Santa Barbara City College bases residency determinations upon various regulations and instructions from California Education Code, Federal legislation and guidelines from the California Community College Chancellor’s office. SBCC must first determine whether an individual’s citizenship/visa status allows a student to establish domicile in the United States for fee purposes. If the individual’s citizenship/visa allows establishment of domicile, then SBCC must determine physical presence and intent to make California the student’s home of record. In both cases, students must provide original documents showing evidence of valid status and proof of at least one year and one day’s physical presence in California coupled with intent to maintain California as their home. Moving to California primarily to attend school does not constitute establishing California residence, regardless of the length of physical presence.

There are essentially three conditions SBCC must examine for residency purposes:

1) **Legal Status** (US Citizen, Permanent Resident, Temporary Resident, Visa Status, etc. *Title 5 § 54045*)

2) **California Status** (Physical Presence and Intent to make California their home, *Title 5 § 54020 & 54022*)

3) **Financial Independence** (*Title 5 § 54032*)

If you have previously attended SBCC as a non-resident and are now eligible for resident status, you must submit the *Student Affidavit Residency Reclassification* together with documentation proving residency. Please note: incomplete Affidavits, or Affidavits without the required residency documentation will not be accepted. Affidavits are reviewed by appointment only. You must secure an appointment prior to the deadline.

**The complete reclassification affidavits and required documentation must be submitted by the Friday prior to the start of the semester the student is seeking reclassification.**

- Students who have questions regarding the Affidavits or who are ready to submit a completed Affidavit and all required documentation may contact Rosa I. Ruiz by email at riruiz@sbcc.edu to make an appointment.

It should be noted, the burden rests with the student to provide residency documentation. California Ed Code law gives SBCC the right to require information as deemed necessary (*Title 5 § 54026*). In addition, SBCC has the right to require information as deemed necessary to determine if the student has clearly established his/her residency for the purposes of tuition.

**Financial Dependence:** Please note that if a student remains financially dependent of a parent/guardian for tax purposes outside the state of California and/ or continues to receive financial support from a parent / guardian, this may weigh against finding California residence. Each student’s residency classification is unique and it is reviewed as such. Before filling out the attached Residency Affidavit(s), students should discuss the information with parents, as there may be certain financial considerations that will affect them.
CALIFORNIA RESIDENCY DOCUMENTATION – CHECKLIST:

Students may establish residency by submitting all 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**
- □ Proof of Physical Presence in the form of rental or lease agreement (all leases including current lease)**
- □ Documentation of one primary or secondary document (see list below)**
- □ Residency reclassification Affidavit
- □ Notarized parent(s) affidavit(s) and taxes. If parents don’t file a joint tax return, you must submit a notarized parent affidavit and taxes for each parent.

*Students who do not have California taxes must provide three documents (in addition to the above list) from the list below, at least one of which must be a primary document.

**The burden of proof is on the student to clearly demonstrate both physical presence in California and intent to establish California residence. You are required to present evidence in accordance with Education Code Sections 68040 et. seq. The documents presented must be valid, readable, DATED AT LEAST ONE YEAR AND ONE DAY BEFORE THE RESIDENCY DETERMINATION DATE FOR THE SEMESTER IN WHICH YOU ARE PLANNING TO ATTEND, AND BE PROPERLY IDENTIFIED WITH RESPECT TO STUDENT NAME AND ADDRESS.

PRIMARY DOCUMENTS:

- □ Licensing from CA for professional practice
- □ Carrying on of business or employment in CA
- □ Vehicle registration in CA
- □ Current W-2 Form showing CA address

SECONDARY DOCUMENTS:

- □ Ownership of residential property as primary residence
- □ Maintaining active checking/savings accounts in CA Banks
- □ Selective service registration with CA address
- □ Federal Taxes showing CA address
- □ Utility bills (electricity, phone, water or renter’s insurance)
- □ Notarized affidavit from landlord stating length of residence

FOR OFFICE USE ONLY

Complete packet Received: ____________________________
Classified as: □ California Resident □ California Resident – Conditional Approval □ Remains as Non-resident
Approving Signature: ____________________________ Date: ____________________________
Comments:
Residency Reclassification Affidavit

□ Fall______  □ Spring______  □ Summer______

Please submit the questionnaire with all pertinent residency documentation. Incomplete questionnaires and/or questionnaires without documentation will be returned to the student.

(1) NAME (please print): ______________________________________________________________________
    LAST  FIRST  MIDDLE

ADDRESS:__________________________________________________________________________________
    NO.  STREET  CITY  STATE  ZIP

STUDENT ID #: K00__________  DATE OF BIRTH:__________  PHONE:___________  EMAIL_____________

This information is deemed relevant and necessary to properly determine residency for tuition purposes pursuant to Education Code Section 68041. Failure to answer all questions may cause you to be classified as a non-resident. You are required to furnish documentation in support of your responses.

RELEASE OF INFORMATION: If you would like us to be able to discuss your residency information with a third party (parents etc.) please provide written documentation stating who we may discuss this information and how we may discuss it with them (in person, phone, email, etc.) attached to this document.

LEGAL STATUS
(To establish residency you need to be a US Citizen, a permanent resident, an applicant for permanent resident status, or possess a visa that does not preclude establishing domicile in the U.S.)

