



OFFICE OF THE PROVOST AND
EXECUTIVE VICE PRESIDENT FOR ACADEMIC AFFAIRS

OFFICE OF THE PRESIDENT
1111 Franklin Street, 12th Floor
Oakland, California 94607-5200

October 7, 2020

CHANCELLORS
EXECUTIVE VICE CHANCELLORS/PROVOSTS

Dear Colleagues:

Consistent with my delegated authority as UC Provost, I am extending and expanding temporary amendments issued March 17 and revised on June 12, 2020 to the University's guidelines on establishing residency in the context of systemwide COVID-19 mitigation efforts. In order to receive in-state status under Regents Policy 3105, a student must demonstrate: (1) physical presence in California for more than one year and (2) intent to make a primary and permanent home in California. (Regents Policy 3105 I.B.1-2.).

I originally approved a temporary amendment in March to address the concern that continuing students were making decisions to temporarily leave California for their own health and safety. I expanded the amendment in June to accommodate remote instruction for Fall 2020.

Now that the University has enrolled a new cohort of students for the 2020-21 academic year and remote instruction may continue into 2021, we need to extend the amendment once again. This letter extends the amendment to accommodate new students who would use their presence in California during the terms Fall 2020 through Spring 2021 to achieve residency by their second year of study under normal circumstances. This is particularly important for new domestic graduate students, and also includes a small number of undergraduates.

TEMPORARY AMENDMENT TO UC RESIDENCY POLICY AND GUIDELINES

The UC Residency Policy and Guidelines (the "Guidelines") currently provide that students must be physically present within California for a year prior to the Residency Determination Date (RDD) and that absences of six weeks or more in a one-year period disqualify a student from receiving in-state status. In response to the COVID-19 pandemic, the Guidelines are hereby further amended in three ways.

First, to provide that a continuing student's absence from the state for any length of time between March 9, 2020 and the Residency Determination Date for Fall 2020 at their campus shall not be counted toward the six week limit if the absence is caused by the COVID-19 pandemic. This means that students who temporarily left California in response to the pandemic remain eligible for in-state residency for the 2020-21 academic year so long as they meet all other applicable eligibility requirements.

Second, the Guidelines are further amended to provide that a student, who has been or may be granted in-state status based on Financial Independence, may accept or use financial resources from another individual between March 9, 2020 and the end of the 2019-20

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academic year without loss of eligibility for in-state status if the transfer of resources is made in response to the COVID-19 pandemic.

Third, the enrollment in courses for the Fall, Winter, and Spring terms delivered via remote instruction during the 2020-21 academic year will serve as a replacement for physical presence if the following conditions are met: 1) the UC campus has extended the opportunity for remote instruction, and 2) the student may qualify for residency on their own without regard to a parent per Regents Policy 3105 I.C.2, or temporarily through a noncustodial California parent per Regents Policy 3105 I.D.4. Students meeting the above criteria will not need to acquire applicable legal indicia to prove their intent to stay in California by the deadlines in the Guidelines. However, UC expects students to acquire legal indicia as soon as is practicable. All students admitted and commencing enrollment after the end of the 2020-21 academic year will need to acquire applicable legal indicia by the applicable deadlines in the Guidelines.

No element of this temporary amendment applies to the requirements for physical presence and intent of parents who are part of the residency assessment for dependent students.

All Guidelines contrary to the provisions of this amendment, except those adopted by the Regents, shall be suspended to the extent of the conflict, during the period this amendment remains in force. Further extensions of this policy will be considered if necessary to accommodate students whose circumstances are impacted by the COVID-19 emergency. Please note this temporary amendment is not intended to contradict Regents Policy 3105. These amendments stand until such time as they are rescinded by the UC Provost.

We will continue to work with campus leadership, as well as those performing the residence reviews, to ensure a fair process that does not adversely affect students who would have, but for the disruptions resulting from the coronavirus, otherwise established California residency. Further questions about the implementation of this from campus administrators can be directed to Executive Director of Student Financial Support Brick at shawn.brick@ucop.edu or 510.987.9530. Students and academic departments should contact campus residence deputies for questions or assistance on individual student cases.

Sincerely,



Michael T. Brown, Ph.D.
Provost and
Executive Vice President for Academic Affairs

Cc: President Drake
General Counsel Robinson
Vice President/Provost Gullatt
Chief of Staff Peterson
Executive Director Brick