

Florida residency for tuition purposes worksheet

As an MTEC student you are classified as either a Florida resident or an out-of-state resident. The tuition you pay is determined by your residency classification. A Florida resident pays a much lower tuition rate than an out-of-state resident. Policies regarding residency for tuition purposes in Florida include multiple layers of state law and other rules. Make sure you are reviewing current year requirements as these laws are subject to change each year. Visit [Facts.org](https://www.flfacts.org) for more information on the laws and rules governing Florida residency for tuition purposes.

When you apply to MTEC, or when you register for classes after not attending for 12 months, you will be asked residency questions. **Make sure you answer the questions carefully** to ensure that you pay the lower tuition rate.

By law, if you do not answer the residency questions during the application or registration process, you will be classified as a nonresident and charged the higher tuition rate. Then you must submit a Residency Affidavit and supporting documents **before the first day of class** to change your residency status. Please use the information and checklists in this worksheet to gather the right documents before completing the Residency Affidavit on the last page of this packet.

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1 - Summary information

Qualifications

A Florida resident for tuition purposes is a person, or a dependent person whose parent or legal guardian has established and maintained legal residency in Florida at least 12 months before the first day of the term. To qualify, you must be a U.S. citizen, permanent resident alien, or a legal alien granted indefinite stay by the Immigration and Naturalization Service.

Florida residency for tuition purposes is different from establishing Florida residency. Your residence in Florida must be for establishing a permanent home and not incidental to college enrollment. Living in or attending school in Florida will not, in itself, establish legal residence for tuition purposes. Students who depend on out-of-state parents for support are presumed to be legal residents of the same state as their parents.

NOTE: If you don't meet the 12-month legal residency requirement, you may be able to qualify for residency by meeting one of the statutory exceptions outlined in this document.

Deadlines

1. A completed Residency Affidavit and supporting documents must be submitted before the first day of classes.
2. Documents must be dated, issued or filed 12 months before the first day of classes and be valid for 12 consecutive months with no gaps.

The first day of classes is defined as the first day of the term as noted on the official Pasco County School Board Academic Calendar.

2 - Exceptions and dependency checklists

Before you start gathering the Tier 1 and 2 documents listed on page 6, there are two questions you need to answer:

1 - Do any of the statutory exceptions pertain to you? If one of the statutory exceptions below describes you, you qualify as a resident for tuition purposes without having to prove physical residency in Florida for the last 12 months. It does not matter if you are dependent or independent if you are claiming a statutory exception. Please complete a Residency Affidavit and required documents as outlined below **before the first day of classes.**

Statutory exception	Residency Affidavit?	Required document(s)
<input type="checkbox"/> I am a qualified beneficiary under the terms of the Florida Pre-paid program.	Yes	Pre-paid Benefit Card
<input type="checkbox"/> Another Florida public college or university has declared me as a resident for tuition purposes within the last 12 months.	Yes	Transcript indicating you were coded as RES and attendance at that institution within last 12 months.
<input type="checkbox"/> I am married to a person who has maintained legal residence in Florida for at least 12 months. I have established legal residence and intend to make Florida my permanent home.	Yes (completed by spouse)	Marriage certificate, Two documents from spouse, one document from student* (does not have to be 12 months).
<input type="checkbox"/> I am a full-time employee of a Florida public school, community college or institution of higher education, or I am the employee's spouse or dependent child.	Yes (completed by student)	Letter from the school verifying employment of the employee, or 12 consecutive months of pay stubs.
<input type="checkbox"/> I am a full-time employee of a state agency or political subdivision of the state whose student fees are paid by the state agency or political subdivision, for the purpose of job-related law enforcement or corrections training.	Yes	Letter from corrections agency verifying employment and that fees are to be paid for the employee.
<input type="checkbox"/> I am a member of the armed services of the United States or National Guard stationed in Florida on active duty pursuant to military orders, or whose home of record is Florida, or I am a member's spouse or dependent child.	Yes	Active duty orders, Form #DD2058, showing home of record and document that proves relationship to student.
<input type="checkbox"/> Other: There are other, more obscure exceptions that may pertain to you. For a complete list, refer to Florida Statute 1009.21		

2 - What is your dependency status? This is important because it determines whose documents you will need to gather to prove residency of yours or your parent's or guardian's. Use the two dependency checklists on the next page (Dependent vs. Independent) to determine your dependency status. The documents needed to prove your dependency status are **in addition to** the Tier 1 and 2 documents listed in section 4 Residency Documentation List.

