

either Hurricane Maria or Irma eligible for resident tuition rates for the 2017/18 academic year at SUNY State-operated institutions. The Board of Trustees then took the same action to extend this authorization on June 20, 2019 for the 2019/20 academic year.

Accordingly, for the 2017/18, 2018/19 and 2019/20 academic years, residents of Puerto Rico and the U.S. Virgin Islands who, because of the devastation caused by Hurricanes Maria or Irma, have either been displaced from colleges and universities in the Disaster Areas or are currently enrolled as SUNY students and cannot return to the Disaster Areas. Affected students seeking the in-state tuition rate will be required to sign a notarized affidavit, attesting that they are residents of the Disaster Areas and that they have been displaced from their homes or institutions of higher education as a result of the devastation caused by the hurricanes. Additionally, students displaced from their schools will be required to show some form of documentation verifying enrollment in an effected institution of higher education.

IV. Qualifying Immigrant Statuses and Non-immigrant Statuses

A. Lawful Permanent Residents (Resident Aliens)

Current Permanent Resident Status

Resident aliens may lawfully reside in the United States on a permanent basis. There are two acceptable methods for verifying status as a resident alien. The first method is that a student who has requested Federal financial aid, which ~~has been verified by the Federal Financial Aid Central Processor, has his/her status automatically matched by the~~ USCIS, which will be evident through SUNY's coding of the student as a lawful permanent resident or resident alien. In that case, there is no need for a student to submit a Permanent Resident Card or any other form of documentation regarding permanent residence.

The second way a student can prove he/she is a resident alien if not confirmed through the above match is such student must present proof of their status by providing the campus with a Permanent Resident Card (formerly known as the "Alien Registration Card" and commonly known as a "green card") prior to registration.

The following proofs are acceptable:

- Permanent Resident Card: Form I-151 (old) and Form I-551 (new). Expired cards may be accepted; or
- Unexpired Conditional Permanent Resident Card: Form I-551 with a two (2) year expiration date; or
- Receipt for USCIS Form I-751: Petition to Remove the Conditions on Residence; or
- Receipt for USCIS Form I-698: Application to Adjust Status from temporary to Permanent Resident; or
- I-551 Stamp in Passport indicating evidence of lawful permanent residence. Expired stamps may be accepted; or
- Copy of USCIS Form I-90: Application to Replace Permanent Resident Card (old: Alien Registration Card), along with a U.S. Postal Service return receipt or with a cancelled check or money order.

Once a student's immigrant status has been verified, the student may then establish New York State residency by meeting the criteria set forth in Section III (B).

Pending Permanent Resident Status

A student may also provide a valid application for permanent residency status and upon verification that the

application is pending; the student may then also apply for New York State residency status. Proper documentation indicating that a valid application for permanent residency is pending includes:

- A receipt for USCIS Form I-485 (Adjust Status), which must include the petitioner's name; or
- A USCIS Receipt Notice for the Adjustment of Status Application: Form I-797C indicating that the receipt is for an I-485 Adjustment of Status application; or
- A USCIS Receipt indicating that the fee for the adjustment application has been received. This receipt usually lists application type, name of applicant, alien number ("A" number) and the amount paid; or
- Employment Authorization Card (I-766) with the code (c)(9) or (c)(24)

Note: Students who filed or have an approved petition (Form I-130 or I-140), but have not yet applied for adjustment of status are NOT eligible for in-state or resident tuition.

Dependent Student's Parents With Immigration Status Permanently Abandon New York State Domicile

In cases where a dependent student's parents have established immigrant status but subsequently abandon their New York State domicile, the student also loses New York State residency status and the in-state tuition benefit, unless the student can establish New York State domicile under the criteria specified above in Sec. III(C)- **Students With Out-of-State-Resident Parents or Guardians**

B. Students In Certain Non-Immigrant Statuses

The United States Supreme Court has held that certain non-immigrant aliens have the legal ability to establish New York as their domicile. Non-immigrant aliens are those aliens who enter the United States on a temporary basis for a specific purpose. Non-immigrants are grouped in categories depending on the type of visa presented at the port of entry. Non-immigrants admitted to the United States in categories which prohibit them from establishing a United States residence would not be eligible for in-state tuition. Non-immigrants included in categories which permit them to establish a United States residence may be eligible for in-state tuition if they meet the criteria set forth in Section III(B)(See lists below for categorization). To seek in-state tuition, persons included in non-immigrant alien categories permitting establishment of U.S. residency must provide documentation of residency in accordance with Section III(B), above.

Non-immigrant Status Eligible for U.S. Residency

The following is a list of the visa categories of non-immigrant aliens who under federal law have the capacity to make New York State their domicile and therefore may qualify for the resident rate of tuition if they otherwise meet the requirements:

- A – Ambassador, diplomats and certain other foreign officials and their families
- E – Treaty trader/Treaty investor, spouse and children
- G – Certain government or international organization officials and their families
- H-1B – Temporary worker in specialty occupation
- H-1C – Temporary worker performing essential nursing services
- H-4 – Spouse or children of alien classified as H-1B or H-1C