

# FLORIDA RESIDENCY FOR TUITION PURPOSES

TALLAHASSEE COMMUNITY COLLEGE

## IT'S THE LAW

According to Florida Law, in order to pay “in-state” tuition, **EVERY** student must provide a declaration of residency and appropriate documentation prior to the first day of the term for which residency is sought. To qualify for in-state tuition, a student must be a U.S. citizen, permanent resident alien or legal alien.



### WHAT THIS MEANS:

It is *your responsibility* to prove you are a Florida resident.

Even if you’ve attended elementary, middle school and high school in the state of Florida, you will need to provide **PROOF** of residency. Tallahassee Community College will determine your status based on the documentation you provide.

### WHY IT’S IMPORTANT:

You may be charged out-of-state tuition if you do not supply this information by the start of classes.

### WHAT YOU MUST DO:

When applying to Tallahassee Community College you must provide residency documentation on the Florida Resident for Tuition Purposes Affidavit section of the College application. When applying as a transient student through FACTS.org, you also need to provide documentation to support any application for in-state tuition on the basis of legal residence for statutory exemption.

*Start here!*

step



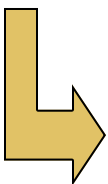
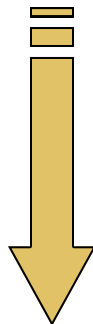
# DETERMINE YOUR DEPENDENCY STATUS

The documentation necessary may be different for “dependent” and “independent” students. Dependent students normally use their parent/legal guardian’s documentation for residency, whereas independent students use their own documentation.

## INDEPENDENT STUDENT

A student who PROVIDES EVIDENCE of *any one* of the following criteria shall be classified as an independent student for the determination of residency for tuition purposes:

1. The student is 24 years of age or older by the first day of classes of the term for which residency status is sought at a Florida institution;
2. The student is married;
3. The student has children who received more than half of their support from the student;
4. The student has other dependents who live with and receive more than half of their support from the student;
5. The student is a veteran of the United States Armed Forces or is currently serving on active duty in the United States Armed Forces for purposes other than training;
6. Both of the student’s parents are deceased or the student is or was (until age 18) a ward/dependent of the court; OR
7. The student is working on a master’s or doctoral degree during the term for which residency status is sought at a Florida institution.

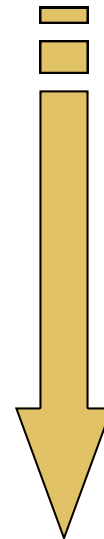


### YOU ARE THE CLAIMANT.

As an independent student, you are the “claimant” of residency.  
Go to > Criteria for Independent Students, Step 2 on page 3.

## DEPENDENT STUDENT

All students who do not meet the definition of an independent student shall be classified as dependent students for the determination of residency for tuition purposes.



### YOUR PARENT/LEGAL GUARDIAN IS THE CLAIMANT.

For the dependent student, the parent or legal guardian is the “claimant” of residency.  
Go to > Criteria for Dependent Students, Step 2 on page 3.

step



## DETERMINE YOUR RESIDENCY STATUS

### RESIDENCY CRITERIA

The TCC application includes a **Residency Affidavit** which must be completed to determine residency for tuition purposes. Students who do not complete the Residency Affidavit or provide incomplete documentation on or in conjunction with the Residency Affidavit will be classified as a resident for tuition purposes, and will have to present additional information. All information must be submitted by the end of the drop/add period for the initial term in which the student is seeking to enroll. If a student indicates “non-resident” on the Residency Affidavit, there is no requirement to “prove” such status or to submit supporting documentation, and the student is automatically considered out-of-state for tuition purposes.

#### CRITERIA FOR INDEPENDENT STUDENTS



Independent students will be granted in-state residency for tuition purposes if the Residency Affidavit on the TCC application indicates that *all of the following criteria are met*.

1. The student’s nation of citizenship is the United States;
2. The student is 24 years of age or over;
3. The student’s permanent address is a Florida address;
4. The high school from which the student graduated is a Florida high school;
5. Every community college or university the student has attended is located in the State of Florida; AND
6. The student provides written or electronic verification he or she has been issued two of the following three Florida documents that are dated more than 12 months old:
  - ◇ A Voter’s Registration
  - ◇ A Driver License
  - ◇ A Vehicle Registration

#### CRITERIA FOR DEPENDENT STUDENTS

Dependent students will be granted in-state residency for tuition purposes if the Residency Affidavit on the TCC application indicates that *all of the following criteria are met*.