Dependent vs. Independent

Before you complete the Residency Affidavit and gather the required documents, you need to consider your dependency status. This is important because it determines whose documents you will need to gather to prove residency - yours or your parent's or guardian's. In Florida, students who are under the age of 24 now, or who will be under the age of 24 when classes begin, are assumed dependent students. Use the checklists below to determine your dependency status.

Independent student checklist

- ☐ I am over the age of 24, or I will be by the time I first enroll at MTEC.
- ☐ I am under the age of 24 but I can document that I made at least \$7,101 for the last tax year, AND I claimed myself as a dependent, or no other person claimed me as a dependent for tax purposes (*Provide a copy of last year's tax return*).
- ☐ I am under the age of 24 but I am married. (*Provide a copy of marriage certificate*.)
- ☐ I am under the age of 24 but I have others who receive more than half of their support from me. (*Provide your last year's tax return showing names and relationship of dependents*.)
- ☐ I am under the age of 24 but I have been discharged from the military. (*Provide copies of your discharge orders*.)
- ☐ I am under the age of 24 but I was a ward or dependent of the courts before I reached the age of 18. (*Provide form(s) from DCF or court documents*.)
- ☐ I have been classified as an independent person by MTEC Financial Aid Office.

NEXT STEPS

If you check any of the boxes in this column, you are considered independent.

Complete the Residency Affidavit. Provide the document(s) requested above, **and** Tier 1/Tier 2 documents **in your name**. Please use the Cover page and checklist for proof of independence on the next page to submit your documents to the MTEC Registrar's Office or by fax to 727-774-1791.

Dependent student checklist

- ☐ I am under the age of 24 and my parents or legal guardian claim me as a dependent for income tax purposes.
- ☐ I am under the age of 24 but have lived continuously with an adult relative or another person who has claimed me as a dependent on their income taxes other than my parent for at least five years. (*Provide documents proving 12 months physical residency of relative, and that you lived with them for five years*.)
- ☐ I am under the age of 24 and my stepparent claims me as a dependent for income tax purposes. (*Attach copies of legal adoption papers or evidence of relationship for five years*.)

NEXT STEPS:

If you check any of the boxes in this column, you are considered dependent.

Have your parent or legal guardian complete the Residency Affidavit. Provide the document(s) listed above **and** Tier 1/Tier 2 documents in **your parent or legal guardian's name**.

If you cannot prove that you are dependent or independent by checking one of the boxes above in the first column, you may write a letter documenting your general circumstances to petition that MTEC treat you as an independent person for establishing residency for tuition purposes. Your letter must be detailed, compelling, and must document the conditions and reasons that you feel you should be treated as an independent person. Please address the letter to the Admissions Office and mail to: MTEC, 7825 Campus Drive, New Port Richey, FL 34653, or FAX to 727-774-1791.

COVER PAGE AND CHECKLIST FOR PROOF OF INDEPENDENCE

RESIDENCY FOR TUITION PURPOSES

INCLUDE THIS DOCUMENT WITH YOUR RESIDENCY APPLICATION

Name: _____ Student ID# _____

Date: _____

If you received the **Independence Checklist** after applying for initial admission or readmission to MTEC, please bring to campus, or fax in, one of the following documents to prove your independence for **residency for tuition purposes**.

I am under the age of 24 but I should be considered independent because:

Reason	Provide this documentation
<input type="checkbox"/> I am married	Copy of Marriage Certificate
<input type="checkbox"/> I am active duty military or a veteran	Copy of military orders or discharge papers
<input type="checkbox"/> I am responsible for providing more than 50% of a dependent's support	Most recent income tax return in which you claimed a dependent
<input type="checkbox"/> I have earnings of at least \$7,129 in the most recent tax year	Copy of your income tax return showing wages/earnings and also that no one else claimed you as a dependent in this tax year (we may require a copy of your parent's income tax return as well)
<input type="checkbox"/> I am a ward of the court or under the protective custody of Department of Children and Families	Court documents or DCF paperwork
<input type="checkbox"/> I will be 24 by the time I first enroll at MTEC	Provide Driver's License or Florida ID
<input type="checkbox"/> I have been classified by Financial Aid as an independent person	Provide copy of Financial Aid Documentation
Other: Please send a letter describing your circumstances	Bring, fax or mail letter to office

3 - Issues pertaining to veterans and non-U.S. Citizens

Active duty military

If proper documentation is provided before the first day of classes, you are considered a Florida resident for tuition purposes if you are an:

- Active duty member of the Armed Services of the United States, residing or stationed in Florida (includes spouse/dependent children)
- Active military personnel not stationed in Florida whose home of record or state of legal residence is Florida.
- Active drilling members of the Florida National Guard

NOTE: An individual shall not lose his or her resident status solely because of his or her service or parent's service in the Armed Forces outside the state of Florida.

