

# RESIDENCE REQUIREMENTS

## California Residence

Generally, California residence is established by one of the following:

1. If the applicant is under the age of 18, the applicants' parents must have had legal residence in California for a minimum of 12 consecutive months preceding the day before the first day of the semester or summer session.
2. If the applicant is 18 but not yet 19 years of age, the applicant and the applicant's parents or legal guardian must have residence in California for a minimum of 12 consecutive months preceding the day before the first day of the semester or summer session.
3. If the applicant is 19 years of age or older, the applicant must have had legal residence in California for a minimum of 12 consecutive months preceding the day before the first day of the semester.
4. Foreign persons holding visas which do not preclude them from establishing residency in California must have legal residence in California for a minimum of 12 consecutive months preceding the day before the first day of the semester.

## Tuition Exemptions for Refugees, Special Immigrant Visa holders, and Others

In 2017, the California Legislature also enacted Assembly Bill 343, which establishes a new exemption from nonresident tuition for refugees with special immigrant visas (SIVs) who have fled Afghanistan, Iraq, Syria or other countries. Please contact the Residency Specialist at [gwcresidency@gwc.cccd.edu](mailto:gwcresidency@gwc.cccd.edu) for more information.

Effective January 1, 2018, Education Code section 68075.6 grants an exemption to nonresident tuition for:

1. Iraqi citizens or nationals (and their spouses and children) who were employed by or on behalf of the United States Government in Iraq, and who meet certain criteria (Ed. Code, § 68075.6, subd. (b)(1); Public Law 110-181, § 1244);
2. Afghanistan nationals (and their spouses and children) who were employed by or on behalf of the U.S. government or the International Security Assistance Force (ISAF) in Afghanistan (Pub. L. No. 111-8, § 602);
3. Translators (and their spouses and children) who worked directly with the United States Armed Forces, and who meet certain criteria (Ed. Code, § 68075.6; Public Law 109-163, § 1059); and
4. Refugee students admitted to the United States (Ed. Code, § 68075.6, subd. (b) (1), 8 U.S.C. § 1157).

These exemptions only apply to those who settled in California upon entering the United States. (Ed. Code, § 68075.6, subd. (b)(1).) Students who settled elsewhere in the United States, and then moved to California would not be eligible for this exemption and would be required to either establish residency or pay nonresident tuition. Under Education Code section 68122, T and U visa holders are also exempt from nonresident tuition by extension of Assembly Bill 343.

Assembly Bill 343 also states that the exemption for a student is only available for the maximum time it would take for the student to establish residency. (Ed. Code, § 68075.6, subd. (b)(1).) That time, and therefore any nonresident tuition exemption, will expire one year from the date the student settled in California upon entering the United States. (Ed.

Code, § 68017.) Upon expiration of the nonresident tuition exemption, the student will either have established residency in California, or will have an intention to reside elsewhere, and be subject to nonresident tuition.

It is the responsibility of all students to maintain an accurate address on file with the Admissions & Records Office.

## Nonresident Students

The following conditions are applicable regarding nonresident fees:

1. Students who are not residents of California as of the day immediately preceding the first day of the semester or summer session will be required to pay nonresident tuition and capital outlay fees.
2. A student who is a member of the Armed Forces of the United States stationed in this state, except a member of the Armed Forces assigned for educational purposes to a state-supported institution of higher education, is entitled to resident classification only for the purpose of determining the amount of tuition and fees.
3. Dependents of Service members are granted a one-year exemption from paying the nonresident tuition fee. The one-year period begins on the date the dependent enters California. After the exemption period has ended, dependents will be charged nonresident tuition and capital outlay fees unless they have met the residency intent and durational requirements for a one-year period prior to the residency determination date.
4. Veteran military personnel that were stationed in California for more than one year prior to separation qualify for the non-resident college fee waiver for one year within two years commencing immediately after discharge.
5. Minors (under 18 years of age and not married) will be required to pay the nonresident tuition and capital outlay fees if their parents or legal guardians reside outside the state even though such minors may have lived in California for one year or more.
6. Students who are financially dependent on their parents or legal guardians will be required to pay nonresident tuition capital outlay fees if their parents or legal guardians reside outside the state even though such students may have lived in California for one year or more.
7. Foreign persons holding visas which preclude them from establishing residency in California may be restricted in their enrollment at Golden West College and will have to pay nonresident tuition capital outlay fees.
8. AB 540 Exemption Eligibility Requirements Senate Bill 68 established a complex set of criteria for determining eligibility for the AB 540 exemption. Under Senate Bill 68, a student is exempt from paying nonresident tuition at the California Community Colleges if the student meets all of the following four requirements, as applicable:
  - a. **Attendance at California schools.** This requirement may be met in either of the following two ways:
    - i. Total attendance (or attainment of credits earned) in California equivalent to three or more years of full-time attendance at California high schools, California high schools established by the State Board of Education, California adult schools (established by a county office of education, a unified school district or high school district, or the Department of Corrections and Rehabilitation), campuses of the California Community Colleges, or a combination of these; or
    - ii. Three or more years of full-time California high school coursework, and a total of three or more years of attendance

