

Henderson State University
Residency Affidavit for In-State Tuition Reclassification
Revised October 26, 2020

Affidavits with Incomplete Information Will Be Returned to Student

Who Should Complete This Document? A student should only consider completing this document if she/he can answer “yes” to ALL of the following:

- I have already started attending classes at Henderson State University.
- I am currently being charged the out-of-state tuition rate, **OR** I am being charged the in-state rate due to an out-of-state waiver that I will no longer qualify for in the near future.
- I have reviewed Henderson State University policies for qualifying to pay in-state tuition on the Registrar’s web page.
- I have discussed my current account status with Financial Aid and/or the Business Office and have a good understanding of how I am currently being billing for tuition.

PART ONE: Explain Your Rationale for Applying for Tuition Reclassification (i.e, Why do you believe you qualify for in-state?)

Instructions: It is important that prior to completing this affidavit the student review all policies pertaining to in-state residency. A copy of these policies can be found on the Registrar’s web page. After reviewing these policies, explain why you believe reclassification is justified at this time. **DO NOT SKIP** this part of the residency affidavit. Affidavits without this explanation will be returned to the student. The written response must be legible.

PART TWO: General Information

- 1 **First Name:** _____; **Middle Name:** _____; **Last Name:** _____
- 2 **HSU ID Number:** _____
- 3 **Date of Birth (Month/Date/Year):** _____
- 4 **Place of Birth (City/State/Country):** _____
- 5 **What do you consider to be your permanent home address?** _____

- 6 **Mailing address if different from permanent address:** _____

- 7 **In which Henderson degree program are you enrolled? Degree (e.g., B.A., B.S., M.A.T., etc.)** _____
- 8 **If you are an undergraduate student, what is your academic major?** _____
- 9 **If foreign born, have you naturalized?** _____
- 10 **If not a citizen of the United States, what type of visa do you hold?** _____
- 11 **On what date (Month/Day/Year) was your visa issued?** _____
- 12 **When did you relocate to Arkansas (Month/Date/Year)?** _____

13 From where did you relocate to Arkansas? _____

14 Prior to the date listed above, explain any earlier times you lived within the State of Arkansas: _____

15 Since _____ (Month/Day/Year) I have lived in Arkansas Continuously at the following address:

16 Did you enter the State of Arkansas primarily for educational purposes? (Yes or No) _____

17 What is your current age? _____

18 Please list all institutions of higher learning (two-year and four-year schools) that you have attended since arriving in Arkansas and the dates (MM/DD/YYYY) of attendance. By not answering this question you are indicating that you have not previously attended college in Arkansas. If you require more space to answer this question, please do so on a separate sheet of paper.

Institution Name: _____ Start Date: _____ End Date: _____

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PART THREE: Which of the following portions of the residency affidavit should I complete?

All students must complete Part One and Part Two above. Parts Four through Seven only need to be completed as applicable to your situation. Part Eight must be completed by everyone. Please notate "Yes" next to the part of the document you have completed.

___ **Part Four:** If applying to be formally reclassified as an in-state resident based on having established a permanent (i.e., bona fide) domicile within the State of Arkansas at least six month prior to submitting this document.

___ **Part Five:** If applying to pay in-state tuition rate based on veteran or active duty military status.

___ **Part Six:** If applying to pay in-state tuition due to qualifying for an out-of-state waiver. Students with an out-of-state waiver will maintain their out-of-state residency classification, but will be awarded a scholarship to cover the difference between the in-state and out-of-state rates.

___ **Part Seven:** If applying to pay in-state tuition due to non-traditionally documented status.

Part Four: Establishing a Permanent Domicile Six Month Prior to Submitting Affidavit

Are you claiming in-state residency status based on a parent or guardian (Arkansas resident) who claimed you as a dependent for tax purposes during the previous year? (Yes or No) _____

All of the following should be submitted along with a signed and notarized copy of this affidavit. Not submitting these documents will be appropriately taken into consideration when reviewing your affidavit.

- Your Arkansas State income tax return (Form AR1000)
- In unmarried and under the age of 24, and claiming in-state status based on parent or guardian's Arkansas residency, a copy of their tax return for the previous year (Form AR1000).
- A minimum of four additional documents from the list below.

