



**UNIVERSITY OF CALIFORNIA, OFFICE OF THE GENERAL COUNSEL**  
**10 THINGS GRADUATE STUDENTS NEED TO KNOW**  
**ABOUT CALIFORNIA RESIDENCE FOR PURPOSES OF TUITION AND FEES**

1. The term "California resident for purposes of tuition and fees" is derived from UC residence regulations. This term differs from other California public, post-secondary institutions' definitions of residence, as well as other state definitions regarding residence. One who is a California resident for tax or voting purposes will not necessarily be a resident for purposes of tuition and fees. Being classified as a resident by UC Admissions or UC Financial Aid does not confer residence for purposes of tuition and fees. A resident or nonresident classification for purposes of tuition and fees is determined only after a student has submitted a complete Statement of Legal Residence.
2. One **does 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 one attends the University of California or lives in California is **not** the sole determining factor of residence.
3. In order to establish residence in California for purposes of tuition and fees, one must have the legal ability to establish a permanent domicile in the United States, meaning one must be a citizen or permanent resident of the United States or hold a valid, qualifying nonimmigrant visa.
4. The UC residence regulations require proof of **all** of the following: 1) at least 366 days of **physical presence** in California, 2) **concurrent intent** to permanently remain in the state, and 3) **financial independence**.
5. One cannot establish California residence for purposes of tuition and fees while maintaining legal ties (indicia of intent) to another state or country (e.g. state tax liability, driver's license, voter's or vehicle registration). California indicia of intent must be obtained concurrently with the start of one's physical presence in California. A graduate student who has moved to California primarily to attend the University is considered here for educational purposes and may not be eligible for a resident classification for purposes of tuition and fees.
6. Graduate students whose parents are not California residents must demonstrate that they were not claimed as dependents for the tax year immediately preceding the term for which resident classification is sought.
7. Graduate students who become 24 years of age by December 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 are exempt from the financial independence requirement. Graduate student instructors, teaching or research assistants, or teaching associates employed 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. It is the student's burden to prove, by clear and convincing evidence, that all applicable UC residence requirements have been satisfied. Financial hardship cannot be considered in evaluating whether one is eligible for classification as a California resident for purposes of tuition and fees.
9. Continuing nonresident graduate students who wish to apply for a resident classification for an ensuing term must submit a Petition for Resident Classification to the campus Residence Deputy within that term's deadline.
10. This is only a summary of the main UC regulations for California residence for purposes of tuition and fees. Please access the UC Residence Policy at <http://www.ucop.edu/ogc/documents/uc-residence-policy.pdf> for details. Contact the Office of the General Counsel at [residency.appeal@ucop.edu](mailto:residency.appeal@ucop.edu) if you have any further questions after reviewing the Residence Policy.