

TUITION CLASSIFICATION (RESIDENCY)

Getting Colorado Residency

The requirements for establishing residency for tuition purposes are defined by Colorado law. See Colorado Revised Statutes 23-7-101 et. seq (<https://highered.colorado.gov/colorado-residency-statutes/>).

The statutes require that a qualified individual must be domiciled in Colorado twelve (12) consecutive months immediately preceding the term for which resident status is claimed.

An individual is "qualified (<https://highered.colorado.gov/students/preparing-for-college/residency-requirements/qualified-persons/>)" by virtue of adulthood and emancipation at age 22, marriage, or enrollment in a post-baccalaureate graduate or professional degree program. Once emancipation is established, the domicile period (12 months) may begin.

An unemancipated minor is qualified through the residency of his or her parent(s) or legal guardian(s).

Initial Tuition Classification at the University of Colorado Anschutz Medical Campus is determined based on information students provide on the Initial Verification of Colorado Residency form. This form is administered by each individual school and program admissions office.

Only students who are admitted to a program at the University of Colorado Anschutz Medical Campus are eligible to fill out this form.

After completing the form, students are initially classified as Resident, Nonresident, or Under Review. Students in Under Review status may receive follow-up communication from the Registrar's Office requesting further information or supporting documentation for tuition classification. Any questions may be addressed by emailing TuitionClassification@CUAnschutz.edu.

Emancipation

A person must be legally emancipated before he or she is "qualified (<https://highered.colorado.gov/students/preparing-for-college/residency-requirements/qualified-persons/>)" to establish a domicile separate from the domicile of one's parents.

Emancipation for tuition purposes takes place automatically when a person turns 22 years of age, or marries, or commences a post-baccalaureate degree-granting program. Once emancipated, the clock starts for establishing domicile (physical presence and intent, demonstrated through legal connections) and the student must wait 12 months to become eligible for in-state tuition.

A person who is unmarried and under 22 years of age at the beginning of the one-year waiting period and who wishes to claim "emancipated minor" status must prove that he or she is completely self-supporting and financially independent of his or her parent(s) or legal guardian(s), as well as any other familial financial support.

The following constitutes evidence of emancipation; however, no singular criterion, taken alone, can be considered conclusive evidence of emancipation.

- Affidavit from parents or legal guardian(s) stating relinquishment of any claim or right to the care, custody, and earnings of the minor, as well as of the duty to support the minor, with documentation of the fact that the minor has not been claimed as a tax deduction on

income tax returns. (If a minor claims emancipation as of August 1 of a given year, and the parents have supported the minor from January 1 to August 1, the minor may be claimed for that given year, since the parents provided more than half of the support of the minor for that year.) Emancipation under these circumstances is the act of the parent and not of the child. If there is a duty to support the minor, as, for instance, a court order in a divorce decree, there is no emancipation.

- Lack of any financial support provided by the parents or other family members (including trust funds), coupled with proof that the minor can independently meet all of his or her own expenses, including the cost of education.
- Entry into military service.
- Marriage.

Unemancipated minors may qualify for in-state tuition only when their parent(s) or legal guardian(s) are domiciled in Colorado.

An unemancipated child of divorced or separated parents can be immediately classified as in-state if either parent has been domiciled in Colorado the requisite period of time, regardless of which parent was granted custody or duty to support the minor by court decree. The parent in this instance is always the one to complete the petition for in-state classification, based on the parent's domicile and connections with the state.

Establishing Domicile

An individual must have been domiciled in Colorado for a minimum of one year (12 months) before he or she can be determined to be a Colorado resident for tuition purposes. A domicile is a person's true, fixed and permanent home. Having a domicile in Colorado involves more than mere physical presence in the state. A person may have several places of residence but can have only one true domicile at any given time.

In order to establish domicile for tuition classification purposes, there must be:

1. physical presence for at least 12 months within the state of Colorado **AND**
2. demonstrated intent to make Colorado one's permanent home.

Intent is demonstrated by several kinds of connections (i.e. legal connections) with the state dated one year prior to the beginning of classes. Pursuant to Colorado law, the legal ties below may be considered. Incoming nonresident students are encouraged to review information under "Preparation for Petitioning to Become a Colorado Resident."

Examples of Colorado Legal Ties:

- Payment of Colorado state individual income tax.
- State of Colorado driver's license or state of Colorado ID, established for a minimum of 12 months.
- State of Colorado voter registration, established for a minimum of 12 months.
- Vehicle registration in Colorado, established for a minimum of 12 months.
- Graduation from a Colorado high school.
- Continued residence in the state of Colorado during periods when not enrolled as a student or during periods between academic sessions.
- Employment in Colorado (other than that provided to students on a temporary basis by CU or other temporary employment).

