Determination of Residency for Tuition Purposes

University requirements for establishing residency for tuition purposes 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 Student Residency Requirements. These laws governing residency for tuition purposes at the CSU 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. This material can be viewed by accessing the CSU's website at www.calstate.edu/GC/resources.shtml (http://www.calstate.edu/GC/resources.shtml).

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 in the State of California. 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) with whom he/she resides or most recently resided.

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.

A nonresident student seeking reclassification is required to complete a supplemental questionnaire that includes questions concerning his/her financial independence. Financial independence is required, in addition to physical presence and intent to remain indefinitely, 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(s);
• Has not and will not receive more than $750 per year in financial assistance from his/her parent(s); and
• Has not lived and will not live longer than six weeks in the home of his/her parent(s).

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. 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 the 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 for CalState TEACH

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

Students classified as nonresidents may appeal a final campus decision within 30 days of notification by the campus. Information on the appeal process may be found at www.calstate.edu/sas/residency/appeals.shtml (http://www2.calstate.edu/apply/Pages/determining-california-residency.aspx). A campus residency classification appeal must be submitted via the InfoReady online Residence Appeal Form to the California State University Chancellor's Office at: https://calstate.infoready4.com/#competitionDetail/1760156
Appeals via email, fax and U.S. mail will not be accepted. A student with a documented disability that prohibits the student from submitting an appeal through the InfoReady site should contact Student Academic Services:

California State University  
Attn: Student Academic Services  
401 Golden Shore, 6th Floor  
Long Beach, CA 90802-4210  
Email: residencyappeals@calstate.edu

The Chancellor’s Office 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 recategorization 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 nonresident 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.