

NEW YORK STATE RESIDENCY REQUIREMENTS
AND IN-STATE TUITION UNDER NYS EDUCATION LAW

Fall 2026

NOTE: This memo provides general guidance regarding qualifying for **in-state** tuition at the CUNY School of Law. It is based on and controlled by the “Residency” section of the City University of New York Tuition and Fee Manual. **Please review Section IV “Residency” in the Tuition and Fee Manual**, particularly “*Rules Relating to Establishing Residence in New York*” in Section IV, Part I (A). The “University Tuition and Fee Manual” is available at <https://www.cuny.edu/about/administration/offices/legal-affairs/university-tuition-fee-manual/>

To initially qualify for New York State Resident Rate tuition, or to change from Non-Resident Rate Tuition to Resident Rate tuition, students must complete the CUNY Residency Form, which is described below. In order to have financial aid accurately computed for disbursement during the Fall 2026 Semester, the CUNY Residency Form must be submitted to the registrar's office together with documentation **NO LATER THAN June 12, 2026**. (Note that although the last day to apply for the resident tuition rate for Fall 2026 is the last day of classes, it is advisable to apply by June 12, 2026, for financial aid purposes.) Please see page 3 below for information on NY State Education Law provisions qualifying certain non-residents, including undocumented, out of status, certain non-resident students including students who received a NY State high school or GED degree, for resident rate tuition.

Qualifying for New York State Resident Tuition

To qualify for the senior college resident tuition rate, a student must

- - be a U.S. citizen, permanent resident or in a qualifying immigration status;
- - and must have continuously maintained his/her principal place of abode in the State of New York for a period of at least twelve (12) consecutive months immediately preceding the first day of classes;
- - and have a bona fide intention of living in New York permanently.

Tuition and Fee Manual (Section IV, Part I (A)).

A student may also qualify for a resident rate of tuition if she/he qualifies pursuant to New York State Education Law Section 6206(7) (a) (it), (ii) or (iii), **including undocumented and out of status students, and certain non-residents**. (See Tuition and Fee Manual, Section IV – Part I (B) for further explanation.)

Registering to vote in New York a minimum of twelve (12) months prior to the first day of the semester, having a New York State Driver's License or New York State "non-driver license" dated a minimum of twelve (12) months prior to the first day of the semester, and filing a New York State Resident Income Tax Return covering a period a minimum of twelve (12) months prior to the first day of the semester, are among persuasive factors in a residency determination by the Law School.

Students Under Age 24

Generally, the state of residency of a dependent student under the age of 24 is considered the same as that of his or her custodial parent(s) or legal guardian(s). Students aged 24 and older are considered independent and are not deemed to have the same state of residency as their parent(s) or legal guardian(s). Under a policy effective beginning the Spring 2014 semester, a student under the age of 24 whose parent(s) or legal guardian(s) reside out of state, who otherwise meets CUNY's residency requirements and is not financially independent from his/her parents, is eligible for the resident tuition rate if the student can show that he/she has changed his/her domicile, *i.e.* the place that he/she has a bona fide intention of living permanently, to New York State. Such a showing must be made by clear and convincing evidence.

Students under 24 who claim that New York is their domicile should carefully review "Rules Relating to Establishing Residence in New York" set forth in Section IV, Part I of the Tuition and Fee Manual, <http://www2.cuny.edu/about/administration/offices/legal-affairs/university-tuition-fee-manual/iv-residency/>

Applying for NY State Resident Rate Tuition -- The City University Residency Form

In all cases where a determination needs to be made as to whether a student is eligible for resident tuition, the student must complete **The City University Residency Form**. Part A of the Form needs to be completed by all students; Part B of the Form needs to be completed by students who are undocumented or out-of-status immigrants who are seeking resident tuition based on high school attendance/graduation or having received a GED in New York; and Part C needs to be completed by students who are seeking to be classified as New York State Residents.

The City University Residency Form is attached to this informational memo and is also available at: <http://www2.cuny.edu/wp-content/uploads/sites/4/page-assets/about/administration/offices/legal-affairs/university-tuition-fee-manual/residency-form1.pdf>

For information on Eligibility for the Resident Tuition Rate based on each of the following, please refer to the section of the Tuition and Fee Manual identified:

Part I (A) – Qualifying for the Resident Tuition Rate Based on Residence in the State of New York.

