Residence Regulations

Graduate students with questions regarding residence regulations or residence status should contact the Graduate School for specific information regarding residency.

The University of Texas at San Antonio Office of the Registrar is responsible for determining undergraduate students’ residence status for tuition purposes, using as guidance § 54.052 et seq. of the Texas Education Code, as well as the Texas Higher Education Coordinating Board’s Rules and Regulations for Determination of Resident Status and Waiver Programs for Certain Nonresident Persons, published at www.collegeforalltexas.com, (http://www.collegeforalltexas.com) and University regulations. Students or prospective students are classified as Texas residents, nonresidents, or international students.

Mandated by the Texas legislature, in order to determine a student’s eligibility for classification as a resident, Texas Higher Education Coordinating Board rule 21.25 (http://www.collegeforalltexas.com/index.cfm?ObjectID=6D1466D9-AEA5-DE00-C12F3F75E7367718) requires that each student applying to enroll at an institution must respond to a set of core residency questions. The core residency questions and more detailed information may be found on the College for All Texans Web site.

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

A person who meets the requirements set forth in § 54.052 (http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.54.htm#54052)et seq. of the Texas Education Code and Texas Higher Education Coordinating Board rule 21.24 et seq. A domicile in Texas is presumed if, at least 12 months prior to enrollment, the person has been gainfully employed in Texas, or meets one of the criteria in the table pertaining to Part B of the Core Residency Questions (http://www.collegeforalltexas.com/index.cfm?ObjectID=6D1466D9-AEA5-DE00-C12F3F75E7367718) form, or has their primary support through public assistance from legitimate social service agencies located in Texas. Gainful employment other than work-study can also be a basis for establishing a domicile. A person establishing domicile may provide documentation in support of their claim to the resident tuition in Texas for the 12 consecutive months immediately preceding the Census Date of the term in which the person enrolls. (Supporting documents Part B website: http://texreg.sos.state.tx.us/fids/201100457-2.html.)

Texas residency requires a domicile and 12 months of physical presence in the state. A resident is a United States citizen, a national or permanent resident alien, or an alien whom Congress has permitted to adopt the United States as a domicile while in the country. A person classified as a nonresident or international student may qualify to pay resident tuition rates under certain exceptions specified in the Texas Higher Education Coordinating Board’s Rules and Regulations for Determination of Resident Status and Waiver Programs for Certain Nonresident Persons.

International students eligible to establish domicile in the U.S. based on their visa type are also entitled to pay resident tuition provided they meet the same requirements as U.S. citizens and domicile in the state and have physically resided in the State of Texas. Information about these exceptions and waivers may be found at http://texreg.sos.state.tx.us/ fids/200804066-1.html.

Nonresident members of the regular and reserve units of the U.S. Armed Forces (Army or Air National Guard, Army, Air Force, Navy, Marine Corps or Coast Guard) and Commissioned Officers of the Public Health Service who are assigned to duty in Texas, their spouses, and dependent children may pay resident tuition. To be entitled to pay resident tuition, the military duty statement must be submitted by the student to the Office of the Registrar at least one year prior to the Census Date of the term in which they plan to enroll. Students meeting these requirements may pay resident tuition so long as they reside continuously in Texas or remain continuously enrolled in the same degree or certificate program.

Additional residency information concerning military members, their families, and Honorably Discharged Veterans may be found on the College for All Texans Web site (http://www.collegeforalltexas.com/index.cfm?ObjectID=6D14A588-F337-DE9F-C34472E57102FA06).

The Texas Education Code, § 54.241(k) and (l) (http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.54.htm#54241), provides the option of paying resident tuition for Veterans and their family members who are eligible for benefits under the federal Post-9/11 Veterans Educational Assistance Act of 2008 (Post-9/11 GI Bill (http://www.gibill.va.gov/benefits/post_911_gibill)) or any other federal law authorizing educational benefits for certain veterans or service members and their spouses and dependent children. The eligible person is entitled to pay tuition and fees at a Texas institution of higher education at the rates provided for Texas residents without regard to the length of time the person has resided in the state. The person must file a letter of intent to establish residence in Texas and reside in Texas while enrolled in the institution. The letter of Intent to Establish Residence in Texas (Chapter 33/GI Bill) may be obtained from the Office of the Registrar Web site at http://utsa.edu/registrar/forms.html. The person must also provide proof of eligibility for benefits under the Post-9/11 GI Bill by submitting a copy of the Certificate of Eligibility (COE). More information can be found at http://utsa.edu/va/.

Other categories of nonresidents or foreign students who may be entitled to pay resident tuition include faculty, their dependents, and teaching or research assistants and their dependents (UTSA Handbook of Operating Procedures, Chapter 5, 5.05). A teacher or professor of a Texas public institution of higher education and the spouse and children of such a teacher or professor may be entitled to pay the tuition and other fees charged to Texas residents without regard to the length of time the teacher or professor has resided in Texas. The teacher or professor must be employed at least one-half time in a teaching or research assistant position and the position relates to the assistant’s degree program. Information about graduate assistantships may be found on the Graduate School Web site (http://graduateschool.utsa.edu/current-students/category/assistantships). Additional information about waivers of nonresident tuition may be found under Types of Financial Aid on the College for All Texans Web site (http://www.collegeforalltexas.com/index.cfm?ObjectID=699A98A-E7F3-1DCC-3F460F26136EEA05).

State residency requirements are complex and must be considered on a case-by-case basis. Students are responsible for registering under the proper residence classification and for providing documentation as requested. An undergraduate student classified as a nonresident may request reconsideration and reclassification from the Office of the Registrar. Graduate and Doctoral students can request reconsideration of their residence status and reclassification through the Graduate School. A student may request reclassification based on additional or changed information. The reclassification does not apply to an academic term if the reclassification is made on or after the Census Date of that term.
Errors in classification as a result of false information being provided to
the University may result in the student being charged the difference in
resident and nonresident tuition for each semester in which the student
should have paid nonresident tuition. Failure to notify UTSA is a violation
of the oath of residency and may result in disciplinary action or other
penalties.

A student’s residency classification is based on residency information
completed by the student on the admission application. A student who
is classified as a nonresident but feels they have satisfied the residence
requirements can submit the required Core Residency Questions form,
supporting documentation, and proof of their citizenship for non-U.S.
citizens. Furthermore, if you are a non-U.S. citizen and are eligible for
a residency classification change based on Texas Education Code §
54.055, you will be required to fill out and submit the notarized I-485
adjustment for permanent residence affidavit.

These rules and regulations may change based on current United
States Citizenship and Immigration Services (USCIS) statutes. Since
USCIS may cancel eligibility at any time, higher education institutions
must confirm the student’s current USCIS status each time the student
registers. To comply with current USCIS rules, refer to the USCIS Web
site at www.uscis.gov/portal/site/uscis (http://www.uscis.gov/portal/site/uscis).

Residency documents can be mailed to the following address:

The University of Texas at San Antonio
Office of the Registrar
One UTSA Circle
San Antonio, TX 78249-0608

Supporting documents for reclassification of residence status, including
the completed Core Residency Questions, supporting documents and
proof of citizenship (for non-U.S. citizens), permanent residency card
or current immigration status from USCIS for international students,
should be submitted to the Enrollment Services Center at UTSA. Faxed
documents will not be accepted or acknowledged.

See Tuition, Fees, and Charges Exemptions (http://catalog.utsa.edu/
informationbulletin/tuitionfees/paymentrefundpolicies/exemption) section
for additional exemptions from tuition, fees, and charges. For further
information on these exemptions, contact the Fiscal Services Office
(http://utsa.edu/fiscalservices).