

**FLORIDA ATLANTIC UNIVERSITY  
NOTICE OF REGULATION AMENDMENT**

Date: May 15, 2026

**REGULATION TITLE AND NUMBER:** Determination of Florida Residency Status for Tuition Purposes (8.007).

**SUMMARY:** Regulation 8.007 was developed in accordance with Board of Governors Regulation 7.005, Residency for Tuition Purposes, which establishes consistent policies for the classification of students as residents for tuition purposes in accordance with the criteria set forth in section 1009.21, Florida Statutes. This new university regulation includes: (a) the requirement for each admitted student seeking to declare residency for tuition purposes to submit a residency declaration and the supporting documentation required, (b) the right of the university to establish submission deadlines, (c) a requirement for written notice to admitted students that the burden of providing clear and convincing documentation to justify the institution's classification of a student's residency status for tuition purposes rests with the student or, if the student is a dependent, with the student's parent or legal guardian, (d) the right for the university to request additional documentation, including documentation required to review an admitted student's citizenship status for the purposes of determining residency in accordance with section 1009.21 (2)(d), Florida Statutes, (e) the requirement for the university to ensure that the student, parent or legal guardian has resided in Florida for at least twelve (12) consecutive months immediately preceding the term in which the student is seeking residency classification, and their purpose for residence in the State shall not be solely for the purpose of pursuing an education, except as otherwise provided in section 1009.21, Florida Statutes, and (f) a requirement for written notice disclosing the penalties for intentional fraud or misrepresentation of the student's residency status.

**FULL TEXT OF THE REGULATION:** The full text of the proposed regulation is attached below to this Notice. The full text of the existing regulation is posted on FAU's website at [www.fau.edu/regulations](http://www.fau.edu/regulations). In addition, the full text of the proposed regulation and current regulation are available upon request to the Office of the General Counsel, which can be contacted at (561) 297-3007 or [GeneralCounsel@fau.edu](mailto:GeneralCounsel@fau.edu).

**AUTHORITY TO AMEND THE REGULATION:** Article IX of the Florida Constitution and the Board of Governors Regulation Development Procedure dated July 21, 2005.

**UNIVERSITY OFFICIAL INITIATING THE REGULATION AMENDMENT:** Joseph Van de Bogart, Vice President & General Counsel

**COMMENTS CONCERNING THE PROPOSED REGULATION AMENDMENT SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW.** In response, the University may solicit additional written comments, schedule a public hearing, withdraw or modify the proposed regulation amendment in whole or in part after notice, or proceed with adopting the regulation amendment. The comments must identify the regulation(s) on which you are commenting.

**THE PERSON TO BE CONTACTED REGARDING THE AMENDMENT/REPEAL OF REGULATIONS IS:** Ms. Suzanne Prescott, Office of the General Counsel, 777 Glades Road, Boca Raton, Florida, 33431, (561) 297-3007 (phone), (561) 297-2787 (fax), [GeneralCounsel@fau.edu](mailto:GeneralCounsel@fau.edu)

# Florida Atlantic University

## **Regulation 8.007          Determination of Florida Residency Status for Tuition Purposes**

### **(1) Purpose**

This regulation establishes standards for determining each admitted student's Florida residency status for tuition purposes in compliance with Section 1009.21, Florida Statutes, and Florida Board of Governors Regulation 7.005.

### **(2) Residency Declaration and Required Documentation**

- a. All students admitted to the University seeking to declare residency for tuition purposes must complete a Residency Declaration with supporting documentation required by the University to establish Florida residency for tuition purposes.
- b. Each student, or their parent or legal guardian if the student is a dependent, bears the burden of submitting clear and convincing documentation sufficient to justify classification as a Florida resident for tuition purposes. A student initially classified as a non-resident may request reclassification by submitting a new Residency Declaration and providing clear and convincing documentation to support the reclassification request.
- c. For documentation to be clear and convincing, it must be credible, precise, and compelling enough to persuade the University that the student or, if that student is a dependent, the student's parent or legal guardian, has established legal residence in Florida for at least twelve (12) consecutive months immediately preceding the first day of classes of the term for which residency classification is sought, and that the primary purpose for establishing such residence was not solely to pursue an education.
- d. The University shall provide admitted students with written notice that the burden of establishing eligibility for classification as a Florida resident for tuition purposes rests with the student, or if the student is a dependent, the student's parent or legal guardian.
- e. The University reserves the right to request additional documentation as necessary to make a proper residency determination pursuant to Section 1009.21(3), Florida Statutes, and BOG Regulation 7.005, including documentation required to evaluate an admitted student's citizenship status, where applicable, pursuant to Section 1009.21(2)(d), Florida Statutes.

### **(3) Notice of Penalties**

- a. The University shall provide the student with written notice disclosing the penalties for intentional fraud or misrepresentation in connection with residency classification.
- b. Submission of false or misleading information regarding residency status may result in University action, including, but not limited to, reclassification of residency status, retroactive assessment of tuition and fees, and referral to the Dean of Students Office for disciplinary action, as applicable.
- c. In addition to University action, intentional fraud or misrepresentation of residency status may subject the student or, where applicable, the student's parent or legal guardian, to criminal penalties under Florida law including those provided in Sections 775.082 and 775.083, Florida Statutes.

### **(4) Submission Deadlines**

- a. The University has the right to establish reasonable deadlines for submission of all documentation required to determine residency for tuition purposes. Deadlines for submission of documentation related to residency classification shall be published on the University's Residency for Tuition Purposes website and/or communicated to students through admission, registration, and onboarding materials.
- b. Students are responsible for complying with all established deadlines. A student who fails to submit required documentation by the applicable deadline for a given semester shall be classified based on the information available at the time. Such failure does not preclude the student from submitting a timely request for residency reclassification for a subsequent semester.

### **(5) Residency Appeals**

The University's residency appeal process is set forth in the University Catalog and is prominently published on the University's website through the Office of the Registrar. Florida Atlantic University Residency Appeal Procedures are available at <https://www.fau.edu/registrar/residency/appeal/>.

*Specific Authority: Article IX of the Florida Constitution; 1009.21 F.S., Board of Governors Regulation 7.005. History – New xx-xx--26*