publication, or service, whether for immediate or future delivery; an oral statement or the distribution or display of printed material, merchandise or products that is designed to encourage the purchase, use or rental of any property, product, merchandise, publication, or service; the oral or written appeal or request to join an organization other than a registered student, faculty or staff organization; the receipt of or request for any gift or contribution; and/or the request to support or oppose or to vote for or against a candidate, issue, or proposition appearing on the ballot at any election pursuant to state or federal law or local ordinances. All solicitations on the U.T. Dallas campus must conform to the Regents' Rules, copies of which are available in the offices of the President, Executive Vice President and Provost, Vice Presidents, and Deans and in numerous other administrative offices and the library.

3. Hazing. Hazing, submission to hazing, or failure to report first-hand knowledge of hazing incidents is prohibited by state law and, in addition to disciplinary actions, is punishable by fines up to \$10,000 and confinement in county jail for up to two years. Hazing is defined by state law as, ". . . any intentional, knowing, or reckless act, occurring on or off the campus of an educational institution, by one person alone or acting with others, directed against a student, that endangers the mental or physical health or safety of a student for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization whose members are or include students at an educational institution." Any person with knowledge that a specific hazing incident has occurred on or off campus must report the incident to the Dean of Students (SU 1.602) or call 972/883-6391.

4. Other Disciplinary Situations. Any student organization as a group is subject to disciplinary action or revocation of registration as a student organization for violation of a rule or regulation of The University of Texas System or The University of Texas at Dallas.

B. Grievance Procedures

The University of Texas at Dallas is committed to a policy of nondiscrimination on the basis of age, color, disability, gender, race, religion, sexual orientation, national origin, or veteran status in its provision of services, activities, and programs, and in its treatment of students. Students seeking further information about this policy or related complaint procedures for alleged discrimination or sexual harassment should contact the Dean of Students. The dean will follow the procedures for student grievances that are found in Title V, Rules on Student Services and Activities, Chapter 51, summarized below.

Sexual harassment is a form of sex discrimination. Such harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Suggestions that academic or employment reprisals or rewards will follow the refusal or granting of sexual favors, also constitute sexual harassment. The full text of the University's "Sexual Harassment Policy and Procedure" may be found in the Administrative Policies and Procedures Manual, Section D, D11-115.0.

Any student who perceives that he or she has been subject to any form of discrimination as defined above may file a written complaint with the Dean of Students using the following procedures:

1. The complaint must contain the nature of the alleged discrimination, the date on which the alleged discrimination occurred, and other appropriate information as required by the dean.
2. The dean will refer all complaints that name an employee of the university (including graduate assistants and other student employees) as the offender to the Office of Human Resources for investigation and resolution. When the nature of the complaint is discrimination on the basis of disability, the dean will refer the grievance or complaint to the ADA Coordinator who will investigate the complaint under the procedures given in the Administrative Policies and Procedures Manual, Vol. IIA, Section D, page D11-195.0, Americans With Disabilities Act Grievance Policy.
3. With the exceptions noted in subsection (2) above, the student discipline procedure outlined in Title V, Chapter 49 Student Discipline and Conduct will be utilized for complaints that name a student as an alleged offender. Such complaints will be investigated by the dean.
4. As a result of the investigation, the dean will, on the basis of the information presented, determine: a) that the charges of discrimination are without basis, b) that further investigation is required, c) that campus action shall be initiated to alleviate a discriminatory situation, or d) that a hearing will be held.

C. Academic Appeals

1. Procedures for student grievances are found in Title V, Chapter 51, Rules on Student Services and Activities, of the university's Handbook of Operating Procedures. In attempting to resolve any student grievance regarding grades, evaluations, or other fulfillments of academic responsibility, it is the obligation of the student first to make a serious effort to resolve the matter with the instructor, supervisor, administrator, or committee with whom the grievance originated (hereafter called "the respondent.") Individual faculty members retain primary responsibility for assigning grades and evaluations. If the matter cannot be resolved at that level, the grievance must be submitted in writing to the respondent with a copy to the respondent's school dean. If the matter is not resolved by the written response provided by the respondent, the student may submit a written appeal to the school dean. If the grievance is not resolved by the school dean's decision, the student may make a written appeal to the dean of graduate or undergraduate studies, who will appoint and convene an Academic Appeals Panel. The decision of the Academic Appeals Panel is final. The results of the academic appeals process will be distributed to all involved parties.

2. Copies of these rules and regulations are available to students in the Office of the Dean of Students where staff is available to assist students in interpreting the rules and regulations.

D. Privacy Act: Student Records

1. The student's university record is established and maintained to provide both the student and the university with information regarding the student's progress while enrolled at the university. Any student enrolled in the university has access to and may inspect those records relating to his or her academic progress, to the extent allowed by the Family Educational Rights and Privacy Act and the Texas Public Information Act. The record is considered to be confidential and may be released only within the limitations clearly defined by university regulations and state and federal statutes or with the student's written permission.

2. The university may release directory information which is defined as public information and includes the student's name, local and permanent address, telephone number, E-mail address, date and place of birth, major field of study, participation in officially recognized activities and sports, photographs, weight and height of members of athletic teams, dates of attendance, degrees, awards and honors received, the most recent educational agency or institution attended by the student, classification, and expected date of graduation. This information may be printed in various publications of the university such as the student directory, honors list, athletic programs, list of graduating students, or similar documents. Additionally, this information may be released upon request. A student may request that the university not release directory information by completing the appropriate forms during registration. The student must complete the forms each semester.

3. Student records which the university maintains include official university academic and personal records relating to scholastic, disciplinary and fiscal matters as well as records maintained by university agencies and agencies providing services sought voluntarily by students. Students may challenge the contents of educational records and request corrections to inaccurate or misleading information. Any request for correction or explanation of record contents should be presented in writing to the person in charge of the office where the record is maintained.

4. Detailed information pertaining to the content of and handling of student records is contained in Title V, Rules on Student Services and Activities of the university's Handbook of Operating Procedures. Students wishing more information about their rights established under the Family Educational Rights and Privacy Act should contact the Office of the Dean of Students, Student Union 1.602, (972) 883-6391.

E. The Student-Right-To-Know and Campus Security Act

In compliance with the Student-Right-to-Know and Campus Security Act, The University of Texas at Dallas collects specified information on campus crime statistics, campus security policies, and institutional completion or graduation rates. The university publishes an annual report of campus security policies and crime statistics and distributes copies during registration.

F. Use of Facilities

Pursuant to the general authority of Texas Education Code Chapter 65, and the specific authority of Texas Education Code Chapter 51, the Board of Regents of The University of Texas System, in Series 80101-80110 of the Rules and Regulations, promulgates rules relating to the use of buildings, grounds, and facilities for purposes other than programs and activities related to the role and mission of the U.T. System and the component institutions.

The property, buildings, or facilities owned or controlled by the U.T. Systems or U.T. Dallas are not open for assembly, speech, or other activities as are the public streets, sidewalks, and parks. The responsibility of the Board of Regents to operate and maintain an effective and efficient system of institutions of higher education requires that the time, place, and manner of assembly, speech, and other activities on the grounds and in the buildings and facilities of the U.T. System or U.T. Dallas be regulated.

