

BP 5015 RESIDENCE DETERMINATION

References:

Education Code Sections 68040, 68083, 68086, and 76140;
Title 5 Sections 54000 et seq.
38 U.S. Code Section 3679

Except for students seeking to enroll exclusively in career development and college preparation courses, and other courses for which no credit is given, students shall be classified at the time of each application for admission or registration as a resident or nonresident student.

A resident is a person who has been a bona fide resident of California for at least one year on the residence determination date. The residence determination date shall be the day immediately preceding the first day of a semester or summer session for which the student applies to attend.

Pursuant to Title 5 Section 54020, in order to establish a residence, it is necessary that there be a union of act and intent. To establish residence, a person capable of establishing residence in California must couple their physical presence in California with objective evidence that the physical presence is with the intent to make California the home for other than a temporary purpose.

Any Team USA student athlete who trains in the state in an elite level program approved by the United States Olympic and Paralympic Committee is entitled to resident classification for tuition and fee purposes until the athlete has resided in the state the minimum time necessary to become a resident.

Residence classification shall be made for each student at the time applications for admission are accepted or registration occurs and whenever a student has not been in attendance for more than one semester. A student previously classified as a nonresident may be reclassified as of any residence determination date.

The Chancellor shall enact procedures to assure that residence determinations are made in accordance with Education Code and Title 5 Regulations.

With the exception of certain impacted health science and indentured apprentice programs, all Chabot-Las Positas Community College District course offerings are open to California residents who are otherwise eligible to attend. Out-of-state and international students are eligible for admission, but subject to payment of nonresident tuition.

Also see BP/AP 5010 Admissions and Concurrent Enrollment, AP 5011 Admission and Concurrent Enrollment of High School and Other Young Students, BP/AP 5012 International Students, AP 5013 Students in the Military, AP 5015 Residence Determination, BP/AP 5020 Nonresident Tuition, and BP/AP 5030 Fees.

Adopted: June 17, 2014

Board Reviewed: June 18, 2024, May 18, 2021