- Employer verification with dates of employment
- Copy of permanent Arkansas driver license
- Lease agreement or documentation of home purchase
- Property tax payment assessment receipt
- Utility Bills (at least two different types of bills)

Note: Documents provided from the above list will be used to verify establishing a bona fide domicile at least six months prior to submitting this affidavit. This should be considered when deciding which of the above listed documents to submit. For the purposes of in-state residency, “dependents” are unmarried children who are claimed under legal status as defined by the IRS.

PART FIVE: Veteran Qualification for In-State Tuition

Please mark “YES” next to any of the following that you believe applies to you. Supporting documentation will be required for selected options.

____ A spouse or child using benefits under the Marine Gunnery Sergeant John David Fry Scholarship (38 U.S.C. § 3311 (b)(9)) who lives in the State of Arkansas while attending a school located in the State of Arkansas (regardless of his/her formal State of residency) and enrolls in school within three years of the service member’s death in the line of duty following a period of active duty of 90 days or more.

____ Anyone using educational assistance under Chapter 31, Vocational Rehabilitation and Employment (VR&E).

Veteran’s Choice Act: The Federal Veteran’s Choice Act permits all students who met the following requirements to be charged in-state tuition or otherwise be considered an Arkansas resident for tuition purposes. In order to obtain this benefit students must first visit the Business Office and be certified for their V.A. package.

____ A Veteran using educational assistance under either Chapter 30 (Montgomery G.I. Bill – Active Duty Program) or Chapter 33 (Post 9/11 G.I. Bill), of Title 38, United States Code, who lives in the State of Arkansas while attending a school located in the State of Arkansas (regardless of his/her formal State of residency) and enrolls in the school within three years of discharge from a period of active duty service of 90 days or more.

____ Anyone using transferred Post 9/11 Bill benefits (38 U.S.C. 3319) who lives in the State of Arkansas while attending a school located in the State of Arkansas (regardless of his/her formal State of residence) and enrolls in the school within three years of the transferor’s discharge from a period of active duty service of 90 days or more.

____ Anyone described above while he or she remains continuously enrolled (other than during regularly scheduled breaks between courses, semesters or terms) at the same school. The person so described must have enrolled in the school prior to the expiration of the three-year period following discharge or death described above and must be using educational benefits under either Chapter 30 or Chapter 33, of Title 38, United States Code.

AR Code 6-60-205: In-State Tuition for Veterans & Military Personnel/Dependents: Regardless of residence, a state-supported institution of higher education, trade school, or vocational school shall classify a student as in-state, in-county, in-district, local, or resident for the purpose of tuition and fees applicable for all programs of study, including distance learning programs, if the student is a:

____ (1) Veteran who was discharged or released from a period of not less than ninety (90) days of active duty in the military, naval, or air service within three (3) years before the date of enrollment in a program of study;

____ (2) Dependent of a veteran under subsection (1) of this section;

____ (3) Member of the armed forces;

____ (4) Spouse of a member of the armed forces;

____ (5) A Reserve Officer’s Training Corps cadet who has an executed armed forces service contract.

____ (6) A dependent of a member of the active duty armed forces, when the member of the armed forces:

- Is stationed in the State of Arkansas pursuant to permanent change of station (PCS) military orders;
- Is continuously domiciled in Arkansas for at least six consecutive months before entering active military service and who maintains Arkansas as the permanent home of record while on active military duty, or
- Demonstrates a change of bona fide domicile from another state to Arkansas at least twelve consecutive months prior to separation, discharge, or retirement from active military duty. The provision is forfeited if the military person does not return to Arkansas within 36 months after separation, discharge, or retirement from active duty.

PART SIX: Out-of-State Waivers Applied by Scholarship

Please notate "Yes" next to any of the following that applies.

____ **Out-of-State Waiver Arkansas Taxpayers Living in Contiguous State & County:** Pursuant to Act 1185 or 1995, Section 34 (A.C.A. 6-60-303 and 19-5-1076) bona fide Arkansas income taxpayers and their dependents who reside in a bordering state in a county or parish contiguous to an Arkansas county in which a public institution or higher education is located may be granted an out-of-state tuition waiver by *any* Arkansas public institution of higher education.

