

<b>UT Health Science Center: EM113 Eligibility Verification Policy</b>	
<b>Version 1</b>	<b>Publication Date: 05/27/2022</b>

<b>No./Title:</b> EM113 – ELIGIBILITY VERIFICATION POLICY	<b>Resp. Office:</b> ADMISSIONS <b>Approval Body:</b> CASA	<b>Effective Date:</b> 04/16/2013
<b>Category:</b> Students	<b>Last Review:</b> 03/05/2019	<b>Next Review:</b> 03/08/2022
<b>Contact:</b> Director of Admissions	☎ 901.448.1603	✉ <a href="mailto:admissions@uthsc.edu">admissions@uthsc.edu</a>
<b>Related Information:</b>	Read more about the legislative act at: <a href="http://www.tn.gov/sos/acts/107/pub/pc1061.pdf">http://www.tn.gov/sos/acts/107/pub/pc1061.pdf</a>	

## POLICY

All students matriculating to The University of Tennessee Health Science Center (UTHSC), who receive a state public benefit, must provide documentation to comply with the Eligibility Verification for Entitlement Act (EVEA) (TCA 4-58-102, Senate Bill 1325, section 1; 4-57-101, as amended by TN Senate Bill 597, effective July 1, 2013) effective October 1, 2012. The EVEA requires state and public institutions of higher education to verify that persons seeking a “state public benefit” are United States citizens or otherwise lawfully present in the United States. Failure to provide verification results in the denial of state public benefits.

## GUIDELINES AND PROCEDURES

The Tennessee Eligibility Verification for Entitlements Act was passed by the state legislature on May 1, 2012. The Act requires state public institutions of higher education to verify that persons seeking a “state public benefit” are U.S. citizens or lawfully present in the U.S.

### Students Covered by the EVEA's Verification Requirements

UTHSC must verify the U.S. citizenship or lawful presence of students who have:

- Accepted an offer of admission and confirmed their attendance  
**~AND~**
- Either:
  - Have applied to receive in-state tuition  
**~OR~**
  - Have applied for a scholarship, grant, loan, tuition or fee waiver, or other financial assistance which is subsidized or paid in whole or in part with state funds

UTHSC does not have to verify the U.S. citizenship or lawful presence of students who:

- Are under eighteen (18) years of age;  
**~OR~**

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- Have not applied to receive in-state tuition, or a scholarship, grant, loan, tuition or fee waiver, or other financial assistance which is subsidized or paid in whole or in part with state funds;  
**~OR~**
- Have been offered and have accepted a scholarship, grant, loan, tuition or fee waiver, or other financial assistance which is subsidized or paid in whole or in part with state funds, prior to October 1, 2012.

### **Verifying the Accuracy of the Applicant's Assertion of U.S. Citizenship or Lawful Presence**

A student's U.S. citizenship or lawful presence shall be verified in one of two ways:

- The student completes a Free Application for Federal Student Aid (FAFSA)  
**~OR~**
- The student presents documentation verifying his/her claim of U.S. citizenship or lawful presence in the U.S. Scanned copies of documents may be sent to the institution via email.

For students claiming U.S. citizenship:

- Ensure that the student has completed a Free Application for Federal Student Aid (FAFSA)  
**~OR~**
- Require the student to provide a copy of one (1) of the following documents:
  - A valid Tennessee driver license or photo identification license;
  - A valid driver license or photo identification license from another state (except for Utah and New Mexico);
  - An official birth certificate issued by a U.S. state, jurisdiction, or territory, except for Puerto Rican birth certificates issued before July 1, 2010;
  - A U.S. government-issued certified birth certificate;
  - A valid, unexpired U.S. passport;
  - A U.S. certificate of birth abroad (DS-1350 or FS-545);
  - A report of birth abroad of a citizen of the U.S. (FS-240);
  - A certificate of citizenship (N560 or N561);
  - A certificate of naturalization (N550, N570, or N578);
  - A U.S. citizen identification card (I-197, I-179); or
  - A social security number that can/may be verified with the Social Security Administration in accordance with Federal law.

