Determinant of Residency for Tuition Purposes

University requirements for establishing residency for tuition purposes are independent of 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 outlined in the Uniform Student Residency Requirements. These laws governing residency for tuition purposes at the California State University are California Education Code sections 68000–68085, 68120–68133, and 89705–89707.5, and California Code of Regulations, Title 5, Subchapter 5, Article 4, sections 41900–41916. Residency material can be viewed at calstate.edu/sas/residency (http://www.calstate.edu/sas/residency).

Each campus’ Admissions Office is responsible for determining the residency 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 residency for tuition purposes requires a combination of physical presence and intent to remain indefinitely. An adult who, at least 366 days prior to the residency 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 residency for tuition purposes. A minor normally derives residency from the parent(s) they reside with or most recently resided with.

Evidence demonstrating intent may 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 registration 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 a residence 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.

Nonresident students seeking reclassification are required to complete a supplemental questionnaire that includes questions concerning their financial independence. Financial independence is required, in addition to physical presence and intent, to be eligible for reclassification. Financial independence is established if in the calendar year the reclassification application is made and in any of the three calendar years preceding the reclassification application the student:

- Has not and will not be claimed as an exemption for state and federal tax purposes by his/her parent;
- Has not and will not receive more than seven hundred and fifty dollars ($750) per year in financial assistance from his/her parent; and
- Has not lived and will not live longer than six (6) weeks in the home of his/her parent.

A nonresident student who has been appointed as a graduate student teaching assistant, a graduate student research assistant, or a graduate student teaching associate on any CSU campus and is employed on a 0.49 or more time basis is exempt from the financial independence requirement.

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

Exceptions to the general residency requirements are contained in California Education Code sections 68070–68085 and California Code of Regulations, Title 5, Subchapter 5, Article 4, sections 41906–41906.6, 41910 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 or more years of high school (grades 9–12) in California or attained credits earned in California from a California high school equivalent to three or more years of full-time high school coursework and a total of three or more years of attendance in California elementary schools, California secondary schools, or a combination of those schools, and graduated from a California high school or attained the equivalent of graduation. Whether an exception applies to a particular student can only be determined after 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.

Residency determination dates are set each term. They are:

**Residency Determination Dates**

**Quarter Term Campuses**

<table>
<thead>
<tr>
<th>Quarter</th>
<th>Date</th>
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<tbody>
<tr>
<td>Fall</td>
<td>September 20</td>
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<tr>
<td>Winter</td>
<td>January 5</td>
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<tr>
<td>Spring</td>
<td>April 1</td>
</tr>
<tr>
<td>Summer</td>
<td>July 1</td>
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</tbody>
</table>

**Semester Term Campuses**

<table>
<thead>
<tr>
<th>Semester</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fall</td>
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<tr>
<td>Spring</td>
<td>January 25</td>
</tr>
<tr>
<td>Summer</td>
<td>June 1</td>
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CalState TEACH operates on a trimester system. The residency determination dates for CalState TEACH are as follows:

**Residency Determination Dates for CalState TEACH**

<table>
<thead>
<tr>
<th>Semester</th>
<th>Date</th>
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<tr>
<td>Fall</td>
<td>September 20</td>
</tr>
<tr>
<td>Spring</td>
<td>January 5</td>
</tr>
<tr>
<td>Summer</td>
<td>June 1</td>
</tr>
</tbody>
</table>

Students classified as nonresidents may appeal a final campus decision within 120 days* of notification by the campus. A campus residency classification appeal must be in writing and submitted to:

*See page 89705.5, and California Code of Regulations, Title 5, Subchapter 5, Article 4, sections 41906–41906.6.
The California State University*
Office of General Counsel
401 Golden Shore, 4th Floor
Long Beach, CA 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 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 also
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 non-resident tuition and in
the statutes and regulations governing residency for tuition purposes in
California between the time this information is published and the relevant
residency determination date. Students are urged to review the statutes
and regulations stated above.

*A proposal to change the contact information and notification period at
the CSU Office of General Counsel is pending and will be available after
March 2017.