



EL CAMINO COLLEGE

Admissions and Records Office

PETITION FOR RECLASSIFICATION FROM NONRESIDENT TO RESIDENT STATUS

PLEASE READ THE RESIDENCY POLICY THOROUGHLY.

PETITIONS SUBMITTED WITHOUT ALL OF THE REQUIRED DOCUMENTS WILL BE DENIED. STUDENTS WHO FAIL TO CLEAR RESIDENCY ISSUES BEFORE THE START OF THE SEMESTER WILL BE RESPONSIBLE FOR THE NON-RESIDENT TUITION FEES OR BE SUBJECT TO BEING DROPPED FROM ALL COURSES IF FEES ARE NOT PAID.

PLEASE ALLOW 10 BUSINESS DAYS FOR DOCUMENT EVALUATION.

GENERAL RESIDENCY POLICY: Under the California Education Code, the general rule is that a student 1) must have been a legal California resident for at least **one (1) year and one (1) day prior** to the start of the semester or session you are applying for to qualify as a resident student; 2) the student must have demonstrated intent to establish California residency for a minimum of two years; 3) has not engaged in conduct that is inconsistent with a claim for California residence; 4) is not prohibited by law from establishing California residency.

The burden of proof to demonstrate both physical presence in the state of California and intent to establish permanent California residence (if your citizenship status does not preclude from establishing residence in the United States) is on the student. This means you **must** provide:

- Documentation of your legal status** if you are not a United States citizen; and
- Two (2) acceptable proofs of established** California residency (see list below)

Students who are **under 19 years of age** cannot establish their own residency, they derive residency from their parent or legal guardian. If a student is under 19 and classified as Out-of-Country, documentation of legal status (visa, permanent resident card, notice of action, etc.) for the student **and** the parent must be presented. All documentation must be for the same parent or guardian. If the student lives with a legal guardian, court guardianship documents must also be submitted.

LISTED BELOW ARE ITEMS THAT MAY BE ATTACHED TO THIS PETITION AS EVIDENCE OF PHYSICAL PRESENCE AND INTENT. A STUDENT MUST SUBMIT A **MINIMUM OF TWO (2) ITEMS.**

All documents submitted must be valid, legible, and dated at least one (1) year and one (1) day before the session/semester start date and include NAME and A PHYSICAL CALIFORNIA ADDRESS, NO P.O. BOXES. With the exception of the driver's license or California ID, documents CANNOT be older than 2 years prior to the start of the term for which residency is being requested.

1. California Driver's License/ ID or, California DMV Printout or, California car registration (current for all)
2. California bank account statement (for the appropriate year)
3. Voter's registration card
4. Utility bill (DWP, gas, telephone, electric, cable, etc.) (for the appropriate time period)
5. Apartment/home lease (**one-year current**) or, rental agreement (**one-year current**)
6. California car insurance (for the appropriate year)
7. California State Aid, Social Welfare, Court documents
8. California health insurance
9. California public library membership, **if dated**
10. Paycheck stub or, employment earnings statement or, employment verification on company letterhead
11. Military discharge papers (DD 214) or, Leave and Earnings statement indicating California as home of record
12. Marriage license or divorce decree issued in California (for the appropriate time period)
13. California (540) tax returns with California as the home address for the previous year (**540NR** Tax Return NOT acceptable)
14. Union membership in a California Local
15. Licenses or certificates issued by the state of California with issue date

IMPORTANT: FERPA (Family Education Rights and Privacy Act) - For all Admissions and Records transactions, anyone representing an applicant/student must provide to staff a signed letter of representation approval from the applicant/student.

GENERAL INFORMATION AND DEFINITIONS

Residence

The location with which a person is considered to have the most settled and permanent connection; it is also the place where that person intends to remain, and during absences, intends to return. Residence results from the union of physical presence with objective evidence that the intent is to remain at that place for other than a temporary purpose.

Reference: ECS 68062, T5 54020

Resident

A student who has established both physical presence and intent to make California the permanent home (domicile), for more than one year pursuant to the California Education Code, as of the residence determination date is, unless prohibited by law or regulation, to be considered a resident.

Reference: ECS 68017, ECS 68060

Burden of Proof

The burden is on the student to demonstrate clearly, with proof, both physical presence in California and intent to establish California residence.

Reference: ECS 68041, T5 54026

Reestablished Residence

If a student or the parents of a minor student relinquish California residence after moving from California, one full year of physical presence, coupled with one full year of demonstrated intent to be a California resident, is required to reestablish residence.

Reference: T5 54030

Residence Determination Date

That day immediately preceding the opening day of instruction of the semester or session as set by the district governing board, during which the student proposes to attend a college.

Reference: ECS 68023, T5 54002

Conduct Inconsistent With a Claim for California Residence

This includes but is not limited to:

- Maintaining voter registration and voting in another state.
- Being a petitioner for a divorce or lawsuit as a resident in another state.
- Attending an out-of-state institution as a resident of that state.
- Declaring non-residence for California income tax purposes.

Reference: T5 54024

Military Personnel

The laws and regulations governing residency and residency determination for military personnel and their dependents are complex. These students are encouraged to make an appointment with the Veterans Services Specialist in Admissions if they have any questions.