Complete copies of the regental and institutional rules and regulations are available to students in the Office of the Dean of Students where staff members are available to assist students in interpreting the rules.

Appendix II

Transfer of Lower-Division Course Credit

The following procedures are established in the Texas Administrative Code, Title 19, Chapter 4, Subchapter B, Section 4.27 of the Texas Higher Education Coordinating Board rule pertaining to transfer of lower-division course credit. The designated official at The University of Texas at Dallas to be contacted regarding a transfer dispute for a lower-division course is the Dean of Undergraduate Studies (MP 3.206; Mail Station MP 16; (972)883-6706).

4.27. Resolution of Transfer Disputes for Lower-Division Courses.

- (a) The following procedures shall be followed by public institutions of higher education in the resolution of credit transfer disputes involving lower-division courses:
 - (1) If an institution of higher education does not accept course credit earned by a student at another institution of higher education, the receiving institution shall give written notice to the student and to the sending institution that transfer of the course credit is denied, and shall include in that notice the reasons for denying the credit.
 - (2) A student who receives notice as specified in paragraph (1) of this subsection may dispute the denial of credit by contacting a designated official at either the sending or the receiving institution.
 - (3) The two institutions and the student shall attempt to resolve the transfer of the course credit in accordance with Board rules and guidelines.
 - (4) If the transfer dispute is not resolved to the satisfaction of the student or the sending institution within 45 days after the date the student received written notice of denial, the sending institution may notify the Commissioner in writing of the request for transfer dispute resolution, and the institution that denies the course credit for transfer shall notify the Commissioner in writing of its denial and the reasons for the denial.
 - (b) The Commissioner or the Commissioner's designee shall make the final determination about a dispute concerning the transfer of course credit and give written notice of the determination to the involved student and institutions.
 - (c) Each institution of higher education shall publish in its course catalogs the procedures specified in subsections (a), (b), (d), and (e) of this section.
 - (d) The Board shall collect data on the types of transfer disputes that are reported and the disposition of each case that is considered by the commissioner or the Commissioner's designee.
 - (e) If a receiving institution has cause to believe that a course being presented by a student for transfer from another school is not of an acceptable level of quality, it should first contact the sending institution and attempt to resolve the problem. In the event that the two institutions are unable to come to a satisfactory resolution, the receiving institution may notify the Commissioner, who may investigate the course. If its quality is found to be unacceptable, the Board may discontinue funding for the course.
-

Appendix III

Rules and Regulations for Determining Residence Status

Section

- 21.727. Authority and Purpose.
- 21.728. Definitions.
- 21.729. Effective Date of Subchapter.
- 21.730. Determination of Resident Status.
- 21.731. Information Required to Establish Resident Status
- 21.732. Continuing Resident Status.
- 21.733. Reclassification Based on Additional or Changed Information.
- 21.734. Errors in Classification.
- 21.735. Waivers that Permit Nonresidents to Pay Resident Tuition.
- 21.736. Residence Determination Official.

21.727. Authority and Purpose.

Texas Education Code, Section 54.075, requires the Board to adopt rules to carry out the purposes of Texas Education Code, Subchapter B, concerning the determination of resident status for tuition purposes.

21.728. Definitions.

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise:

- (1) Census date – the date in an academic term for which an institution is required to certify a person’s enrollment in the institution for the purposes of determining formula funding for the institution.
 - (2) Coordinating Board or Board – the Texas Higher Education Coordinating Board.
 - (3) Core Residency Questions – the questions promulgated by the Board and set forth in Revised Chart II, which is incorporated into this subchapter for all purposes, to be completed by a person and used by an institution to determine if the person is a Texas resident.
 - (4) Dependent – a person who:
 - (A) is less than 18 years of age and has not been emancipated by marriage or court order; or
 - (B) is eligible to be claimed as a dependent of a parent of the person for purposes of determining the parent’s income tax liability under the Internal Revenue Code of 1986.
 - (5) Domicile – a person’s principal, permanent residence to which the person intends to return after any temporary absence.
 - (6) Eligible for Permanent Resident Status – a person who has filed an I-485 application for permanent residency and has been issued a fee/filing receipt or notice of action.
 - (7) Established a domicile in Texas – a person has established a domicile in Texas if he or she has met the conditions shown in Section 21.730 (d) of this title (relating to Determination of Resident Status).
 - (8) Eligible Nonimmigrant – a person who has been issued a type of nonimmigrant visa by the USCIS that permits the person to establish a domicile in the United States.
 - (9) Gainful employment – activities intended to provide an income to a person or allow a person to avoid the expense of paying
-

another person to perform the tasks (as in child care or the maintenance of a home). A person who is self-employed, employed as a homemaker, or who is living off his/her earnings may be considered gainfully employed for purposes of establishing residency, as may a person whose primary support is public assistance.

(10) General Academic Teaching Institution – The University of Texas at Austin; The University of Texas at El Paso; The University of Texas of the Permian Basin; The University of Texas at Dallas; The University of Texas at San Antonio; Texas A&M University, Main University; The University of Texas at Arlington; Tarleton State University; Prairie View A&M University; Texas Maritime Academy (now Texas A&M University – Galveston); Texas Tech University; University of North Texas; Lamar University; Lamar State College — Orange; Lamar State College — Port Arthur; Texas A&M University — Kingsville; Texas A&M University — Corpus Christi; Texas Woman’s University; Texas Southern University; Midwestern State University; University of Houston; University of Texas — Pan American; The University of Texas at Brownsville; Texas A&M University — Commerce; Sam Houston State University; Texas State University — San Marcos; West Texas A&M University; Stephen F. Austin State University; Sul Ross State University; Angelo State University; and The University of Texas at Tyler, and as defined in Texas Education Code, Section 61.003(3).

(11) Institution or institution of higher education – any public technical institute, public junior college, public senior college or university, medical or dental unit, or other agency of higher education as defined in Texas Education Code, Section 61.003(8).

(12) Legal guardian – a person who is appointed guardian under the Texas Probate Code, Chapter 693, or a temporary or successor guardian.

(13) Maintain a residence – to physically reside in a location. The maintenance of a residence is not interrupted by a temporary absence from the state, as provided in Section 21.730 (e) of this title (relating to Determination of Resident Status).

(14) Managing conservator – a parent, a competent adult, an authorized agency, or a licensed child-placing agency appointed by court order issued under the Texas Family Code, Title 5.

(15) Nonresident tuition – the amount of tuition paid by a person who does not qualify as a Texas resident under this subchapter unless such person qualifies for a waiver program under Section 21.735 of this title (relating to Waivers that Permit Nonresidents to Pay Resident Tuition).

(16) Parent – a natural or adoptive parent, managing or possessory conservator, or legal guardian of a person. The term does not include a step-parent.

(17) Possessory conservator – a natural or adoptive parent appointed by court order issued under the Texas Family Code, Title 5.

