

Los Rios Community College District **Residency Reclassification Instructions**

Instructions

Students requesting reclassification of their residency status to California resident must complete the attached application. State requirements to become a California resident are described in the California Education Code and California Code of Regulations (Title 5).

Under California law, to be reclassified from a non-resident to a California resident, a student must clearly demonstrate:

1. Physical presence in California,
2. Intent to reside in California permanently, and
3. Financial independence, if the student was classified as non-resident in a preceding term.

Eligibility

Physical presence in the State of California for one year does not automatically qualify a student as a California resident. To be eligible for California residency, you must:

1. Be a U.S. citizen or hold a U.S. Immigration status that does not prevent establishment of residency. The following visa status holders **CANNOT** establish residency: B-1, B-2, C, D-1, D-2, F-1, F-2, H-2, H-3, J-1, J-2, M-1, M-2, O-2, P-1, P-2, P-3, P-4, Q and TN/TD.
2. Verify physical presence in California for one year and one day prior to the first day of instruction for the semester (the residency determination date).
3. Clearly verify intent to make California your permanent place of residence.
4. Establish financial independence from a non-resident parent or guardian.

NOTE: Students may also qualify for California residency under certain Exceptions to General Residency Regulations (check with Admissions & Records office for information about the exceptions).

Establishing Residency

A student must establish his/her own residency. A student's residency cannot be derived from his/her spouse or domestic partner.

Students under 19 years of age and unmarried derive California residency from their parents. The parents must meet the eligibility requirements and provide required documentation demonstrating physical presence in California and intent to make California their permanent residence.

Students 19 years of age or older may not derive residency from a parent, unless the student is financially dependent upon the parent. When a student is financially dependent, the documents submitted must show the dependency of the student and the California residency of the parent or guardian.

AB 540 Non-Resident Exemption

California non-residents who have graduated from a California high school (or attained a California GED or equivalent) and attended a California high school for at least three years may qualify for the AB 540 non-resident tuition exemption. Please ask the Admissions & Records office for more information.

Ten Things You Should Know about California Residency

1. California residency for fee purposes is established by California state law and the California Code of Regulations. Los Rios Community College district must comply with these laws and regulations.

2. The Los Rios Community College District 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 college, then you are not eligible for in-state resident fees.
4. Living in California for 12 months is not an automatic qualification for in-state fees.
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 college, however long your course of study takes.
6. Financial hardship cannot be considered in evaluating California residency for fee purposes eligibility.
7. Legal ties that you maintain in another state or country (e.g., state tax liability, 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 or indirectly, will disqualify you from California residency for fee purposes for one or more of the following situations:
 - a. If you have been claimed as a dependent on anyone's income tax return within the past three years
 - b. Have accepted more than \$750 in financial support in any form
 - c. Lived with a parent for more than six weeks a year for the last three yearsIn each of these cases, you shall be considered financially dependent and therefore cannot meet the core requirement of demonstrated financial independence necessary to qualify for reclassification from non-resident to resident.
9. Despite the length of time you attend a Los Rios college or live in California, you might not qualify for California residency for fee 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 fee 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 not necessarily be considered a resident for fee purposes.

Residency Documentation

The student must provide a minimum of two documents as proof of continuous physical presence and intent to reside in California. The documents must include the student's name, the student's California address, and a date at least one year and one day prior to the first day of the semester.

Supplementary documentation that may be used to prove residency factors	Physical Presence	Intent	Financial Independence
California driver's license or California identification card	X	X	
California motor vehicle registration	X	X	
Continuous occupancy of property in California (rental or lease agreement) If lease extends beyond current year	X	X	
DD-214 (Certificate of Release or Discharge from Active Military Duty) and copy of LES (Leave and Earning Statement) showing California as home of record	X		
Evidence of divorce petition filed in California	X	X	
Federal W-2, 1040 or 1040EZ (showing California address) If the end of the tax year does not fall one year and one day prior to residence determination date, one of the following documents is also required: check stubs, letter from employer, or other verification.	X		
Filed California State Income Tax Form 540 with California address – prior year(s) showing not claimed as a dependent If the end of the tax year does not fall one year and one day prior to residence determination date, one of the following documents is also required: check stubs, letter from employer, or other verification.	X	X	X
Filed FAFSA (Free Application for Federal Student Aid) as financially independent			X
License for professional practice in California (trade, business, professional)	X	X	
Ownership of residential property in California	X	X	
Parent's filed tax returns, showing student was not claimed as a dependent			X
Permanent military address or home of record in California while in Armed Forces	X	X	
Proof of employment (prior year tax returns and current year pay stub with name and address)	X	X	
Statement of active California bank account	X		
Utility bills (electric, gas, water, telephone)	X		
Verification of public assistance, rehabilitation, unemployment, or other California state services	X	X	X
Voter Registration		X	

NOTE: Transcripts are not proof of residency. They merely show the student was enrolled in school. Transcripts satisfy no factors in residency determination.

