California Residence Requirements – FINANCIAL INDEPENDENCE

The student seeking reclassification from nonresident to resident status must show financial independence from any nonresident of California according to guidelines set forth by the State of California. In order to establish financial independence, a student seeking reclassification must show the extent to which he or she has met the following criteria for the current and each of the immediately preceding three calendar years:

1. That the student has not been claimed as an exemption for state or federal tax purposes by his or her nonresident parents;
2. That the student has not received more than $750 from his or her nonresident parents; and
3. That the student has not lived in the home of his or her nonresident parents for more than six weeks in any given year.

Failure to satisfy all the financial independence criteria for the entire period will not necessarily result in classification as a nonresident if the showing of one year’s presence and intent is sufficiently strong. However, failure to satisfy all three financial independence criteria for the current and immediately preceding calendar years will normally result in classification as a nonresident, since financial independence is of greater significance for those years. Financial independence, or want of it, for the second and third calendar years immediately preceding the year in which reclassification is requested will be considered together with all other relevant factors in determining intent, with no special weight attached to the financial independence factor.

Evidence of financial independence may be presented in the form of (1) affidavits signed by student and parent indicating the extent to which the three criteria listed above have been met, and (2) copies of the federal and state income tax returns filed by student and/or parent for the current and any applicable preceding calendar years.