

# NORTHWEST FLORIDA STATE COLLEGE

## RESIDENCE CLASSIFICATION

This information summarizes Northwest Florida State College's procedure for verification of Florida residency for tuition purposes in compliance with the provisions of Florida Statute 1009.21 and State Board of Education Rule 6A.10.044. (Revised October 27, 2010). The requirements are established at the state level. NWF State College will abide by the laws of the state and the regulations established by the Board of Education. Any questions about classification should be directed to the Office of Enrollment Services at (850) 729-4901. Please note: *The staff should not be expected to debate the fairness or equity of the Florida Statutes or State Board Rules but rather assist the student (and their parents, if applicable) in interpreting the statute and rule.*

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 residence in Florida for the 12 months immediately preceding the first day of classes of the term for which enrollment is requested. Residence in Florida must be for the purpose of establishing a permanent home and not merely 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, lawful permanent resident, or certain individual granted indefinite stay by the U.S. Citizenship and Immigration Service. Living in or attending school in Florida does **NOT** establish **legal** residence. Two forms of documentation supporting the establishment of legal residence must be submitted that are dated, issued, or filed 12 months before the first day of the term for which FL residency is requested. **Possession of a legal tie to any other state (i.e. driver's license, vehicle registration, voter registration) negates the ability to be classified as a Florida residency for tuition purposes.** Certain individuals not meeting the 12 month legal residence requirement may be classified as Florida residents for tuition purposes only if they fall within a limited special category authorized by the Florida Legislature [Florida Statute S.1009.21(11)]. See items A thru M on reverse side.

### NON-FLORIDA RESIDENTS ONLY

I do not currently qualify as a Florida resident for tuition purposes. I understand that if I enroll in courses and pay out-of-state fees and apply in the future for re-classification to in-state residency, I will be required to provide three (3) documents verifying FL residency for the previous consecutive 12 months immediately preceding the beginning of the term.

Print Name	Signature in ink	Today's Date	Date moved to Florida	Prior State of Residence
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**Two issues exist when determining residency for tuition assessment  
(1) Determination of dependent/independent status and (2) Establishment of legal Florida residency.**

The determination of dependent or independent status is the basis for whether the student has to submit his/her own documentation of residency (as an independent) or his/her parent's/guardian's documentation of residency (as a dependent). **Dependent or independent status will be based on a copy of a student's or his/her parent's most recent tax return or other documentation as appropriate.** Other documentation includes information submitted on or in conjunction with the Admissions application, on the Residency Classification form, or other supporting evidence collected by the institution. When tax returns are collected for the purpose of proving independent status, the social security numbers should be blackened out. Some people cannot be claimed as dependent. See IRS Publication 501, Exemptions, Standard Deduction, and Filing Information for additional tests to determine who can be claimed as a dependent.

**DEPENDENT STUDENT** -- Students who are claimed on their parent's tax return as a dependent for the previous calendar year shall be considered to be dependent. In addition, a student, whether or not living with his/her parent, who is eligible to be claimed by his/her parent as a dependent under the federal income tax code shall be classified as dependent. In general, the IRS requires that a "qualifying child" or "dependent" meet six (6) tests:

1. The child must be your son, daughter, or stepchild.
2. The child must be: (a) under age 19 at end of the year; (b) under age 24 at end of the year AND a full-time student; or (c) any age if permanently disabled.
3. The child must have lived with you for more than half of the year subject to IRS exceptions.
4. The child must have NOT provided more than half of his/her own support for the year.
5. The child is NOT filing a joint return for the year (unless that joint return is filed only as a claim for refund).
6. If the child meets the rules to be a qualifying child of more than one person, you must be the person entitled to claim the child as a qualifying child.

**STATUTORY EXCEPTIONS/QUALIFICATIONS** -- In certain circumstances Florida Statutes provides an avenue for students who have lived in Florida for five (5) or more years to submit documentation requesting in-state tuition consideration. In most cases, residency determinations for dependent students are based on the legal residence of the parent or legal guardian. However, Section 1009.21(4), Florida Statutes allows dependent students to establish Florida residency using their own documentation provided certain criteria are met. **Students meeting the following situations will be required to submit a Residency Addendum Form and provide documentation verifying Florida residency for all five (5) consecutive years:**

1. Individuals who have parents domiciled outside Florida provided student has maintained legal Florida residency for the preceding five (5) years.
2. Individuals who have parents currently serving as active duty members of the Armed Services stationed outside of Florida
3. Individuals who have lived for a minimum of five (5) years with an adult relative who has appropriate documentation verifying legal residency in Florida for the preceding consecutive 12-months. Both the dependent child and adult relative must meet the consecutive 12 month legal residence requirement.
4. Individuals providing documentation proving they have lived in Florida for five (5) or more consecutive years.

**INDEPENDENT STUDENT** -- A student who meets any one of the following criteria shall be classified as an independent student for the determination of residency for tuition purposes. Evidence that the student meets one of these criteria will be requested by the higher education institution.

