

*Administrative Code*, Article 4 (commencing with Section 41900) of Subchapter 5 of Chapter 1, Part V. A copy of the statutes and regulations is available for inspection at the campus Admissions Office.

Legal residence may be established by an adult who is physically present in the state while, at the same time, intending to make California his permanent home. Steps must be taken at least one year prior to residence determination date to evidence the intent to make California the permanent home with concurrent relinquishment of the prior legal residence. Some of the relevant indicia of an intention to establish and maintain California residence are registering to vote and voting in elections in California; satisfying resident California state income tax obligations on total income; ownership of residential property or continuous occupancy or letting of an apartment on a lease basis where one's permanent belongings are kept; maintaining active resident memberships in California professional or social organizations; maintaining California vehicle plates and operator's license; maintaining active savings and checking accounts in California banks; maintaining permanent military address and home of record in California if one is in the military service, etc.

The student who is within the state for educational purposes only does not gain the status of resident regardless of the length of his or her stay in California.

In general, the unmarried minor (a person under 18 years of age) derives legal residence from his or her parents, or, in the case of permanent separation of the parents, from the parent with whom the minor maintains his or her place of abode. The residence of a minor cannot be changed by act of the minor or that of the minor's guardian, so long as the minor's parents are living.

A man or a woman may establish his or her residence; marriage is not a governing factor.

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 the 1977-1978 academic year are Fall Semester, 1977: September 20, 1977; Spring Semester, 1978: January 25, 1978. If you have any questions respecting the applicable date, the campus Admissions Office can give you the residence determination date for the term for which you are registering.

There are several exceptions from nonresident tuition. Some of the exceptions provide for:

1. Persons below the age of 19 whose parents were residents of California but who left the state while the student who remained was still a minor. When the minor reaches age 18, the exception continues for one year to enable the student to qualify as a resident student.
2. Persons below the age of 19 who have been present in California for more than a year before the residence determination date, and entirely self-supporting for that period of time.
3. Persons below the age of 19 who have lived with and been under the continuous direct care and control of an adult, not a parent, for the two years immediately preceding the residence determination date. Such adult must have been a California resident for the most recent year.
4. Dependent children and spouses of persons in active military service stationed in California on the residence determination date. This exception applies only for the minimum time required for the student to obtain California residence and maintain that residence for the year. The exception, once attained, is not affected by transfer of the military person directly to a post outside the 50 states and District of Columbia.
5. Military personnel in active service stationed in California on the residence determination date for purposes other than education at state-supported institutions of higher education. This exception applies only for the minimum time required for the student to obtain California residence and maintain that residence for a year.
6. A student who is an adult alien is entitled to residence classification if the student has been lawfully admitted to the United States for permanent residence in accordance with all applicable provisions of the laws of the United States; provided, however, that the student has had residence in California for more than one year after such admission prior to the residence determination date. A student who is a minor alien shall be entitled to residence classification if both the student and the parent from whom residence is derived have been lawfully admitted to the United States for permanent residence in accordance with all applicable laws of the United States, provided that the parent has