(18) Private high school – a private or parochial school accredited by an accrediting agency that is recognized and accepted by the Texas Private School Accreditation Commission. The term does not include a home school.

(19) Public technical institute or college – the Lamar Institute of Technology or any campus of the Texas State Technical College System.

(20) Regular semester – a fall or spring semester, typically consisting of 16 weeks.

(21) Residence – a person’s home or other dwelling place.

(22) Residence Determination Official – the primary individual at each institution who is responsible for the accurate application of state statutes and rules to individual student cases.

(23) Resident tuition – the amount of tuition paid by a person who qualifies as a Texas resident under this subchapter.

(24) Temporary absence – absence from the State of Texas with the intention to return, generally for a period of less than five years.

(25) United States Citizenship and Immigration Services (USCIS) – the bureau of the U.S. Department of Homeland Security

that is responsible for the administration of immigration and naturalization adjudication functions and establishing immigration services policies and priorities.

21.729. Effective Date of this Subchapter.

Each institution shall apply these rules beginning with enrollments for the Fall Semester, 2006.

21.730. Determination of Resident Status.

(a) The following persons shall be classified as Texas residents and entitled to pay resident tuition at all institutions of higher education:

(1) a person who:

(A) graduated from a public or accredited private high school in this state or, as an alternative to high school graduation, received the equivalent of a high school diploma in this state, and

(B) maintained a residence continuously in this state for:

(i) the thirty-six months immediately preceding the date of graduation or receipt of the diploma equivalent, as applicable; and

(ii) the 12 months preceding the census date of the academic semester in which the person enrolls in an institution.

(2) a person who:

(A) 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

(B) 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.

(3) a dependent whose parent:

(A) 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

(B) 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.

(b) The following non-U. S. citizens may establish a domicile in this state for the purposes of subsection (a)(2) or (3) of this section:

(1) a Permanent Resident;

(2) a person who is eligible for permanent resident status, as defined in Section 21.728(6) of this title (relating to Definitions);

(3) an eligible nonimmigrant that holds one of the types of visas listed in Chart I and incorporated into this subchapter for all purposes;

(4) a person classified by the USCIS as a Refugee, Asylee, Parolee, Conditional Permanent Resident, or Temporary Resident;

(5) 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;

(6) a person who has filed an application for Cancellation of Removal and Adjustment of Status under the Immigration 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

(7) 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.

(c) 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 (a)(1) of this section.

(d) 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.

(e) 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.

(f) 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.

21.731. Information Required to Initially Establish Resident Status.

(a) To initially establish resident status under Section 21.730 of this title, (relating to Determination of Resident Status), a person shall provide the institution with a completed set of Core Residency Questions as set forth in Revised Chart II, which is incorporated into this subchapter for all purposes.

(b) An institution may request that a person provide documentation to support the answers to the Core Residency Questions. A list of appropriate documents is included in Revised Chart IV, which is incorporated into this subchapter for all purposes. In addition, the institution may request documents that support the information the student may provide in Revised Chart II, Section H.

(c) If a person who establishes resident status under Section 21.730(a)(1) of this title is not a Citizen of the United States or a Permanent Resident, the person shall, in addition to the other requirements of this section, provide the institution with a signed affidavit, stating that the person will apply to become a Permanent Resident as soon as the person becomes eligible to apply. The affidavit shall be required only when the person applies for resident status and shall be in the form provided in Chart III and incorporated into this subchapter for all purposes.

(d) An institution shall not impose any requirements in addition to the requirements established in this section for a person to establish resident status.

21.732. Continuing Resident Status.

(a) Except as provided under subsection (c) of this section, a person who was enrolled in an institution for any part of the 2006 state fiscal year and who was classified as a resident of this state under Subchapter B, Chapter 54, Texas Education Code, in the last academic period of that year for which the person was enrolled is considered to be a resident of this state for purposes of this subchapter, as of the beginning of the fall semester, 2006.

(b) Except as provided by subsection (c) of this section, a person who has established resident status under this subchapter is entitled to pay resident tuition in each subsequent academic semester in which the person enrolls at any institution.

(c) A person who enrolls in an institution after two or more consecutive regular semesters during which the person is not enrolled in a public institution shall submit the information required in Section 21.731 of this title, (relating to Information Required to Establish Resident Status), and satisfy all the applicable requirements to establish resident.

21.733. Reclassification Based on Additional or Changed Information.

- (a) If a person is initially classified as a nonresident based on information provided through the set of Core Residency Questions, the person may request reclassification by providing the institution with supporting documentation as described in Revised Chart IV, which is incorporated into Section 21.731(b) of this title (relating to Information Required to Initially Establish Resident Status).
- (b) A person shall provide the institution with any additional or changed information which may affect his or her resident or nonresident tuition classification under this subchapter.
- (c) An institution may reclassify a person who had previously been classified as a resident or nonresident under this subchapter based on additional or changed information provided by the person.
- (d) Any change made under this section shall apply to the first succeeding semester in which the person is enrolled, if the change is made on or after the census date of that semester. If the change is made prior to the census date, it will apply to the current semester.

21.734. Errors in Classification.

- (a) If an institution erroneously permits a person to pay resident tuition and the person is not entitled or permitted to pay resident tuition under this subchapter, the institution shall charge nonresident tuition to the person beginning with the semester following the date that the institution discovers the error.
- (b) Not later than the first day of the following semester, the institution may notify the person that he or she must pay the difference between resident and nonresident tuition for each previous semester in which the student should not have paid resident tuition, if:
- (1) the person failed to provide to the institution, in a timely manner after the information becomes available or on request by the institution, any information that the person reasonably should know would be relevant to an accurate classification by the institution under this subchapter information; or
 - (2) the person provided false information to the institution that the person reasonably should know could lead to an erroneous classification by the institution under this subchapter.
- (c) If the institution provides notice under subsection (b) of this section, the person shall pay the applicable amount to the institution not later than the 30th day after the date the person is notified of the person's liability for the amount owed. After receiving the notice and until the amount is paid in full, the person is not entitled to receive from the institution a certificate or diploma, if not yet awarded on the date of the notice, or official transcript that is based at least partially on or includes credit for courses taken while the person was erroneously classified as a resident of this state.
- (d) If an institution erroneously classified a person as a resident of this state under this subchapter and the person is entitled or permitted to pay resident tuition under this subchapter, that person is not liable for the difference between resident and nonresident tuition under this section.
- (e) If an institution erroneously classifies a person as a nonresident and the person is a resident under this subchapter, the institution shall refund the difference in resident and nonresident tuition for each semester in which the student was erroneously classified and paid the nonresident tuition rate.

21.735. Waiver Programs for Certain Nonresident Persons.

A person who is classified as a nonresident under the provisions of this section shall be permitted to pay resident tuition, if the person qualifies for one of the following waiver programs:

(1) Economic Development and Diversification Program.