Veterans

Veterans of the U.S. Armed Services are considered Florida residents for tuition purposes if they have been discharged from active duty service for less than one year. A Residency Affidavit and discharge papers showing Florida as the home of record is required.

Veterans discharged for more than one year must prove residency for tuition purposes according to instructions detailed in this worksheet.

Issues related to non-U.S. citizens

Permanent resident aliens and legal aliens must prove residency in the same way as U.S. citizens in order to be classified as Florida residents for tuition purposes.

Students from Latin America and the Caribbean with federal or state scholarships who are full-time students at a Florida institution of higher education may be eligible for residency for tuition purposes, provided appropriate documentation is submitted.

Linkage institute participants receiving partial or full exemptions based on criteria approved by the Florida Department of Education may be eligible to establish residency for tuition purposes, provided appropriate documentation is submitted.

As of July 1, 2010, individuals holding one of the following visa types are eligible to establish Florida residency for tuition purposes, provided documentation evidencing 12 consecutive months of physical residency in Florida before the first day of classes can be provided. Visa types not included in this listing are not eligible to establish Florida residency for tuition purposes.

Approved visa categories include: A, E, G, H-1B, I, K, O, L, O-1, R, NATO 1-7, S, T, U, V, Asylee, Refugee, Parolee, Cuban-Haitian entrants.

There may be other eligible categories. Visit [Facts.org](https://www.facts.org) for more information on the laws and rules governing Florida residency for tuition purposes.

4 - Residency documentation list

At least two of the following documents must be submitted that are dated, issued or filed 12 months before the first day of classes. At least one of the documents must be from the First Tier. **As some evidence is more persuasive than others, more than two may be requested.** No single piece of documentation will be considered conclusive. Additionally, there must be an absence of information that contradicts the applicant's claim of residency.

The burden of providing clear and convincing proof rests with the student, or if the student is a dependent, with his or her parent or guardian. For documents to be "clear and convincing" it must be credible, trustworthy and sufficient to persuade the institution that residency in Florida is not solely for pursuing an education, and that residency in any other states has been relinquished.

All documentation submitted is subject to review and verification.

First Tier documents (At least one of the two documents submitted must be from this list that are dated, issued or filed 12 months before the first day of classes)

- A Florida voter's registration card
- A Florida driver's license
- A State of Florida identification card
- A Florida vehicle registration
- Proof of a permanent home in Florida which is occupied as a primary residence by the individual or by the individual's parent if the individual is a dependent child.
- Proof of a 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 permanent full-time employment in Florida for at least 30 hours per week for a consecutive 12-month period

Second Tier documents (Documents that are dated, issued or filed 12 months before the first day of classes from this list may be used in conjunction with documents from First Tier)

- A Declaration of Domicile in Florida (12 months from the date the document was sworn and subscribed)
- A Florida professional or occupational license
- A Florida incorporation
- Proof of membership in Florida-based charitable or professional organization
- Benefit histories from Florida agencies or public assistance programs
- Any other documentation that supports the student's request for resident status (may include utility bills and proof of 12 consecutive months of payments; a lease agreement and proof of 12 consecutive months of payments; or an official state, federal, or court document evidencing legal ties to Florida.

Unacceptable documents

The following items are not acceptable forms of documentation to establish that one has been living in Florida for 12 months:

- Birth certificate
- Social Security card
- Passport
- Shopping club/rental cards
- W-2 form
- Tax return
- Bank statements

5 - Reclassification of residency

Students who were initially classified as nonresident for tuition purposes and who have paid out-of-state fees one or more terms within the last year will be required to submit a Residency Affidavit and additional documents when applying for residency reclassification. This involves a stricter standard of scrutiny. Rather than the two minimum documents (Tier 1 and Tier 2) required for initial classification, a student seeking reclassification of residency must provide a minimum of three documents from the above document list. At least one of the documents must be from Tier 1. No single piece of documentation is considered conclusive and some documents are more persuasive than others. The absence of contradictory information (for example, legal ties to another state) will be considered when making determinations of residency reclassification.

