



## FLORIDA

*The following information was obtained from a review of the statutes and regulations and provided by Florida State University and the University of Florida.*

**Type and Citation:** Statutory. FLA. STAT. 240.1201; FL. ADM. CODE ANN. 6C-7. The state legislature authorizes the Board of Regents to determine residency policies for application at institutions in the State University System of Florida in accordance with statutory provisions.

**Requirements for Resident Classification:** A person, or the parents of a dependent child, must establish legal residence in Florida and maintain such for at least twelve months. The applicant for Florida residency for tuition purposes must establish that his or her presence in Florida is not incidental to enrollment in an institution of higher education. Legal residence for at least 12 months must be verified to the satisfaction of the officials charged with determining residency for tuition purposes and may be supported by submission of documentation of legal ties to Florida, dated at least 12 months prior to enrollment, and the absence of ties to other states in the preceding 12 months. Examples of documentation that will be considered are listed below.

Dependent children are those who may be claimed by their parents as dependents under the Federal income tax code. Dependent students of parents who are divorced, separated, or otherwise living apart may claim Florida residence if either parent is a legal resident of Florida, regardless of which parent claims them as dependents under the provisions of the Federal income tax code. Dependent students who are U.S. citizens, permanent resident aliens or legal aliens granted indefinite stay also may claim in-state residence if they have lived for the past five years with an adult relative who has established and maintained legal residence in Florida for at least 12 months. Dependent resident students of parents who remove their domicile from the State and establish domicile elsewhere shall continue residency classification for a statutory grace period of 12 months. This also applies to resident students who remove their domicile.

Nonresidents may petition for residence status after they, or their parents if dependent, have maintained a legal residence in Florida for 12 months, unless FL residence is incidental to enrollment in an institution of higher education.

Marriage of a nonresident to a *bona fide* resident of Florida may confer FL residence status for tuition purposes once the nonresident becomes a legal resident of Florida.

Legal and resident aliens granted indefinite stay (to include Cuban nationals, Vietnamese refugees or other refugees/asylees so designated by the INS) who meet the residency requirements are eligible for in-state tuition.



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**Evidence of Domicile which may support status as a legal resident of Florida includes but is not limited to:** Florida voter registration; FL driver's license; FL automobile registration; FL bank accounts; FL home ownership; and military Home of Record or leave and earnings statement.

**Others Entitled to Residence Classification:** 1) Members of the armed forces on active duty in Florida or whose Home of Record is in Florida, and their spouses and dependents; 2) full-time instructional and administrative personnel, their spouses and dependent children, employed by Florida public schools, community colleges or institutions of higher education; 3) full-time students participating in the Latin America/Caribbean Scholarship Program; 4) U.S. citizens living on the Isthmus of Panama who have completed twelve consecutive months of college work at the Florida State University Panama Canal Branch, and their spouses and dependent children; 5) qualified beneficiaries under the terms of the Florida Prepaid College Program who are not otherwise eligible (even if out of state for the duration of the policy); 6) full-time employees of a state agency or a political subdivision of the state whose student fees are paid by the state agency or political subdivision for the purpose of job-related law enforcement or corrections training; 7) McKnight graduate fellowship recipients; and 8) Southern Regional Education Board's Academic Common Market graduate students attending Florida's state universities.

Former in-state resident students who were enrolled or graduated from institutions of higher education and then abandoned the Florida domicile shall be permitted to re-enroll as in-state students without meeting the 12-month durational requirement if they reestablish domicile within 12 months of such abandonment and maintain the reestablished domicile during the period of enrollment. This benefit may occur only once.

**Tuition Waivers:** A limited number of students in the following categories may be granted tuition waivers - 1) out-of-state graduate students with assistantships; 2) students in honors programs; 3) students having special skills in music, dance, theater, or athletics; and 4) graduate students having high academic capabilities. Also, children of law enforcement officers or fire fighters killed in the line of duty; graduate students enrolled in state-approved school psychology training programs; students enrolled through the Florida Linkage Institutes Program; FL residents aged 60 years or older; and certain active-duty members of the Florida National Guard.

**Temporary Absence from the State:** Institutional responses to a College Board questionnaire indicate that individuals who were *bona fide* FL residents prior to their temporary relocation retain residence status if they maintain significant contacts to the State while absent, do not establish domicile elsewhere and show intention to continue legal residence upon return to Florida.



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