Verification of Lawful Presence

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Colorado Law requires students who are receiving a public benefit to prove they are lawfully present in the United States. Public benefits include in-state tuition, WICHE/WUE tuition, College Opportunity Fund stipends, military and athletic tuition waivers and any other state or institutionally funded financial benefit. Benefits will be withheld from students who do not verify lawful presence.

1. Who does this include?

- All undergraduate, graduate and professional students who are Colorado residents.
- All undergraduate students who participate in the Western Undergraduate Exchange (WUE) program and graduate students who participate in the Western Interstate Commission for Higher Education (WICHE) program.
- All undergraduate, graduate and professional students classified as non-resident (including international students) who receive state or institutionally funded financial assistance which may include scholarships, work-study awards, fellowships and need-based grants.

2. Are there any students who will be exempt from having to verify lawful presence?

No. There are no exemptions from having to verify lawful presence.
presence. However, the following students are considered to have met the requirement and do not need to take any action:

- Any student who has completed the Free Application for Federal Student Aid (FAFSA) and Colorado School of Mines has received valid results of your FAFSA.
- Any student who has completed the College Opportunity Fund (COF) application process after August 1, 2006 and has been successfully verified by the Colorado Department of Revenue are considered as having completed the process.

3. How often must I complete this requirement?

You must complete the process one time, at the point you initially receive a benefit.

4. How do I know if I’m required to verify lawful presence?

If you are required to verify lawful presence, you will receive an email from the Registrar Office to your university e-mail account.

5. I have a Lawful Presence hold on my record. What do I need to do?

Registration holds are placed on students’ accounts to assure students verify lawful presence. To satisfy this requirement, you will need to fulfill the following three steps:

1. Complete an affidavit stating that you are a US citizen, a legal permanent resident, or are otherwise lawfully present in the US pursuant to federal law.
2. Present a valid form of proof of citizenship or lawful presence.
3. Present a valid form of identification.

In some cases, a single document serves as both proof of citizenship/lawful presence and identification.
Documents that serve as both Proof of Citizenship/Lawful Presence and Identification

- Colorado Driver’s License or ID Card
- Driver’s License from one of the following states: AL, AK, AZ, AR, CA, CT, DE, DC, FL, GA, HI, ID, IN, IA, KS, KY, LA, ME, MD, MA, MI, MN, MS, MO, MT, NE, NV, NH, NJ, NY, NC, ND, OH, OK, OR, PA, RI, SC, SD, TN, TX, VT, VA, WV, WI, WY
- Certificate of Naturalization
- Certificate of U.S. Citizenship
- U.S. Passport

Documents that serve as only Proof of Citizenship/Lawful Presence

- U.S. Public Birth Certificate
- Certification of Report of Birth
- Report of Birth Abroad of a U.S. Citizen
- Certification of Birth Issued by the Department of State
- U.S. Citizen ID Card
- Northern Mariana ID Card
- American Indian Card
- Final Adoption Decree
- Evidence of U.S. Civil Service Employment before June 1, 1976
- U.S. Military Record

Documents that serve as only Identification

- A Driver’s License or ID Card
- School ID Card w/ Photograph
- U.S. Military ID Card or Draft Record
- U.S. Military Dependent ID Card
- U.S. Coast Guard Merchant Mariner ID Card
- ID Card Issued by Federal, State, or Local Government
- Other ID Described in 8 CFR 247a.2(b)(1)(v)(B)(1)

6. Why is proof of lawful presence required?
As of August 1, 2006, Colorado House Bill 06S-1023 requires state agencies verify the lawful presence of all applicants for public benefits.

7. Who do I contact if I have questions about lawful presence requirements?

  • Contact the Registrar’s Office.