(A) A nonresident person, (including a Citizen, a Permanent Resident of the U.S., a person who is eligible to be a Permanent Resident of the U.S., and an eligible nonimmigrant) whose family has been transferred to Texas by a company under the state's Economic Development and Diversification Program, and a person's spouse and children shall pay resident tuition as soon as they move to Texas, if the person provides the institution with a letter of intent to establish Texas as his/her home. A person who moves to Texas to attend an institution before his/her family is transferred is permitted to pay the resident tuition beginning with the first semester or term after the family moves to the state.

(B) After the family has maintained a residence in Texas for 12 months, the person may request a change in classification in order to pay resident tuition.

(C) A current list of eligible companies is maintained on the Coordinating Board web site at <http://www.collegefortexans.com/>

(2) Program for Teachers, Professors, their Spouses and Dependents.

(A) A nonresident person (including a Citizen, Permanent Resident of the U.S., a person who is eligible to be a Permanent Resident of the U.S., and an eligible nonimmigrant) employed as a teacher or professor at least half time on a regular monthly salary basis (not as hourly employee) by an institution shall pay resident tuition at any institution in the state and the spouse and dependent children of the nonresident person shall also pay resident tuition.

(B) This waiver program is applicable only during the person's periods of employment.

(C) If a spouse or dependent child of the teacher or professor attends an institution other than the employing institution, the employing institution shall provide a letter to the spouse or child's institution verifying the employment of the teacher or professor.

(3) Program for Teaching Assistants and Research Assistants, their Spouses and Dependents.

(A) A nonresident person (including a Citizen, Permanent Resident of the U.S., a person who is eligible to be a Permanent Resident of the U.S., and an eligible nonimmigrant) employed by an institution as a teaching or research assistant on at least a half-time basis in a position related to his/her degree program shall pay resident tuition at any institution in this state and the spouse and dependent children of the nonresident person shall also pay resident tuition.

(B) The employing institution shall determine whether or not the person's employment relates to the degree program.

(C) If a spouse or dependent child of the teaching or research assistant attends an institution other than the employing institution, the employing institution shall provide a letter to the spouse or child's institution verifying the employment of the teaching or research assistant.

(D) This waiver program is applicable only during the person's periods of employment.

(4) Program for Competitive Scholarship Recipients.

(A) A nonresident person (including a Citizen, Permanent Resident of the U.S., a person who is eligible to be a Permanent Resident of the U.S., and an eligible nonimmigrant) who receives a competitive scholarship from the institution is entitled to pay resident tuition.

(B) In order for the person to be eligible for this waiver program, the competitive scholarship must:

(i) total at least \$1,000 for the period of time covered by the scholarship, not to exceed 12 months; and

(ii) be awarded by a scholarship committee authorized in writing by the institution's administration to grant scholarships that permit this waiver of nonresident tuition; and

(iii) be awarded according to criteria published in the institution's paper or electronic catalog, available to the public in

advance of any application deadline; and

(iv) be awarded under circumstances that cause both the funds and the selection process to be under the control of the institution; and

(v) permit awards to both resident and nonresident persons.

(C) The scholarship award shall specify the semester or semesters for which the scholarship is awarded and a waiver of nonresident tuition under this provision shall not exceed the semester or semesters for which the scholarship is awarded.

(D) If the scholarship is terminated for any reason prior to the end of the semester or semesters for which the scholarship was initially awarded, the person shall pay nonresident tuition for any semester following the termination of the scholarship.

(E) The total number of persons receiving a waiver of nonresident tuition in any given semester under this provision shall not exceed 5 percent of the students enrolled in the same semester in the prior year in that institution.

(F) If the scholarship recipient is concurrently enrolled at more than one institution, the waiver of nonresident tuition is only effective at the institution awarding the scholarship. An exception for this rule exists for a nonresident person who is simultaneously enrolled in two or more institutions of higher education under a program offered jointly by the institutions under a partnership agreement. If one of the partnership institutions awards a competitive scholarship to a person, the person is entitled to a waiver of nonresident tuition at the second institution.

(G) If a nonresident person is awarded a competitive academic scholarship or stipend under this provision and the person is accepted in a clinical biomedical research training program designed to lead to both a doctor of medicine and doctor of philosophy degree, he or she is eligible to pay the resident tuition rate.

(5) Programs for Lowered Tuition for Individuals from Bordering States or Mexico.

(A) Programs that Require Reciprocity. Waivers of nonresident tuition made through each of the following three programs for persons from states neighboring Texas must be based on reciprocity and the institution shall not grant these waivers unless the institution has been provided with a current written agreement with a similar institution in the other state, agreeing to lower tuition for Texas students attending that institution. A participating Texas institution shall file a copy of such agreements with the Board and the agreements shall not be more than 2 years old. The amount of tuition charged shall not be less than the Texas resident tuition rate.

(i) Persons residing in New Mexico, Oklahoma, Arkansas or Louisiana may pay a lowered nonresident tuition when they attend Texas A&M-TEXARKANA, Lamar State College-Port Arthur, Lamar State College-Orange or any public community or technical college located in a county adjacent to their home state.

(ii) Persons residing in New Mexico and Oklahoma may pay a lowered nonresident tuition when they attend a public technical college located within 100 miles of the border of their home state.

(iii) Persons residing in counties or parishes of New Mexico, Oklahoma, Arkansas or Louisiana adjacent to Texas may pay a lowered nonresident tuition at any institution.

(iv) If a person or a dependent child's family moves to Texas from a bordering state after the person or dependent child has received a waiver of nonresident tuition based on reciprocity as described in this section, the person is eligible for a continued waiver of nonresident tuition for the 12-month period after the relocation to Texas.

(B) Programs That Do Not Require Reciprocity. Persons who reside in another state may pay a lowered nonresident tuition not less than \$30 per semester credit hour above the current resident tuition rate when they attend a general academic teaching institution located within 100 miles of the Texas border if:

(i) the governing board of the institution approves the tuition rate as in the best interest of the institution and finds that such a rate will not cause unreasonable harm to any other institution; and

(ii) the Commissioner approves the tuition rate by finding that the institution has a surplus of total educational and general space as calculated by the Board's most current space projection model. This obligation to obtain the approval of the Commissioner is continuing and approval to participate in this waiver program must be obtained at least every two years.

(C) Programs for Residents of Mexico. Subject to the following provisions, persons who are currently residents of Mexico and those persons who are temporarily residing outside of Mexico but with definite plans to return to Mexico shall pay resident tuition.

(i) An unlimited number of residents of Mexico who have demonstrated financial need and attend a general academic teaching institution or a component of the Texas State Technical College System, if the institution or component is located in a county adjacent to Mexico, Texas A&M University—Corpus Christi, Texas A&M University—Kingsville, the University of Texas at San Antonio, or Texas Southmost College shall pay resident tuition.

(ii) A limited number of residents of Mexico who have financial need may attend a general academic teaching institution or campus of the Texas State Technical College System located in counties not adjacent to Mexico and pay resident tuition. This waiver program is limited to the greater of two students per 1000 enrollment, or 10 students per institution.

(iii) An unlimited number of residents of Mexico who have demonstrated financial need and register in courses that are part of a graduate degree program in public health conducted by an institution in a county immediately adjacent to Mexico shall pay resident tuition.