in California elementary schools, California secondary schools, or a combination of California elementary and secondary schools (Ed. Code, § 68130.5, subd. (a)(1).) Full-time attendance at a California community college means either 12 units of credit per semester (or quarter equivalent per year) or a minimum of 420 class hours per year (or semester or quarter equivalent per year) in non-credit courses authorized by Education Code section 84757. There is no cap on the number of years of attendance in credit courses at a California Community College counted towards the attendance requirements. (Ed. Code, § 68130.5, subds. (a)(1)(C)(i), (a)(1)(C)(ii).) Full-time attendance at a California adult school means a minimum of 420 class hours of attendance for each school year in classes or courses authorized by Education Code section 41976, or Penal Codes sections 2053 or 2054.2. (Ed. Code, §68130.5, subd. (a)(1)(C)(i).)

- b. **Completion of a course of study.** This requirement may be met in any of the following ways:
- Graduation from a California high school or equivalent.
  - Attainment of an associate degree from a California community college.
  - Fulfillment of the minimum transfer requirements established for the University of California or the California State University for students transferring from a California community college. (Ed. Code, § 68130.5, subd. (a)(2).)
- c. **Registration.** Requires registration as an entering student at, or current enrollment at, an accredited institution of higher education in California. (Ed. Code, §68130.5, subd. (a)(3).)
- d. **Affidavit of student without lawful immigration status.** Students without lawful immigration status must file an affidavit with their college or university stating that the student has either filed an application to legalize their immigration status, or will file an application as soon as the student is eligible to do so. (Ed. Code, § 68130.5, subd. (a)(4).)

Under Senate Bill 68, a “nonimmigrant alien” within the meaning 8 U.S.C. § 1101(a)(15) is not entitled to claim the exemption. These provisions identify a number of categories of visitors to the United States who have a form of temporary lawful status, but do not intend to establish residency.

California General Educational Development (GED), High School Equivalency Test (HiSET), Test Assessing Secondary Completion (TASC), and California High School Proficiency Examination (CHSPE). See General Counsel Legal Opinions 05-09 and 06-02.

The California Dream Act (Assembly Bills 130 and 131) were signed into law in 2011. Together these bills compose the California Dream Act and give AB 540 / AB 2000 students the right to apply for state financial aid, including Cal Grant A & B Entitlement awards, Cal Grant C awards, institutional grants and community college fee waivers.

9. In accordance with SB 141, Golden West College will exempt from nonresident tuition, a nonresident student who is a U.S. citizen and who resides in a foreign country, if that student meets all of requirements of the bill. Contact the Residency Specialist for a list of requirements: gwresidency@gwc.cccd.edu or (714) 895-8306.

10. **Non-Resident Tuition Exemption:** In accordance with AB669, a student who currently resides in California and is 19 years of age or under at the time of enrollment, who is currently a dependent or ward of the state through California’s child welfare system, or was served by California’s child welfare system and is no longer being served either due to emancipation or aging out of the system, may be entitled to resident classification until the student has resided in the state the minimum time necessary to become a resident.

Non-Resident Tuition in addition to the per unit cost: \$381.00 per unit + \$31.00 per unit Non-Resident Capital Outlay. Students who are not California residents as defined by the Education Code are required to pay the nonresident tuition fee in addition to the fees described above. Please note that it is the student’s responsibility to prove that they are a California resident no later than the end of the third week of the term in which the student is seeking reclassification.

## Reclassification Process

Reclassification to resident status must be requested by the student. The appropriate Statement of Residence form along with the required proofs that establish both physical presence (minimum requirement of 12 consecutive months prior to the residency determination date) and intent to make California their permanent home must be submitted to the Admissions & Records prior to the term in which the student wishes to establish residency. Although a minimum of two proofs are required for residency reclassification consideration, the burden of proof remains in the hands of the requester. Therefore, the Admissions & Records reserves the right to request additional documentation in its efforts to determine California Residency for tuition purposes. For additional information, contact a Residency Specialist in the Admissions & Records Office in the Student Services Center, gwresidency@gwc.cccd.edu or (714) 895-8306. \*Residency petitions must be submitted by the Friday of the third week of the term in which you are seeking reclassification. Petitions can be submitted online or in person at the Admissions Records Counter located on the first floor of the Student Services Center.

