

# Introduction

Your initial residency classification at Colorado State University-Pueblo is determined by the Office of Admissions based on information you provide in the Residency Section of the CSU-Pueblo Admissions Application. If you feel your initial residency classification is incorrect, please contact the Admissions Office. This initial residency classification remains the same unless you meet the domicile requirements for Colorado residency.

Colorado residency for tuition purposes for the state of Colorado is governed by State Law (Title 23, Article 7, 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.

Note: The information contained in this website is considered to be general guidance and is not legal advice. Refer to the State Statute to view the actual law.

# Qualified Individuals

## Parent Petitioners

Parents who have moved to Colorado and meet the domicile requirements may submit a "Petition for In-State Tuition Classification" which supports their domicile. If their petition is approved, their dependents are eligible for Colorado residency.

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## Other Qualified Individuals

You are a qualified individual and eligible to establish domicile separate from your parents if, at the beginning of the 12-month domicile year, you were:

- 22 years of age or older
- Married
- Emancipated
- A graduate student

An emancipated minor is an individual under 23 years of age who is no longer considered a dependent and is not supported by their parent(s) or any other individual. An emancipated minor can begin establishing their domicile on the date they become emancipated.

Emancipation must be proven in the following way:

- Parents or other individuals must no longer support the minor and make no provision for support. Support includes gifts, trust funds, loans, and assets established by parents or someone other than yourself on your behalf.
- Parents must no longer claim the minor on their federal and state income tax returns.
- If the minor takes out a loan, they must do so without a parent co-signer. In addition, the loan must not be the student's major source of support.
- The minor must document that they are independently able to meet all financial obligations without any financial help from any other individual.

Examples of financial obligations may include:

- Tuition and fees
- Rent and food
- Medical expenses, including health insurance
- Vehicle expenses, including insurance

If you are granted Colorado residency as an emancipated minor, you must continue to independently meet all your financial obligations, including the cost of education, without financial assistance from your parents or any other individual.

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## **Court Appointed Legal Guardian**

A student may qualify for Colorado residency based on the domicile of their court appointed legal guardian if the guardianship has been in effect for at least one year. The legal guardian must provide court documents certifying that the primary purpose of the appointment is other than to qualify the student for Colorado residency. The court must also certify that the student's parents do not provide financial support.

# Residency Requirements

## **Domicile**

"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. A qualified individual 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 your actual permanent home and legal residence. Proof of physical presence may include all of the following:
  - Lease agreements
  - Rent receipts
  - Home ownership
  - Notarized statement from a landlord
2. Evidence of intent to make Colorado your permanent home and legal residence is demonstrated by giving up all your legal ties with your prior state and establishing them with Colorado for 12 continuous months. Proof that demonstrates evidence of intent, as specified by the residency statute, may include all the following:
  - Colorado driver's license or valid Colorado ID
  - Colorado motor vehicle registration
  - Permanent, full-time, off-campus employment
  - Colorado voter registration

- Change in permanent address on all pertinent records
  - Payment of Colorado state income taxes as a Colorado resident
  - Withholding of Colorado state taxes from wages
  - Ownership of residential property in Colorado
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Evidence of legal ties outside of Colorado during the domicile year that demonstrate residency in another state may include the following:

- Failure to file a Colorado state income tax return
- Failure to have Colorado state income taxes withheld from your wages
- Filing a Colorado state income tax return as a non-resident
- Failure to obtain a Colorado driver's license or Colorado ID
- Maintenance of a home in another state
- Prolonged absence from Colorado
- Vehicle you operate is registered in another state
- Residing in another state between academic terms or when not enrolled as a student
- Any other factor unique to the individual which tends to imply your permanent home and legal residence is in another state

The fact that an individual does not qualify for residency in any other state does not guarantee Colorado residency.