(6) Program for the beneficiaries of the Texas Tomorrow Fund. A person who is a beneficiary of the Texas Tomorrow Fund shall pay resident tuition and required fees for semester hours paid under the prepaid tuition contract. If the person is not a Texas resident, all tuition and fees not paid under the contract shall be paid at the nonresident rate.

(7) Program for Inmates of the Texas Department of Criminal Justice. All inmates of the Texas Department of Criminal Justice shall pay resident tuition.

(8) Program for Foreign Service Officers. A Foreign Service officer employed by the U.S. Department of State and enrolled in an institution shall pay resident tuition if the person is assigned to an office of the U.S. Department of State that is located in Mexico.

(9) Program for Registered Nurses in Postgraduate Nursing Degree Programs. An institution may permit a registered nurse authorized to practice professional nursing in Texas to pay resident tuition and fees without regard to the length of time that the registered nurse has resided in Texas, if the nurse:

(A) is enrolled in a program designed to lead to a master's degree or other higher degree in nursing; and

(B) intends to teach in a program in Texas designed to prepare students for licensure as registered nurses.

(10) Programs for Military and Their Families. Members of the U.S. Armed Forces, Army National Guard, Air National Guard, Army, Air Force, Navy, Marine Corps or Coast Guard Reserves and Commissioned Officers of the Public Health Service, and their Spouses or Dependent Children.

(A) 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 or her first semester of enrollment in which he or she will be using the waiver program, a statement from an appropriately authorized officer in the service, certifying that he or she (or a parent) will be assigned to duty in Texas on the census date of the term he or she plans to enroll and that he or 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.

(B) After Assignment to Duty in Texas. A spouse and/or dependent child of a nonresident member of the U.S. Armed Forces, or of a Commissioned Officer of the Public Health Service who has been reassigned elsewhere after having been assigned to duty in Texas shall pay resident tuition so long as the spouse or child resides continuously in Texas. For purposes of this subsection, a person is not required to enroll in a summer semester to remain continuously enrolled.

(C) Out-of-State Military. A spouse and/or dependent child of a member of the U.S. Armed Forces, or of a Commissioned Officer of the Public Health Service who is stationed outside of Texas shall pay resident tuition if the spouse and/or child moves to this state and files a statement of intent to establish residence in Texas with the institution that he or she attends.

(D) Survivors. A spouse and/or dependent child of a member of the U.S. Armed Forces, or of a Commissioned Officer of the Public Health Service who died while in service, shall pay resident tuition if the spouse and/or child moves to Texas within 60 days of the date of death. To qualify, a person shall submit satisfactory evidence to the institution that establishes the date of death of the member and that the spouse and/or dependent child has established a domicile in Texas.

(E) Spouse and Dependents who Previously Lived in Texas. A spouse and/or dependent child of a member of the U.S. Armed Forces, or of a Commissioned Officer of the Public Health Service who previously resided in Texas for at least six months shall pay resident tuition, if the member or commissioned officer, at least 12 months prior to the census date of the spouse's or dependent child's enrollment in an institution:

(i) filed proper documentation with the military or Public Health Service to change his/her permanent residence to Texas and designated Texas as his/her place of legal residence for income tax purposes; and

(ii) registered to vote in Texas, and

(iii) has satisfied a least one of the following requirements for the 12 months prior to the first day of the relevant semester:

(I) ownership of real estate in Texas with no delinquent property taxes;

(II) registration of an automobile in Texas, or

(III) execution of a currently-valid will deposited with a county clerk in Texas that indicates he/she is a resident of Texas.

(F) Honorably Discharged Veterans. A former member of the U.S. Armed Forces or Commissioned Officer of the Public Health Service and his/her spouse and/or dependent child shall pay resident tuition for any semester beginning prior to the first anniversary of separation from the military or health service, if the former member:

(i) had, at least one year preceding the census date of the term or semester, executed a document with U.S. Armed Forces or Public Health Service that is in effect on the census date of the term or semester and that changed his/her permanent residence to Texas and designated Texas as his/her place of legal residence for income tax purposes; and

(ii) had registered to vote in Texas for at least 12 months prior to the census date of the term or semester, and

(iii) provides documentation that the member has, not less than 12 months prior to the census date of the term in which he or she plans to enroll, taken 1 of the 3 following actions:

(I) purchased real estate in Texas with no delinquent property taxes;

(II) registered an automobile in Texas, or

(III) executed a currently-valid will that has been deposited with a county clerk in Texas that indicates he/she is a resident of Texas.

(G) NATO Forces. Non-immigrant aliens stationed in Texas under the agreement between the parties to the North Atlantic Treaty regarding status of forces, their spouses and dependent children, shall pay resident tuition.

(H) Radiological Science Students at Midwestern State University. Members of the U.S. Armed Forces stationed outside the State of Texas who are enrolled in a bachelor of science or master of science degree program in radiological sciences at Midwestern State University by instructional telecommunication shall pay resident tuition and other fees or charges provided for Texas residents, if they began the program of study while stationed at a military base in Texas.

(11) Program for the Center for Technology Development and Transfer. Under agreements authorized by Texas Education Code, Section 65.45, a person employed by the entity with whom the University of Texas System enters into such an agreement, or the person's spouse or child, may pay resident tuition when enrolled in a University of Texas System institution.

21.736. Residence Determination Official.

(a) Each institution shall designate an individual that is employed by the institution as a Residence Determination Official.

(b) The Residence Determination Official shall:

(1) be knowledgeable of the requirements set out in these rules and the applicable statutes; and

(2) attend at least one training or workshop provided by the Coordinating Board regarding these rules and the applicable statutes in each state fiscal year.

Chart I. Eligible Nonimmigrants – Persons with Visas that Allow them to Domicile in the United States

Visa Type	Nonimmigrant (Temporary) Visa Categories	Eligible to Domicile in the United States?
A-1	Ambassadors, public ministers or career diplomats and their immediate family members	Yes
A-2	Other accredited officials or employees of foreign governments and their immediate family members	Yes
A-3	Personal attendants, servants or employees and their immediate family members of A-1 and A-2 visa holders	Yes
B-1	Temporary visitor for business	No
B-2	Temporary visitor for pleasure	No
C-1	Foreign travelers in transit through the United States	No
C-1D	Combined transit and crewmen visa	No
C-2	Person in transit to UN Headquarters under §11 (3), (4), or (5) of the Headquarter Agreement.	No
C-3	Foreign government official, members of immediate family, attendant or personal employee in transit	No
C-4	Transit without Visa. See TWOV	No
D-1	Crewmember departing on same vessel of arrival	No
D-2	Crewmember departing by means other than vessel of arrival	No
E-1	Treaty traders, spouse and children	Yes
E-2	Treaty investors, spouse and children	Yes
F-1	Academic student	No
F-2	Spouse or child of F-1	No
F-3	Academic students who are Canadian or Mexican citizens, who commute across the border to study full-time or part-time in the United States.	No**
G-1	Principal resident representative of recognized foreign member government to international organization, and members of immediate family.	Yes
G-2	Other accredited representatives of recognized foreign member governments to international organization and their immediate family members	Yes
G-3	Representatives of non-recognized or nonmember government to international organization, and members of immediate family	Yes
G-4	International organization officer or employee, and their immediate family members	Yes
G-5	Attendants, servants and personal employees of G-1, G-2, G-3 or G-4 visa holders and their immediate family members	Yes
H-1B	Specialty Occupations, DOD workers, fashion models	Yes
H-1C	Nurses going to work for up to three years in health professional shortage areas	No
H-2A	Temporary agricultural workers	No
H-2B	Temporary workers, skilled and unskilled	No
H-3	Trainee	No
H-4	Spouse or child of H-1, H-2 or H-3 visa holders	H-4 dependents of H-1B Yes; all other H-4 dependents, no
I	Visas for foreign media representatives	Yes
J-1	Visas for exchange visitors	No
J-2	Spouse or child of J-1 visa holders	No