Submission deadlines by semester can be found at <https://www.goldenwestcollege.edu/enrollment/admissions/residency/>

## Incorrect Classification

A student incorrectly classified as a California Resident is subject to reclassification as a nonresident and payment of nonresident fees. If incorrect classification results from false or misleading statements, the student will be responsible for any fees associated with the incorrect classification.

For evaluation of residency status, students must complete the Statement of Residence form and submit appropriate documentation as proof of California Residence (Sections 54012 and 54024 of AP 5015 Residence Classification) through the third week of the semester. The initial residency classification will be made at the time the student applies for admission. Students may file residency questionnaire forms through the third week of the semester to request a review of their residency status. Final residency determination is made by the Admissions & Records Office, located in the Student Services Center.

## International Students on Student (F-1) Visas

Golden West College values diversity and encourages international students to seek admission. The college is authorized under federal law to enroll nonimmigrant foreign students (Code of Federal Regulations

8CFR 214.3(k) and Section 101(a)(15)(F). Golden West College provides a full service International Student Program (ISP) which works closely with international students throughout their studies. The ISP is dedicated to serving and supporting prospective, new, and continuing international students at GWC. Services for international students include specialized orientation, academic counseling, expert regulatory guidance, housing referral services, and customized student programming. Golden West College admits international students for the Fall, Spring, and Summer terms. All application materials must be submitted by the following deadlines<sup>1</sup>:

- Fall July 15
- Spring December 15

<sup>1</sup> Applicants outside the U.S. are strongly advised to apply three to four months ahead of the above deadlines to allow sufficient time for visa application and processing. Please check the ISP website for extended deadlines which apply to in-country transfer students. The above deadlines are subject to change based on course availability.

Admission/Enrollment requirements are specified below. All documentation should be submitted directly to the International Student Program office at Golden West College:

1. International applicants to Golden West College must be high school graduates, be pursuing the final semester of high school or equivalent, or be 18 years of age or older prior to the start of the term of application. (Applicants who have completed high school, but who are under age 18 must submit proof of legal guardianship in the U.S.)
2. A signed, original International Student Application must be submitted along with a \$55 Application Fee.
3. All applicants must provide evidence of sufficient financial resources to meet all expenses during their period of attendance at Golden West College.
4. International students must have sufficient knowledge of English to benefit from instruction at the college level. Therefore, all applicants whose native language is not English are required to produce a minimum TOEFL score of 61 (Internet-based test); or the equivalent on an accepted alternate standardized test of English proficiency; or demonstrate equivalency with prior coursework (original transcripts required); or obtain a qualifying score on the Golden West College placement test. See the International Student Program website for a full list of options for English demonstration.
5. Arrangements should be made to have official transcripts of all high school, college and ESL coursework sent directly to the International Student Program. All university coursework (from within the U.S. and abroad) is required.
6. Students transferring from another U.S. college, language program, or high school must notify their current Designated School Official (DSO) of their intent to transfer. The transfer process and SEVIS record release must be completed prior to the semester start date. Copies of the I-20, visa and passport pages must be submitted at the time of application.
7. International students are required to enroll in a minimum of 12 units each semester and pay international student (nonresident and capital outlay) fees. All fees are due at the time of registration.
8. All international students are required to purchase the college designated international student health insurance plan prior to registration. Private insurance is not accepted.
9. All international students are required by law to report a change of address to the school within 10 days of moving.
10. Completion of the International Student Orientation prior to the semester start date is mandatory.

For more information, visit the International Student Program office located within the Center for Global and Cultural Programs on the 1st floor of the Student Center, or contact:

Golden West College  
International Student Program  
15744 Goldenwest Street  
Huntington Beach, CA 92647-3103

Phone: (714) 895-8146  
Fax: (714) 895-8973

Email: [isp@gwc.cccd.edu](mailto:isp@gwc.cccd.edu)

Web: [goldenwestcollege.edu/isp](http://goldenwestcollege.edu/isp) (<http://goldenwestcollege.edu/isp/>)

## Students Holding Visas Other Than Student (F-1) Visas

Foreign persons holding valid visas that are otherwise eligible for admission may enroll in classes provided they are proficient in English and their visas do not expire before the end of the term for which they are enrolling. Contact the Residency Specialist in Admissions & Records for information concerning specific enrollment restrictions.