1. The student is eligible to be claimed by his or her parent or legal guardian as a dependent under the federal income tax code;
2. The student’s nation of citizenship is the United States;
3. The student is under 24 years of age;
4. The student’s mother, father, or legal guardian is the person claiming Florida residence;
5. The student’s mother, father, or legal guardian claiming Florida residence has a Florida permanent legal address; AND
6. The student’s mother, father, or legal guardian provides written or electronic verification he or she has been issued two of the following three Florida documents that are dated more than 12 months old:
  - ◇ A Voter’s Registration
  - ◇ A Driver License
  - ◇ A Vehicle Registration

# Still looking for answers?

Applicants who do not qualify for a statutory residency exception or do not meet the residency criteria will have to submit documentation that they (or a parent or legal guardian if a dependent) have been a Florida resident for at least 12 months prior to the first day of the classes for which they are enrolling. *At least two of the following documents must be submitted with dates that evidence the 12-month qualifying period. Additionally, there must be no information contradicting the applicant's claim of residency.*

## ACCEPTABLE DOCUMENTS TO PROVE IN-STATE TUITION ELIGIBILITY:



### FIRST TIER (*at least one of the two documents submitted **must** be from this list*)

- ◆ State of Florida Driver License (if known to be held in another state previously, must have relinquished)
- ◆ State of Florida Identification Card (if evidence of no ties to another state)
- ◆ State of Florida Voter Registration Card
- ◆ State of Florida Vehicle Registration
- ◆ Proof of purchase of a permanent home in Florida that is occupied as a primary residence of the claimant
- ◆ Proof of homestead exemption in Florida
- ◆ Transcripts from a Florida high school for multiple years (if Florida high school diploma or GED was earned within last 12 months)
- ◆ Proof of full-time employment in Florida (one or more jobs for at least 30 hours per week for a 12-month period)

### SECOND TIER (*may be used in conjunction with one document from First Tier*)

- ◆ Declaration of Domicile in Florida (12 months from the date the document was sworn and subscribed as noted by the Clerk of Circuit Court)
- ◆ A Florida professional or occupational license
- ◆ Florida incorporation
- ◆ Documents evidencing family ties in Florida
- ◆ Proof of membership in Florida-based charitable or professional organizations
- ◆ Any other documentation that supports the student's request for resident status. Examples of "other" documentation:
  - Utility bills and proof of 12 consecutive months of payments
  - Lease agreement and proof of 12 consecutive months of payments
  - State of Florida court documents evidencing legal ties in Florida
  - Benefit histories from Florida agencies or public assistance programs

### Unacceptable Documents (cannot be used)

- ◆ Hunting or fishing license
- ◆ Library card
- ◆ Shopping Club or Rental Card
- ◆ Birth Certificate
- ◆ Passport



# More answers . . .

Florida Statutes provide clarification on or protections for certain family situations as related to legal residency.

The items on this page represent a few of the scenarios:



- ◇ *The legal residence of a dependent individual whose parents are divorced, separated, or otherwise living apart will be deemed to be Florida if either parent is a legal resident of Florida regardless of which parent is entitled to claim, and does in fact claim, the dependent individual for federal income tax purposes.*
- ◇ *For a dependent individual, the legal residence of the dependent individual's parent or parents is prima facie (i.e., at first glance, a fact presumed to be true unless it is disproved) of the individual's legal residence.*
- ◇ *For a dependent individual, the legal residence of the dependent individual's parent or parents who are domiciled outside Florida is not prima facie (i.e., at first glance, a fact presumed to be true unless it is disproved) of the dependent individual's legal residence if that dependent individual has lived in Florida for five (5) consecutive years prior to enrolling or re-registering at a college or university.*
- ◇ *A person shall not be deemed to have established or maintained a legal residence in Florida and subsequently to have qualified or continued to qualify as a resident for tuition purposes solely by reason of marriage to a person domiciled in Florida.*
- ◇ *A person who marries a legal resident of Florida may upon becoming a legal resident of Florida, become eligible for reclassification as a resident for tuition purposes.*
- ◇ *A person shall not lose his/her resident status for tuition purposes solely by reason of serving, or, if such person is a dependent child, by reason of his/her parent's or parents' serving, in the Armed Forces outside Florida.*

# Statutory Exceptions and Qualifications



Section 1009.21, F.S. permits certain applicants who do not meet residency requirements to be classified as Florida residents or “temporary residents” for tuition purposes. Documentation in support of the exceptions is required; however, the student does not have to show 12 months of residence in Florida prior to qualifying. The exceptions appear in the list to the right.