K-1	Fiancé(e)	Yes
K-2	Minor child of K-1	Yes
K-3	Spouse of a U.S. citizen (LIFE Act)	Yes
K-4	Child of a K-3 (LIFE Act)	Yes
L1-A	Executive, managerial	Yes
L1-B	Specialized knowledge	Yes
L-2	Spouse or child of L-1	Yes
M-1	Vocational or other nonacademic students, other than language students	No
M-2	Immediate families of M-1 visa holders	No
M-3	Vocational students who are Canadian or Mexican citizens, who commute across the border to study full-time or part-time in the U.S.	No**
N-8	Parent of alien classified as SK-3 "Special Immigrant"	Yes
N-9	Child of N-8, SK-1, SK-2, or SK-4 "Special Immigrant"	Yes
NATO 1	Principal Permanent Representative of Member State to NATO and resident members of official staff or immediate family	Yes
NATO 2	Other representatives of Member State; Dependents of Member of a Force entering in accordance with the provisions of NATO Status-of-Forces agreement; Members of such a Force if issued visas	Yes
NATO 3	Official clerical staff accompanying Representative of Member State to NATO or immediate member	Yes
NATO 4	Official of NATO other than those qualified as NATO-1 and immediate family	Yes
NATO 5	Expert other than NATO officials qualified under NATO-4, employed on behalf of NATO and immediate family	Yes
NATO 6	Members of civilian component who is either accompanying a Force entering in accordance with the provisions of the NATO Status-of-Forces agreement; attached to an Allied headquarters under the protocol on the Status of International Military headquarters set up pursuant to the North Atlantic Treaty; and their dependents	Yes
NATO 7	Attendants, servants or personal employees of NATO-1, NATO-2, NATO-3, NATO-4, NATO-5 or NATO-6, or immediate	Yes
O-1	Extraordinary ability in the sciences, arts, education, business, athletics	Yes
O-2	Essential support staff of O-1 visa holders	No
O-3	Immediate family members of O-1 and O-2 visa holders	O-3 dependents of O-1 holders Yes; O-3 dependents of O-2 holders, No
P-1	Individual or team athletes	No
P-2	Artists and entertainers in reciprocal exchange programs	No
P-3	Artists and entertainers in culturally unique programs	No
P-4	Spouse or child of P-1, P-2 and P-3.	No
Q-1	International cultural-exchange visitors	No
Q-2	Irish Peace Process Cultural and Training Program (Walsh Visas)	No
Q-3	Spouse or child of Q-2	No
R-1	Religious workers	Yes
R-2	Spouse or child of R-1	Yes
S-5	Informant of criminal organization information	No
S-6	Informant of terrorism information	No
T-1	Victim of a severe form of trafficking in persons	Yes
T-2	Spouse of a T-1	Yes
T-3	Child of a T-1	Yes
T-4	Parent of a T-1 visa holder (if the child is under 21 years of age)	Yes
TC	No longer issued. TN issued in its place.	No
TD	Spouse or child accompanying TN	
TN	Trade visas for Canadians and Mexicans in NAFTA	No

TPS	Temporary Protected Status	Yes
TWOV	Passenger or Crew	No
U-1	Victim of certain criminal activity	Yes
U-2	Spouse of a U-1	Yes
U-3	Child of a U-1	Yes
U-4	Parent of a U-1 visa holder (if the child is under 21 years of age).	Yes
V-1	Spouse of Legal Permanent Resident (LPR) who is the principal beneficiary of a family-based petition (I-130) which was filed prior to December 21, 2000, and has been pending for at least three years	Yes
V-2	Child of Legal Permanent Resident (LPR) who is the principal beneficiary of a family-based petition (I-130) which was filed prior to December 21, 2000, and has been pending for at least three years	Yes
V-3	Derivative child of a V-1 or V-2 visa holder	Yes

** Please note: these international, commuting students may be eligible for a waiver of nonresident tuition under Texas Education Code §54.060(b).

Revised Chart II

Core Residency Questions

Texas Higher Education Coordinating Board rule 21.731 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, 200__ ___ spring, 200__

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

___ 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 from high school or complete a GED in TX?		
1. b. If you graduated from high school, what was the name and city of the school?		
2. Did you live 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 III, 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 ___

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, continue to Part F.

If you answered "yes" to question 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 other temporary purpose, please explain in Part H.	Yes	No			
6. a. If you currently live in Texas, how long have you been living here?			Months	Years	
b. What is your main purpose for being in the state? If for reasons other than those listed, give an explanation in Section H.	Go to College []		Establish/maintain a home []		Work Assignment []
7. If you are a member of the U.S. military, is Texas your Home of Record?	Yes	No			
What state is listed as your military legal residence for tax purposes on your Leave and Earnings Statement?	State				
	Yes	No			
8. Do any of the following apply to you? (Check all that apply)					
a. Hold the title to real property (home, land) in Texas? If yes, date acquired: _____					
b. Own a business in Texas? If yes, date acquired: _____					
c. Hold a state or local license to conduct a business or practice a profession in TX? If yes, date acquired: _____					
9. For the past 12 months, have you: (Check all that apply)					
a. been gainfully employed in TX?					
b. received services from a social service agency that provides services to homeless persons?					
10. Are you married to a person who could answer "yes" to any part of question 8 or 9?					
a.. If yes, indicate which question could be answered yes by your spouse:	Question:				
b. How long have you been married to the Texas resident?	Mo.	Yr.			

Skip Part G and Continue to Part H.