Foreign persons who are precluded from establishing domicile in the United States shall not be classified as residents unless and until they have been granted a change in status by the U.S. Citizenship and Immigration Services (USCIS) to a classification which permits establishing domicile and have met all other applicable residency requirements. Foreign persons considered to be nonresidents are required to pay the nonresident tuition charge and are not eligible for tuition exemption (Education Code 68130.5).

Persons generally ineligible to establish California residency include students under age 18, students dependent on out-of-state parents/guardians, and students with certain non-immigrant status (holders of the following visas: F1, F2, B1, B2, TN, TD, etc.). For further information regarding eligibility to establish residency, contact the Residency Specialist at Admissions and Records in the Student Services Center or via email at [arinfo@gwc.cccd.edu](mailto:arinfo@gwc.cccd.edu). If you would like to attend GWC as a nonresident international student on an F1 visa, please view the International Students section for more information.

## International Part-Time Concurrent Enrollment

If the student is currently in the U.S. attending another school on an F-1, J-1 or M-1 visa, they may be able to take one or two classes at Golden West College as a concurrent student.

Students on F-1 visa must submit the following documents to request concurrent enrollment at Golden West College:

1. Complete the international student online application at <https://www.goldenwestcollege.edu/isp/index.html> (<https://www.goldenwestcollege.edu/isp/>)
2. A copy of the student's current I-20 valid until the end of the term in which the student will be enrolled.

3. A letter from the DSO at the student's current school authorizing the student to take the specific Golden West course(s). The student will need to submit a new letter for each term of intended enrollment.

Students on J-1 and M-1 visa may complete the CCCApply (<https://www.opencccapply.net/gateway/apply/?cccMisCode=832>) online application at: <https://www.opencccapply.net/gateway/apply?cccMisCode=832> (<https://www.opencccapply.net/gateway/apply/?cccMisCode=832>)

GI Bill® is a registered trademark of the U.S. Department of Veterans Affairs (VA). More information about education benefits offered by VA is available at the official U.S. government website at <http://www.benefits.va.gov/gibill> (<https://www.benefits.va.gov/gibill/>).

## Veterans Access, Choice and Accountability Act (VACA)

Effective July 1, 2015, California Education Code (68075.5(c)c) allows California Community Colleges to grant full exemption from the nonresident fee for all students verified to be "covered individuals" per the below criteria and that qualify to use Montgomery GI Bill ® - Active Duty or Post-9/11 GI Bill ® education benefits (Chapters 30, 31, and 33, respectively, of Title 38, U.S. Code) and Survivors' and Dependents' Education Assistance (Chapter 35) while living in California.

Covered Individuals:

1. A Veteran who lives in the state in which the institution of higher learning is located (regardless of formal state of residence) and enrolls in the school within three years of discharge from a period of active duty service of 90 days or more.
2. Individuals eligible for rehabilitation under 38 U.S. Code § 3102 pursuing a course of education with education assistance from the Training and Rehabilitation for Veterans with Service-Connected Disabilities (Chapter 31) education benefits program.
3. A spouse or child entitled to transferred education benefits who lives in the state in which the institution of higher learning is located (regardless of formal state of residence) and enrolls in the school within 3 years of the transferor's discharge from a period of active-duty service of 90 days or more.
4. A spouse or child using benefits under the Marine Gunnery Sergeant John David Fry Scholarship (provides Post-9/11 GI Bill ® benefits to the children and surviving and surviving spouses of service members who died in the line of duty while on active duty) who lives in the state in which the institution of higher learning is located (regardless of formal state of residence) and enrolls in the school within three years of the service member's death in the line of duty following a period of active-duty service of 90 days or more.
5. After expiration of the three year period following discharge or death as described in 38 U.S.C. 3679(c), a student who initially qualifies under the applicable requirements above will maintain "covered individual" status as long as the student remains continuously enrolled (other than during regularly scheduled breaks between courses, semesters or terms) at the institution, even if they enroll in multiple programs and shall continue to be exempt from paying nonresident tuition and other fees as described in the updated fee policy described below.
6. Effective August 1, 2022, a spouse or child using benefits through the Survivors' and Dependents' Educational Assistance (DEA) program.

A VACA Act Tuition Fee Waiver form is available online: [goldenwestcollege.edu/admissions/vet-students/benefit-info/](http://goldenwestcollege.edu/admissions/vet-students/benefit-info/) (<http://www.goldenwestcollege.edu/admissions/vet-students/benefit-info/>).