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Memorandum Number 03-11

March 6, 2003

MEMORANDUM

TO: Community College Presidents

FROM: J. David Armstrong, Jr.

SUBJECT: Classification of Residency for Tuition Purposes

Earlier this week, staff of the Office of Program Policy Analysis and Government Accountability (OPPAGA) presented preliminary findings of their evaluation of criteria and procedures used by community colleges and state universities in determining "Residency for Tuition Purposes". I think it is important for you all to be familiar with these findings and respond by reviewing your college's policies to (1) ensure your institution is in compliance with law and (2) seek ways to improve operational practice.

OPPAGA described the following overall conclusions:

- Residency criteria are unclear and inconsistently applied, jeopardizing the accuracy of residency determinations.
- Classifying a non-resident student as a resident results in lost tuition revenue. Strict residency criteria could generate an additional \$28 million in tuition each year.
- Where criteria are clear, there were some misclassifications of non-residents as Florida residents.

J. DAVID ARMSTRONG, JR.

Chancellor, Community Colleges

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FLORIDA COMMUNITY COLLEGE SYSTEM

PUTTING MINDS TO WORK

Memorandum Number 03-11
Page Two
March 6, 2003

As I mentioned in your February 28th Council of Presidents meeting, my staff and I met with OPPAGA staff prior to the release of their preliminary observations. We discussed OPPAGA's concern over ambiguities in law, inconsistencies in application, and possible recommendations for remedy. We expressed our interest in preserving and/or establishing appropriate policies that recognize the nature of our workforce and community college students. We suggested broad policy be clarified in law with further guidelines established with the work of the Residency Committee of the Articulation Coordinating Committee.

OPPAGA's report will soon be released to the Department of Education for a response, which will be attached as a component of the final report. We will see at that time if our conversation with OPPAGA staff will be recognized. Meanwhile, I feel it is important for you to be aware of the main findings:

- Although statute requires 12 months residence prior to qualification for residency, criteria in guidelines, rule, and law provide insufficient guidance in determining student intent or dependency status (Section 1009.21, Florida Statutes and Rule 6A-10.044, Florida Administrative Code).
- Because of the ambiguity, institutions are applying varying criteria, from use of one or two basic Florida documents (such as a driver's license and voter registration), to additional proof of intent to establish domicile (such as employment records, purchasing a Florida home, etc.).
- While there may be informal peer reviews, formal quality assurance processes and/or guidelines are lacking at the local level regarding review and evaluation of residency decisions.

Please review your college's policies/guidelines/procedures with respect to the above-stated findings. I have directed my staff to work with your Registrars – through a workshop, phone conference call, or other mechanism – to invite the input of OPPAGA's staff on their findings, generate a discussion of best practices among our colleges, and provide technical assistance in implementing model practices.

I am proud that our community colleges are the best in the state in providing access to students that otherwise would not have the opportunity nor the ability to pursue their educational dreams, but we must be sure we are adhering to the law in supporting that goal.

I will notify you when the final OPPAGA report is available. Please feel free to contact me if you have questions. Thank you for your attention to this important policy matter.

JDA/tkc

c: Commissioner Jim Horne
Acting Chancellor R.E. LeMon