Counties/Parishes Contiguous to Arkansas Counties Containing a College/University

- Oklahoma: Counties of Delaware, Adair, Sequoyah, La Flore, and McCurtain
- Texas: Counties of Bowie and Cass
- Tennessee: Counties of Dyer, Lauderdale, Shelby, and Tipton
- Missouri: Counties of Barry, Dunklin, Howell, McDonald, Oregon, Ozark, Pemiscot, Ripley, and Taney
- Mississippi: Counties of Bolivar, Coahoma, Desota, and Tunica
- Louisiana: Parishes of Claiborne, Morehouse, Union, and Webster

Qualifying Students Must Provide Proof of the Following

- (A) Proof of residency in another state's county or parish listed above, **and**
- (B) Documentation (W-2 or copy of Arkansas income tax form filed) or receipt of wages from an Arkansas employer of a minimum of \$5,500 in the tax year preceding enrollment, **or**
- (C) Official verification from an Arkansas employer of current employment at a minimum current year salary of at least \$5,500, **or**
- (D) Documentation that the student is dependent of a non-resident Arkansas income taxpayer who provides documentation satisfying the conditions of (A), (B), and (C) above.

____ **HSU Out-of-State Tuition Waiver for Student Graduating High School in Contiguous State:** Undergraduate students who meet the following conditions may request a waiver for out-of-state tuition not to exceed 16 hours each semester. All of the following must apply:

- Must have graduated high school in Texas, Oklahoma, Missouri, Tennessee, Mississippi, or Louisiana.
- Entering freshmen must meet Henderson State University admissions standards.
- Transfer students must have a cumulative grade point average of 2.0 or above after computation by the Henderson Admission Office.
- Students must live in university owned housing.
- Out-of-State waiver recipients must be full-time students and maintain satisfactory academic standing.
- Out-of-State waiver recipients must U.S. citizens or be lawfully present in the United States according to Federal immigration law.

____ **HSU Out-of-State Waiver for Non-Contiguous State & County: To qualify students must meet all of the following:**

- Be a recipient of an academic scholarship, performance scholarship or a combination of both, equal to or exceeding the in-state tuition charges each academic term.
- Live in university owned housing and purchase a meal plan if applicable based on the policy of the Office of Residence Life.
- Be enrolled full-time and maintain satisfactory academic standing.

____ **HSU Aviation Program Out-of-State Waiver:** Certain Aviation programs are eligible for an out-of-state waiver. Interested students should consult the Aviation Department as their first point of contact.

PART SEVEN: Non-Traditionally Documented Persons

Please notate "Yes" next to ALL of the following that apply.

___ I (the student applying) or one of my parents holds a Federal I-766 United States Citizenship and Immigration Services issued Employment Authorization Document (i.e., Work Permit).

___ I am a resident legally in Arkansas who has immigrated from the Republic of the Marshall Islands.

___ My request for an exemption under Deferred Action for Childhood Arrivals (DACA) has been approved by the United States Department of Homeland Security. My exemption has not expired.

___ I have resided in Arkansas for at least three (3) years at the time of application for admission to Henderson State University.

___ I graduated from a public or private Arkansas high school.

___ I received a high school equivalency diploma from the State of Arkansas.

When submitting this affidavit also include a copy of one of the following:

- Employment Authorization Document issued to the student or the parent of the student
- Documentation of legal immigration status from the Republic of the Marshall Islands

(Transfer Students) Unless previously submitted, transfer students will also need to include a copy of their Arkansas high school transcript or Arkansas high school equivalency diploma.

PART EIGHT: Signature & Notarization: This affidavit should be supported with any appropriate documentation, signed before a notary public and submitted to the Registrar’s Office.

Signature of Applicant: _____ **Date:** _____

By signing this document, I acknowledge and attest to the fact that I have answered all questions contained herein honestly and to the best of my knowledge. I understand that knowingly providing false information to any portion of this document could result in disciplinary actions at Henderson State University.

Notary Statement

State of _____

County of _____

Subscribed and sworn before me this _____ day of _____ 20__

Notary Signature Stamp: _____

My Commission Expires: _____