PART G. Questions for students who answered "Parent" or "Legal 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 legal guardian currently live in Texas? If he or she is out of state due to a temporary assignment by his/her employer or other temporary purpose, please explain in Part H.					
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 Section H.			Months	Years	
			Go to College []	Establish/maintain a home []	Work Assignment []
7. If he or she is a member of the U.S. military, is Texas his or her Home of Record? What state is listed as his or her military legal residence for tax purposes on his or her Leave and Earnings Statement?					
			State		
	Yes	No			
8. Do any of the following apply to your parent or guardian? (Check all that apply)					
a. Hold the title to real property (home, land) in Texas? If yes, date acquired: _____					
b. Own a business in Texas? If yes, date acquired: _____					
c. Hold a state or local license to conduct a business or practice a profession in TX? If yes, date acquired: _____					
9. For the past 12 months, has your parent or guardian: (Check all that apply)					
a. been gainfully employed in TX?					
b. received services from a social service agency that provides services to homeless persons?					
10. Is your parent or legal guardian married to a person who could answer "yes" to any part of question 8 or 9?					
a. If yes, indicate which question could be answered yes by your parent or guardian's spouse:	Question:				
b. How long has your parent or guardian been married to the Texas resident?	Months	Years			

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

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: _____

Chart III

AFFIDAVIT

STATE OF TEXAS §

§

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 IV

Documentation to Support Domicile and Residency

The following documentation may be requested by the institution in order to resolve issues raised by responses to the Core Residency Questions. The listed documents may be used to establish that the person is domiciled in Texas and has maintained a residence in Texas continuously for 12 months prior to the census date.

Part A

Documentation that can Support the Establishment of a Domicile and Demonstrate the Maintenance of a Residence in Texas for the 12 Months Prior to the Census Date of the Term in Which the Person Enrolls

1. An employer's statement of dates of employment (beginning and current or ending dates) that encompass at least 12 months. Other documents that show the person has been engaged in activities intended to provide an income to a person or allow a person to avoid the expense of paying another person to perform the tasks (as in child care or the maintenance of a home) may also be used, as well as documents that show the person is self-employed, employed as a homemaker, or is living off his/her earnings, or through public assistance. Student employment, such as work-study, the receipt of stipends, fellowships or research or teaching assistantships do not qualify as a basis for establishing a domicile.
2. For a homeless person, written statements from the office of one or more social service agencies located in Texas that attests to the provision of services to the homeless person for the 12 months prior to the census date of the term in which the person enrolls.

Part B

Documentation, which (if accomplished and maintained for the 12 months prior to the census date of the term in which the person enrolls and if accompanied by at least ONE type of document listed in Part C), can Support the Establishment of a Domicile and Demonstrate the Maintenance of a Residence in Texas for 12 Months

1. Title to real property in Texas
2. Marriage Certificate with documentation to support that spouse is a domiciliary of Texas
3. 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.
4. State or local licenses to conduct a business or practice a profession in this state.

Part C
Documents that May be Used to Demonstrate
Maintenance of a Residence for 12 Months

These documents do not show the 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 this Chart may be used to establish a domicile.

1. Utility bills for the 12 months preceding the census date;
2. A Texas high school transcript for full senior year preceding the census date;
3. A transcript from a Texas institution showing presence in the state for the 12 months preceding the census date;
4. A Texas driver's license or Texas ID card with an expiration date of not more than four years;
5. Cancelled checks that reflect a Texas residence for the 12 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.
7. Texas voter registration card that has not expired.
8. Pay stubs for the 12 months preceding the census date;
9. Bank statements reflecting a Texas address for the 12 months preceding the census date;
10. Ownership of real property with copies of utility bills for the 12 months preceding the census date.
11. Registration or verification from licensor, showing Texas address for licensee;
12. 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.
13. 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.

Appendix IV

Travel and Risk-Related Activities

Release Forms

The University's Release and Indemnification Agreement and Medical Information Release forms must be completed and signed by each student or member of the public prior to participating in University-sponsored travel or a risk-related activity (see Exhibits B4 through B4-E). There are separate forms for adults and minors and for foreign travel. In the case of a minor, the parent or guardian must sign the forms. A minor is any person who has not yet attained the age of eighteen (18). A student is any person presently enrolled in The University of Texas at Dallas.

A designated contact person in the academic or student affairs unit that is sponsoring the travel or activity must maintain the completed forms for a period of two years. When travel is involved, a Student Travel/Off-Campus Activity Checklist form (Exhibit B14-A), indicating that the required Release and Indemnification Agreements have been completed, should be attached to the unit's copy of Student/Team/Group Travel Authorization (Exhibit B14) and must be provided to the Office of Procurement Management. (NOTE: If the travel is to a foreign country, Exhibit B14 must be approved by the President.)

In those cases where participants in the travel/activity have multiple events and the persons participating do not change, each participant may complete the Medical Information and Release form once at the beginning of a semester. Participants must update information on the form, as necessary, prior to each trip/activity.

Applicability

These policies and procedures apply to all University sponsored travel and other activities associated with high risks that involve one or more students and members of the public. In general, the applicable travel/activities may be categorized as follows:

1. Activities associated with organized courses or officially recognized independent study, either for credit (e.g., field trip courses) or non-credit.
2. Activities associated with individual work or research off-campus; e.g., co-ops, internships, student teaching, and practica.
3. Extracurricular activities including, but not limited to intramural sports, intercollegiate athletics, and similar activities.

NOTE: This policy also applies to registered student organizations if the activity or event is organized and sponsored by UTD and if travel to the activity or event is funded and undertaken using a vehicle owned or leased by UTD. Registered student organizations may not require members to travel beyond 25 miles from UTD.

Activities sponsored by an academic unit are under the purview of the Office of the Executive Vice President and Provost. Questions regarding the policies, procedures, or forms should be directed to the Vice Provost at extension 2791.

Activities sponsored by Student Affairs are under the purview of the Office of the Assistant Vice President for Student Affairs and Dean of Students. Questions regarding those activities should be directed to the Office of the Assistant Vice President for Student Affairs and Dean of Students at extension 6391.

Notifications

Students should be thoroughly informed through the catalog, the class schedule, and the course syllabus about all travel and other risk-related activities required by or associated with a credit course. For non-credit courses or programs, the course or program materials should provide this information.

Students and members of the public engaged in travel or other high-risk activities associated with the University should be informed of the nature of such risks prior to participating in the activity. An attachment to the Release and Indemnification Agreement that would be referenced on the form may be appropriate for this purpose.

Prior to each travel or other risk-related activity, the administrator of the unit sponsoring the activity must provide the Police Chief with the name of the faculty or staff member in direct charge of the activity, the name of a member of the unit not participating in the activity who can be contacted if needed, and, for travel-related activity, the names of the students and members of the public who are traveling. For the risk-related activities not involving travel, the administrator must notify the Police Chief regarding the site of the activity and the approximate number of participants. The Student/Team/Group/Travel Authorization form (Exhibit B14) and the Student Travel/Off-Campus Activity Checklist (Exhibit B14-A) are used for these notifications.

Incidents of a serious nature should be reported immediately to the administrator in charge of the sponsoring unit.

Safety Issues and Modes of Travel

General

Circumstances such as terrain, road conditions, length of trip, etc., may make it prudent that students and/or members of the public go with available group transportation rather than travel by personal vehicle. In some situations, it may be that travel with the group should be required. The faculty, staff member, and/or supervisor in charge of the travel should consider this issue as he or she would any safety matter. As with all of these issues, the use of caution and common sense are an important part of this process.

In all cases where an adult participant is permitted to choose to drive/ride in private transportation, that circumstance should be described in the Mode of Transportation line on the Release and Indemnification Agreement.