For students claiming to be an alien lawfully present in the United States, those students must

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verify their Alien Registration Number (A#) or I-94 Admission Number by:

- Completing a FAFSA. Please note that this option is only available for the following individuals:
  - U.S. permanent residents (individuals with an I-151, I-551, or I-551C permanent resident card); and
  - Individuals who have an Arrival/Departure Record (I-94) showing one of the following designations:
    - Refugee;
    - Asylum Granted;
    - Cuban-Haitian Entrant (Status Pending);
    - Conditional Entrant (Valid only if issued before April 1,1980);
    - Victims of Human Trafficking (T-2, T-3, or T-4 visa); or
    - Parolee (who meets certain conditions)

**~OR~**

- Presenting two (2) forms of documentation establishing lawful presence in the United States. Examples of acceptable documents include:
  - Valid, unexpired Permanent Resident Card (Form I-551);
  - Valid, unexpired Foreign Passport with visa stamped "Processed for I-551";
  - Permanent Resident Re-Entry Permit (I-327);
  - Refugee Travel Document (I-571);
  - Employment Authorization Document (Form I-766);
  - Arrival/Departure Record (Form I-94);
  - Valid, unexpired Foreign Passport with valid visa;
  - Notice of Approval of Status with bottom I-94 portion attached (Form I-797);
  - Certificate of Eligibility for Student Status (Form I-20); and
  - DS-2019 or IAP-66 for J-1 status holders;
  - Non-Resident Alien Canadian Border Crossing Card; and
  - Any other document determined by the U.S. Department of Homeland Security to be acceptable through the Systematic Alien Verification for Entitlements (SAVE) program created pursuant to the federal Immigration Reform and Control Act of 1986.

Effective July 1, 2013, if a student who claims eligibility as a qualified alien is unable to present two (2) forms of documentation as described above, then the student shall present at least one (1) such document that the entity or local health department shall then verify through the SAVE program or the SEVIS system. <http://www.capitol.tn.gov/Bills/108/Bill/SB0597.pdf>

The following students are not required to submit additional verification documentation to the

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institution:

- Students who are employed by the institution and have had their lawful presence verified through the federal E-Verify program (valid I-9 on file with the institution);
- Students who have had their lawful presence verified through the federal Student and Exchange Visitor Information System (SEVIS) (e.g., J-1 and F-1 student visa holders).

### **Deadline by Which a Student's U.S. Citizenship or Lawful Presence Must be Verified**

Submission of the FAFSA or receipt of other documentation listed above shall be presumed to be proof of a student's eligibility until final verification is received. An institution shall not delay award of benefits based only on pending of final verification.

### **If a Student's U.S. Citizenship or Lawful Presence Cannot be Verified**

Upon receipt of a final verification that indicates that an applicant is not a U.S. citizen or an alien lawfully present in the U.S., UTHSC must terminate any recurring benefit. In addition, UTHSC must notify the Office of the General Counsel in writing if the University has a good faith belief that either:

- An applicant has knowingly and willfully made a false, fictitious, or fraudulent statement or representation concerning his/her citizenship or lawful presence on the United States;  
OR
- A person has conspired to defraud the institution by securing a false claim allowed or paid to an applicant.

### **Document Retention Requirements**

UTHSC shall retain a copy of all documentation submitted by a student for verification for as long as applications for in-state tuition or financial aid are kept.

### **Other Changes Mandated by the EVEA**

The following language must to be added to all UTHSC applications for in-state tuition (e.g., admissions applications for institutions that do not have a separate application for in-state tuition) and any applications for scholarships, grants, loans, tuition or fee waivers, or other financial assistance which are subsidized or paid in whole or in part with state funds, except for employment applications:

*The Tennessee Eligibility Verification for Entitlements Act requires an applicant for in-state tuition or state financial aid to complete and sign the following statement:*

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I, \_\_\_\_\_, swear or affirm under penalty of perjury under the laws of the state of Tennessee that: (check one)

\_\_\_\_ I am a United States citizen; or

\_\_\_\_ I am an alien lawfully present in the United States

*I understand that this statement is required by Tennessee law because I have applied for a public benefit. I understand that Tennessee law requires me to provide documentation verifying the status indicated above prior to receipt of this public benefit. I understand that knowingly and willfully making a false, fictitious, or fraudulent statement or representation shall subject me to liability under the Tennessee False Claims Act, Tennessee Code Annotated 4-18-101 et seq. I understand that if I am found to have made a false or misleading statement my admission may be rescinded or I may be disciplined by the University of Tennessee Health Science Center.*

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

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**APPROVAL HISTORY:**

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Revised & Approved: June 21, 2016, Committee on Academic and Student Affairs (CASA)

Approved: June 30, 2016, Chancellor

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