

DVC ADMISSIONS AND RECORDS OFFICE

California Residency Reclassification Request

Name _____ Student ID or SSN _____

First, MI, Last

Present Address _____

Birth Date _____ Phone _____ Email _____

Term/Year _____ (Ex: FA08)

Legal Status

- U.S. Citizen
- Permanent Resident Number _____ Issue Date _____ Exp Date _____
- Refugee/Asylee Date issued _____
- Current Visa Status _____ Issue Date _____ Exp Date _____

Physical Presence and Intent

Date California became your permanent home _____

Where were last two years state income tax returns filed? _____ and _____
State/Year State/Year

If no taxes were filed, explain _____

Do you own or rent Ca. property? _____ Since what date? _____

If registered to vote, in what state? _____

Do you have a valid Ca. drivers license or ID? _____ Issue Date _____

In what state is your automobile registered? _____ Reg Date _____

Were you employed in California this past year? _____

Employer _____ Dates of Employment _____ to _____

Additional proof of residency _____

Military Service

Are you an active member of the U.S. armed forces? _____

Are you a dependant or spouse of an active military member? _____

Legal state of residence on military records _____

Expiration of ID Card _____

Financial Independence

For unmarried students under 24 years of age.

Were you claimed as an exemption for state tax purposes by your parent(s) in either of the last two calendar years? Y N What year(s) _____

Will your parent(s) claim you as a dependant for state tax purposes for the current calendar year?

Y N

Are your parents California residents? Y N

AB540

Did you attend a California high school for 3 years and graduate or obtain a California GED?

Y N

I declare under penalty of perjury that the statements and documents submitted by me in connection with the determination of my residency are true and correct and I will notify the Office of Admissions and Records if there is any change in any of the facts regarding my residency.

Signature _____

Date _____

INSTRUCTIONS FOR SUBMITTING RESIDENCY DOCUMENTATION

Please read these instructions carefully, as incomplete documentation will result in an immediate denial of your residency reclassification request.

The residency questionnaire must be filled out completely and signed. Please note that **all** documentation provided must be dated at least **one year and one day** prior to the start of the semester. Non-citizens must provide proof of their eligibility to establish residency.

Once the residency questionnaire and documentation have been submitted, the Office of Admissions and Records will make a determination within three business days. The student will be notified via the email address provided on the form. If none is provided, please allow an additional 3 business days for a mailed response.

REQUIRED DOCUMENTATION

You may establish your residency by submitting the following required documentation:

- California State taxes for the year prior to the start of term.
- A California issued driver's license or ID card.

If you do not have California taxes, you must provide 3 forms of proof from the lists below, **at least one must be from group A.**

DO NOT WRITE BELOW THIS LINE – FOR OFFICE USE ONLY

Group A:	Dates	Initials
<input type="checkbox"/> CA driver's license or ID card	_____	_____
<input type="checkbox"/> Marriage license issued from CA	_____	_____
<input type="checkbox"/> Divorce papers issued from CA	_____	_____
<input type="checkbox"/> Registering to vote and voting in CA	_____	_____
<input type="checkbox"/> Licensing from CA for professional practice	_____	_____
<input type="checkbox"/> Carrying on of business or employment in CA	_____	_____
<input type="checkbox"/> Vehicle registration in CA	_____	_____
<input type="checkbox"/> Recipient of CA state services	_____	_____
Group B:		
<input type="checkbox"/> Ownership of residential property as primary residence	_____	_____
<input type="checkbox"/> Continuous occupancy of rented or leased property in CA	_____	_____
<input type="checkbox"/> Active resident membership in service or social club	_____	_____
<input type="checkbox"/> Maintaining active checking/savings accounts in CA banks	_____	_____
<input type="checkbox"/> Possession of hunting/fishing license as a CA resident	_____	_____
<input type="checkbox"/> Selective service registration	_____	_____
<input type="checkbox"/> Federal taxes showing CA address	_____	_____
<input type="checkbox"/> Utility bills (electricity, phone, water)	_____	_____
<input type="checkbox"/> Official high school transcripts (not college)	_____	_____
<input type="checkbox"/> Affidavit from landlord stating length of residence	_____	_____

Classified as: _____ Initials: _____ Date: _____

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RESIDENCY

Law Governing Residence

The rules regarding legal residence for tuition purposes at Diablo Valley College (DVC) are governed by the California Education Code. Under these rules, adult citizens or certain classes of aliens can establish residence for tuition purposes. There are also particular rules that apply to the residence classification of minors (see below).

