## RESIDENCE REQUIREMENTS

### Determination of Residence for Nonresident Tuition Purposes

University requirements for establishing residency are independent from those of other types of residency, such as for tax purposes, or other state or institutional residency. These regulations were promulgated not to determine whether a student is a resident or nonresident of California, but rather to determine whether a student should pay University fees on an in-state or out-of-state basis. A resident for tuition purposes is someone who meets the requirements set forth in the Uniform Residence Requirements. These laws governing residence for tuition purposes at the California State University are California Education Code sections 68000-68090, 68120-68134, and 89705-89707.5, and California Code of Regulations, Title 5, sections 41900-41916. This material can be viewed on the Internet by accessing the California State University's website at www.calstate.edu/gc/resources.shtml.

Each campus' admission office is responsible for determining the residence status of all new and returning students based on the Application for Admission, Residency Questionnaire, Reclassification Request Form, and, as necessary, other evidence furnished by the student. A student who fails to submit adequate information to establish eligibility for resident classification will be classified as a non-resident.

### Establishing Residence

Generally, establishing residence in California for tuition purposes requires a combination of physical presence and intent to remain indefinitely. An adult who, at least one full year prior to the residence determination date for the term in which enrollment is contemplated, can demonstrate ***both*** physical presence in the state combined with evidence of intent to remain in California indefinitely, may establish California residence for tuition purposes. A minor normally derives residence from the parent(s) they reside with or most recently resided with.

Evidence demonstrating intent will vary from case to case but will include, and is not limited to, the absence of residential ties to any other state, California voter registration and voting in California elections, maintaining California vehicle license plates and driver's license, maintaining active California bank accounts, filing California income tax returns and listing a California address on federal tax returns, owning residential property or occupying or renting an apartment where permanent belongings are kept, maintaining active membership in California professional or social organizations, and maintaining a permanent military address and home of record in California.

Nonresident students seeking reclassification are required to complete a supplemental questionnaire that includes questions concerning their financial dependence on parents or others who do not meet University requirements for classification as residents for tuition purposes. Financial independence is required, along with physical presence and intent to be eligible for reclassification.

Non-citizens establish residence in the same manner as citizens, unless precluded by the Immigration adn Nationality Act from from establishing domicile in the United States.

Exceptions to the general residence requirements are contained in California Education Code sections 68070-68084 and California Code of Regulations, Title 5, Subchapter 5, Article 4, sections 41906-41906.5, and include, but are not limited to, members of the military and their dependents, certain credentialed employees of school districts and most students who have attended three years of high school in California and graduated or attained the equivalent. Whether an exception applies to a particular student cannot be determined before the submission of an application for admission and, as necessary, additional supporting documentation. Because neither campus nor Chancellor's Office staff may give advice on the application of these laws, applicants are strongly urged to review the material for themselves and consult with a legal advisor.

**Residence Determination Dates** are set each term. They are:

**Quarter Term Campuses**

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|---|---|
| Fall | September 20 |
| Winter | January 5 |
| Spring | April 1 |
| Summer | July 1 |

**Semester Term Campuses**

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| Fall | September 20 |
| Spring | January 25 |
| Summer | June 1 |

CalState TEACH operates on a trimester system. The residence determination dates for the CalState TEACH are as follows:

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| Fall | September 20 |
| Spring | January 5 |
| Summer | June 1 |

### Appeal of Residency Classification

Students classified as non-residents may appeal a final campus decision within 120 days of notification by the campus. A campus residence classification appeal must be in writing and submitted to:

The California State University
Office of General Counsel
401 Golden Shore, 4th Floor
Long Beach, California 90802-4210

The Office of General Counsel can either decide the appeal or send the matter back to the campus for further review. Students incorrectly classified as nonresidents or incorrectly granted an exception from nonresident tuition are subject to reclassification as nonresidents and payment of nonresident tuition in arrears. If incorrect classification results from false or concealed facts, the student is also subject to discipline pursuant to Section 41301 of Title 5 of the California Code of Regulations.

### Changes of Residence

Resident students who become nonresidents, or who no longer meet the criteria for an exception, must immediately notify the Admission Office. Changes may have been made in the rate of nonresident tuition and in the statutes and regulations governing residence for tuition purposes in California between the time this information is published and the relevant residence determination date. Students are urged to review the statutes and the regulations stated above.