Florida in-state tuition guide for completing the “Florida Residency Declaration for Tuition Purposes” form

The “Florida Residency Declaration for Tuition Purposes” form can be found on the website of your higher education institution. It can also be located here. This guide is designed to assist students from immigrant families with the completion of the residency form.

FLORIDA RESIDENCY DECLARATION FOR TUITION PURPOSES

A Florida “resident for tuition purposes” is a person who has, or a dependent person whose parent or legal guardian has, established and maintained legal residency in Florida for at least twelve (12) consecutive months preceding the first day of classes of the term for which Florida residency is sought.

- Residence in Florida must be a bona fide domicile rather than for the purpose of maintaining a residence incident to enrollment at an institution of higher education.
- To qualify as a Florida resident for tuition purposes, you must be a U.S. citizen, a foreign national in a nonimmigrant visa classification that grants you the legal ability to establish a bona fide domicile in the United States, a permanent resident alien, parolee, asylee, Cuban-Haitian entrant, legal alien granted indefinite stay, or other qualified alien as defined under federal law. Other persons not meeting the twelve-month legal residence requirements may be classified as Florida residents for tuition purposes only if they fall within one of the limited special categories authorized by the Florida Legislature pursuant to section 1003.31, Florida Statutes (see “Qualification by Exception” below). All other persons are ineligible for classification as a Florida “resident for tuition purposes.”
- Living in or attending school in Florida will not, in itself, establish legal residence. Students who depend upon out-of-state parents for support are presumed to be legal residents of the same state as their parents.
- Residency for tuition purposes requires the establishment of legal ties to the state of Florida. A student must verify that the student has broken ties to other states if the student or, in the case of a dependent student, his or her parent has moved from another state.

Please print if submitting hard copy.

Name of Student: ___________________________ Date of Birth: ____________

Student is a: [ ] U.S. Citizen [ ] Non-U.S. Citizen [ ] Permanent Resident [ ] Other

Alien Registration Number: ___________________________ Issue Date: ____________

Visa Category: ___________________________

All non-U.S. citizen students seeking classification as a Florida resident for tuition purposes are required to submit documentation of their legal status in the United States as issued by the United States Citizenship and Immigration Services office.

NON-FLORIDA RESIDENT

I do not qualify as a Florida resident for tuition purposes for the term for which this application is submitted. I understand that should I qualify for a future term, it will be necessary for me to submit an updated Residency Declaration while providing prescribed, supporting documentation to substantiate an “residency” of my status. I understand being classified as a non-Florida resident will not exclude me from the possibility of receiving a waiver to cover part or all of the out-of-state fee as defined in s. 1003.35, Florida Statutes. Submission of an updated Residency Declaration must occur prior to the beginning of the term for which residency is sought. I do not have to complete any further portion of this form, with the exception of signing below.

Student Name: ___________________________

Signature of Student: (Electronic or in ink) ___________________________ Date: ____________

INTEGRATED BY REFERENCE IN RULE 73-1.001, EFFECTIVE SEPTEMBER 3, 2015

Page 1

UNDOCUMENTED/DACA STUDENTS

If you wish to petition for in-state tuition based on status as an undocumented or DACA student, you need only complete the “Non-Florida Resident” portion of the “Florida Residency Declaration for Tuition Purposes” form, which can be found at the bottom of page one of the residency form. In addition to this form, be sure to also submit your Florida high school transcript(s) and an out-of-state fee waiver form, which can be found on your institution’s webpage. Each school may have a different name for the tuition waiver form; contact your school if you need assistance locating it.
CITIZENS WITH UNDOCUMENTED PARENTS

If you wish to petition for in-state tuition as a citizen with undocumented parent(s), you must complete the entirety of the “Florida Residency Declaration for Tuition Purposes” form, minus the “Non-Florida Resident” portion located at the bottom of one page of the residency form.

Fill in appropriate responses.