(2) Please mark your information below:
    □ U.S. Citizen

    □ Permanent Resident Number: ________________ Issue Date:_____________ Exp Date:_____________

    □ Refugee/Asylee Date Issued: _____________________

    □ Current Visa Status:_____________________ Issue Date:_____________ Exp Date________________

(3) Do you hold any of the following visas? (check below)
    □ B  □ H-3  □ P
    □ C  □ J  □ Q
    □ F  □ M  □ TN / TD
    □ H-2  □ O-2

(4) Or have you held any of the above visas in the last two years?  □ Yes  □ No
    (Note: Verification is required. You must present proof of status)
PHYSICAL PRESENCE AND INTENT:
(Physical presence is proved by being physically and continuously present in California for one year plus one day prior to the start of the term. Intent is proven by providing evidence demonstrating intent to make California a permanent home of residence.)

(5) You have resided in the State of California since: __________________________

(6) Do you own property in California?  □ Yes  □ No  Date purchased:___________

(7) Do you rent property in California?  □ Yes  □ No  (please provide copy of lease agreement)

(8) Where was your last two years state income tax returns filed? ___________ and________________

If no taxes were filed explain______________________________________________________

(9) Are you currently registered to vote in CA?  □ Yes  □ No

If No, then: State:_______  Date:__________

(10) Do you possess a valid CA driver’s license or ID?  □ Yes  □ No

If No, then: State:_______  Date:__________

(11)Do you have a current CA vehicle registration?  □ Yes  □ No

If No, then: State:_______  Date:__________

(12) Do you have an active CA bank account?  □ Yes  □ No

If No, then: State:_______  Date opened:__________

(13) Selective Service Registration with CA permanent address?  □ Yes  □ No

(14) CA License for professional practice?  □ Yes  □ No

If No, then: License No:______________ Date:_________

(15)Were you employed in California this past year?  □ Yes  □ No

Employer:________________________________________
From:_________ to ___________________

(16) List additional proof of residency and attach documentation:
________________________________________________________
_________________________________________________________________________________

MILITARY STATUS:

(17) Please mark your information below:

□ Currently active or dependent of current active military
□ Member discharged within the last two years
□ Member discharged over two years ago (Veteran)

Date of discharge:_______________ Home State of Record_________ Address after separation:

Currently Stationed in CA?  □ Yes  □ No
AB540 – Nonresident Tuition Exemption:

(18) Did you attend a California high school for 3 years and graduate from a California high school or obtain the equivalent thereof, such as GED, Certificate of Proficiency, or Certificate of Completion? □Yes □No

School: ___________________________  Graduation Date: ___________________________

FINANCIAL INDEPENDENCE:
If you are an adult student and your parents are not California residents, you must demonstrate financial independence, along with physical presence and intent. If your parents are not residents of California, you will be required to be financially independent in order to be a resident for tuition purposes. Dependent children of California residents who do not meet the physical presence are entitled to resident classification during the first year they are physically present in California; however, student must establish California residency thereafter.

(19) Were you claimed as an exemption for state and/or federal tax purposes by your parent(s) in either or both of the past two calendar years? □Yes □No

(20) Did you receive or will you receive more than 50% of your income as financial assistance from your parent(s) in either or both of the past two calendar years? □Yes □No

(21) Do you have California W-2 forms with California address? □Yes □No

(22) What is your source(s) of financial support for the past year? Provide the name of source (e.g. employment, loans, education trust fund, etc.): ___________________________

(23) Did you live more than six weeks with your parent(s) during either or both of the past two years? □Yes □No

(24) Do your parents live or work in CA? □Yes □No

(25) Are your parents divorced/separated? □Yes □No

If “yes”, please submit a notarized parent affidavit for each parent and taxes

If “yes”, please indicate the city and state of where each live:

Mother: ___________________________  Father: ___________________________

City,  State  City,  State

PLEASE NOTE: YOUR RESIDENCY RECLASSIFICATION AFFIDAVIT MUST BE SIGNED

I, the undersigned, declare under penalty of perjury under the laws of the State of California the information and the documentation I have provided on this form is true and accurate. FURTHER, I UNDERSTAND FALSIFICATION OR FAILURE TO REPORT CHANGE IN RESIDENCE MAY RESULT IN MY DISMISSAL FROM THE COLLEGE. I further understand that all materials submitted by me for the purpose of residency reevaluation become the property of Santa Barbara City College. I understand that falsification, withholding pertinent data, or if I fail to report changes in residency I may be liable for payment of all nonresident charges from which I was exempted and may be subject to disciplinary action including dismissal from Santa Barbara City College.

(26) Student Signature: ___________________________  Date: ___________________________
Parent Affidavit Residency Reclassification

STATE OF ____________________________ COUNTY OF _________________________________

I, ____________________________________________, do declare that, if called as a witness, I could competently testify as follows:

1. That I am the parent of _____________________________________________, a student at Santa Barbara City College.

2. That I am a resident of the state of _______________________________________*

3. That I have not declared my daughter/son as an exemption for federal and state income tax purposes since calendar year __________. I attach copies of my federal and state income tax returns/tax transcripts as verification of this fact. I will not claim her/him as an exemption for federal and state income tax purposes for the tax filing year prior to enrollment.

4. That I have not provided more than 50% in financial assistance to my daughter/son since calendar year __________, and I will not provide more than 50% in the current tax filing year or in the upcoming tax year.

5. That my daughter/son has not lived in my home for more than six weeks in any calendar year since ____________, and she/he will not live in the current tax filing year or in the upcoming tax year.

___________________________________________________________
Signature

To be signed by a Notary Public

Subscribed and sworn to before me

On ____________________, 20________,

At ____________________________________________ (state)
___________________________________________________________(country)

* If you have been a resident of California for at least one year and one day prior to the start of the semester and claim your daughter/son as a dependent for income tax purposes, your daughter/son is entitled to California residency for tuition purposes. Please provide evidence as to dependency status.