Alien Students

A student who is an alien may establish his or her residence pursuant to the provisions of the California Education Code if not precluded by the Immigration and Nationality Act from establishing domicile in the United States; provided that the student has had residence in California for more than one year prior to the residence determination date for the semester or session for which attendance is proposed. Reference: ECS 68062(h), T5 54045

An alien is precluded from establishing domicile in the United States if the alien entered the United States illegally, or under a visa which requires that the alien have residence outside of the United States, or that he or she entered the United States solely for a temporary purpose. An alien is precluded from establishing domicile in the United States and shall not be classified as a resident of this state if he or she holds a visa of the following types: 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.

Reference: Immigration and Nationality Act, 8 U.S.C., 1101(a)(15).

ECS = Education Code Section T5 = Title 5



EL CAMINO PETITION FOR RESIDENCY RECLASSIFICATION

For Admissions Use Only

Resident Nonresident

By _____ Date ___ / ___ / ___

See page 4 for comments

Term: _____ Year: _____

Last Name: _____ First Name: _____ MI: _____

Student ID #: _____ Date of Birth: ___ / ___ / ___ Email: _____

Street Address: _____ State: _____ Zip Code: _____

Daytime Phone Number: _____ Alternate Phone Number: _____

Part A - Legal Status:

- Are you a citizen of the United States? Yes No **If yes, skip to Part B.**
- **If you are not a citizen, please complete the following questions regarding your legal status:**
- Do you have a permanent resident card? Yes No Issue Date: ___ / ___ / ___
Expiration Date: ___ / ___ / ___
- Do you have an employment authorization card? Yes No Issue Date: ___ / ___ / ___
Expiration Date: ___ / ___ / ___
- Do you hold a valid nonimmigrant visa? Yes No Visa Type: _____
Issue Date: ___ / ___ / ___
Expiration Date: ___ / ___ / ___

Please attach a copy of proof of your legal status.

Part B - Military Service:

- Are you on active duty in the US military? Yes No **If no, skip to part C.**
If yes, what date were you assigned to active duty? ___ / ___ / ___
If yes, were you assigned to CA for educational purposes? Yes No
- Are you a dependent spouse or child of an individual currently on active duty in California? Yes No
If yes, what date was the military personnel assigned to active duty in California? ___ / ___ / ___

Please attach a copy of military orders. Dependents, also attach a copy of your military dependent's ID card.

Part C - Physical Presence and intent: (2 proofs from the list on page one must be attached)

- Date California became your permanent home: ___ / ___ / ___
- Are you 19 years of age or older? Yes No **If no, skip to Part D on Page 4**

Driver's License/ID or Car registration:

- Do you have a valid driver's license or ID? Yes No
If yes, by which state was it issued? _____ Issue Date: ___ / ___ / ___
Expiration Date: ___ / ___ / ___
- Do you own a registered motor vehicle? Yes No
If yes, in which state is the vehicle registered? _____ Registration Date: ___ / ___ / ___
Expiration Date: ___ / ___ / ___

Voter Registration:

- Are you registered to vote? Yes No
If yes, in which state are you registered to vote? _____ Date of Registration: ___ / ___ / ___

Employment/Tax Return:

- Did you work in the last two years? Yes No
If yes, in what state did you work? _____
- Did you file a state tax return in the last two years? Yes No
If yes, in which state did you file your tax return? _____

Part D - Students under 19 years of age complete sections D, E and F. All others skip to Part G.

- Are you a ward of the court or emancipated minor? Yes No
If yes, attach supporting court documents and skip to Part E .
- The person most recently responsible for your support is your:
 Birth Parent Adopted Parent Guardian Other: _____
If answer is other than "Birth Parent" you must provide supporting court documents.
- Parent/Guardian Name _____
- Parent/Guardian Address _____

City State Zip

Part E - Parent/Guardian Legal Status:

- Is your parent/guardian a citizen of the United States? Yes No **If yes, skip to Part F.**
If your parent/guardian is not a citizen, does your parent/guardian have any of the following documents:
- A permanent resident card? Yes No Issue Date ___/___/___
Expiration Date ___/___/___
- An employment authorization card? Yes No Issue Date ___/___/___
Expiration Date ___/___/___
- A valid nonimmigrant visa? Yes No Visa Type _____
Issue Date ___/___/___
Expiration Date ___/___/___

Please attach a copy of proof of your parent/guardian's legal status.

Part F - Parent/Guardian Physical Presence: (2 proofs from the list on page one must be attached)

Parent/Guardian Driver's License/ID or Car registration:

- Does your parent/guardian have a driver's license or ID? Yes No
If yes, by which state was it issued? _____ Issue Date ___/___/___
Expiration Date ___/___/___
- Does your parent/guardian own a motor vehicle? Yes No
If yes, in which state is the vehicle registered _____ Registration Date ___/___/___
Expiration Date ___/___/___

Parent/Guardian Tax Return:

- Did your parent file a state tax return in the last 2 years? Yes No
If yes, in which state was the tax return filed? _____

Part G—Signature

I declare under penalty of perjury that all the statements and information in the petition are true and correct to the best of my knowledge and that I am not withholding any pertinent information.

Student's Signature _____ Date _____

DO NOT WRITE BELOW THIS LINE

COMMENTS: