Residency regulations are extremely complex. The information contained in this document is summarized from the regulations. The residency specialist will attempt to assist you, but the burden of proof rests with the student.

**General Provisions**

Every person, by law, has a legal residence and there can only be one legal residence. In California, those persons who possess the legal ability to establish residency must be physically present (lived in California) AND demonstrate their INTENT to remain for one year and one day as of the residency determination date. The residency determination date is one year and one day before the term begins.

<table>
<thead>
<tr>
<th>Term</th>
<th>Term Start Date</th>
<th>Residency Determination Date</th>
<th>Deadline to Request Residency Reclassification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fall 2015</td>
<td>August 17, 2015</td>
<td>August 16, 2014</td>
<td>August 28, 2015</td>
</tr>
</tbody>
</table>

Since intent is a subjective state of mind, it must be demonstrated through objective measures. **Conduct inconsistent with a claim of California residency is voting in another state, being a petitioner of a divorce in another state, declaring non-residence for California income tax purposes, being claimed as a dependent on out of state taxes, maintaining an out of state address, or attending an out of state college/university while paying in-state tuition.**

If you hold any one of the following visas, you may not establish residency in California regardless of the length of time you have been present in California: B-1/B-2, C, D-1/D-2, F-1/F-2, H-2/H-3, J-1/J-2, M-1/M-2, O-2, P-1/P-2/P-3/P-4, Q, TN/TD. Additionally, undocumented aliens cannot establish California Residency. You must be approved for a change of status from the Department of Homeland Security before any residency review can be considered.

Generally, students under the age of 19 and unmarried inherit the residency of the parent or the legal guardian with whom they reside. Since students 19 years of age and older have had the requisite one year to establish residency, they must prove their own residency. They cannot use the residency of the parent or the legal guardian.

A person’s residency shall not be derived simply by being married. A man or a woman establishes his or her residency independent of his or her spouse. Many of the objective manifestations may be shared, but each may have some evidence of intent that is not shared.

Students applying for late start classes will have their residency reviewed at the time of admission. Students are expected to enroll by the published enrollment deadlines.

**To request a residency review:**

1. Complete the Residency Reclassification Questionnaire.
2. If you are not a United States Citizen, provide a copy of your Permanent Resident Card or Visa & I-94 issued prior to the determination date.
3. **Provide copies of as many of the items listed below in your name as you can to demonstrate evidence of your physical presence and intent.** All items must be dated at least one year and one day as of the Residency Determination Date. Documents less than a year old or more than two years old do little to provide a claim for California residency, but in some cases may be helpful.
4. The following documents are acceptable ways to prove presence and intent to be a California resident. **Please be aware that every case for residency is different based on the individual’s situation; therefore, the Irvine Valley College Residency Specialist has the right to request additional documentation.**

**Provide Copies of as many of the following documents as you can dated at least one day and one year prior to the start of the semester:**

B. Employment certification in the form of a formal letter on company letterhead from the employer or two pay stubs (one recent and one from one year ago.)
C. Ownership of residential property OR continuous occupancy of rented or leased property in California. (The rental or lease agreement must list your name as either a renter/lessee or occupant.)
D. Proof of California Voter Registration.
E. Possession of a valid California Drivers License OR California Identification Card.
F. Possession current California Vehicle Registration (a Certificate of Title is not sufficient evidence of vehicle registration). (Need to show one year of possession before the determination date.)
G. Establishing and maintaining active bank accounts for one year (savings or checking) drawn on a California Branch and with a California address associated with the account.
H. Being the petitioner of a lawsuit or divorce in California.
I. Possession of a California Professional License.

Please remember two things—California law stipulates the burden of proof rests with the student, and merely living in California for a year does not support a claim of residency for tuition purposes. Please help us help you, submit as many documents as you have.

- Revised: September 2014/cb
IVC California Residency Reclassification Questionnaire
Office of Admissions and Records 5500 Irvine Center Drive, Irvine, California 92618 (949) 451-5220

Complete using blue or black ink. Write legibly. Attach copies of evidence which demonstrates your intent to make California your permanent state of residence. Remember, California law stipulates the burden of proof rests with the student, and merely living in California for a year does not support a claim of residency for tuition purposes. Residency reclassification cannot be applied retroactively to previous semesters.