- Acceptance of future permanent employment in the state of Colorado.
- Ownership of residential real property in Colorado.
- Any other factor particular to the individual that tends to establish the necessary intent to make Colorado a permanent home.

NOTE: No single factor or combination of these factors may be considered conclusive evidence of domicile.

For School of Medicine and School of Dental Medicine applicants there is a different reference date for residency determination. It is the date of selection for admission. The date of selection is the date by which students must have established at least one year of Colorado domicile. The date of selection is applied during the same year the student intends to matriculate. The date of selection for the School of Medicine & School of Dental Medicine is July 1st. More information on unique legislation governing residency for the School of Medicine and Dental Medicine is available here (<http://catalog.ucdenver.edu/cu-anschutz/financial-information/residency-tuition-classification-accountable-students/accountable-student-information/>).

Preparation for Petitioning to Become a Colorado Resident

Steps to take at least 12 months in advance of the first day of the term in which you wish to become a Colorado resident for tuition purposes include the items listed below. It is strongly recommended that students retain any/all copies of their efforts, including appointment confirmations with government offices or other entities, as demonstration of their timely efforts to establish Colorado domicile.

1. Retain your lease and rent receipts if you rent your home. If you have purchased a home, make sure to keep your paperwork and deed available. Proof of contract date and closing date are required. These documents will need to be attached to your petition to demonstrate at least 12 months of continuous physical presence.
2. Obtain your Colorado driver's license as soon as you move to Colorado. Do not wait because your previous license has not expired, or because you do not currently drive, or because you believe you don't have time.
3. Register to vote in Colorado (normally at the same time you obtain your driver's license).
4. Register all vehicles titled in your name in Colorado as soon as you move to Colorado. Do not wait because your previous state's license plates have not expired, or because you do not use your vehicle every day, or because you can't get to the county office. If you must make an appointment to receive service at your county office, retain the appointment information including the day that you made the appointment.
5. File Colorado Income Tax Forms on your Colorado employment at the appropriate time. It is also helpful to retain your paystubs reflecting Colorado tax withholdings.
6. Plan to fill out the In-State Tuition Petition approximately three months before the first day of class of the semester for which you are applying.

These are the most important elements that will demonstrate your domicile for the purposes of Colorado residency and in-state tuition.

Permanent, full-time, off-campus employment and payment of Colorado State income taxes are considered highly persuasive in the petition process. Student employment or temporary work is not considered

as persuasive. It is the actual official acceptance of employment that forms the connection with the state. Income earned in another state by a resident of Colorado is taxable in Colorado.

ANY connections maintained with any other state during the 12-month period for establishing domicile is considered evidence of non-domicile in Colorado, and negative intent to make Colorado one's permanent home.

Other factors that may be helpful in the petition process include:

- continuous physical presence in Colorado during periods when not enrolled or during periods between academic sessions
- obtaining licensure or certification in the State of Colorado

It is the student's responsibility to be fully informed of the laws of Colorado that govern any of the "connections" made in establishing domicile, including vehicle ownership and operation, voter registration, payment of income tax, property ownership, etc. Noncompliance with these laws establishes a negative presumption of intent to make Colorado one's permanent home and will be weighed against any affirmative evidence of Colorado domicile.

Evidence Indicating Domicile Outside of Colorado

Indicators that the student is not a Colorado resident include:

- receipt of WICHE (PSEP, WRGP, or WUE) funding
- failure to pay Colorado State income tax
- filing a nonresident Colorado tax return
- failure to comply with any law imposing a mandatory duty on a permanent resident of Colorado such as failure to register a vehicle or obtain a driver's license within the time period required by law
- return to your former state of residence for any period of time during summer or other periods of time when not attending classes
- maintenance of a home in another state
- prolonged absence from Colorado, except for military or civilian government service or temporary absences required by an employer
- voting or registering to vote in another state
- applying for a loan or receiving college funding from another state where domicile in that state is a condition of the funding

Exceptions and Special Circumstances Asset Bill (SB13-033)

A student who does not have lawful immigration status may be classified as an in-state student for tuition purposes if:

1. the student attended high school in Colorado for at least three years immediately preceding the date the student graduates from a Colorado high school or earns a GED
2. the student is admitted to a Colorado institution of higher education or attends any institution of higher education under a Colorado reciprocity agreement within 12 months of graduation or earning a GED, and
3. the student submits an affidavit through the COF application process stating that the student does not have lawful immigration status but has applied for lawful presence or will apply as soon as the student is eligible.

