

RESIDENCY

All Colorado state institutions of higher learning shall apply uniform rules as outlined in the Colorado Residency Statutes of the Colorado Department of Higher Education 23-7-101. Colorado residency for tuition purposes is governed by State Law Title 23, Article 7 of the Colorado revised Statutes of 1973, as amended, and by judicial decision 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 state statute and is not free to make exceptions to the rules except as specifically permitted by State Law.

Initial Classification

Initial residency classification is determined by the Office of Admissions based on information provided by the student during the application process. Students are responsible for contacting the Office of Admissions with any residency questions prior to the start of the academic term.

Changes in Tuition Classification

- A student who feels that the initial residency classification was based on discrepant or missing information in the application may submit the Residency Information Form. The Residency Information Form must be submitted **prior to the end of first term of attendance**.
- A student who desires to be reclassified as a Colorado resident or feels that the initial residency classification was based on discrepant or missing information **after the end of the first term of attendance** may file a Petition for Residency. The petitioner must submit the electronic Petition for Residency (<https://www.csupueblo.edu/admissions/residency/forms.html>) form along with uploaded supporting documents prior to the petition deadline. (See **Deadlines** section below). The Colorado State University Pueblo Tuition Classification Officer reviews and determines the residency based on the petition responses and supporting documents. The burden of proof rests upon the petitioner to submit a complete residency petition and all required documentation.
- WUE (Western Undergraduate Exchange) students who wish to petition for Colorado residency must forego WUE status for a **full calendar year (12 continuous months)** prior to residency reclassification.
- WICHE graduate students automatically qualify for the equivalent of the in-state tuition rate. See Western Interstate Commission for Higher Education (<https://www.wiche.edu/tuition-savings/wrgp/wrgp-savings-finder/>) website for a list of participating states.

Appeal Process

Decisions made by the Tuition Classification Officer may be appealed to the Colorado State University Pueblo Residency Appeals Committee. A student who wants to appeal the decision to the Residency Appeals Committee must submit a formal appeal letter to the Office of Admissions no later than the appeal date listed in Tuition Classification Officer petition determination letter. The decision of the Residency Appeals Committee is the **FINAL** University determination for that

specific semester. In addition, there are no provisions in the Colorado Tuition Classification Statutes for retroactive petitioning.

Deadlines

Semester	Date
Residency Form	Last Day of First Term of Attendance
Fall Residency Petition	First Monday in August
Spring Residency Petition	First Monday in December
Summer Residency Petition	Third Friday in April
Petition Appeal	Appeal Date Listed on Petition Determination Letter

Residency petitions will not be accepted after the deadline date. Residency petitions submitted after the deadline will be reviewed for future academic terms only.

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

Residency Definitions

Colorado Residency Statute 23-7-102 provide the following residency definitions.

Domicile means a person's true, fixed, and permanent home and place of habitation. It is the place where a person intends to remain, or expects to return after leaving an institution without intending to establish a new domicile elsewhere.

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

Unemancipated minor means an individual who has not attained the age of twenty-three years. The domicile of an unemancipated minor is presumed to be that of the minor's custodial parent(s). A minor may qualify for residency based on the domicile of said minor's court-appointed legal guardian if the guardianship has been in effect for a minimum of one calendar year (12 continuous months).

Emancipated minor means a minor whose parents have entirely surrendered the right to the care, custody, and earnings of such minor, no longer are under any duty to support or maintain such minor, and have made no provisions for the support of such minor.

An emancipated minor must:

- Not receive financial support of any nature for any purpose. Support includes funds that may have previously been set aside for current support even if those funds are in the minor's name.
- Not be claimed on parent(s) or guardian(s) tax return.
- Not take a loan to meet financial needs on which a parent or guardian is a co-signer.
- Document an ability to meet all of one's own financial obligations without any financial help from any other individual.

Parent-qualified student means an unemancipated minor who is not domiciled in Colorado but who has a parent domiciled in Colorado.

Qualified person means an individual qualified to determine one's own domicile. Examples of a qualified person are:

- Adults who are 23 years old or older.
- Parent(s) or legal guardian(s) of an unemancipated minor
- Emancipated minors (less than 23 years old)
- Married minors (less than 23 years old) *
- Graduate students

*Marriage to a Colorado resident does not by itself qualify a student for in-state tuition status. A marriage may be considered evidence of “intent” to be considered a Colorado resident; an individual must maintain one’s own domicile in Colorado for one calendar year (12 continuous months) to establish residency.

- Any other factor peculiar to the qualified person which establishes a permanent home in another state such as voting in another state or obtaining student loans and financial aid from another state.

An applicant’s inability to qualify for in-state tuition classification 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 enrolled.

Residency Requirements

A Colorado resident, for tuition classification purpose, is a qualified person who has established domicile in the State of Colorado. The qualified person establishes residency for a minor (as defined by Colorado state residency statute).

A Colorado resident must demonstrate domicile through:

- Physical presence in the state of Colorado for 12 continuous months prior to the first day of classes, **and**
- Evidence of intent to establish permanent and legal Colorado residency **and**
- Absence of evidence that ties the qualified individual to other states

F1/J1 visa-holders cannot establish domicile in the State of Colorado without a change in immigration status.

Examples of physical presence include:

- Home ownership
- Lease agreement
- Rent receipts
- Notarized statement from a landlord

Examples of evidence of intent to establish Colorado residency include:

- Colorado Driver’s License or State ID
- Colorado motor vehicle registration
- Colorado tax returns
- Ownership of residential real property in Colorado
- Off-campus employment in Colorado
- Withholding of Colorado income tax from wages for work performed at an off-campus employer
- Colorado voter registration

No one factor by itself is sufficient to establish intent.

Examples of ties to another state include:

- Driver’s License or State ID issued by another state
- Tax filings in another state
- Filing a Colorado non-resident tax return
- Maintenance of a home in another state
- Vehicle registered in another state
- Prolonged absence from Colorado
- Residing in another state between academic terms while not enrolled at Colorado State University Pueblo