

## College Operating Procedures (COP)



**Procedure Title:** Residency for Tuition Purposes  
**Procedure Number:** 06-0102  
**Originating Department:** Student Affairs and Enrollment Management

**Specific Authority:**

Board Policy  
Florida Statute 1009.21  
Florida Administrative Code 6A-10.044

**Procedure Actions:** Adopted: 04/12/10; 9/01/10, 02/19/16

**Purpose Statement:** This procedure is intended to govern the determination of student residency for tuition purposes to promote compliance with Florida Statute 1009.21.

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**Guidelines:**

The burden of proof rests with the student to establish and prove Florida residency. All applicants, first-time, or returning, are automatically classified as non-Florida residents for tuition purposes until the appropriate paperwork is submitted, evaluated, and approved by the Admissions Office. Failure to submit the appropriate documentation, by the stated deadline on the Official College Calendar, will result in a student paying the out-of-state tuition rate.

**Procedures:**

**1. Residency Rules/Guidelines**

All documents supporting the establishment of legal residency must be dated, issued, or filed 12 months prior to the first day of classes for the term for which a Florida resident classification is sought and submitted to the Admissions Office by the deadline published in the Official College Calendar. In addition, all supporting documents must be current and still valid.

Students are required to submit a Residency Affidavit; this affidavit must be signed by the student and the person claiming residency and should be accompanied by supporting documentation.

A copy of the student's Internal Revenue Service transcript and/or a dependent student's parent's or legal guardian's Internal Revenue Service transcript may be required to establish dependence/independence. To qualify as a resident for tuition purposes, a student must be a U.S. citizen, legal Permanent Resident, or hold a visa status approved by the Florida Legislature. Living in, or attending school in Florida, does not, in itself, establish legal residence. Students who depend on out-of-state parents for support are presumed to be legal residents of the same state as their parents.

A Florida resident for tuition purposes is a person who, or a dependent person whose parent or legal guardian, has established and maintained legal residence in Florida for at least 12 consecutive months immediately preceding his/her first enrollment at Florida SouthWestern State College. If the student was initially classified as a non-Florida resident for tuition purposes, the student, or a dependent student's parent or legal guardian, must have established and maintained legal residence in Florida for at least 12 consecutive months immediately preceding the first day of classes of the term for which reclassification to Florida resident for tuition purposes is sought. Students who have not been enrolled for the past year will need to readmit and will be required to submit new documentation to prove Florida residency.

## **2. Initial Classification Requirements**

All first time Florida SouthWestern State College students, as well as any former students required to re-apply to the institution, must submit the Residency Affidavit to be considered for in-state tuition. All applicants default to non-Florida resident status until documentation is received and approved. Please see the latest version of the College Catalog to review specific requirements.

## **3. Reclassification to Florida Resident**

An individual who is initially classified as a nonresident for tuition purposes may become eligible for reclassification to a Florida Resident for Tuition Purposes only if that individual, or his or her parent or legal guardian if that individual is a dependent, supports permanent residency in Florida by presenting documentation of establishment of bona fide domicile in this state for at least 12 consecutive months. Please see the latest version of the College Catalog to review specific requirements.

## **4. Residency Classification Appeals**

Students wishing to appeal their initial residency classification must submit an Appeal of Resident Status within 10 calendar days prior to the first day of class to the Admissions Office on their campus. The designated Residency Appeal Committee will review the appeal and inform the applicant of the final residency determination in writing via email. Please note that the Residency Appeal Committee cannot override Florida statutes which govern residency for tuition purposes. The decision of the Residency Appeal Committee is considered the final decision of Florida SouthWestern State College.

### **Note Regarding Updates**

Residency for Tuition Purposes guidelines may be updated frequently. Florida Statute 1009.21 and Florida Administrative Code 6A-10.044 are always the final governing rules for classification of Residency for Tuition Purposes.