For minor participants, the key issue is giving notice to parents/guardians exactly how their child is to be transported to/from the activity. The Mode of Transportation information should provide notice. It would be best to limit the transportation of minors who are not accompanied by a parent/guardian to UTD owned/leased/rented vehicles, or vehicle driven by UTD employees acting within the scope of their employment. Such a requirement should be stated on the Release and Indemnification Agreement.

All Motor Vehicle Travel

The administrator of the unit sponsoring an activity involving travel for students or members of the public must ensure that the following safety precautions are followed:

1. **Seat Belts:** Occupants of motor vehicles shall use seat belts or other approved safety restraint devices as required by law at all times when the vehicle is in operation.
2. **Weapons, alcohol, and illegal substances prohibited:** Occupants of motor vehicles shall not consume, possess, or transport any weapons, alcoholic beverages, or illegal substances at any time when the vehicle is in operation.
3. **Passenger Capacity and Hours of Driving:** The total number of passengers, including the driver, in any vehicle at any time it is in operation shall not exceed the manufacturer's recommended capacity.
 - a. The distance to the destination and/or the number of participants needing transportation should determine the type of transportation to be used. On long trips, each vehicle should have a minimum of two drivers certified by the UTD Safety Officer. Drivers should rotate periodically, and no more than 10 hours of driving should be completed during any one day. Trips requiring more than 10 hours driving to reach the destination will require overnight lodging. There should be no driving between the hours of 11:00 p.m. and 6:00 a.m. without prior approval of the appropriate administrative official. Van drivers must take a thirty-minute rest break every four hours.
 - b. For trips scheduled for longer than 2 hours, a navigator must be assigned to assist the driver. The navigator must stay awake while on duty.
 - c. No more than nine (9) people, including the driver plus gear, should be loaded on any one 15-passenger van. The weight of the passengers and their gear should be distributed evenly throughout the van. Luggage should be placed in the rear behind the last seat and is not allowed on the roof when the van is being operated.

- d. On trips where the number of participants exceeds that which can comfortably fit in two or three vans, a chartered bus should be considered. All vehicles should have access to a cellular phone, and the number should be indicated in the notification to the Police Chief.
4. Medical Insurance: Students traveling on a University-sponsored overnight trip must have medical insurance. Student health insurance is available at minimal cost through the Student Insurance Division of UICI, a local company that provides tailored health insurance programs for students enrolled in universities. Contact the representative for UTD at 469-229-6700 for information on insurance for special events such as field trips and off-campus activities. Insurance may be provided by the sponsoring office as part of the cost of the activity, or may be purchased by individual students.
5. Driver Authorization: All University employees who drive University owned vehicles or who drive a rental vehicle that is used to transport students must be certified by the UTD Safety Officer as having met the requirements of the authorization of drivers in this policy and The U.T. System Business Procedure Memorandum No. 16-05-02. This does not apply to employees who are driving rental vehicles on University business but are not transporting students. Requirements for being an authorized driver include a 36-month Motor Vehicle Record score of 2 or less, as well as appropriate driver training. Van-specific training, including on-the-road training, is required for drivers of 15-passenger vans.
6. Insurance Coverage: The U.T. System Business Procedure Memorandum No. 16-05-02 includes information, policies, and procedures regarding insurance policies covering the authorized use of owned, hired and non-owned vehicles; requirements for the safe use of vehicles; requirements for authorization of drivers; and procedures for reporting vehicle accidents or occurrences which may lead to claims. This Memorandum may be found at <http://www.utsystem.edu/bpm/16.htm>.
7. Valid Driver's License: An employee who operates a University-owned, rented, leased, or personal vehicle for official University business at a time when his or her license was suspended or revoked, shall be subject to disciplinary action up to and including dismissal.
8. Emergency Procedures. Important: Copies of participant Medical Information Release forms and the Emergency Procedures Checklist must accompany the responsible faculty or staff member assigned to each vehicle for University-sponsored travel.

For University-Owned or Rental Vehicles:

Accident:

- Notify local authorities at 911.
- Notify UTD Police at (972)883-2331 who will notify the Safety Officer, the Risk Manager, and the administrator in charge of the sponsoring unit. The need for follow-up with the participants' emergency contact persons or others is discussed at this time.
- Leave a cellular phone number with the University Police dispatcher. For rentals, call the 800 number provided by the rental company.
- While at the scene of the accident, authorized drivers must attempt to obtain as much information as possible, including:
 - The license plate number of any vehicles at the scene;
 - The names and telephone numbers of the other parties;
 - Insurance information from the other parties involved in the accident;
 - As soon as possible, the authorized driver will provide this information to the fleet contact at extension 2249.
- Authorized drivers of the University-owned vehicles should advise other parties involved in the accident that the accident will be reported to the University's insurance company who will be in contact with the claimant.
- In the case of rental vehicles, the University has an insurance policy that becomes applicable if the cost exceeds what is covered by the rental agency's insurance policy. Authorized drivers of the University-owned vehicles should advise other parties involved in the accident that the accident will be reported to the rental agency and to the University's insurance company.
- Authorized drivers should not make any representations regarding insurance coverage to other parties involved in the accident, because the insurance company's adjuster will make the determination of coverage available under the insurance policy. Should the other party require some type of insurance information, a copy of UTD's insurance policy is in the glove compartment (University-owned vehicles only) or they may contact UTD's fleet contact at (972)883-2249 for assistance.

- Upon returning to campus, the fleet contact will provide you with insurance claim forms to be filled out with all pertinent information about the accident. The fleet contact will then forward the claim form to the insurance company for handling.

Mechanical Breakdown (University-Owned Vehicles):

- Notify the dispatcher in the UTD Police Department at (972) 883-2331 who will be the supervisor of the authorized driver.
- Contact some form of roadside assistance (local auto dealer service department, garage, etc.)
- Leave a cellular phone number for someone to call you back.
- Do not attempt to make repairs, including changing a tire. Wait for roadside assistance.

Mechanical Breakdown (Rental Vehicles):

- Call the 800 number provided by the rental company.
-

Appendix V

The University of Texas at Dallas will excuse a student from class or other required activities for the observance of a religious holy day for a religion whose places of worship are exempt from property tax under Section 11.20, Property Tax Code, Texas Code Annotated.

The student is encouraged to notify the instructor or activity sponsor as soon as possible regarding the absence, preferably in advance of the assignment.

The student, so excused, will be allowed to take the exam or complete the assignment within a reasonable time after the absence: a period equal to the length of the absence, up to a maximum of one week. A student who notifies the instructor and completes any missed exam or assignment may not be penalized for the absence. A student who fails to complete the exam or assignment within the prescribed period may receive a failing grade for that exam or assignment.

If a student or an instructor disagrees about the nature of the absence [i.e., for the purpose of observing a religious holy day] or if there is similar disagreement about whether the student has been given a reasonable time to complete any missed assignments or examinations, either the student or the instructor may request a ruling from the chief executive officer or designee must take into account the legislative intent of TEC 51.911(b), and the student and instructor will abide by the decision of the chief executive officer or designee.
