



UNDOCUMENTED ELIGIBLE HIGH SCHOOL GRADUATES (HB 1804 TITLE 70, SECTION 3242 [2007])

Students with undocumented immigration status must meet the requirements set forth by law to be eligible for enrollment in an institution of the Oklahoma State System of Higher Education. Students should contact any Enrollment Services Office with any questions.

ELIGIBILITY REQUIREMENTS

To be eligible for enrollment and resident tuition under HB 1804, an undocumented immigrant student must:

- Have graduated from a public or private high school in Oklahoma (GED or Home School Education will not establish eligibility for any student)
- Have resided in Oklahoma with a parent or legal guardian while attending a public or private high school in Oklahoma for at least two (2) years prior to graduation
- Satisfy admission standards, as determined by the State Regents, for the institution in which the student intends to enroll
- Have secured admission and enrolled in an institution within the Oklahoma State System of Higher Education
- Do one of the following:
 - Provide to the institution a copy of a true and correct application or petition filed with the United States Citizenship and Immigration Services to legalize the student's immigration status
 - File an affidavit with the institution stating that the student will file an application to legalize their immigration status at the earliest opportunity the student is able to do so, but in no case later than either:
 - One (1) year after the date on which the student enrolls for study at the institution
 - Or, if there is no formal process to permit children of parents without lawful immigration status to apply for lawful status without risk of deportation, one (1) year after the United State Citizenship and Immigration Services (USCIS) provides such a formal process.
- Students who file an affidavit must present to the institution a copy of a true and correct application filed with the USCIS no later than either:
 - One (1) year after the date on which the student enrolls for study at the institution
 - Or, if there is no formal process to permit children of parents without lawful immigration status to apply for lawful status without risk of deportation, one (1) year after the United State Citizenship and Immigration Services (USCIS) provides such a formal process.

When a student provides or presents to the institution a copy of an application or petition filed with USCIS, the copy shall be maintained in the institution's records for that student.



ELIGIBILITY FOR STATE FINANCIAL AID FOR CATEGORY II STUDENTS

To be eligible for state financial aid under HB 1804 (there are exceptions per SB 820 for students participating in Oklahoma's Promise), a Category II undocumented immigrant student must:

- Have graduated from a public or private high school in Oklahoma (GED or Home School Education will not establish eligibility for any student)
- Have resided in Oklahoma with a parent or legal guardian while attending a public or private high school in Oklahoma for at least two (2) years prior to graduation
- Satisfy admission standards, as determined by the State Regents, for the institution in which the student intends to enroll
- Have secured admission and enrolled in an institution within the Oklahoma State System of Higher Education
- Provide to the institution a copy of a true and correct application or petition filed with USCIS to legalize the student's immigration status. The affidavit which establishes eligibility for resident tuition does not establish eligibility for state financial aid. [Oklahoma's Promise students who enrolled in the program as 8th, 9th, or 10th grade students on or before July 2, 2007 can establish eligibility for the program by filing an affidavit as explained in the section below on Oklahoma's Promise]

Category II undocumented students who do not provide or present the institution with a copy of a true and correct application or petition filed with the USCIS are:

Not Eligible for:

- Oklahoma Tuition Aid Grant (OTAG)
- Academic Scholars Program
- Oklahoma Tuition Equalization Grant (OTEG)
- Regional University Baccalaureate Scholarship
- National Guard Tuition Waiver
- Future Teachers Scholarship
- Tulsa Reconciliation Scholarship
- Any other state-funded scholarship
- Any institutional financial aid that is funded from institution or state sources, including tuition waivers (with the exception of Concurrent enrollment tuition waivers and cooperative alliance fee waivers for secondary education students as noted below)

Eligible for:

- Financial aid that is funded only from private or non-state sources such as foundations
- Concurrent enrollment tuition waivers and cooperative alliance fee waivers



In accordance with Title 70, O.S., Section 3242 (2007) (also known as HB 1804 of the First Regular Session of the 51st Legislature), an individual who cannot present to the institution valid documentation of United States Nationality or an immigration status permitting study at a postsecondary institution, but who has graduated from a public or private high school in Oklahoma, may be eligible for enrollment and resident tuition if the individual files the following affidavit with the institution:

AFFIDAVIT OF INTENT

STATE OF OKLAHOMA)
)
COUNTY OF _____)

Before me, the undersigned Notary Public, on this day personally appeared

(Name) _____ who, being of lawful age and by me duly sworn upon his/her oath, deposed and said:

- 1. My name is _____. I am fully competent to make this affidavit. I have knowledge of the facts stated herein and they are all true and correct.
- 2. I have graduated from a public or private high school in Oklahoma.
- 3. I resided in Oklahoma with a parent or legal guardian while attending classes at a public or private high school in this state for at least two (2) years prior to graduation.
- 4. I will file an application to legalize my immigration status at the earliest opportunity that I am eligible to do so, but in no case later than (a) one (1) year after the date on which I enroll for study at the institution, or (b) if there is no formal process to permit children of parents without lawful immigration status to apply for lawful status without risk of deportation, one (1) year after the United States Citizenship and Immigration Services provides such a formal process.

In witness whereof, this _____ day of _____, _____.

(Printed Name of Student)

(Signature of Student)

(Signature of parent/guardian if student is under age 18)

(Student ID # or other ID #, if applicable)

SUBSCRIBED AND SWORN TO BEFORE ME, on the _____ day of _____, _____, to certify which witness my hand and official seal.

Notary Public in and for the State of Oklahoma

My commission expires _____