

# TUITION CLASSIFICATION

## In-State and Out-of-State Tuition Classification

Tuition classification is governed by state law and by judicial decisions that apply to all public institutions of higher education in Colorado. Since tuition classification is governed by state law (<https://www.colorado.edu/registrar/students/state-residency/guidelines/>), the University of Colorado cannot alter or waive the eligibility criteria for any reason, including financial hardship or academic excellence.

New students are classified as in-state or out-of-state residents for tuition purposes based on information provided on their admission application and other relevant information. Applicants may be required to submit evidence substantiating their claim of in-state eligibility.

Current nonresident students who believe they have become eligible for a change to in-state status must submit a petition with documentation to have their status reviewed. The petition requirements, deadlines for submission, explanation of Colorado tuition classification statutes, specific legal residency exceptions and Office of the Registrar contact information are available on the Tuition Classification (<http://www.colorado.edu/registrar/students/state-residency/>) webpage.

## Basic Requirement for Establishing Colorado Residency

To become eligible for in-state residency, a person must establish legal residence in Colorado. Legal residence, or "domicile," is defined as a person's true, fixed, and permanent home and place of habitation. No person may establish domicile in Colorado solely for the purpose of obtaining in-state tuition benefits.

Resident status requires at least 12 consecutive months of Colorado domicile immediately preceding the beginning of the term for which the student is seeking resident status.

To be eligible to *begin* the 12-month period to establish Colorado domicile, an individual must be at least one of the following:

- 22 years of age or older
- Married
- A graduate student
- An emancipated student

The domicile of a nonemancipated student is the same as that of a parent or legal guardian. Students over the age of 22 years, second-year graduate students, married students and emancipated students are qualified to determine their own domicile.

## Unemancipated Minors

Students under age 23 who depend on their parents for support may qualify for in-state tuition if either of their parents, regardless of custody, has been domiciled in Colorado for 12 consecutive months preceding the first day of class in a given semester, even if the student resides elsewhere. In certain circumstances, students may qualify through their parents up to age 23.

## Emancipation

An emancipated minor is someone under age 23 who demonstrates total financial and residential independence. This means the student's parents and all others have entirely surrendered the right to the student's care, custody and earnings, and make no provision for support of any kind. Emancipation is very rare; undergraduates under age 23 who do not have a parent domiciled in Colorado are highly unlikely to be classified as a Colorado resident student.

Students who provide false information to evade payment of out-of-state tuition or who fail to provide timely notice of their loss of in-state eligibility as an emancipated minor are subject to retroactive assessment of out-of-state tuition, as well as disciplinary and legal actions.

## Evidence of Domicile

Establishing Colorado domicile includes actions that would be expected of any permanent resident. Pursuant to Colorado law, the following are actions that may be considered evidence of domicile:

- Filing a tax return in Colorado and, if applicable, payment of Colorado state income tax.
- Colorado driver's license or Colorado ID card within 120 days of move to Colorado.
- Colorado vehicle registration within 180 days of move to Colorado.
- Voter registration in Colorado.
- Graduation from a Colorado high school.
- Lease or deed showing permanent occupancy of residential real property in Colorado.
- Continued residence in Colorado while not enrolled as a student and during semester breaks.
- Permanent employment or acceptance of future employment in Colorado
- Any other factor particular to the individual that tends to establish the necessary intent to make Colorado a permanent home.

No single factor constitutes proof of domicile. All evidence, both positive and negative, is considered. Not all of the listed items are necessary, however individuals should take action on all factors that are applicable to their circumstances. For more information on all requirements, see the Tuition Classification (<http://www.colorado.edu/registrar/students/state-residency/>) webpage.

## Domicile Exceptions

Colorado tuition law provides the following rare exceptions to the one-year domicile requirement in certain circumstances:

- Colorado National Guard members
- Members of American Indian Tribes with Historical Ties to Colorado
- Active duty military stationed in Colorado and their dependents
- Honorably discharged members of the U.S. Armed Forces and their dependents
- Returning active-duty military members
- Canadian military stationed in Colorado
- ASSET law qualified students with one year Colorado High School attendance (must have attended a Colorado high school for at least one year preceding the date of graduation; also requires Colorado high school graduation/Colorado GED **and** 12 consecutive months of physical presence in Colorado prior to enrolling at the institution)

- Children of new faculty members at Colorado state colleges and universities
- Employees of companies moving to Colorado receiving government economic incentives
- Western Regional Graduate Program enrollees in specific major fields of study
- Olympic athletes training in Colorado
- Others (see Residency Exceptions for Domicile (<http://www.colorado.edu/registrar/students/state-residency/domicile-exceptions/>) webpage)

Requirements, including spouse and child eligibility, and a list of qualifying tribes are detailed on the Residency Exceptions for Domicile (<http://www.colorado.edu/registrar/students/state-residency/domicile-exceptions/>) webpage.