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. (Attach copy of marriage certificate, insurance info showing marital status, or most recent tax return showing marital status)
3. The student has children who receive more than half of their support from the student. (Attach copy of tax return)
4. The student has other dependents that live with and receive more than half of their support from the student. (Attach copy of tax return)
5. The student is a veteran of the U.S. Armed Forces or is currently serving on active duty in the U.S. Armed Forces for purposes other than training. (Attach copy of military orders or DD214)
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 in foster care. (Attach documentation)
7. The student is determined an unaccompanied homeless by a school district homeless liaison, emergency shelter or transitional housing program (Attach documentation)
8. Documentation is provided showing the student provides more than 50% of his/her support for the year (examples may include: tax return, W-2 form, pay stubs, employer earnings verif.)

### **RE-CLASSIFICATION**

A student who previously paid out-of-state tuition for previous enrollment may become eligible for reclassification as a resident for tuition purposes by presenting a minimum of three (3) documents identified in section 1009.21(3)(c)1 that convincingly demonstrate the establishment of permanent legal residence in Florida other than for the sole purpose of pursuing a postsecondary education. In addition to providing 3 documents, all students will be required to submit new residency classification info to the Admissions office via online admissions process. The new classification shall take effect at the start of the next semester.

### **TRANSFERS FROM FLORIDA PUBLIC HIGHER EDUCATION INSTITUTIONS**

Once a student has been classified as a resident for tuition purposes, an institution of higher education to which the student transfers is NOT required to reevaluate the classification unless inconsistent information suggests that an erroneous classification was made or the student's situation has changed. However, the student must have attended the institution making the initial classification within the last 12 months and the residency classification must be noted on the transcript and submitted at the time of admission to NWFSC. (Ref. S.1009.21(11))

### **TRANSIENT STUDENTS**

Residency status for Transient students should be determined by the home institution as shown on the Transient Student form. Additional documentation is NOT required unless evidence which contradicts the residency status is submitted.

### **NON-U. S. CITIZENS**

Non-U.S. citizens who are lawfully present in the U.S. such as lawful permanent residents, persons in temporary visa categories, asylees, parolees, and refugees who meet the consecutive 12 month legal residence requirements, are eligible to establish FL residency for tuition purposes. Individuals with non-immigrant visas must provide evidence that: (1) he/she is in an eligible visa category with a departure date that does not fall during the enrollment term; (2) if dependent, parent must also be in an eligible visa category; (3) student or parent (if dependent) must prove Florida residency for 12 month qualifying period. Eligible non-immigrant visas include: A, E, G, H-1B, I, K, L, N, O-1, R, S, NATO-1-7, T, U, V. Certain other non-U.S. citizens meeting certain categories may be eligible to establish Florida residency for tuition purposes. A foreign national (unauthorized alien) who lives in the U.S. without the required documentation is NOT eligible to establish residency for tuition purposes in Florida.

**COMPLETE RESIDENCY AFFIDAVIT ON REVERSE SIDE**

**FLORIDA RESIDENT FOR TUITION PURPOSES AFFIDAVIT – CHECK ONE CATEGORY**

( ) A. I am an independent person and have maintained legal residence in Florida for the preceding 12-consecutive months.

( ) B. I am a dependent person and my parent or legal guardian has maintained legal residence in Florida for the preceding 12-consecutive months

( ) C. I am a dependent person who has maintained legal FL residence for the previous 5 years and has the following circumstances: (a) resided with an adult relative other than my parent or legal guardian who has also maintained legal FL residence for the previous 12 consecutive months; (b) my parents are domiciled outside Florida; (c) my parents currently serve as active duty members of the Armed Services stationed outside of Florida. (Attach a notarized Five-Year Residency Addendum Statement available at all NWFSC campus locations with the requested documentation.)

( ) E. I was previously enrolled within the last 12 months at a Florida institution and classified as a Florida resident for tuition purposes. I abandoned my Florida domicile less than 12 months ago and I am now re-enrolling in Florida (Attach copy of transcript from FL school)

( ) F. I am a lawful permanent resident or other individual granted indefinite stay by the U.S. Immigration & Naturalization Service. I have maintained domicile in Florida for at least 12 months. (Attach INS documentation and proof of 12-month FL residency)

( ) G. I am an active duty member of the Army, Air Force, Navy, Marines, Coast Guard or reserves stationed in Florida (or spouse or dependent) or active drilling member of the Florida National Guard. (Attach copy of orders along with marriage certificate or copy of dependent ID card as appropriate) OR my home of record is Florida (attach recent LES or DD2058)

( ) H. I am a full-time instructional or administrative employee employed by a Florida public school, community college or institution of higher education [or I am the employee's spouse or dependent child]. (Attach a copy of employment letter)

( ) J. I am a qualified beneficiary under the terms of the Florida Pre-Paid Postsecondary Expense Program (Attach copy of Pre-paid ID card)

( ) M. I am a full-time employee of a state agency or political subdivision of the state whose student fees are paid by state agency or political subdivision for the purpose of job-related law enforcement or corrections training. (Attach training authorization form)

**REQUIRED OF ALL FLORIDA RESIDENTS** – A person other than the student (e.g. parent) should complete this affidavit if the student is dependent or seeks to be classified as a Florida resident by virtue of a relationship. Otherwise, the student should complete this affidavit. **All items below MUST be filled out for form to be complete.**

1. Name of Student \_\_\_\_\_ 2. Student SSN \_\_\_\_\_

The CLAIMANT is the person who is claiming Florida residency [e.g., the student, (if independent), parent, spouse, or legal guardian]. All questions below pertain to the claimant.