1. A dependent child residing continuously with a legal resident adult relative other than the parent for at least 5 years immediately prior to the first day of classes of the term in which Florida residency is sought. 1009.21(2)
2. Persons who were enrolled as Florida residents for tuition purposes at a Florida public institution of higher education, but who abandon Florida domicile and then re-enroll in Florida within 12 months of the abandonment —provided that he/she continuously maintains the re-established residence during the period of enrollment. (This benefit only applies one time.) 1009.21(9)
3. Active duty members of the Armed Services of the United States residing or stationed in Florida (and spouse/dependent children); active drilling members of the Florida National Guard; or military personnel not stationed in Florida whose home of record or state of legal residence certificate, DD Form 2058, is Florida (and spouse/dependent children). 1009.21(10)(a)
4. Active duty members of the Armed Services of the United States and their spouses/dependent children attending a public college or university within 50 miles of the military establishment where they are stationed, if such military establishment is within a county contiguous to Florida. 1009.21(10)(b)
5. United States citizens living on the Isthmus of Panama, who have completed 12 consecutive months of college work at the Florida State University Panama Canal Branch, and their spouses and dependent children. 1009.21(10)(c)
6. Full-time instructional and administrative personnel employed by state public schools and institutions of higher education and their spouses and dependent children. 1009.21(10)(d)
7. Students from Latin American and the Caribbean who receive scholarships from the federal or state government. The student must attend, on a full-time basis, a Florida institution of higher education. 1009.21(10)(e)
8. Southern Regional Education Board’s Academic Common Market graduate students attending Florida’s state universities. 1009.21(10)(f)
9. Full-time employees of state agencies or political subdivisions of the state when the student fee are paid by the state agency or political subdivision for the purpose of job-related law enforcement or corrections training. 1009.21(10)(g)
10. McKnight Doctoral Fellows and Finalists who are United States citizens. 1009.21(10)(h)
11. United States citizens living outside the United States who are teaching at a Department of Defense Dependent School or in an American International School and who enroll in a graduate level education program which leads to a Florida teaching certificate. 1009.21(10)(i)
12. Active duty members of the Canadian military residing or stationed in this state under the North American Air Defense (NORAD) agreement, and their spouse/dependent children, attending a community college or state university within 50 miles of the military establishment where they are stationed. 1009.21(10)(j)
13. Active duty members of a foreign nation’s military who are serving as liaison officers and are residing or stationed in this state, and their spouse/dependent children, attending a community college or state university within 50 miles of the military establishment where the foreign liaison officer is stationed. 1009.21(10)(k)
14. Qualified beneficiaries under the Florida Pre-Paid Postsecondary Expense Program. (Copy of Florida Pre-Paid card required.) 1009.98
15. Linkage Institute participants receiving partial or full exemptions. 288.8175



# NON-U.S. CITIZENS Clarification



## Qualifications

Certain United States citizens such as lawful permanent residents, persons in temporary visa categories, asylees, parolees, refugees, and Cuban-Haitian entrants who have applied for such status and **who otherwise meet the consecutive 12 month legal residence requirements, are eligible to establish Florida residency for tuition purposes.** Provided that the non-U.S. citizen has proof of his/her permanent immigration status, he/she may be classified as a Florida resident after 12 consecutive months from the time he/she establishes legal Florida residency for tuition purposes (e.g., 12 months from the time he or she purchases a Florida home, obtains a Florida driver license, etc.). It is not necessary to wait 12 consecutive months from the date he/she becomes an eligible alien (e.g., the date of the resident alien card (I-551) is issued.) The following is a list of nonimmigrant categories eligible to establish Florida residency for tuition purposes.



## Visa Categories and U.S. Bureau of Citizenship and Immigration Services classifications:

- 1. Visa category A**  
*Government official and immediate family members*
- 2. Visa category E**  
*Treaty traders or investors, including spouse and children*
- 3. Visa category G**  
*Foreign government officials to international organization and immediate family members*
- 4. Visa category H-1B**  
*Temporary workers (Specialty Occupations, DOD Workers, Fashion Models and Nurses in HPSA's) including spouse and children*
- 5. Visa category I**  
*Foreign Media Representatives, including spouse and children*
- 6. Visa category K**  
*Fiance(e)s of United States citizen(s), including children*
- 7. Visa category L**  
*Intra-company transferees, including spouse and children*
- 8. Visa category N**  
*Parent or child of alien accorded special immigrant status*
- 9. Visa category O-1**  
*Workers of "extraordinary" abilities, including spouse and children*
- 10. Visa category R**  
*Religious workers, including spouse and children*
- 11. Visa category NATO 1-7**  
*Representatives and employees of NATO and their immediate families*
- 12. Visa category S**  
*Alien witnesses and informants, including spouse and children*
- 13. Visa category T**  
*Victims of trafficking, who cooperate with federal authorities in prosecutions of traffickers, including spouse and children*
- 14. Visa category U**  
*Victims of certain crimes, including spouse and children*
- 15. Visa category V**  
*Spouses and children of lawful permanent residents*
- 16. Non-U.S. citizens** who fall within the following categories are also eligible to establish Florida residency for tuition purposes:
  - Citizens of Micronesia*
  - Citizens of the Marshall Islands*
  - Beneficiaries of the Family Unity Program*
  - Individuals granted Temporary Protected Status (TPS)*
  - Individuals granted Withholding of Removal status*
  - Individuals granted Suspension of Deportation status or Cancellation of Removal*
  - Individuals granted a Stay of Deportation or Stay of Removal*
  - Individuals granted Deferred Action Status*
  - Individuals granted Deferred Enforced Departure Status*
  - Applicants for Adjustment of Status*
  - Individuals granted asylum*
  - Individuals granted refugee status*
  - Individuals granted parolee status*
  - Individuals defined as Cuban or Haitian entrants under the Refugee Education Assistance Act*

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**VOLUME II**

