

Establishment of Domicile & Maintenance of Residence Checklist

Texas Higher Education Coordinating Board Rules [§13.195](#) and [§13.198](#) require all students seeking Texas residency to respond to the following Core Residency Questions to determine eligibility for classification as a Texas resident for tuition purposes. Students requesting a residency review for reclassification will typically need to submit the Residency Questionnaire(RQ) along with supporting documentation to support their Texas residency claim or clarify the answers or comments on the RQ. Appropriate documents are not limited to those on this checklist.

Students will be classified as either a Texas resident or non-resident for tuition purposes. Residency status affects student tuition rate and financial aid at TCC.

The following checklist is a guide for students to accurately submit residency documentation to support their residency claim. Please check and provide documents from at least one box in all three sections below. Independent students making a Texas residency claim based on their spouse and dependent students making a Texas residency claim based on their parent or legal guardian will be required to submit documentation to support that claim.

Verification of Student's Lawful Presence

Check one box below and supply the required documents

- I am a United States citizen (birth certificate, US passport, or Naturalization Certificate required)
- I am a Permanent Resident (permanent resident card/green card required)
- I am a non-US citizen and have filed for permanent residency. My status is pending and has not been denied. (most recent filing receipt/notice of action is required)
- I have approved status as a Refugee, Asylee, Parolee, or Temporary Protective Status (current documentation is required)
- I have a pending case with USCIS that has not been denied. If selected, please tell us what status: _____ (current documentation is required)
- I currently hold or plan to apply for an F-1 visa (contact International Student Admissions & Compliance InternationalAdmissions@tccd.edu)
- I have a visa that is not an F-1 and has not expired. If selected, please tell us what visa: _____ (visa is required)

Basis of Residency Claim

Check one box below and supply the required documents

- Self** – provide residency documents from the lists on page two in your name
- Parent or Legal Guardian** – provide documents to show you are an eligible dependent of your parent (birth certificate, proof of adoption, or other legal documentation) and residency documents from the lists on page 2 in your parent's name
- Spouse** – provide proof of marriage (marriage certificate or proof of civil partnership) and residency documents from the lists on page 2 in your spouse's name

Establishment of Domicile & Maintenance of Residence Checklist

Establishment of Domicile

Check a box below and supply the required documents in your name, your parent or legal guardian's name, or your spouse's name

- I have/my parent or legal guardian has/my spouse has been gainfully employed **in Texas** for at least 12 months prior to the census date of the next term of enrollment (provide proof of 12 months of gainful employment)
- I have/my parent or legal guardian has/my spouse has received social services from one or more social service agencies **located in Texas** for at least 12 months prior to the census date of the next term of enrollment (provide written statements from the office of one or more social service agencies that attest to the provision of services to the person while living in Texas for the 12 consecutive months prior to the census date of the term in which the student enrolls)
- I have/my parent or legal guardian has/my spouse has sole or joint marital ownership, lease, or rental of residential real property in Texas, and I have/my parent or legal guardian has/my spouse has established and maintained domicile at that residence at least 12 months prior to the census date of the next term of enrollment (provide documentation, such as a warranty deed, lease agreement, or rental agreement, to verify ownership, renting, or leasing)
- I have/my parent or legal guardian has/my spouse has owned and managed a business in Texas for at least 12 months prior to the census date of the next term of enrollment (provide documents that reflect the person's continuous, substantial economic interest and customary management of the business with evidence of intended continuous operation for the foreseeable future)
- I am/my parent or legal guardian is/my spouse is a member of the United States military and Texas is my/our/their home of record (DD-214 or Leave & Earnings Statements to show HOR has been Texas for at least 12 months prior to the census date of the next term of the student's enrollment required)

Maintenance of Residence

Check a box below and supply the required documents

- Student's/Parent's/Spouse's utility bills at a Texas residence for the 12 consecutive months immediately preceding the census date of the term in which the student enrolls
- Texas high school transcript(s) for the student's full senior year or 12 months immediately preceding the census date
- Student's/Parent's/Spouse's Texas voter registration card that was issued at least 12 months preceding the census date of the term in which the student enrolls
- Student's/Parent's/Spouse's Texas vehicle registration that was issued at least 12 months immediately preceding the census date of the term in which the student enrolls
- Student's/Parent's/Spouse's valid Texas driver's license or Texas identification card that was issued at least 12 months immediately preceding the census date of the term in which the student enrolls
- Lease or rental of residential real property in the name of the student/parent/spouse for the 12 consecutive months immediately preceding the census date of the term in which the student enrolls

Please note the lists above are not intended to be exhaustive and additional documentation for clarification of a Texas residency claim may be required.

Establishment of Domicile & Maintenance of Residence Checklist

Definitions

Census date--(or official day of record) is the official date set by the state of Texas when enrollment is locked for state funding, residency, and financial aid purposes. The census date for the term is used, not the census date of the session, and is typically the 12th class day for fall and spring terms. TCC census dates are published online in our [Academic Calendar](#).

Dependent--A person who is less than 18 years of age and has not been emancipated by marriage or by court order; or 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, regardless whether another person has claimed the dependent.

Domicile--A person's principal, permanent residence to which the person intends to return after any temporary absence, as defined in Texas Education Code, [§54.0501\(3\)](#).

Lawfully Present Alien--A non-U.S. citizen who seeks resident tuition and who proves by clear and convincing evidence that the alien is lawfully present in the United States as required by [8 U.S.C. §1623\(a\)](#).

Parent--A natural or adoptive parent, managing or possessory conservator, or legal guardian of a person. "Parent" does not otherwise include a stepparent.

Gainful employment--Employment, including self-employment, 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) that is sufficient to provide at least one-half of the person's tuition, fees and living expenses as determined in keeping with the institution's student financial aid budget or that represents an average of at least twenty hours of employment per week. A person who is living off his/her earnings (present or past - such as pensions, veterans' benefits, social security, and savings from previous earnings) may be considered gainfully employed for purposes of establishing domicile, as may a person whose primary support is public assistance. Employment conditioned on student status, such as work study, internships, the receipt of stipends, fellowships, or research or teaching assistantships does not constitute gainful employment for purposes of resident determination.

Residence--A person's home or other dwelling unit, as defined in Texas Education Code, [§54.0501\(6\)](#).

Temporary Absence--When a person who has previously met the criteria for resident status but is absent only for a short duration (i.e., less than one year) from the state of Texas and the person has the intention to return to the person's domicile in Texas. The short duration limitation on temporary absences does not apply to absences resulting from a person's or dependent's parent's service in the U.S. Armed Forces, U.S. Public Health Service, or U.S. Department of State, due to employment assignment, or for educational purposes.

Business Ownership Documentation—documents need to be in the name of the person upon whom the residency claim is based and dated to support the residency claim for the 12 month time period immediately preceding the census date of the term in which the student enrolls. Documents also need to demonstrate the 4 following factors:

1. Proof the business legally exists and was organized **in Texas**, not merely operated there
2. Proof of **continuous, substantial economic interest**, not short-term or nominal ownership
3. Proof of customary **management** by the owner
4. Proof the business is **operational and ongoing**, not dormant or with intent to liquidate in the foreseeable future