BP 5015 RESIDENCE DETERMINATION

References:

Education Code Sections 68040, 68083, 68086, 68130.5, and 76140;
Title 5 Sections 54000 et seq.;
38 U.S. Code Section 3679

Except for students seeking to enroll exclusively in career development and college preparation courses, and other courses for which no credit is given, students shall be classified at the time of each application for admission or registration as a resident or nonresident student. Students who are without lawful immigration status may be classified as a resident for the purpose of tuition if they meet all of the requirements stipulated in Education Code Section 68130.5.

A resident is any person who has been a bona fide resident of California for at least one year on the residence determination date. The residence determination date shall be the day immediately preceding the first day of a semester or summer session for which the student applies to attend. Notwithstanding this standard for determining bona fide California residency, a student with military or veteran status may be deemed to qualify as a California resident for in-state tuition eligibility, in accordance with state and federal law.

Any Team USA student athlete who trains in the state in an elite level program approved by the United States Olympic and Paralympic Committee is entitled to resident classification for tuition and fee purposes until the athlete has resided in the state the minimum time necessary to become a resident.

Residence classification shall be made for each student at the time applications for admission are accepted or registration occurs and whenever a student has not been in attendance for more than one semester. A student previously classified as a nonresident may be reclassified as of any residence determination date.
The Superintendent/President shall enact procedures to assure that residence determinations are made in accordance with applicable law.

Also see AP 5015 Residence Determination and BP/AP 5020 Nonresident Tuition.

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