How is residency for tuition purposes determined?

California State University, East Bay Office of Admission determines resident status of all new and returning students for nonresident tuition purposes. Information on the “Application for Admission,” and Residency Questionnaire,” and, if necessary, other evidence provided by the student is used in making this determination. A student who fails to submit adequate information to establish eligibility for resident classification will be classified as a nonresident.

University requirements for establishing residency are independent from those of other types of residency, such as for tax purposes, or other state or institutional residency. A resident for tuition purposes is someone who meets the requirements set forth in the Uniform Student Residence Requirements. These laws governing residence for tuition purposes at the California State University are California Education Code sections 68000-68090, 68120-68134, and 89705-89707.5, and in California Code of Regulations, Title 5, Subchapter 5, Article 4, sections 41900-41916. This material can be viewed on the Internet by accessing the California State University web site at http://www.calstate.edu/GC/resources.shtml.

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.

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, can demonstrate physical presence in the state combined with evidence of intent to remain in California indefinitely, may establish California residence for tuition purposes. A minor normally derives residence from the parent(s) with whom he or she resides, or with whom he or she 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 of federal 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.

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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, unless precluded by the Immigration and Nationality Act from establishing domicile in the United States.

**Nonresident Tuition Exceptions**
Exceptions to the general residence requirements are contained in California Education Code, Sections 68070-68084 and Title 5 of the California Code of Regulations, Subchapter 5, Article 4, Sections 419076-41906.5, 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 years of high school in California and graduated or attained the equivalent of a high school diploma.

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 Chancellors’ Office staff may give advice on the application of these laws, applicants are strongly urged to review the material for themselves and to consult with a legal advisor.

**Residence Determination Dates**
The general rule is that a student must have been a California resident for at least one year immediately preceding the residence determination date in order to qualify as a “resident student” for tuition purposes. A residence determination date is set for each academic term and is the date from which residence is determined for that term.

**The residence determination dates for quarter term campuses (Cal State East Bay) are:**
- Fall: September 20
- Winter: January 5
- Spring: April 1
- Summer: July 1

**If you receive a nonresident decision from our campus, please contact your campus Residency Specialist to determine if the nonresident decision is the final campus decision. You may file a residence classification appeal for any final campus residency decision.**

You may reach a Cal State East Bay Residency Specialist at (510) 885-2784 or e-mail us at ures@csueastbay.edu

This is not a complete discussion on residency determination. You will find additional information in the California State University, East Bay Catalog at [http://www20.csueastbay.edu/ecat/general-info/fees-and-expenses.html](http://www20.csueastbay.edu/ecat/general-info/fees-and-expenses.html) and the California Education Code and California Code of Regulations discussed in this informational sheet.

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