OFFICE USE ONLY:
 Staff Initials _____ Date _____
 Residency determination date _____

**LOS RIOS COMMUNITY COLLEGE DISTRICT
 RESIDENCY RECLASSIFICATION APPLICATION**

FALL SPRING SUMMER SEMESTER, 20 _____

This form is to be completed and returned with a minimum of two forms of documentation proving residency (see attached list for details). The information requested is deemed relevant and necessary to a proper determination of your residence status for tuition and fee purposes pursuant to California Education Code §68041. Failure to answer all questions may cause you to be classified as a non-resident. You may submit additional information you believe will establish your California residence. You may also be asked to submit additional documentation to support your responses. **Physical presence in the State of California for one year does not automatically qualify a student as a California resident.**

Please Print			
Name _____			
	First	Middle	Last
Student ID # _____			Date of Birth _____
Address _____			
	Number and Street	City	State Zip
Telephone # _____	/		
	Home	Work	
<input type="checkbox"/> U.S. Citizen			
<input type="checkbox"/> Asylee/Refugee **	Effective as of: ___/___/___ (mm/dd/yyyy) INS number: _____		
<input type="checkbox"/> Student Visa (F-1) **	Effective as of: ___/___/___ (mm/dd/yyyy)		
<input type="checkbox"/> Temporary Resident **	Effective as of: ___/___/___ (mm/dd/yyyy)		
<input type="checkbox"/> Permanent Resident Alien **	Effective as of: ___/___/___ (mm/dd/yyyy) INS number: _____		
	Date Applied for: ___/___/___ (mm/dd/yyyy)		
	Visa status prior to application for permanent residence: _____		
<input type="checkbox"/> Other (describe) _____			
** Students with immigrant or non-immigrant status are required to submit documentation of their status , e.g., Permanent Resident Card, Passport with Visa status, I-94 with expiration date, etc.			

Physical Presence and Intent to Reside in State of California

1. Will you be 19 years of age or older by the residency determination date (first day of instruction for the requesting term)?

Yes No

If yes, answer the questions as they pertain to you.

If no, answer questions #2-12 as they pertain to the natural or adopted parent with whom you most recently resided and whose name and whereabouts you will provide below:

Name/Relationship: _____

Present actual whereabouts: _____

2. What state do you regard as your permanent home? _____

3. My present stay in California began on _____

4. I consider myself a legal resident of California on _____
5. I have filed California state income tax returns since _____
6. Are all of your personal effects located in California? Yes No
 As of what date? _____ If "no", explain why? _____

7. Have you:
- | | | | |
|---------------------------------|--|-------|------------|
| | | State | Date Filed |
| Registered to Vote? | Yes <input type="checkbox"/> No <input type="checkbox"/> | _____ | _____ |
| Obtained a Driver's License/ID? | Yes <input type="checkbox"/> No <input type="checkbox"/> | _____ | _____ |
| Registered/Owned Vehicle(s)? | Yes <input type="checkbox"/> No <input type="checkbox"/> | _____ | _____ |
| Filed Tax Returns? | Yes <input type="checkbox"/> No <input type="checkbox"/> | _____ | _____ |

8. List all places you have lived prior to your most recent arrival in California, the dates you lived in each place, and the parent you resided with (if applicable). If you need more room, please attach an explanation on a separate sheet of paper.

From (Date)	To (Date)	State or Country	Parent You Resided With (if applicable)

9. Purchase date(s) and locations of California residence(s) owned:

Date (mo/day/year)	Address

10. Source(s) of financial support this past year: _____

11. Employed in California in the past year? Yes No

From (Date)	To (Date)	Employer/Address

Student's Financial Independence

California Education Code §68044 requires that the financial independence of a non-resident student seeking reclassification as a resident must be included in the factors considered in the determination of residence. **Please answer all of the following questions.** Failure to provide complete information may result in non-resident classification (California Education Code §68041).

12. Will your parent(s) claim you as a dependent exemption for federal and state tax purposes for the current calendar year? Yes No
13. Were you claimed as an exemption for federal and state tax purposes by your parent(s) in any of the past three calendar

years?

14. Have you received or will you received more than \$750 in financial assistance from your parent(s) in the current calendar year? Yes No

15. Have you received or will you received more than \$750 in financial assistance from your parent(s) in the past three calendar years? Yes No

16. Have you lived or will you live for more than six weeks with your parent(s) during the current calendar year? Yes No

17. Did you live for more than six weeks with your parent(s) during any of the three past calendar years? Yes No

18. Are your parents California residents? Yes No

If yes, please provide date of California residency _____

19. Other evidence of legal California residence _____

Attestation/Declaration

I declare under penalty of perjury under the laws of the State of California that the statements and documents submitted by me are true, accurate, and correct. I further understand that all materials submitted by me for the purposes of residency reevaluation become the property of Los Rios Community College District. I understand that falsification or withholding pertinent data shall constitute grounds for disciplinary action under Los Rios Community College District regulations.

Student Signature _____ Date _____

Reclassification request forms submitted without documentation will not be processed.

You will be notified within 5-7 working days of the decision regarding your residency status either by email or mail.

OFFICE USE ONLY:

____ Resident
____ Non-Resident

Staff Signature: _____
Date: _____

Notes/Comments: _____