Additionally, a student who does not have lawful immigration status and graduated from a Colorado high school or earned a GED prior to September 1, 2013, but was not admitted to a Colorado institution within 12 months of graduating or earning a GED, may nonetheless be qualified

as an in-state student if the student has been continuously physically present in Colorado for at least 18 months prior to enrolling in a Colorado institution.

Four-Year Rule

Students whose parents maintain a Colorado domicile for four years and then establish domicile elsewhere, will remain eligible for in-state tuition if:

a) The parents leave Colorado after the student completes his or her junior year of high school and if the student enrolls at a Colorado public college or university within three years and six months after the parents leave Colorado. The student need not remain in Colorado when the parents leave or be emancipated from the parents.

OR

b) The student maintains continuous Colorado domicile. The student need not be emancipated. (This provision generally will be met if the student continues to reside in Colorado after the parents leave or if the student resides outside the state only temporarily [for example, to attend college or for military service] while maintaining Colorado domiciliary connections such as voter registration and income tax filing.

Members of American Indian Tribes with Historical Ties to Colorado

Under the Colorado American Indian Tribes In-State Tuition Act (effective Fall 2021), a student who would not otherwise qualify for in-state tuition and who is a registered member of one of the federally recognized American Indian tribes with historical ties to Colorado, as designated by the Colorado Commission of Indian Affairs in partnership with History Colorado, is eligible to be classified as an in-state student for tuition purposes.

A full list of eligible tribes and documentation required is available on the the Office of the Registrar's website (<https://www.cuanschutz.edu/registrar/residency/future-students/#ac-members-of-american-indian-tribes-with-historical-ties-to-colorado-2>).

Military Service

MILITARY EXCEPTION

Students should consult with Veteran and Military Student Services (VMSS) for more information regarding current legislation and necessary documentation. Current information is also available at the VMSS web resource page on residency at: <https://www.cuanschutz.edu/veterans/benefits#Residency> (<https://www.cuanschutz.edu/veterans/benefits/#Residency>).

MILITARY MEMBERS DOMICILED IN COLORADO

To retain domicile during an absence from Colorado due to military orders, military members must maintain Colorado as their state of legal residence for tax purposes, and voters must maintain voter registration.

Military members may retain legal residency in their original state, or they may establish a new legal residence in a state in which they reside due to military orders. They may not establish domicile in Colorado while residing elsewhere or while being physically present in the State only on a temporary basis.

Persons domiciled in Colorado for one year who enter active duty military service, and who return permanently to Colorado within six months of

discharge, and their dependents, qualify for in-state tuition regardless of changes of domicile while on active duty.

VETERANS

Students should consult with Veteran and Military Student Services (VMSS) for more information regarding current legislation and necessary documentation. Current information is also available at the VMSS web resource page on residency at: <https://www.cuanschutz.edu/veterans/benefits#Residency> (<https://www.cuanschutz.edu/veterans/benefits/#Residency>).

CIVILIAN ABSENCES FROM THE STATE

Civilians who accept overseas employment, governmental or otherwise, or temporary employment in another state, or who are temporarily absent from Colorado for other reasons, must continue to file Colorado State income tax returns as residents for each and every year of their absence from the State. They must claim and pay taxes on all of their earnings, wherever earned, and will receive a credit for taxes withheld by or paid to another state. Failure to do so is sufficient evidence to determine that the individual has relinquished his or her Colorado domicile for tuition purposes

Permanent Resident Aliens and Visa Holders

Nonimmigrant visa holders may qualify for in-state residency status after one year of Colorado residence, unless their legal purpose for staying in the United States is to study. Holders of the visa types listed below are **not** eligible for in-state status:

- F-1
- F-2
- H-3
- H-4 (if dependent on an H-3 visa holder)
- J-1 (student or trainee category)
- J-2 (if dependent on a J-1 student or trainee)
- M-1
- M-2

Holders of other nonimmigrant visa types (not listed above) may be considered for in-state residency status according to standard rules and procedures. Unemancipated minors with student immigration status may qualify through their parents so long as the parents do not have student visas.

WICHE Programs at CU Anschutz

The University of Colorado Anschutz Medical campus participates in three separate programs through the Western Interstate Commission on Higher Education (WICHE). Review the information below to learn more about benefits, eligibility and requirements of each program.

