Residency Guidelines & Who Qualifies
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Residency Guidelines

No person may establish domicile in Colorado solely for tuition purposes. There are three important components to residency determination: emancipation, domicile, and intent. It is important students are aware what each of the three components are and what is required before petitioning.
Emancipation – parent/guardian has entirely surrendered the right to care, custody, and earnings and have made no provision to support the student. This means parents cannot provide financial support of any nature for any ordinary or necessary expense. Proving emancipation is extremely difficult. Before you petition, review the bullets below.

• Failure of parental support due to economic hardships of the parent does not qualify a student as being emancipated.
• Financial support or gifts of any kind (including PLUS loans), regardless of date, and regardless if it was from a parent, other relative, or friend is evidence of nonemancipation pursuant to section 103(2)(i)(ll) of the Colorado tuition
classification law.

- 12 months of domicile and intent must be established after emancipation is legally declared.
Domicile – a student’s true, fixed, and permanent home and place of habitation. A person can have only one domicile at any one time. Domicile is a person’s legal, primary residence for a minimum of 12 consecutive months.

- Domicile can only be established as an adult (22 or older), or once a person is married, or if a person is legally emancipated, or if a student under the age of 22 is considered homeless youth as identified by the state. Domicile begins immediately after such date of these conditions.
Intent – evidence of domicile indicating a student’s intention to make Colorado their permanent home and place of habitation.
Qualified Petitioners
To be eligible to petition for residency as a parent you must have:

- An undergraduate student under 22 years of age prior to the start of classes
- The parent/legal guardian, must be living in Colorado for 12 consecutive months prior to the start of classes
- The parent/legal guardian, must show intent and legal ties to the state of Colorado

DACA students whose parent/legal guardian meet the requirements to
complete a parent petition will be required to provide their valid approved DACA status that was issued at least 12-months prior to the first day of classes.

If you believe you meet the requirements outlined above you can complete the **PARENT PETITION**.

Students who do not qualify to submit a parent petition should *read the requirements carefully* before attempting to complete the student emancipation petition. Proving emancipation is rare for most undergraduate students.
Proving emancipation is rare for most undergraduate students. It is important you review the information below before petitioning.

- Failure of parental support due to economic hardships of the parent does **not** qualify a student as being emancipated.
- Financial support or gifts of any kind (including PLUS loans), regardless of date, and regardless if it was from a parent, other relative, or even a friend does **not** qualify a student as being emancipated, pursuant to section 103(2)(i)(ll) of the Colorado tuition classification law.

To be eligible to petition for residency as an emancipated individual you must:

- Be an undergraduate student under the age of 22 prior to
the start of classes
• Be financially and residentially independent
• Establish 12 months of domicile and intent after emancipation is legally declared and prior to the term you are petitioning for.
• AND show either a court decree of legal emancipation or show clear convincing evidence you are legally emancipated.

DACA students who meet the requirements to complete an emancipation petition will be required to provide their valid approved DACA status that was issued at least 12-months prior to the first day of classes.

If you believe you meet the requirements outlined above you can complete the STUDENT EMANCIPATION PETITION.
To be eligible to petition for residency as an adult you must be:

- Living in Colorado for 12 consecutive months prior to the first day of classes
- Showing intent and legal ties to the state of Colorado

You must also be one of the following:

- If you were under the age of 22 when you were first admitted to a Colorado post-secondary institution and were classified as non-resident, you would not qualify unless one of the two bullets below applies to you).
- Married for at least one year prior to the first day of classes
- A second-year graduate student**

**Students who complete their undergraduate degree in Colorado as a non-resident are considered emancipated when the undergraduate degree is conferred. After the date of conferral the clock starts to begin establishing 12 months of domicile and intent.

DACA students who meet the requirements to petition as an adult will be required to provide their valid approved DACA status that was issued at least 12-months prior to the first day of classes.
If you believe you meet the requirements outlined above you can complete the **ADULT STUDENT PETITION**.
To be eligible to petition for residency as a graduate student you must establish one of the following:

- Earn your undergraduate degree THEN establish 12 consecutive months of domicile and intent. You would then be eligible for residency your second year of graduate school. Communication is sent out to all eligible graduate students on this process and how to petition. If you have not received this communication and believe you meet this requirement please email residency@mines.edu.
- OR married for at least one year prior to the first day of classes.
Advancing Students for a Stronger Economy Tomorrow (ASSET) is a bill signed into law in 2013. Under the ASSET bill, U.S. Citizens, Permanent Residents and students without lawful immigration status who meet admission requirements and the necessary qualifications outlined below are eligible for in-state tuition.

To be eligible to receive residency under ASSET you must:

- Have been physically present for the 12 months immediately prior to the start of the semester.
- Have attended a public or private high school in Colorado for at least three years immediately before graduating high school or obtaining a GED.
- Be admitted to a Colorado college or university within 12 months of graduation from a Colorado high school or completion of a Colorado GED.
- Transfer students who do not enroll in a Colorado institution of higher education within 12 months will be required to show
they have completed 18 months of continuous physical presence.

For more information contact admissions@mines.edu
Non-Qualified Individuals

Students who do not qualify for residency status for in-state tuition are participants of the Western Regional Graduate Program (WRGP) and non-immigrant visa holders. Mines also does not participate in the Western Undergraduate Exchange (WUE) program.
WICHE – WRGP

WICHE, the Western Interstate Commission for Higher Education, promotes the sharing of higher education resources among the
participating western states. The Western Regional Graduate Program (WRGP) allows master’s, graduate certificate, and Ph.D. students who are residents of the WICHE member states to enroll in qualifying programs here at Mines and be eligible for in-state tuition classification.

- WRGP is considered a public benefit from their home state. Therefore, students participating in the program may not petition for residency in Colorado. A student may only claim domicile in one state. A student would need to surrender the WRGP benefit and also fulfill the other Colorado domicile indicators for one year before being eligible to be classified as a Colorado Resident.
- If you believe you qualify under WRGP or have questions about the program please contact our Graduate Admissions Office, 303.273.3247 or email grad-admissions@mines.edu.

QUALIFYING PROGRAMS AT MINES

- Applied Chemistry
- Environmental Engineering Science
- Geochemistry
- Geological Engineering
- Hydrology
- Mineral and Energy Economics
- Petroleum Engineering
- Underground Construction & Tunnel Engineering
Non-immigrants

- F-1, F-2, H-3, H-4 (if the visa holder is the spouse or child of an H-3), J-1 and J-2 (if the J-1 visa holder is a student or trainee), M-1, and M-2.
- Domicile and intent cannot be established while under any type of visa. Only after permanent resident status has been officially approved. After such time, students must then establish 12 months of domicile and intent prior to the term
they are wanting to petition for.
Domicile and intent cannot be established while under any type of visa. Only after permanent resident status has been officially approved. After such time, students must then establish 12 months of domicile and intent prior to the term they are wanting to petition for.

For more information, please visit the Colorado Department of Higher Education website.
Residency Resources

Petition Deadlines