

RESIDENCY

Initial residency classification at Colorado State University Pueblo is determined by the Office of Admissions based on information provided by the student during the application process. Students are responsible for checking the residency determination provided at the time of admission and for contacting the Office of Admissions prior to the start of classes with any questions. This initial residency classification remains the same unless the student provides additional information to prove that the domicile requirements for Colorado residency have been met. This may be proven by submitting a Residency Information Form or additional documentation to the Office of Admissions. If the student does not agree with the residency determination after the Residency Information Form or additional documentation has been reviewed that student must submit a Petition for In-State Tuition Classification (see changes). New students must complete the Residency Information Form and/or Petition for In-State Tuition Classification **prior to the first day of class of the student's first term.**

Residency Requirements

"Domicile" is used to describe the place where an individual has demonstrated intent to make a permanent home and legal residence. Both physical presence (see #1 below) and evidence of intent (see #2 below) must be in place to begin the domicile year. Qualified individuals must reside in Colorado with the intent to make Colorado their permanent home and legal residence.

Colorado residency requires a domicile in Colorado for 12 continuous months on or prior to the first day of classes of each semester.

Since domicile is defined as a permanent home and legal residence, being in Colorado solely for school purposes and/or temporarily for other purposes does not qualify as domicile for Colorado residency.

1. Physical presence is the qualified individual's actual permanent home and legal residence. Proof of physical presence may include all of the following:
 - Home ownership
 - Lease agreement
 - Rent receipts
 - Notarized statement from a landlord
2. Evidence of intent to make Colorado the qualified individual's permanent home and legal residence is demonstrated by surrendering all legal ties with prior states and establishing them with Colorado for 12 continuous months. Proof that demonstrates evidence of intent, as specified by the residency statute, may include all of the following:
 - Colorado driver's license or valid Colorado ID.
If the qualified individual has a driver's license from another state, he or she must apply for a Colorado driver's license within 30 days of moving to Colorado (if employed) or within 120 days (if unemployed). If the qualified individual does not drive, he or she may obtain a Colorado identification card.
 - Colorado motor vehicle registration.
If the qualified individual owns a motor vehicle, he or she must register it in Colorado within 30 days of moving to Colorado (if employed) or within 120 days (if unemployed). This law applies to any vehicle the qualified individual has, whether or not he or she is the registered owner.

- Permanent, full-time, off-campus employment or acceptance of future permanent employment in Colorado. (Student employment provided by CSU Pueblo is not recognized by the state of Colorado in proving intent.)
- Colorado voter registration.
A qualified individual may register to vote with the county clerk, or when his or her Colorado driver's license is obtained. Although voting is not required by law, it is nonetheless an indicator of one's intent to create Colorado domicile.
- Change in permanent address on all pertinent records.
- Payment of Colorado state income tax (if income is sufficient to be taxed).
All taxable income accrued after moving to Colorado, regardless of source, must be reported to the Colorado Department of Revenue. Qualified individuals should file part-year resident returns for each state of residence for the year they move to Colorado. For subsequent years, they should file a full-year resident Colorado return.
- Withholding of Colorado state taxes from wages.
- Ownership of residential property in Colorado that is the qualified individual's primary residence.
(Ownership of vacation or income property is not an indication of domicile.)

Evidence of legal ties outside of Colorado during the domicile year that demonstrate residency in another state may include the following:

- Failure to obtain a Colorado driver's license or Colorado ID (Failure to change driver's license to Colorado within the statutory periods).
- Failure to file a Colorado state income tax return.
- Failure to pay Colorado state income tax (if income is sufficient to be taxed).
Income earned in another state by a resident of Colorado is taxable in Colorado. Filing a nonresident Colorado tax return is persuasive evidence of domicile outside Colorado.
- Maintenance of a home in another state.
- Prolonged absence from Colorado.
- Residing in another state between academic terms or when not enrolled as a student.
- Vehicle the qualified individual operates is registered in another state (Failure to register a motor vehicle in Colorado within the statutory periods).
- Any other factor unique to the individual that tends to imply that his or her permanent home and legal residence is in another state.

The fact that an individual does not qualify for in-state status in any other state does not guarantee in-state status in Colorado; in-state classification is governed solely by Colorado statute. The tuition classification statute places the burden of proof on the petitioner to provide clear and convincing evidence of a change in eligibility for in-state tuition once the student has registered.

The Admissions Office must receive completed petitions no later than the published deadline date for the semester for which the student is petitioning. Deadlines are the first Monday in August for Fall semester and the first Monday in December for Spring semester. Petitions will not be accepted after the published deadline date; incomplete petitions will not be accepted and/or reviewed for that semester, and the tuition

classification and tuition assessment will remain nonresident for that term.

Decisions made by the Tuition Classification Officer may be appealed to the University's Residency Appeals Committee. A student who wants to appeal the decision to the Residency Appeals Committee must contact the Office of Admissions no later than the appeal date listed in the letter in which the decision was conveyed to the student. The decision of the Residency Appeals Committee is the FINAL University determination for that specific semester. In addition, there are no provisions in the Tuition Classification Statutes for retroactive petitioning.

Any student who provides false information to avoid paying out-of-state tuition may be subject to legal and/or disciplinary actions.

Changes to Tuition Classification

Continuing students who believe they qualify for Colorado residency must submit a completed Petition for In-State Tuition Classification by the deadline to the tuition classification officer. Students enrolled in online programs may be eligible for an exemption to this requirement; contact Admissions for additional information. Deadlines are the first Monday in August for the fall semester and the first Monday in December for spring. Changes to tuition classification will only be made for current and future semesters.

Colorado residency for tuition purposes is governed by Colorado State Law (Title 23, Article 7-101 to 111, of the Colorado Revised Statutes of 1973, as amended) and by judicial decisions that apply to all public institutions of higher education in Colorado and is subject to change at any time. The residency decision made at one Colorado institution is non-transferable to other Colorado institutions. Colorado State University Pueblo must apply the rules set forth in the residency statutes and is not free to make exceptions to the rules except as specifically permitted by State Law.

Any student granted the Western Undergraduate Exchange tuition rate, is indicating that he or she is NOT a Colorado resident and WILL NOT establish Colorado residency during his or her time of attendance at CSU Pueblo. If a student plans to establish residency in Colorado and would like to petition for in-state benefits at CSU Pueblo during his or her time of attendance, it is recommended the student does not claim another state as his or her state of residence. WUE students who change their residence to Colorado lose their WUE eligibility, but do not become eligible for in-state tuition rates until one year after establishing Colorado domicile. Because students under 23 are deemed to have the domicile of their parents, the WUE student seeking to change domicile to Colorado must show either: a change of the parents' residence to Colorado; or a change in the student's residence after proving emancipation from the parents.