A residency affidavit must be submitted to the Registrar's Office before the first day of classes in which the student is requesting to be reclassified. The Residency Affidavit may also be faxed to 727-774-1791.

Students who were initially classified as nonresident for tuition purposes, but who have not attended MTEC in three or more terms, will be treated as an initial classification and not as a reclassification of residency.

6 - Frequently Asked Questions

Who has to provide proof of residency to get the lower tuition rate?

Every applicant to MTEC must show proof of residency. By law, if you do not provide proof of residency when you apply, MTEC has no choice but to classify you as a nonresident and charge you the higher tuition rate. If you are under the age of 24, you are considered a dependent student, and your parent will most likely have to complete the residency affidavit.

How do I prove that I am a Florida resident for tuition purposes?

You must provide specific documentation that can be verified to qualify as a Florida resident for the lower in-state tuition rate. During the initial application process, you only have to provide two sources of proof.

What are the deadlines for residency documentation?

- Documentation must be submitted before the first day of the term for which you are enrolling. Check the Academic Calendar to verify the first day of classes.
- Documentation must prove that you have lived in Florida for at least 12 consecutive months before the first day of classes.

Can you make exceptions to the documentation and deadline requirements? The only exceptions we can allow are the statutory exceptions that are built into the law, and even then, documentation must be submitted before the first day of classes. All public postsecondary institutions are bound by the same standards and are subject to the same state audits. For this reason, MTEC **cannot make exceptions** regarding residency documentation or deadlines.

What happens if my documents do not meet the requirements? If your documents do not verify as you expected, **your status will be changed to nonresident** and you will have to apply for reclassification. You will have until the first day of classes to submit any additional documents to support your claim of residency. However, if you do not provide sufficient documentation, you will be assessed out-of-state fees and later, you can request a reclassification of residency. However, the burden of proof for reclassification is stricter, requiring three verified documents as opposed to the two that are required in the initial application.

I have been incarcerated for the last year, was just released, but don't have a current driver's license, and my voter's registration has been revoked. Can I prove residency for tuition purposes?

It depends. MTEC will require documentation that you lived in Florida for 12 months before your incarceration. You may have lived in Michigan but were arrested in Florida and served time in Florida. Therefore, you must provide Tier 1 and Tier 2 documentation to prove your physical presence in Florida for 12 months before incarceration.

My parents live in Ohio. A couple of years ago I came to Florida to live with my grandmother. She supports me, but she is not my legal guardian. Can I prove residency for tuition purposes?

If you cannot provide legal or court documents that your grandmother is your legal guardian, you may provide proof that you have lived with your grandmother for five years before enrolling at MTEC and that she supported you during this period. Tax returns or other documentation may be required to document her support of you.

I recently moved to Florida to attend school at MTEC but did not meet the one-year requirement to prove residency for tuition purposes. Can't my status be changed when my driver's license and other documents are a year old?

No. Because you moved to Florida for the primary purpose of attending school, you do not, and will not, qualify to be classified as a Florida resident for tuition purposes, even though you may have been in Florida for a year or more.

Classes start on January 10, but I have a driver's license and vehicle registration proving 12 months of physical presence in Florida as of January 20. Can't you make an exception and allow me to be classified as a Florida resident for tuition purposes since we are talking about only a few days difference?

No. You will have to pay out-of-state tuition rate or wait until the next semester start date to receive in-state tuition.

I am under 24 but don't live at home with my parents - I live with a roommate. The apartment is in her name and all of the utilities are in her name. I work but I cannot prove that I am independent because I do not make at least \$7101 a year; however, my parents do not claim me on their income tax. I have a valid Florida driver license and I have registered to vote. Both of these documents are more than 12 months old. Can I prove residency for tuition purposes?

It depends. If you cannot prove that you are independent by one of the criteria specified in the worksheet, you can submit a letter to the Admissions office. The letter must be compelling and document your circumstances.

My dad and I moved here last year when he married a woman who has lived in Florida for many years; she is now my stepmom. Can her residency be used (i.e., she would be the claimant) so that I can qualify for in-state residency?

It depends. If your new stepmother has legally adopted you, then yes, her Florida residency would permit her to be the claimant. You would be asked to show legal adoption papers. If she has not legally adopted you, then you will have to use your dad as the claimant.

7 - Residency Affidavit

Submit the Residency Affidavit on the following page along with supporting documents to:

1. MTEC Admissions/Registrar's Office
2. Admissions/Registrar's Office by FAX at 727-774-1791.