

59 (b) the facts existing at the time of the granting of resident student status have changed.

60 (6) Within the limits established in Title 53B, Chapter 8, Tuition [~~Waivers~~] Waiver
61 and Scholarships, each institution within the state system of higher education may, regardless
62 of its policy on obtaining resident student status, waive nonresident tuition either in whole or in
63 part, but not other fees.

64 (7) In addition to the waivers of nonresident tuition under Subsection (6), each
65 institution may, as athletic scholarships, grant full waiver of fees and nonresident tuition, up to
66 the maximum number allowed by the appropriate athletic conference as recommended by the
67 president of each institution.

68 (8) (a) (i) Personnel of the United States Armed Forces assigned to active duty in Utah,
69 and the immediate members of their families residing with them in this state are entitled to
70 resident student status for tuition purposes.

71 (ii) Except as provided in Subsection (8)(b), upon the termination of active duty status,
72 the military personnel and their family members are governed by the standards applicable to
73 nonmilitary persons.

74 (b) Military personnel who had Utah residency immediately prior to their active duty
75 status and who reestablish residency in Utah upon the termination of active duty status are
76 entitled to resident student status for themselves and the immediate members of their families
77 residing with them for tuition purposes.

78 (c) Notwithstanding Subsection (3), an institution within the state system of higher
79 education shall grant resident student status for tuition purposes to a child of a United States
80 military person assigned to active duty if the child produces:

81 (i) one of the following:

82 (A) the military parent's United States active duty military identification card;

83 (B) the child's United States active duty military identification and privilege card; or

84 (C) a statement from the military parent's current company commander stating that the
85 military parent is on active duty; and

86 (ii) ~~§~~→ [one of the following:

87 —(A)] ~~←~~§ the military parent's state of legal residence certificate with Utah listed as the
88 military parent's home of record;

89 ~~§~~→ [(B) the military parent's Utah driver license;] ~~←~~§

90 ~~§→ [(C) the military parent's Utah voter registration card §→ dated a reasonable period prior~~
 90a ~~to application ←§ ;~~
 91 ~~—— (D) a mortgage statement for a Utah residence listing the military parent's name and~~
 92 ~~Utah address;~~
 93 ~~—— (E) a current Utah vehicle registration document with the military parent's name as~~
 94 ~~owner of the vehicle §→ dated a reasonable period prior to application ←§ ; or~~
 95 ~~—— (F) the military parent's leave and earnings statement showing Utah as the state where~~
 96 ~~income taxes are paid.] ←§~~

97 (9) (a) Aliens who are present in the United States on visitor, student, or other visas
 98 which authorize only temporary presence in this country, do not have the capacity to intend to
 99 reside in Utah for an indefinite period and therefore are classified as nonresidents.

100 (b) Aliens who have been granted immigrant or permanent resident status in the United
 101 States are classified for purposes of resident student status according to the same criteria
 102 applicable to citizens.

103 (10) Any American Indian who is enrolled on the tribal rolls of a tribe whose
 104 reservation or trust lands lie partly or wholly within Utah or whose border is at any point
 105 contiguous with the border of Utah, and any American Indian who is a member of a federally
 106 recognized or known Utah tribe and who has graduated from a high school in Utah, is entitled
 107 to resident student status.

108 (11) A Job Corps student is entitled to resident student status if the student:

109 (a) is admitted as a full-time, part-time, or summer school student in a program of
 110 study leading to a degree or certificate; and

111 (b) submits verification that the student is a current Job Corps student.

112 (12) (a) A member of the Utah National Guard is entitled to resident student status if
 113 the student:

114 (i) is admitted as a full-time, part-time, or summer school student in a program of study
 115 leading to a degree or certificate; and

116 (ii) submits verification that the student is a member of the Utah National Guard.

117 (b) A member of the Utah National Guard who performs active duty service shall be
 118 considered to maintain continuous Utah residency under this section.

119 (13) A person is entitled to resident student status and may immediately apply for
 120 resident student status if the person: