

## ELIGIBILITY VERIFICATION FOR ENTITLEMENTS ACT (EVEA)

---

The Tennessee Eligibility Verification for Entitlements Act ("EVEA" or "the Act") requires state public institutions of higher education to verify that persons seeking a "state public benefit" are either a "United States citizen", a "qualified alien", or otherwise "lawfully present" in the United States. This memorandum updates and replaces all previously issued guidance for compliance with the requirements of the EVEA, based on field experience, differences in law/practices outside Tennessee, and refined understanding regarding the appearance of certain DHS issued documents. While there are some changes, it is not expected that TBR institutions will be required to alter their compliance procedures in any significant way as a result of this updated guidance document.

The Act requires TBR institutions to verify that all students seeking "state benefits" are eligible to receive such benefits. The term "state benefit" includes in-state tuition, lottery scholarships, academic scholarships, common market, or any other form of tuition assistance or waiver supported **with funds from a Tennessee government entity**. The term "state benefit" does not include tuition assistance funded privately, such as a scholarship from the institution's foundation or a privately endowed scholarship.

### HOW TO VERIFY APPLICANTS AS U.S. CITIZENS, QUALIFIED ALIENS, OR LAWFULLY PRESENT?

#### Students Excluded From the EVEA Process

Your institution does **not** have to verify the citizenship or lawful presence of students who:

- Are under 18 years of age **and** have not graduated from high school **and** are applying as dual enrollment students, joint enrollment students, or academically talented/gifted students.
- Have not applied to receive in-state tuition, or a scholarship, grant loans, tuition or fee waiver, or other financial assistance which is subsidized or paid in whole or in part with state funds.
- Are employed by the institution and have had their lawful presence verified through the federal E-Verify program or have completed a valid I-9.
- Have had their lawful presence verified through the federal Student and Exchange Visitor Information System (SEVIS) (e.g., M-1 and F-1 Student Visa Holders)

For all students seeking a 'state benefit,' U.S. citizenship, qualified alien status, or lawful presence shall be verified in ONE of the following way:

1. Completing a Free Application for Federal Student Aid (FAFSA) form for which the student's U.S. citizenship or eligible non-citizenship status is confirmed by the federal government.
2. Presenting a valid regular Tennessee driver license or Identification (ID Only) License. A **Temporary Driver TN License, Temporary Identification License, or Out of State License is NOT acceptable.**
3. Presenting a valid, unexpired, Permanent Resident Card (Form 1-551 with ID picture);
4. A valid, unexpired, U.S. passport;
5. A certificate of citizenship (N560 or N561);
6. A certificate of naturalization (N550, N560, or N578);
7. A U.S. citizen identification card (1-197, 1-179);
8. Valid, unexpired Foreign Passport with visa stamped "Processed for 1-551";

9. Non-Resident Alien Canadian Border Crossing Card;
10. Permanent Resident Re-Entry Permit (1-327);
11. Refugee Travel Document (1-571);
12. Valid, unexpired Foreign Passport with valid visa in a category that permits study at an institution of high education;
13. Any other document determine 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.

**OR**

\*\*\*\* IF A STUDENT DOES NOT HAVE ONE OF THE ABOVE DOCUMENTS – THEY ARE REQUIRED TO PROVIDE ONE OF THE FOLLOWING DOCUMENTS TOGETHER WITH A VALID, GOVERNMENT ISSUED PICTURE ID INCLUDING A REGULAR DRIVER LICENSE, TEMPORARY DRIVER LICENSE, GOVERNMENT ISSUED DL/ID CARD FROM ANY U.S. STATE, EMPLOYMENT AUTHORIZATION DOCUMENT (FORM 1-766);

1. Valid, unexpired Permanent Resident Card (Form 1-551) without picture;
2. An official birth certificate issued by a U.S. state, jurisdiction, or territory; except for Puerto Rican birth certificates issued before July 1, 2010;
3. A U.S. government-issued certified birth certificate;
4. A U.S. certificate of birth abroad (DS=1350 or FS-545);
5. A reprint of birth abroad of a citizen of the U.S. (FS-240);
6. Arrival/Departure Record (Form 1-94);
7. Notice of Approval of Status with bottom 1-94 portion attached (Form 1-797)