DETERMINATION OF RESIDENCE FOR NON-RESIDENT TUITION PURPOSES

The law governing residence for tuition purposes at the California State University is California Education Code sections 68000-68084, 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.

Each campus’s Admissions 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 nonresident.

Generally, establishing California residence 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, has been both physically present in the state and has evidence of intent to remain in California indefinitely, may establish California residence for tuition purposes. Evidence demonstrating intent can vary from case to case and may include, but is not limited to, the absence of residential ties to any other state, California voter registration and voting in California elections, maintaining California registration and driver’s license, maintaining active California bank accounts, filing California income tax returns, owning residential property or occupying or renting an apartment where permanent belongings are kept, maintaining active memberships in California professional or social organizations, and maintaining a permanent military address and home of record in California.

Adult noncitizens establish residence in the same manner as citizens, unless precluded by the Immigration and Nationality Act from establishing domicile in the United States. Unmarried minor noncitizens derive their residence in the same manner as unmarried minor citizens except that both parent and minor must have an immigration status consistent with establishing domicile in the United States.

Exceptions to the general residence requirements are contained in California Education Code sections 68070-68120 and Title 5 of the California Code of Regulations, sections 41900-41916, and include, but are not limited to, members of the military and their dependents, certain credentialed employees of school districts and students who have attended 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.

Nonresident students seeking reclassification are required to complete a supplemental questionnaire including questions concerning their financial dependence, which will be considered along with physical presence and intent in determining reclassification.

The residence determination dates for CSU, Chico, a semester campus, are:

- Fall .................. September 20
- Spring .................. January 25

The residence determination dates for the four stages on CalState TEACH are as follows:

- Stage 1 .................. September 20
- Stage 2 .................. January 5
- Stage 3 .................. June 1
- Stage 4 .................. September 20

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 appeal must be submitted within 120 days of notification of the final campus decision. 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 residents 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 subject to discipline pursuant to Section 41301 of Title 5 of the California Code of Regulations. Resident students who become nonresidents or who no longer meet the criteria for an exception must immediately notify the Admissions 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 regulations stated above.
TEN THINGS YOU NEED TO KNOW ABOUT CALIFORNIA RESIDENCY FOR TUITION PURPOSES

1. California residency for tuition purposes eligibility criteria are established by State Law and the California Code of Regulations. California State University implements these Laws and Regulations.

2. California State University cannot alter or waive the eligibility criteria for any reason.

3. Under California law, if you have moved to California primarily to attend a California institution of higher learning, then you are not eligible for in-state tuition.

4. Living in California for 12 months is not an automatic qualification for in-state tuition.

5. You must prove through official and/or legal documents that you have moved to California permanently and are not merely living in California temporarily while you attend California State University, however long your course of study may take.

6. Financial hardship cannot be considered in evaluating California residency for tuition purposes eligibility.

7. Legal ties that you maintain in another state or country (e.g., state tax liability, a driver’s license, voter’s registration, etc.) will disqualify you from residency reclassification, regardless of your reason(s) for maintaining these ties.

8. Evidence that you are receiving out-of-state financial support in any way, either directly (e.g. tuition payments, parent PLUS loans, etc.) or indirectly (e.g., parent-purchased or co-purchased residences, parent-controlled financial portfolios), will disqualify you from California residency for-tuition-purposes.

9. Despite the length of time you attend California State University or live in California, you might not qualify for California residency for-tuition-purposes.

10. Residency reclassification applications and all supporting documentation must be submitted during the term in which reclassification is requested.

The term "California resident" for tuition purposes may differ from other definitions of California residency. A person who has a California driver's license/vehicle registration or who is a California resident for tax, voting, or welfare purposes may have established legal residence in the state but might not necessarily be considered a resident for tuition purposes.