



Residency Reclassification Instructions and Application

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 a category as described in the section “Exceptions to General Residency Regulations” on pages 8-9.

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 AB540 non-resident tuition exemption. Please ask your college Admissions and 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 of the following will disqualify you from California residency for fee purposes:
 - 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 from a parent in any form within the past three years
 - c. Lived with a parent for more than six weeks a year for the last three years

In each of these cases, you shall be considered financially dependent and therefore cannot meet the core requirement of demonstrated financial independent 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.

**Los Rios Community College District
Residency Reclassification Request Form**

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 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. Questions about residence regulations should be referred to the Admissions and Records Office. You may 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 Code
Telephone # _____			
Home		Mobile	e-mail address
<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-I)**:		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 (<i>describe</i>) _____			
 ** Students with immigrant or non-immigrant status are required to submit documentation of their status, e.g., Permanent Resident Card, Passport with Visa status, 1-94 with expiration date, etc.			

OFFICE USE ONLY:	
____ Resident	Staff Signature: _____
____ Non-Resident	Date: _____
Notes/Comments: _____	

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 # 2-11 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 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 location(s) 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

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? Yes No
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 _____
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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 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.

Exceptions to General Residency Regulations

You may still qualify for California resident classification under one of the following exceptions provided by law. Check if any one of the following exceptions applies, and please provide the requested documentation to support your claim.

Exceptions	Documents Required
<input type="checkbox"/> Self Support (EC §68071, T5 §54040) You are under 19 years of age and have supported yourself financially for more than one year before the residence determination date and have the intent of making California your permanent residence.	<ol style="list-style-type: none"> 1. Documentation of employment (either W-2 forms or a letter from your employer showing earnings for the past year), 2. A statement that you have actually been present in California for the past year, AND 3. A statement showing all your expenses for the past year.
<input type="checkbox"/> Dependent of a Military Member (EC §68074, T5 §54041) You are a child or spouse of a member of the Armed Forces of the United States who is stationed in CA on active duty.	<ol style="list-style-type: none"> 1. A statement from the military person's commanding officer or personnel officer, AND 2. Evidence that you are a dependent of the military person's for federal tax purposes.
<input type="checkbox"/> Military Member on Active Duty (EC §68075, T5 §54042) You are a member of the Armed Forces of the United States who is stationed in California on active duty and not assigned for educational purposes to a LRCCD college.	<ol style="list-style-type: none"> 1. A statement from the military person's commanding officer or personnel officer that the assignment to active duty in California is not for educational purposes, AND 2. Evidence of the date of assignment to California.
<input type="checkbox"/> Discharged Military Member (EC §68075.5) You are a member of the Armed Forces of the United States stationed in California on active duty for more than one year prior to being discharged and have remained in California.	<ol style="list-style-type: none"> 1. Military Discharge Form, DD-214
<input type="checkbox"/> Graduate of a School in California Operated by the United States Bureau of Indian Affairs (EC §68077) You graduated from a school located in California that is operated by the United States Bureau of Indian Affairs, including, but not limited to, the Sherman Indian High School.	<ol style="list-style-type: none"> 1. School Diploma.
<input type="checkbox"/> Public School Employee (EC §68078, T5 §54046) You hold a valid credential or emergency permit authorizing service in the California public schools, a full-time employee at a school district, and are enrolling in a LRCCD college to fulfill credential requirement.	<ol style="list-style-type: none"> 1. A statement from your employer showing that you are employed in a full-time position requiring certification qualifications, AND 2. A copy of your credential or emergency permit.

Exceptions	Documents Required
<input type="checkbox"/> Under Custody of a CA Resident (EC §68073, T5 §54047) You have lived with and have been under continuous direct care and control of any adult(s) that has resided in California for more than one year prior to the residency determination date, Care provided by someone other than a parent, for more than two years.	<ol style="list-style-type: none"> 1. A statement from the adult showing that you have lived with him/her and have been under his/her continuous direct care for more than two years, AND 2. Evidence that the adult has California residence for more than one year prior to the residence determination date.
<input type="checkbox"/> Adult Dependent of a California Resident (EC §68076) You have not been an adult resident of California for more than one year and you either: <ol style="list-style-type: none"> (a) are the dependent child of a California resident who has residence in California for more than one year, OR (b) have a parent who has both contributed court-ordered support for you on a continuous basis and has been a California resident for a minimum of one year. 	<ol style="list-style-type: none"> 1. Documentation of your parent’s California residency.
<input type="checkbox"/> Agricultural Laborer (T5 §54048) If you or your parent earns a livelihood by performing agricultural labor for hire for at least two months in each of the preceding two years. Agricultural labor for hire means seasonal employment in connection with actual production of agricultural crops.	<p>Parent:</p> <ol style="list-style-type: none"> 1. Evidence that your parent with whom you live earns a livelihood primarily by performing agricultural labor for hire and has performed such labor in California for at least two months in each of the two preceding years, 2. Evidence that your parent lived within the District, AND 3. If your parent filed income tax return, evidence that your parent claims you as a dependent on his/her income tax return. <p>You:</p> <ol style="list-style-type: none"> 1. Evidence showing that you earn a livelihood primarily by performing agricultural labor for hire, AND 2. Labor has been performed in California for at least two months in each of the preceding two years.
<input type="checkbox"/> Full-Time Employee of a California State Agency (EC §68079) You, your parent, or your spouse is a full-time employee of a California state institution or state agency and is assigned to work outside of California.	<ol style="list-style-type: none"> 1. Evidence of employment with a California state institution or state agency, AND 2. Evidence of the out-of-state assignment.

Exceptions	Documents Required
<input type="checkbox"/> Native American (EC §68082) You are a Native American and attending a school administered by the Bureau of Indian Affairs located within the District.	<ol style="list-style-type: none"> 1. Evidence of Native American status, AND 2. Evidence of attending a school administered by the Bureau of Indian Affairs (i.e., transcript)
<input type="checkbox"/> Student Athlete (EC §68083) You are an amateur athlete in training at the United States Olympic Training Center in Chula Vista.	<ol style="list-style-type: none"> 1. Evidence showing that you are an amateur athlete in training at the United States Olympic Training Center in Chula Vista.
<input type="checkbox"/> Federal Civil Service Employee (EC §68084) You or your parent is a federal civil service employee and has moved to California as a result of a military mission realignment action that involves the relocation of at least 100 employees.	<ol style="list-style-type: none"> 1. Evidence of such employment, AND 2. Evidence of reassignment to California.
<input type="checkbox"/> Ward of the State (EC §68085) You are 19 years of age or under and a dependent or ward of the state through California child welfare system, or was served by California child welfare system and is no longer being served either due to emancipation or aging out of the system.	<ol style="list-style-type: none"> 1. Evidence showing that you are/were a dependent or ward of the state through California child welfare system.
<input type="checkbox"/> Peace Officer (EC §76140.5) You have been hired by a public agency as a peace officer upon successful completion of a police academy training course at a LRCCD college.	<ol style="list-style-type: none"> 1. Evidence that you have passed all other requirements of the hiring public agency, AND 2. Evidence that the public agency intends to classify you as a peace officer.