Student Name ____________________________________________________________________ IVC Student ID # _____________
Last                   First                 Middle
Address _________________________________________  City ________________________ State _______  Zip _______________
Birth Date ______________ Age ____ Phone (______) ___________________ Email___________________@__________________
Semester: □  Summer □  Fall □  Spring Year: __________ Previous Residency Reclassification? If yes, when?_________________

1. What is your citizenship status?
   □  U. S. Citizen
   □  Permanent Resident:  A # ________________________ Issue Date ____________ Expiration Date _____________
   □  Refugee/Asylee:  Issue Date _____________________________
   □  Current Visa __________  Date Issued ____________________ Expiration Date ___________________
   □  Other (please explain) __________________________________________________________________________

2. What state do you claim as your permanent home? ___________________________________________

3. When did your current stay in California begin? ________________________________________________

4. If you are 19 years old or older – skip question 4 and proceed to question 5.
   If you are unmarried and under 19 years old, answer questions 4 – 11 for your parents or legal guardian.

   Name of parent or legal guardian ____________________________________________________________________
   Relationship __________________ State regarded by this person as permanent home _______________________
   How long has this person continuously lived in California? _______________________________________________
   What is your parent/guardian citizenship status?
   □  U. S. Citizen
   □  Permanent Resident:  A # _________________________ Issue Date __________ Expiration Date ______________
   □  Refugee/Asylee:  Issue Date _____________________________
   □  Current Visa __________  Date Issued ____________________ Expiration Date ___________________
   □  Other (please explain) __________________________________________________________________________

5. Do you (   ) own (   ) rent your residence in California? Since when? ______________________________________

6. List all addresses covering the past two years, omitting the address listed above.

                                                                                                        Dates: ______/____ to ______/____
Street                                                                                               City  State  month/year  month/year
                                                                                                        Dates: ______/____ to ______/____
Street                                                                                               City  State  month/year  month/year

7. Have you voted in a state outside of California? □  No  □  Yes  If yes, what year ______

8. Have you filed income tax in a state other than California? □  No  □  Yes  If yes, what year ______

9. Have you petitioned for divorce in a state other than California? □  No  □  Yes  If yes, what year ______

10. Have you paid in-state tuition at a college/university outside of California? □  No  □  Yes  If yes, what year ______

--- Continued on Reverse Side ---
11. If ( ) you, ( ) your spouse, or ( ) parent/guardian have been on active military duty within the last two years, answer questions 11A and 11B.

11A. If discharged in the last two years, when was the discharge date? __________________

11B. What state is the Home of Record on the last Leave and Earnings Statement or the DD214? ________

HIGH SCHOOL INFORMATION

12. Have you attended a California high school for 3 or more years? ____ Yes   ____ No
13. Did you receive your high school diploma, GED, or certificate in California?  ____ Yes   ____ No

STUDENT FINANCIAL INDEPENDENCE STATUS

California Education Code requires that financial independence is to be considered when a non-resident student is seeking reclassification. If you are an adult student and your parents are not California residents, you must demonstrate financial independence, along with physical presence and intent. Please answer the following questions, regardless of your age.

14. Were you claimed as a dependent for tax purposes in the last three years?  ____ Yes   ____ No
15. Have or will your parents or guardian claim you as a dependent for tax purposes this calendar year?  ____ Yes   ____ No
16. Have or will you receive $750 or more in financial assistance from your parents or guardian this calendar year?  ____ Yes   ____ No
17. Have or will you receive $750 or more in financial assistance from your parents or guardian in the last three years?  ____ Yes   ____ No
18. Have or will you live with your parents or guardian for more than six weeks this calendar year?  ____ Yes   ____ No
19. Did you live with your parents or guardian for more than six weeks at anytime within the last three years?  ____ Yes   ____ No
20. Where do your parents or guardian live? City ________________________, State _______________

Please note: If you are claiming financial independence, you will be required to provide the most recent year IRS Tax Return Transcript and copies of your CA 540 showing withholding amounts and a letter from your current employer stating your start date and work location.

Declaration:

I declare under penalty of perjury that these statements and all information submitted by me in conjunction to my request for a residency review are both true and accurate to the best of my knowledge. I understand that falsification of any information is grounds for disciplinary action under South Orange County Community College District Board Policies.

______________________________  __________________________
Signature                  Date

IMPORTANT NOTE: Student who have attended a California High School for three full years and graduated from a California High School may apply for a Non-Resident Tuition Exemption (AB540). This waiver does NOT classify you as a California resident for tuition purposes. The AB 540 only exempts you from paying the Non-Resident Tuition and disqualifies you from most forms of financial aid.