

The Oklahoma Taxpayer and Citizen Protection Act of 2007 requires students to state under penalty of perjury that they meet one of the requirements below to be eligible for resident tuition, state-funded scholarships, financial aid and/or public benefits as defined in the Act.

**STATEMENT UNDER PENALTY OF PERJURY**

I, \_\_\_\_\_, state as follows:

- 1. I meet the requirement I have initialed below (*initial one of (a) through (d) below*):
  - a. \_\_\_\_\_ (*Initial here*) I am a citizen of the United States. OR
  - b. \_\_\_\_\_ (*Initial here*) I am a qualified alien under the federal Immigration and Nationality Act and I am lawfully present in the United States. OR
  - c. \_\_\_\_\_ (*Initial here*) I was enrolled in a degree program at a postsecondary institution in the Oklahoma State System of Higher Education and paid in-state tuition at any time during the period August 29, 2003, through the 2006-2007 school year because I graduated from high school in this state or received my GED certificate in this state and resided in this state with a parent/guardian for at least two (2) years before graduating from high school or having received my GED certificate. OR
  - d. \_\_\_\_\_ (*Initial here*) I graduated from a high school in the State of Oklahoma or have completed an equivalent program of education (for homeschool students) and I have resided in Oklahoma with a parent or guardian while attending classes at a public or private high school in this state for at least two (2) years prior to graduation from high school or having completed an equivalent program of education (for homeschool students) AND (*select and initial one of the following*)
    - i. \_\_\_\_\_ (*Initial here*) I have filed an application or have a petition pending with the U.S. Citizenship and Immigration Services (USCIS) to legalize my immigration status, and will provide a true and correct copy of the application. OR
    - ii. \_\_\_\_\_ (*Initial here*) I will file an application to legalize my immigration status at the earliest opportunity that I am eligible to do so and present a true and correct copy of that application no later than one (1) year after the date I enroll for study, or, if there is no formal process to permit children of parents without lawful immigration status to apply for lawful status without the risk of deportation, one(1) year after the date that the U.S. Citizenship and Immigration Services (USCIS) provides such a formal process.
- 2. I have personal knowledge of the facts stated above and I am competent to testify to these facts.

**Before signing this Statement under Penalty of Perjury you should know that the University is required to verify information about your lawful presence in the United States through the Systematic Alien Verification for Entitlements (SAVE) Program operated by the United States Department of Homeland Security. You should also know that the Act provides that any person who knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in this Affidavit shall be subject to criminal penalties.**

I state under penalty of perjury under the laws of Oklahoma that the foregoing is true and correct.

\_\_\_\_\_  
Date and Place Signed

\_\_\_\_\_  
Signature

\_\_\_\_\_  
SSN or ECU ID #

\_\_\_\_\_  
Semester entering ECU

Office Use Only
Hold Cleared _____
By _____ Date _____

(Revised 4-2-2008)

## **WHO IS A QUALIFIED ALIEN?**

A "qualified alien" as defined in the federal Immigration and Nationality Act, as amended, means any person who is not a citizen or a national of the United States and who at the time he or she applies for a public benefit is:

- (1) an alien who is lawfully admitted for permanent residence under the Immigration and Nationality Act;
- (2) an alien who is granted asylum under section 208 of such Act;
- (3) a refugee who is admitted to the United States under section 207 of such Act,
- (4) an alien who is paroled into the United States under section 212(d)(5) of such Act for a period of at least 1 year,
- (5) an alien whose deportation is being withheld under section 243(h) of such Act (as in effect immediately before the effective date [April 1, 1997] of section 307 of division C of Public Law 104-208) or section 241(b)(3) of such Act (as amended by section 305(a) of division C of Public Law 104-208),
- (6) an alien who is granted conditional entry pursuant to section 203(a)(7) of such Act as in effect prior to April 1, 1980; or
- (7) an alien who is a Cuban and Haitian entrant (as defined in section 501(e) of the Refugee Education Assistance Act of 1980).

The term "qualified alien" also includes:

- (1) an alien who--
  - (A) has been battered or subjected to extreme cruelty in the United States by a spouse or a parent, or by a member of the spouse or parent's family residing in the same household as the alien and the spouse or parent consented to, or acquiesced in, such battery or cruelty, but only if (in the opinion of the agency providing such benefits) there is a substantial connection between such battery or cruelty and the need for the benefits to be provided; and
  - (B) has been approved or has a petition pending which sets forth a prima facie case for--
    - (i) status as a spouse or a child of a United States citizen pursuant to clause (ii), (iii), or (iv) of section 204(a)(1)(A) of the Immigration and Nationality Act [8 U.S.C.A. §1154(a)(1)(A)(ii), (iii) or (iv)],
    - (ii) classification pursuant to clause (ii) or (iii) of section 204(a)(1)(B) of the Act [8 U.S.C.A. §1154(a)(1)(B)(ii) or (iii)],
    - (iii) suspension of deportation under section 244(a)(3) of the Immigration and Nationality Act [8 U.S.C.A. §1254(a)(3) (as in effect before the title III-A effective date in section 309 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996).
    - (iv) status as a spouse or child of a United States citizen pursuant to clause (i) of section 204(a)(1)(A) of such Act [[8 U.S.C.A. §1154(a)(1)(A)(i)], or classification pursuant to clause (i) of section 204(a)(1)(B) of such Act [8 U.S.C.A. §1154(a)(1)(B)(i)];
  - (v) cancellation of removal pursuant to section 1229b(b)(2) of this title;
- (2) an alien--
  - (A) whose child has been battered or subjected to extreme cruelty in the United States by a spouse or a parent of the alien (without the active participation of the alien in the battery or cruelty), or by a member of the spouse or parent's family residing in the same household as the alien and the spouse or parent consented or acquiesced to such battery or cruelty, and the alien did not actively participate in such battery or cruelty, but only if (in the opinion of the agency providing such benefits) there is a substantial connection between such battery or cruelty and the need for the benefits to be provided; and
  - (B) who meets the requirement of subparagraph (B) of paragraph (1); or
- (3) an alien child who--
  - (A) resides in the same household as a parent who has been battered or subjected to extreme cruelty in the United States by that parent's spouse or by a member of the spouse's family residing in the same household as the parent and the spouse consented or acquiesced to such battery or cruelty, but only if (in the opinion of the agency providing such benefits) there is a substantial connection between such battery or cruelty and the need for the benefits to be provided; and
  - (B) who meets the requirement of subparagraph (B) of paragraph (1).