Regents’ Policies Governing Classification of Students for Tuition Purposes: Under the Constitution and the laws of Georgia, the Board of Regents of the University System of Georgia was created to govern, control, and manage a system of public institutions providing quality higher education for the Georgia citizens. The State, in turn, receives substantial benefit from individuals who are attending or who have attended these institutions through their contributions to the civic, political, economic and social advancement of the citizens of Georgia. Because of the overwhelming amount of financial support supplied by the citizens of Georgia, the determination of whether a student is a resident or a non-resident of Georgia is a significant matter. The tuition paid by in-state students covers about one-fourth of the total cost of their education in Georgia. Georgia taxpayers are therefore contributing 75 percent of the funds for quality education in the state. State colleges and universities often assign out-of-state students a higher tuition rate in an attempt to achieve parity between those who have and those who have not contributed to the state’s economy recently. The courts consider the durational residency requirement (usually 12 consecutive months) imposed by most states to be a reasonable period during which the new resident can make tangible or intangible contributions to the state before attending state colleges as an in-state student. The term “resident” is confusing because it can refer to voter registration, driver’s license, automobile registration, income taxes and other matters. A student may be a resident of Georgia for some purposes, but not entitled to in-state tuition fees. Courts have consistently upheld the right of these institutions to charge out-of-state students higher rates. The courts have also upheld the institution’s right to adopt reasonable criteria for determining in-state status. Through the resident and non-resident fees, the taxpayers of Georgia are assured that they are not assuming the financial burden of educating non-permanent residents.

If a person has moved to the state of Georgia for the purpose of attending a Georgia educational institution, it is difficult for that person to prove his/her intent to become a legal resident of the state. (The American Heritage Dictionary of the English Language defines intent in the following manner: n. 1. That which is intended; aim; purpose.)

Verification of Lawful Presence

Each University System institution shall verify the lawful presence in the United States of every successfully admitted person applying for resident tuition status as defined in Section 7.3 of the University System of Georgia Board of Regents Policy Manual which can be found at www.usg.edu/policymanual (https://www.usg.edu/policymanual). Institutions may use a number of different methods to verify the lawful presence of their students. The methods include the following:

- A current ID or drivers’ license issued by the State of Georgia after January 1, 2008. A limited term license or an expired license is not acceptable.
- A certified U.S. birth certificate showing that the student was born in the U.S. or a U.S. Territory. A photo copy is not acceptable. You may obtain a certified copy through the Health Department in the county in which the student was born. (MUST BE PRESENTED IN PERSON)
- A U.S. Certificate of Birth Abroad issued by the department of state or a Consular Report of Birth Abroad.
- A U.S. Certificate of Naturalization or Certificate of Citizenship
- A current U.S. Passport
- A current Military ID (only valid for military personnel, not their dependents) (MUST BE PRESENTED IN PERSON)
- A current Permanent Resident Alien Card

The Office of Student Affairs of the University System of Georgia has developed a web page to provide students, parents, and high school counselors with information about the lawful presence requirement. This page can be accessed by going to www.usg.edu/student_affairs/students/verification_of_lawful Presence (http://www.usg.edu/student_affairs/%20students/verification_of_lawful_presence).

Petition for Classification of Students for Tuition Purposes

1. If a person is 18 years of age or older, he or she may register as an in-state student only upon showing that he or she has been a legal resident of Georgia for a period of at least 12 months immediately preceding the date of registration.

Exceptions:

a. A student who previously held residency status in the state of Georgia but moved from the state then returned to the state in 12 or fewer months.

2. A student must independently make an income of $11,600+ to be considered for in-state residency approval (For more details about this rule set by the BOR, visit this website (https://aspe.hhs.gov/poverty-guidelines)). If the student is basing his/her petition on his/her parent, guardian or spouse, the income rule would apply to the person supporting the dependent student.

3. No emancipated minor or other person 18 years of age or older shall be deemed to have gained or acquired in-state status for tuition purposes while attending any educational institution in this state, in the absence of a clear demonstration that he or she has in fact established legal residence in this state.

4. If a parent or legal guardian of a student changes his or her legal residence to another state following a period of legal residence in Georgia, the student may retain his or her classification as an in-state student as long as he or she remains continuously enrolled in the University System of Georgia, regardless of the status of his or her parent or legal guardian.

5. In the event that a legal resident of Georgia is appointed by a court as guardian of a nonresident minor, such minor will be considered as an in-state student providing the guardian can provide proof that he or she has been a resident of Georgia for the period of 12 months immediately preceding the date of the court appointment.

6. Aliens shall be classified as non-resident students, provided, however, that an alien who is living in this country under an immigration document permitting indefinite or permanent residence shall have the same privilege of qualifying for in-state tuition as a citizen of the United States upon proving 12-month residency period in Georgia.

Due to the requirement that a person prove his/her intent to become a legal resident of the state of Georgia, his/her petition may not be approved. The burden of proof is always on the student, and documentation is absolutely necessary to prove any claims. If his/her petition for legal residency for tuition purposes is denied, the student may appeal the decision to the Tuition Classification Committee.

