

7.005 Residency for Tuition Purposes.

- (1) The purpose of this regulation is to establish consistent policies for the classification of students as residents for tuition purposes in accordance with the criteria set forth in Section 1009.21, F.S.
- (2) For Initial Determination of Residency:
 - (a) A dependent student who attended a Florida high school for a minimum of two (2) academic years immediately preceding his or her initial enrollment in an institution of higher education and graduated from a Florida high school or earned a Florida GED within the last twelve (12) months may use the high school transcript or GED certificate as evidence of Florida residency. At least one (1) additional document identified in Section 1009.21(3)(c)1. or 1009.21(3)(c)2., F.S., must be presented evidencing his or her parent's legal residency in Florida.
 - (b) If a declaration of domicile, pursuant to Section 222.17, F.S., is being used as one of the documents to establish residency for tuition purposes, the date that an applicant shall be deemed as establishing residency for

at least twelve (12) months prior to classification. Each university may establish submission deadlines for all documentation that will be used to determine residency for tuition purposes.

(5) A non-United States citizen may be eligible to establish residency for tuition purposes if evidence is presented verifying that he or she is legally present in the United States, has met the residency requirements of Section 1009.21, F.S., and the person is one of the following:

(a) A foreign national in a nonimmigrant visa classification that grants the person the legal ability to establish and maintain a bona fide domicile in the United States according to the United States Citizenship and Immigration Services (USCIS).

1. The following visa categories grant the person the legal ability to establish and maintain a bona fide domicile in the United States according to USCIS: A, E, G, H-1B, H-1C (classification expires 12-20-2011), I, K, L, N, NATO 1-7, O-1, R, S, T, U, and V.
2. The following visa categories do not grant the person the legal ability to establish and maintain a bona fide domicile in the United States according to USCIS: B, C, D, F, M, P, Q, and TN. J visa holders are not eligible to establish residency for tuition purposes except as provided in Section 1009.21(10), F.S.
3. The student, and parent if the student is a dependent, must present evidence of legal presence in the United States.

(b) A permanent resident alien, parolee, asylee, Cuban-Haitian entrant, or other legal alien granted an indefinite stay in the United States. The student, and parent if the student is a dependent, must present evidence of legal presence in the United States.

(6) Each university's residency appeal process established pursuant to Section 1009.21(12), F.S. shall be in writing and displayed prominently on the university's Web site.

Authority: Section 7(d), Art. IX, Fla. Const., History—Formerly 6C-2.51, 11-18-70, 8-20-71, 6-5-73, 3-4-74, 12,17,74, 1-13-76, 12-13-77, 8-11-81, 6-21-83, 12-14-83, 6-10-84, 10-7-85, 12-31-85, Formerly 6C-7.05, 11-9-92, 4-16-96, Amended and Renumbered 4-21-05. Amended 03-24-11.