

Residency Classification for International Students

As of July 1, 2009 all non-resident graduate students must have established residency in Florida for 12 consecutive months prior to enrollment in an institution of higher learning. The new residency law will take effect on July 1, 2009 and may have the effect of preventing out-of-state students from reclassifying as residents for tuition purposes while continuously enrolled at USF.

Certain non-U.S. Citizens who have applied for and been approved for such status and who otherwise meet the 12 consecutive months legal residence requirements prior to enrollment in an institution of higher learning, to be eligible to establish Florida residency for tuition purposes. Persons in non-immigrant visa categories not listed herein shall be considered ineligible to establish Florida residency.

The following **Non-U.S. citizens** shall be considered eligible to establish Florida residency for tuition purposes:

1. permanent resident aliens
2. parolees
3. asylees
4. refugees
5. or other permanent status persons (e.g., conditional permanent residents and temporary permanent resident aliens), who have applied to and have been approved by the U.S. Bureau of Citizenship and Immigration Services (<http://www.uscis.gov/portal/site/uscis>) with no date certain for departure

Visa categories and U.S. Bureau of Citizenship and Immigration Services classifications:

1. Visa category A - Government official.
2. Visa category E - Treaty trader or investor.
3. Visa category G – Representative of international organization.
4. Visa category H-1 – Temporary worker performing professional nursing services or in a specialty occupation.
5. Visa category I – Foreign information media representative.
6. Visa category K – Fiancé, fiancée, or a child of a United States citizen(s).
7. Visa category L – Intracompany transferee (including spouse or child).
8. Visa Category N – Parent or child of alien accorded special immigrant status.
9. Visa Category O-1 – Workers of “extraordinary” ability in the sciences, arts, education, business, or athletics.
10. Visa category O-3 – Only if spouse or child of O-1 alien.
11. Visa category R – Religious workers.
12. Visa category NATO I-7 – Representatives and employees of NATO and their families.
13. Visa category T – Victims of trafficking, who cooperate with federal authorities in prosecutions of traffickers, and their spouses and children.
14. Visa category V – Spouses and children of lawful permanent residents.

Non-U.S. citizens who fall within the following categories shall also be considered eligible to establish Florida residency for tuition purposes:

1. Citizens of Micronesia.
2. Citizens of the Marshall Islands.
3. Beneficiaries of the Family Unity Program.
4. Individuals granted temporary protected status.
5. Individuals granted withholding of deportation status.
6. Individuals granted suspension of deportation status or cancellation of removal.
7. Individuals granted a stay of deportation status.
8. Individuals granted deferred action status.
9. Individuals granted deferred enforced departure status.
10. Applicants for adjustment of status.
11. Asylum applicants with U.S. Bureau of Citizenship and Immigration Services receipt or Immigration Court stamp.