

## Residency Cheat Sheet

10 things graduate students need to know about California residence for purposes of tuition and fees.

**1** The University of California Regulations for Residency Purposes of Tuition and Fees differ from those of other California public post-secondary institutions. They also differ from Admissions and Financial Aid regulations.

**3** The term “California resident for purposes of tuition and fees” comes from the University’s residence regulations and differs from other definitions of California residence. For example, a person who is a California resident for tax or voting purposes will not necessarily be a resident for purposes of tuition and fees. Admissions and Financial Aid definitions of resident also differ. They do not confer residence for purposes of tuition and fees.

**5** In order to establish residence in California for purposes of tuition and fees, **you must have the legal ability to establish a permanent domicile in the United States**, meaning you must be a citizen or permanent resident of the United States or hold a valid, qualifying nonimmigrant visa.

**7** **It is your burden to prove, by clear and convincing evidence, that you have satisfied all applicable UC residence requirements.**  
Financial hardship cannot be considered in evaluating whether you are able to qualify for California residence for purposes of tuition and fees.

**9** You normally cannot establish California residence for purposes of tuition and fees while maintaining legal ties to another state or country (e.g. state tax liability, driver’s license, voter’s or vehicle registration). Further, if you have moved to California primarily to attend UC Berkeley, you are here for educational purposes and are not eligible for a resident classification for purposes of tuition and fees.

**2** Upon admittance to the University of California, you must first complete a **Statement of Intent to Register**. However, your resident or nonresident classification is determined for purposes of tuition and fees only after you have completed and submitted a Statement of Legal Residence to the campus Residence Deputy.

**4** You *do not* become a resident for purposes of tuition and fees simply by living in California for 366 days or more, even if you are in a Master’s or PhD program. **The length of time you attend UC Berkeley or live in California is not the sole determining factor of residence.**

**6** Graduate students over the age of 24 by Dec. 31 of the year resident classification is sought are presumed to be financially independent. Graduate students under the age of 24 whose parents qualify as California residents under UC residence regulations do not have to verify that they are financially independent. Graduate students whose parents are not CA residents must demonstrate that they were not claimed as dependents for the most recent two calendar years prior to the term for which a resident classification is sought. Graduate students who are graduate student instructors, teaching or research assistants, or teaching associates employed at 49% time or more (or awarded the equivalent in University-administered funds, e.g. grants, stipends, fellowships) in the term for which resident classification is sought may be exempt from the financial independence requirement.

**8** The UC residence regulations require that you prove **all of the following**:

- 1) at least 366 days of physical presence in California,
- 2) concurrent intent to permanently remain in the state
- 3) financial independence.

**10** This is only a summary of the main UC regulations for California residence for purposes of tuition and fees. **Please access the UC Residency Policy for details ([ucop.edu/residency](http://ucop.edu/residency)) or contact the Residence Affairs Unit at UC Berkeley.**

## Residency FAQs

### How do I apply for residency (for tuition purposes)?

All students who wish to apply for residency must complete the **Statement of Legal Residence (SLR)** during the appropriate filing period (**Fall: April 1 to July 1; Spring: October 1 to December 1**).

- ◆ To find the SLR, go to Cal Central ([calcentral.berkeley.edu](http://calcentral.berkeley.edu)), under My Dashboard, under “Tasks” or “Notifications.”
- ◆ Once you submit the SLR, we will request documents from you and add items to the checklist in “Tasks.”
- ◆ To check the status of your SLR go to: My Academics, “Status and Holds.”

It may take our unit to four to six weeks minimum to process your file, so please submit your SLR early.

### What should I do once I arrive?

- ◆ **Document your presence in the state** as soon as you arrive. Save airline tickets or bank/credit card statements showing you were physically present in California one year prior to the beginning of the term for which you are seeking resident classification.
- ◆ **Establish a California driver’s license or state identification card** within 10 days of arrival. Surrender all out-of-state driver’s license and identification
- ◆ **Establish a California residence** in which you keep your permanent belongings.
- ◆ **Register your vehicles(s) in California** within 20 days of arriving. Also, register to vote and vote in California elections.
- ◆ **Pay California income taxes as a resident** on all taxable income earned after your arrival and file California resident or part-year resident tax returns. File nonresident or part-year resident out-of-state tax returns if you have out-of-state taxable income prior to arriving in California.
- ◆ **Designate and use a California address** as your permanent address on all records (school, employment, tax forms, military, bank accounts etc.).

### What about non-academic periods?

Remaining in California during non-academic periods is a strong indicator of your intent to make California your home. You’ll be required to document that you were physically present in the state for at least 2 of the 3 months during the summer previous to the term you are petitioning for residency. Other non-academic

periods will not be an issue if you provide strong indicators of intent. If you must leave the state for academic-related reasons (such as research), you may be required to provide proof of your whereabouts. Please contact the Residence Affairs Unit for more questions.

**Q** I graduated from a California high school. Do I qualify for any exemptions?

**A** You may be eligible for an exemption if you:

- ◆ have attended a high school in California for 3 or more years, and
- ◆ have graduated from a California high school or attained the equivalent thereof, and
- ◆ not be a nonimmigrant (e.g. students holding an F-1 or J-1 visa)

*If you believe that you are eligible for this exemption, you will be required to complete and submit an Application and Affidavit, and your official high school transcript.*

**Q** How long does it take to receive an answer once I submit all of my documents?

**A** Students usually receive a classification notice in 4 to 6 weeks.

### My petition was denied. Can I appeal?

You have the opportunity to appeal to the UCOP Office of the General Counsel (OGC). You must do so in writing to OGC within 30 days of the date of your nonresident letter. Information regarding how to appeal can be found at: [http://ucop.edu/general-counsel/\\_files/ed-affairs/uc-residency-instructions-appeal-form.pdf](http://ucop.edu/general-counsel/_files/ed-affairs/uc-residency-instructions-appeal-form.pdf)

### Have a question?

Contact us at:

[orres@berkeley.edu](mailto:orres@berkeley.edu) or 510.642.7209

<http://registrar.berkeley.edu/tuition-fees-residency/residency-tuition-purposes>

### Did you know?

If you are determined to be a non-resident but want to submit a Statement of Legal Residence for a subsequent term, you must file the online form for that term in Cal Central. Just make sure to check the deadlines page at:

<http://registrar.berkeley.edu/tuition-fees-residency/residency-tuition-purposes/how-apply-state-tuition>.