

**STATE UNIVERSITY SYSTEM OF FLORIDA
BOARD OF GOVERNORS
Academic and Student Affairs Committee
June 18, 2015**

SUBJECT: Public Notice of Intent to Amend Board of Governors Regulation 7.005
Residency for Tuition Purposes

PROPOSED COMMITTEE ACTION

Consider approval of the public notice of intent to amend Board of Governors
Regulation 7.005 Residency for Tuition Purposes

AUTHORITY FOR BOARD OF GOVERNORS ACTION

Article IX, Section 7, Florida Constitution and Board of Governors Regulation
Development Procedure

BACKGROUND INFORMATION

Regulation 7.005 provides clarification of statewide residency for tuition purposes. New language to section (2) relating to the Residency Declaration has been added, clarifying that verification of whether a student is a dependent child can be satisfied if the parent declares on a Residency Declaration, electronically or in other form, that the student is eligible to be claimed as a dependent by the parent under the federal income tax code. In addition to minor technical changes elsewhere in regulation, the amendment to section (5) conforms with applicable federal law relating to the eligibility or ineligibility of immigrants and non-immigrants to establish residency for tuition purposes. Also included is language consistent with current practice and the *Ruiz* decision that U.S. citizen students who are dependent upon their parent(s) cannot be denied classification as a resident for tuition purposes solely on the parent's immigration status.

Following input by the SUS Admission and Registrar's Committee, this regulation was reviewed by the university general counsels, Council of Academic Vice Presidents, Council of Student Affairs, and other state university staff. Pursuant to the regulation procedure adopted by the Board at its meeting on March 23, 2006, the Board is required to provide public notice by publication on its Internet Web site at least 30 days before adoption of the proposed regulation.

Supporting Documentation Included: Amended Regulation 7.005

Facilitators / Presenters: Governor Norman Tripp