3. Name of Claimant \_\_\_\_\_ 4. Relationship of Claimant to Student \_\_\_\_\_

If claimant's last name differs from student's last name, then documentation must be attached to establish relationship.

5. Permanent Legal Address of Claimant \_\_\_\_\_  
 Street Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

6. Telephone Number of Claimant (\_\_\_\_) \_\_\_\_\_ 7. Date Claimant began Establishing Florida Residence: MO. \_\_\_\_/DAY \_\_\_\_/YR \_\_\_\_

**PROVIDE VERIFICATION FROM TWO (2) OF THE FOLLOWING DOCUMENTS**

**BOTH DOCUMENTS MUST PERTAIN TO THE CLAIMANT AND SHOW FL RESIDENCY FOR THE PRECEDING 12 CONSECUTIVE MONTHS PRIOR TO THE FIRST DAY OF CLASSES FOR THE TERM**

**FIRST TIER** – Place a check mark beside documents you are basing Florida residency on. **At least one of the two documents submitted must be from this list.** As some evidence is more persuasive than others, more than two items may be requested. **FL driver's license and FL ID card are considered to be one item.** If driver's license is held in another state, must be relinquished. If you were previously classified as out-of-state, and you are seeking re-classification to in-state, you **MUST** submit three (3) items verifying FL residency listed below.

- \_\_\_\_ FL Drivers license: Number \_\_\_\_\_ Issue Date \_\_\_\_\_
- \_\_\_\_ FL Identification Card (Issued by DMV): Number \_\_\_\_\_ Issue Date \_\_\_\_\_
- \_\_\_\_ FL Voter registration card: Number \_\_\_\_\_ Issue Date \_\_\_\_\_
- \_\_\_\_ FL Vehicle Registration Tag Number \_\_\_\_\_ Issue Date \_\_\_\_\_
- \_\_\_\_ Proof of purchase of a permanent home that is occupied as a primary residence of the claimant (Attach copy of mortgage documents)
- \_\_\_\_ Proof of a Florida Homestead Exemption (attach copy of Homestead Exemption certificate)
- \_\_\_\_ Transcript from a FL high school showing 2 or more years of enrollment if the FL high school diploma or GED was earned within last 12 months (attach copies of both high school transcript and GED, if applicable)
- \_\_\_\_ Proof of **permanent** employment for the previous consecutive 12-month period in job(s) totaling 30 hours/week [Attach letter from employer(s)]

**SECOND TIER (may be used in conjunction with one document from First Tier). Copies of all documents for items checked below must be submitted.**

- \_\_\_\_ Declaration of domicile (Attach copy; **must be dated one year prior to first day of term of enrollment**)
- \_\_\_\_ A Florida professional or occupational license (attach copy). Concealed weapon permit is not included.
- \_\_\_\_ Florida incorporation (attach copy)
- \_\_\_\_ A document evidencing family ties in Florida (**Contact Admissions Office for acceptable documentation**)
- \_\_\_\_ Proof of membership in Florida-based charitable or professional organizations (attach copy)
- \_\_\_\_ Utility bills showing proof of previous 12 months of payment (attach copies)
- \_\_\_\_ Lease agreement for previous 12 months signed by tenant(s) and landlord (attach copy)
- \_\_\_\_ Official State, federal, or court documents evidencing legal ties to Florida

I do, hereby, affirm that the above named student meets all requirements as indicated above for the classification as a Florida resident for tuition purposes. I understand that a false statement in this affidavit will subject me to penalties pursuant to 837.06, Florida Statutes, and that a false statement in this affidavit may subject the above named student to the penalties for making a false or fraudulent statement.

Signature in ink of person claiming Florida residency \_\_\_\_\_ Date \_\_\_\_\_

**STUDENT CERTIFICATION**

I certify that the information given in this application is complete and accurate, and I understand that to make false or fraudulent statements within this application or residence affidavit may result in disciplinary action, denial, or invalidation of credits or degrees earned.

Student Signature \_\_\_\_\_ Date \_\_\_\_\_

In cases where the student expresses a desire to appeal the residency classification, the student should submit a Residency Appeal form available at all NWFSC campus locations. The appeal will be submitted to the College's Residency Appeal Committee who will render to the applicant the final residency determination in writing. The Department of Education staff members and Board of Governors are not appeals officers for residency determinations.