Part I (A) – Rules Relating to Establishing Residence in New York;

Part I (A) – Qualifying Immigration Statuses;

Part I (B) – Qualifying for Resident Tuition under the New York State

Education Law Based on Having Attended and Graduated
from a New York High School or Having Received a GED in the State of
New York, **including Undocumented and Out-of-Status immigrants**;

Part I (C) – Other categories including

1. Military Personnel (and their Families) and Veterans;
2. United Nations Personnel;
3. Exchange Students.

The procedures the University follows in making determinations of eligibility for Resident Tuition status are set forth in Section IV, Part II of the Tuition and Fee Manual. **For students required to submit “Part C” of the City University Residency Form, please refer to that section for information on documentation required to be submitted with Part C. See also Tuition and Fee Manual Part I (A) “Rules Relating to Establishing Residence in New York”.**

Please note that in accordance with university policy **documentation of proof of residency must be for the 12-month period immediately preceding the first day of classes**. In addition to the items set forth as prospective documentation in Section IV – Part II of the Tuition and Fee Manual, the Law School may at its discretion consider additional documentation from a student if the school believes that an accurate residency determination may be rendered through the additional documentation.

- Required Documentation, Which Must Accompany The Residency Form (Part C)
The student must submit two of items “a” through “n” (Note: All items must document residency for the 12-month period immediately preceding the first day of classes. Documents in the same category covering the first and last months of the previous twelve-month period are acceptable provided that they show the student living at the same address.)

Items “a” through “n” are as follows:

- a. Lease, deed or rent registration form (used for rent stabilized apartments) signed by the landlord, which is either a public or private agency, and the student or parent of the student with the same surname,
- b. Letter showing eligibility or disbursement of Social Security or New York City Public Assistance with the student’s New York address covering the 12-month period immediately preceding the first day of classes and including the student’s name,
- c. Copies of the most recent complete Federal and New York State tax returns and the corresponding W-2 form. Responses to Federal form 4506 and New York State form 4506 requesting Federal and State tax information is acceptable if the Federal and State governments acknowledge that the party in question has in fact filed a tax return from the address noted,
- d. A valid New York State driver’s license or a “non-driver license” issued by the New York State Department of Motor Vehicles with the student’s name, showing the date of issuance at least one year prior to the first day of classes,
- e. IDNYC New York City municipal identification card, showing the date of issuance at least one year prior to the first day of classes,
- f. Homeowner’s or renter’s insurance policy with the student’s name listed as insured,
- g. Automobile registration with the student’s name listed,
- h. Automobile insurance certificate with the student’s name listed as insured,
- i. Voter registration certificate or card with the student’s name,
- j. Bills for telephone, utility, cable TV or other home services, in the student’s name, or other evidence of telephone, utility, cable TV or other home services provided to the student covering a period of 12 months,
- k. Monthly bank or credit card statements, with the student’s name, covering a period of 12 months (dollar amounts may be blocked out),
- l. Attendance as a juror in New York State with the student’s name,

- m. Housing lease signed by the landlord (who is an individual and is not a public or private agency) and the student. If the student's name does not appear on the lease, the "Alternate Lease Statement" may be substituted. The "Alternate Lease Statement" must be completed and notarized by both the person whose name appears on the lease/contract and the student. The person whose name appears on the lease/contract must also submit proof (i.e., lease, telephone, utility, or similar type bills) of residency at his/her current address for the previous 12 months,
- n. Postmarked mail addressed to a student at a New York address at least 12 months immediately preceding the first day of classes (a P.O Box is not acceptable)

In addition to the items indicated above, the college may at its discretion consider additional documentation from a student if it believes that an accurate residency determination may be rendered through additional documentation.

FOR YOUR OWN PROTECTION: DO NOT EMAIL OR FAX ANY DOCUMENTS WITH A SOCIAL SECURITY NUMBER.

**PLEASE NOTE: WE DO NOT ACCEPT DOCUMENTS IN A .GIF FORMAT.
PLEASE PROVIDE CLEAN CLEAR COPIES OF DOCUMENTATION.
(PREFERABLY A PROFESSIONAL LOOKING SCANNED DOCUMENT)**