Who is a California Resident?

If you are an adult who is not an alien present in the U.S. in a nonimmigrant status which precludes you from establishing domicile in the U.S. (e.g., a B, F, H2, H3, or Jvisa) and you want to be classified as a resident for tuition purposes, you must have established your **continuous presence** in California more than one year prior to the starting date for the semester during which you wish to attend DVC. You must also present evidence that you **intend** to make California your permanent home.

Evidence of intent must be dated one year before the term for which you seek resident classification. Physical presence within the state solely for educational purposes does not constitute the establishment of California residence under state law, regardless of the length of your stay. Your residence cannot be derived from your spouse nor, since you are an adult, from your parents. Likewise, a registered domestic partner does not derive residence from the other registered domestic partner.

Establishing Intent to Become a California Resident

Indications of your intent to make California your permanent residence can include registering to vote and voting in California elections; designating California as your permanent address on all school and employment records, including military records if you are in the military service; obtaining a California driver's license or, if you never had a driver's license from any state, a California Identification Card; obtaining California vehicle registration; paying California income taxes as a resident, including taxes on income earned outside California from the date you establish residence; establishing a California residence in which you keep your permanent belongings; licensing for professional practice in California; and the absence of these indications in other states during any period for which you claim California residence. **Documentary evidence is required.** All relevant indications will be considered in determining your classification. Your intent will be questioned if you return to your prior state of residence when the University is not in session.

Financial Independence Requirement

If your parents are not residents of California for tuition purposes, you will be required to be financially independent in order to be a resident for tuition purposes. If you are an adult student and your parents are not California residents, you must demonstrate financial independence, along with physical presence and intent, when seeking resident classification for tuition purposes. You are considered "financially independent" if one or more of the following applies:

1. the student is at least 24 years of age by December 31 of the calendar year for which resident classification is requested
2. the student is a veteran of the U.S. Armed Forces
3. the student is a ward of the court or both parents are deceased
4. the student has legal dependents other than a spouse
5. the student is married or has a registered domestic partner, and was not claimed as an income tax deduction by parents or any other individual for the tax year immediately preceding the term for which resident classification is requested
6. the student is a single undergraduate student and was not claimed as an income tax deduction by parents or any other individual for the two tax years immediately preceding the term for which resident classification is requested, and can demonstrate self-sufficiency for those two years and the current year
7. the student reached the age of 18 in California while his or her parents were residents of California, and the parents left the state to establish a residence elsewhere while the student continued to be a resident of California after the parents' departure

Verifying Financial Independence

To verify financial independence (self-support) per item 6 above, you must document your income and verify that you were not claimed as an exemption by parents or anyone else for the two years prior to the request for residence. You are also required to present a budget showing how you are able to be supported by the funds claimed. Self-support is defined as money the student has earned through his or her own employment or loans obtained with the student's own credit, without a cosigner. A gift or loan to the student from a parent, grandparent, or other family member does not constitute self-support regardless of the terms.

Residing in California with an aunt, uncle, grandparent, or friend who provides the student with room and board cannot be considered self-support, even if that person meets the DV C residence requirement.

General Rules Applying to Minors

If you are an unmarried minor (under age 18), the residence of the parent with whom you live is considered your residence. If you have a parent living, you cannot change your residence by your own act, by the appointment of a legal guardian, or by the relinquishment of a parent's right of control. If you live with neither parent, your residence is that of the parent with whom you last lived. Unless you are a minor alien present in the U.S. under the terms of a nonimmigrant status which precludes you from establishing domicile in the U.S., you may establish your own residence when both your parents are deceased and a legal guardian has not been appointed. If you derive California residence from a parent, that residence must satisfy the one-year requirement.