Are you a dependent student, independent student, or do you meet residency requirements through one of the exceptions listed on pages two and three? Select the one that applies.
If you meet residency through one of the qualifications by exception, select the appropriate exception and provide the requested documentation. If you did not select this option, leave it blank and continue to the next section.

*This section must be completed by the claimant, i.e. the independent student OR the parent/guardian of the dependent student. Make a note here that you qualify per Florida State Statute 1009.21(2)(d), which states that a “dependent child who is a U.S. Citizen may not be denied classification as a resident for tuition purposes based solely upon the immigration status of his or her parent.”

Incorporated by Reference in Rule 72-1.001, Effective September 3, 2015
From Section A, select and provide at least one of the following forms of documentation to support your claim for Florida residency.

From Section B, select and provide at least one of the following forms of documentation to support your claim of Florida residency.

*You must have a total of AT LEAST two forms of documentation, one from section A and one from section B, to demonstrate residency.
FLORIDA RESIDENCY DECLARATION FOR TUITION PURPOSES

A Florida resident for tuition purposes is a person who has, at any time, a dependent personal whose parent or legal guardian has established and maintained legal residence in Florida for at least twelve (12) consecutive months preceding the first day of classes of the term for which Florida residency is sought:

- Residence in Florida must be a bona fide domicile rather than for the purpose of maintaining a residence incident to enrollment at an institution of higher education.
- To qualify as a Florida resident for tuition purposes, you must be an U.S. citizen, a foreign national in a nonimmigrant visa classification that grants the legal ability to establish a bona fide domicile in the United States, a permanent resident alien, persons of Asian, Cuban, or Haitian heritage, legal alien granted indeterminate stay, or other qualified alien as defined under federal law. Other persons not meeting the twelve-month legal residence requirements may be classified as Florida residents for tuition purposes only if they fall within one of the limited special categories authorized by the Florida Legislature pursuant to section 1009.21, Florida Statutes (see “Qualification by Exception” below). All other persons are ineligible for classification as a Florida “resident for tuition purposes.”
- Living or attending school in Florida will not, in itself, establish legal residence. Students who depend upon out-of-state parents for support are presumed to be legal residents of the same state as their parents.
- Residency for tuition purposes requires the establishment of legal ties to the state of Florida. A student must verify that the student has broken ties to other states if the student or, in the case of a dependent student, his or her parent has moved from another state.

Please print if submitting hard copy.

Name of Student: _____________________________ Date of Birth: _____________________________

Student is a: [ ] U.S. Citizen [ ] Non-U.S. Citizen [ ] Permanent Resident [ ] Other

Alien Registration Number: _____________________________ Issue Date: _____________________________

Visa Category: _____________________________

All non-U.S. citizen students seeking classification as a Florida resident for tuition purposes are required to submit documentation of their legal status in the United States as issued by the United States Citizenship and Immigration Services office.

RULES FOR RESIDENCE

I do not qualify as a Florida resident for tuition purposes for the term for which this application is submitted. I understand that should I meet, for a future term, it will be necessary for me to submit a completed Residency Declaration while providing supporting documentation to substantiate the characterization of my status.

I understand being classified as a Florida resident for tuition purposes will result in my being subject to the possibility of receiving a waiver to cover part or all of the non-resident fees as authorized in § 1009.26, Florida Statutes. Submission of an updated Residency Declaration is required prior to the beginning of the term for which residency is sought.

All students seeking to declare residency: upon reading the residency declaration statement, print and sign your name and submit.

Please note that this document is only intended to serve as a guide. The information is subject to change and does not constitute legal advice. We encourage students to contact their school with specific questions. Additional information can be obtained by contacting

SOUTHERN POVERTY LAW CENTER
www.splcenter.org/contact-us
877-751-6183

FLORIDA IMMIGRANT COALITION
info@floridaimmigrant.org
888-600-5762

LAST UPDATED 03/1/2016