RESIDENCE REQUIREMENTS

California Residence

The initial residency classification will be made at the time the student applies for admission of the primary term in which they wish to establish residency. *Statement of Residence Forms (https://orangecoastcollege.edu/admissions-aid/enrollment/admissions/residency.html) (SOR) must be submitted no later than the Friday of the third week of the term in which the student is seeking reclassification. Final residency determination is made by Enrollment Services.

Verification of residence status may be required. Generally, California residence is established by one of the following:

1. If the applicant is under the age of 18, the applicant's parents must have had legal residence within the State of California for 12 consecutive months preceding the day before the first day of the semester.
2. If the applicant is 18 but not yet 19 years of age, the applicant and the applicant's parents must have had legal residence within the State of California for 12 consecutive months preceding the day before the first day of the semester.
3. If the applicant is 19 years of age or older, the applicant must have had legal residence within the State of California for 12 consecutive months preceding the day before the first day of the semester. If the applicant's parents or legal guardians reside out of state, the student must be financially independent. (See Non-California Residents #2.)
4. A non-immigrant applicant holding a status that does not preclude them from establishing residency in California must have legal residence in California for 12 consecutive months preceding the day before the first day of the semester, and a restrictive immigration status dated at least one year and one day prior to the semester start date.

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 a Residency Specialist at the Enrollment Center on the first floor of Watson Hall or via email at occresidency@occ.cccd.edu If you would like to attend OCC as a nonresident international student on an F1 visa, please view the International Students (https://catalog.cccd.edu/orange-coast/admissions-registration/internationalstudents/) section for more information.

Non-California Residents

Students who do not meet the California residence requirements as of the day immediately preceding the first day of the semester or summer session are required to pay the non-resident tuition fees and capital outlay fees. This includes:

1. Minors (under 18 years of age and not married) will be required to pay the non-resident tuition fee if their parents or legal guardians reside outside the state even though such minors may have lived in the State of California for one year or more.
2. Students who are financially dependent on their parents or legal guardians will be required to pay non-resident tuition and capital outlay fees if their parents or legal guardians reside outside the state, even though such students may have lived in the State of California for one year or more.
3. Students holding non-immigrant status that precludes them from establishing residency in California may be restricted in their enrollment and will have to pay non-resident tuition and capital outlay fees.

Exemptions authorized by the State of California:

- Active military personnel stationed in California are exempt from non-resident tuition fees. Beginning Summer 2017, active duty military students and their dependents who are only enrolled in fully online classes at any of the Coast Community College District sites are exempt from the capital outlay fee.

Expansion of Resident Classification for Purposes of Determining Tuition and Fees Active Duty, Veterans & Dependents

Education Code section 68074 provides that specified dependents of members of the Armed Forces of the United States who are stationed in California on active duty are entitled to "resident classification only for the purpose of determining the amount of tuition and fees." In Assembly Bill 172 (2017), the Legislature extends this resident classification to specified dependents of transferred or retired members, provided the dependent was admitted to a public postsecondary institution prior to the transfer or retirement. (Ed. Code, § 68074, subd. (b).)

This includes:

- Dependents of military personnel stationed on active duty in California are classified as a resident.
- Armed forces members who were stationed in CA for more than one year and remained in the state following discharge.
- Students who are eligible as covered individuals as defined in the Veterans Access, Choice and Accountability Act of 2014 (VACA Act).

AB 540 Exemption

Under Senate Bill 68 and AB 540, a student is exempt from paying nonresident tuition at the California Community Colleges if the student meets all three of the required criteria.

1. The student must have:
   - attended a California high school for three years, or
   - attended a combination of California high school, adult school, and California Community College[1] for the equivalent of three years or more, or
   - attained credits earned in California from a California high school or California adult school[1] equivalent to three or more years of full-time high school course work and attended a combination of elementary, middle and/or high schools in California for a total of three or more years, and
2. The student must have:
   - graduated from a California high school or attained the equivalent prior to the start of the term (for example, passing the GED or California High School Proficiency exam), or
   - completed an associate degree from a California Community College, or

- completed the minimum requirements at a California Community College for transfer to the California State University or the University of California, and

3. The student must file an affidavit with the college, or by completing a California Dream Act Application (CADAA) (https://dream.csac.ca.gov/landing), stating that if the student is a non-citizen without current or valid immigration status, the student has filed an application to legalize immigration status, or will file an application as soon as the student is eligible to do so.

[1] One year equivalent at a California Community College is either a minimum of 24 units of credit or 36 quarter units. Full-time attendance at a California Adult School is a minimum of 420 hours of attendance for each school year.

Students under certain visa classifications may not be eligible for this exemption. Additional criteria are available on the California Nonresident Tuition Exemption Request. Please contact the Residency Specialist for more information at occresidency@occ.cccd.edu.

Nonresident 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). Please contact the Residency Specialist at occresidency@occ.cccd.edu for more information.

California Education Code section 68075.6 further specifies exemptions to nonresident tuition, effective January 1, 2018. In addition, under California 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.

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) by the Friday of the third week of the term in which they are seeking reclassification.

Reclassification

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 (366 days) prior to the residency determination date) and intent to make California their permanent home must be submitted to the Enrollment Center no later than the third Friday of the primary 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 with the requestor. Therefore, the Enrollment Center reserves the right to request additional documentation in its efforts to determine California Residency for tuition purposes. For additional information, contact a Residency Specialist at the Enrollment Center on the first floor of Watson Hall or via email at occresidency@occ.cccd.edu.