Professional Student Exchange Program (PSEP)

WICHE's Professional Student Exchange Program (PSEP) enables eligible students to enroll in selected out-of-state professional healthcare programs and pay reduced tuition. Student home states typically fund students to enroll through PSEP if a professional healthcare program is not available at one of their in-state public institutions.

Students enrolled through PSEP pay reduced tuition. A student's home state pays a "support fee" to the enrolling school to reduce the cost of the student's education. Most students enrolled in public programs pay

resident tuition; if the support fee does not cover the difference between resident and nonresident tuition, they may pay slightly more.

Students must apply for PSEP through their home WICHE state office. For more information please consult the WICHE PSEP webpage (<https://wiche.edu/psep/>).

Western Regional Graduate Program (WRGP)

The Western Regional Graduate Program (WRGP) allows master's, graduate certificate, and doctoral students who are residents of WICHE member states to enroll in participating graduate programs at CU Anschutz Medical Campus and pay resident tuition. In order to receive WRGP at CU Anschutz, students must maintain residency in their home WICHE state and are ineligible to establish Colorado residency while receiving the WRGP tuition rate.

Eligible students who are approved for WRGP pay Colorado resident tuition.

Students must be fully admitted to a **participating WICHE WRGP academic program** at CU Anschutz before they may request the WRGP tuition rate from their program office of admissions or program administrator. For more information about participating programs and contacts please consult the WICHE WRGP webpage (<https://wiche.edu/wrgp/>). **Please note:** Specific programs may require other criteria besides residency in your WICHE home state for the WRGP tuition rate.

Western Undergraduate Exchange (WUE)

The Western Undergraduate Exchange (WUE) program offers Undergraduate students in the College of Nursing who are residents of WICHE member states and territories the chance to attend CU Anschutz at a discounted rate. WUE students pay 150% of the in-state tuition rate instead of the full non-resident tuition rate.

Students must be fully admitted as an undergraduate, degree-seeking student in the College of Nursing before they may request the WUE tuition rate from the program. The College of Nursing may require additional criteria besides demonstrated residency in a WICHE state to receive the WUE tuition rate. To learn more about specific criteria, please visit the College of Nursing's WICHE page (<https://nursing.cuanschutz.edu/admissions/wiche/>), or click here (<https://nursing.cuanschutz.edu/admissions/tuition-wue-faqs/>) to review WUE FAQ's.

Information for International WICHE Applicants

Nonimmigrant visa holders who reside in a WICHE jurisdiction may qualify for the Western Undergraduate Exchange (WUE) / Western Regional Graduate Program (WRGP) tuition rate, unless their legal purpose for staying in the United States is to study. Holders of the visa types listed below are **not** eligible for WUE/WRGP status.

- F-1
- F-2
- H-3
- H-4 (if dependent on an H-3 visa holder)
- J-1 (student or trainee category)
- J-2 (if dependent on a J-1 student or trainee)
- M-1
- M-2

Holders of other nonimmigrant visa types (not listed above) who reside in a WICHE jurisdiction may be considered for WUE/WRGP status according to standard rules and procedures. Unemancipated minors with student

immigration status may qualify through their parents so long as the parents do not have student visas.

Petitions and Appeals

The Petition for Resident Tuition Classification is an electronic form for the University of Colorado Anschutz Medical Campus current students and fully admitted students to request a change in their tuition classification and residency status. It can be accessed at the following web address: <https://www.cuanschutz.edu/registrar/residency/current-students> (<https://www.cuanschutz.edu/registrar/residency/current-students/>). Prior to submitting the petition, students should gather the information/documentation outlined in the Petitioner Documentation Guidelines (http://catalog.ucdenver.edu/cu-anschutz/financial-information/residency-tuition-classification-accountable-students/PetitionDocumentation_revSept2020.pdf).

Students who wish to change their tuition classification from non-resident to resident must fill out and submit a Petition for Resident Tuition Classification by the published deadlines. Students must have established 12 months of Colorado domicile prior to the first day of the term for which they are petitioning. Further information regarding establishing Colorado domicile is available through the Colorado Department of Higher Education.

PETITION SUBMISSION DEADLINES

Fall 2023

- First day to petition - May 22, 2023
- Priority Petition Deadline - July 14, 2023
- Final Petition Deadline - August 4, 2024

Spring 2024

First day to petition - October 2, 2023

Priority Petition Deadline - December 1, 2023

Final Petition Deadline - December 11, 2023

Summer 2024

First day to petition - March 11, 2024

Priority Petition Deadline - May 3, 2024

Final Petition Deadline - May 17, 2024