

Affidavit (or Affirmation) and Application for Form B-80 CERTIFICATE OF RESIDENCE
Pursuant to Sections 6301 and 6305 of the Education Law,
In Connection with Attendance at a Community College*

STATE OF NEW YORK

COUNTY OF _____

Social Security Number: _____ - _____ - _____

(NAME) _____, does hereby swear (or affirm) that he/she resides at _____ in the (City, Village, Town) of _____, State of New York; that he/she now is, and has for a period of at least one year immediately prior to the date of this affidavit (affirmation) and application been, a resident of the State of New York; that he/she now is; or has been for a period of _____ months within the six months immediately prior to the date of this affidavit (or affirmation) and application** a resident of the County of _____ and that he/she has lived at the following places during the year immediately prior to the date of this affidavit (or affirmation) and application:

ADDRESSES

DATES

Resided at above address

Since: _____

Applicant further states that he/she plans to enroll in _____ and that this affidavit (or affirmation) and application is made for the purpose of securing from the Chief Fiscal Officer of the County of _____ a certificate of residence pursuant to the requirements of Article 126 of the Education Law.

Signature of Applicant

Sworn to (or affirmed) before me this _____ day of _____ 20____.

Signature of Notary Public or Commissioner of Deeds

This Space for Use of Chief Fiscal Office of County

Certificate Issued _____ Not Issued _____ Date _____ By _____

*Education Law, Section 6305, provides: "The Chief Fiscal Officer of each county, as defined in section 2.00 of the local finance law, shall, upon application and submission to him/her of satisfactory evidence, issue to any person desiring to enroll in a community college as a non-resident student, a certificate of residence showing the said person is a resident of said county. Such person shall, upon his/her registration for each college year, file with the college such a certificate of residence issued not earlier than two months prior thereto, and such certificate of residence shall be valid for a period of one year from the date of issuance." Education Law, Section 6301, paragraph 4, defines: "Resident." A person who has resided in the state for a period of at least one year and in the county, city, town, intermediate school district or school district, as the case may be, for a period of at least six months, both immediately preceding the date of such person's registration in a community college or, for the purposes of section sixty-three hundred five of this chapter, his/her application for a certificate of residence.

** In the event that a person qualified as above for state residence, but has been a resident of two or more counties in the state during the six months immediately preceding his/her application for a certificate of residence shall be allocated among the several counties proportional to the number of months, or major fraction thereof, of residence in each county.

CERTIFICATE OF RESIDENCE
INFORMATION SHEET

Pursuant to Sections 6301 and 6305 of the Education Law in Connection
With Attendance at Community Colleges

Many parents and students are interested in understanding the requirements to qualify for the resident tuition rates at community colleges in New York State. The difference between the resident and non-resident tuition rates is significant. The requirements can be complex, so please read this entire document carefully and contact your county Treasurer if you have further questions.

Eligibility Basics:

- Student must be a **New York State resident** for at least **one full year** prior to application.
- Student must be a **County resident** for at least **six (6) months** prior to application.
- Student must be a U.S. citizen or carry a resident alien card ("green card").
- Individuals who are financially dependent and whose custodial parent(s) live in a state other than New York are **not** eligible for the resident tuition rate.
- Dependent students of divorced or legally separated parents may acquire a New York State domicile if the custodial parent is a New York State resident or if the student resides with a non-custodial parent who is a New York state resident and the student intends to continue to reside with that parent throughout their attendance at the community college.
- Members of the U.S. Armed Forces while on full-time active duty and stationed within New York State, as well as their dependents, are eligible for the resident tuition rate.

Determination of Domicile:

To determine a student's domicile, the following principles are used:

- A person may have multiple residences but only one domicile
- A person retains a domicile until abandoned.
- Physical presence alone does not establish domicile or residency.

Proof of Domicile/Acceptable Identification Documents:

- Student's valid NYS Driver's license, Driver's Permit, or NYS Non-Driver Identification with **issuance or renewal date at least one year old**.
- Automobile registration or automobile insurance identification card in student's name for preceding year.
- Award Certificate from New York State Higher Education Services in student's name for preceding year.
- Student's High School transcript for preceding year.
- Copy of student's Federal or New York State Income Tax return for preceding year. If a student resides with parent(s), a copy of the parent's tax return for the preceding year listing the student as a dependent.
- Copy of written lease in student's name for preceding year.

Proof must show a Residential Street Address. Post Office Box Mailing Addresses Are Not Acceptable.

Certificate of Residence Information Sheet Continued

The Affidavit (or Affirmation) and Application for Certificate of Residence must be completed in its entirety and signed by the student in the presence of a Notary Public. The form can be filed by mail or in person at your local County treasurer's office. [Some counties do have specific requirements for how to obtain and submit the Certificate. Please inquire with your local County treasurer's office for those details.]

Please note that certificates may only be issued up to sixty (60) days before the start of classes and up to thirty (30) days after the start of classes. If you fail to obtain your certificate within this time frame, you will be responsible for paying non-resident tuition. Certificates are valid for a period of one year from the date issued.

Immigrant, Non-Immigrant and Undocumented Aliens:

Students claiming to be immigrant aliens must present proof of their status by providing a valid Alien Registration Card (green card). Once a student's immigrant status has been verified, the student must then establish County and New York State residency by meeting the domicile criteria listed above. Non-immigrants are grouped in categories depending on the type of visa presented at the port of entry. Non-immigrants admitted to the United States in categories that prohibit them from establishing a United States residence are not eligible resident tuition. In general, the Federal Illegal Immigration Reform and Immigrant Responsibility Act prohibits students who are unable to present valid documentation of their alien status from eligibility for the resident tuition rate. An undocumented alien cannot be charged a lower rate of tuition than an out of state student who is a citizen of the United States.

Non-Citizen National:

U.S. Passport – must be stamped "Non-citizen National".

Permanent Resident:

"Alien Registration Receipt Card" Form I-151, I 551, or I-551C – The I-551 and the I-551C must have currently valid expiration dates.

Passport- must be stamped "Processed for I-551" with expiration date.

I-94 Arrival-Departure Record- must be stamped "Processed for I-551" with expiration date or "Temporary Form I-551" with appropriate information filled in.

Other Eligible Non-Citizen:

"Temporary Resident Card – Form I-688" – must be stamped as Refugee, Asylum Status, Conditional Entrant (Before April 1, 1980), Parolee, Cuban-Haitian Entrant.

Court Order or INS Letter Confirming a Suspension of Deportation – Either a copy of the order from the Immigration Judge or a letter from the district INS office, with appropriate information.

Acceptable Documents for Proof of Residency

(It is always advised to check with your specific county first to confirm if they will accept certain forms of proof)

Form of Identification:

- Driver's license
- Learners permit
- Auto registration
- Selective service card
- Voter registration ID card
- High school report card or official transcript

Supplemental:

- Parents' Income Tax Return claiming Student *prepared by a tax accountant*
- Student's Income Tax return *prepared by a tax accountant*
- Payroll Stub or W-2
- Bank Statement
- Utility Bill (ex. National Grid, Time Warner, AT&T, OCWA)
- Medical Bill
- High School Transcript or Report Card *(if recently graduated)*
- Mortgage Information or Rental/Lease Agreement
- Town/County, School, and/or Village Property Tax Bill
- Car Registration or Insurance Card
- Voter's Registration Card or printout from Board of Elections