SEMMESTER DEADLINES for submitting a Petition for Classification of Students for Tuition Purposes:

- Fall Semester - August 1st
- Spring Semester - November 1st
- Summer Semester - April 1st

Student Responsibilities

1. Student Responsibility to Register under Proper Classification

- The responsibility of being classified under the proper tuition classification belongs to the student. If there is any question of Tuition Classification or their right to in-state tuition status, it is their obligation, within the deadlines set on the residency website, to raise the question
An institution may waive out-of-state tuition and assess in-state tuition for:

1. **Academic Common Market.** Students selected to participate in a program offered through the Academic Common Market (www.usg.edu/divisions/academic_common_market/ (https://www.usg.edu/divisions/academic_common_market/)).

2. **Presidential.** Presidential waivers are divided into three categories:
   - (1) academic, (2) international, and (3) athletic. Students selected by the institutional president or an authorized representative, provided that the number of such waivers in effect does not exceed two percent of the equivalent full-time students enrolled at the institution in the fall term immediately preceding the term for which the out-of-state tuition is to be waived. Out-of-state students may apply by completing the MyScholarships application found at admissions.georgiasouthern.edu/scholarships'.
   - International students may apply on the International Admissions page at the following address: admissions.georgiasouthern.edu/requirements/international.

3. **University System Employees and Dependents.** For full-time employees of the University System, their spouses, and their dependent children.

4. **Full-Time Public School Employees.** For full-time employees in the public schools of Georgia or of the Technical College System of Georgia, their spouses, and their dependent children.

5. **Career Consular Officials.** Career consular officers, their spouses, and their dependent children who are citizens of the foreign nation that their consular office represents and who are stationed and living in Georgia under orders of their respective governments.

6. **Military Personnel.** Active duty military personnel, their spouses, and their dependent children who meet one of the following criteria:
   - The military sponsor is currently stationed in or assigned to Georgia;
   - The military sponsor previously stationed in or assigned to Georgia is reassigned outside of Georgia, and the student or students remain continuously enrolled in a Georgia high school, TCSG institution, or a USG institution;
   - The military sponsor is reassigned outside of Georgia and the spouse and dependent children remain in Georgia;
   - The military sponsor is stationed in a state contiguous to Georgia border and resides in Georgia;
   - Dependent children of a military sponsor previously stationed in or assigned to Georgia within the previous five years;
   - Dependent children of a military sponsor if the child completed at least one year of high school in Georgia; or,
   - Any student utilizing VA educational benefits transferred from a currently serving military member, even if the student is no longer a dependent of the transferor.

7. **Georgia National Guard and U.S. Military Reservists.** For active members of the Georgia National Guard, stationed or assigned to Georgia or active members of a unit of the U.S. Military Reserves based in Georgia, and their spouses and their dependent children.

8. **International and Domestic Exchange Program.** For any student who enrolls in a University System institution as a participant in an international or domestic direct exchange program that provides reciprocal benefits to University System students.

9. **Economic Advantage.** As of the first day of classes for the term, an Economic Advantage waiver may be granted under the following conditions:
   - U.S. Citizens, Permanent Residents, and Other Eligible Non-Citizens
     - Dependent students providing clear and convincing evidence that the student’s parent or U.S. court-appointed legal guardian relocated to the State of Georgia to accept full-time, self-sustaining employment. The relocation must be for reasons other than enrolling in an institution of higher education and appropriate steps to establish domicile in the state must be taken. The employment upon which the relocation was based must be held at the time the waiver is awarded.
   - Independent students providing clear and convincing evidence that they, or their spouse, relocated to the State of Georgia to accept full-time, self-sustaining employment. The relocation to the state must be for reasons other than enrolling in an institution of higher education and appropriate steps to establish domicile in the state must be taken. The employment upon which the relocation was based must be held at the time the waiver is awarded.
   - U.S. refugees, asylees, and other eligible non-citizens as defined by the federal Title IV regulations may be extended the same consideration for the Economic Advantage waiver as citizens and lawful permanent residents of the United States.

Waiver eligibility for the above qualifying students expires twelve (12) months from the date the waiver is awarded.

b. **Non-Citizens**
   - Non-citizen dependent students providing clear and convincing evidence that the student’s parent or U.S. court-appointed legal guardian relocated to the State of Georgia to accept full-time, self-sustaining employment and entered the state in a valid, employment-authorized status. The relocation must be for reasons other than enrolling in an institution of higher education and appropriate steps to establish domicile in the state must be taken. The employment upon which the relocation was based must be held at the time the waiver is awarded. Additionally, the non-citizen dependent student must provide clear evidence that the parent, or U.S. court-appointed legal guardian, is taking legally permissible steps to obtain lawful permanent resident status in the United States.

   - Non-citizen independent students must provide clear and convincing evidence that they, or their spouse, relocated to the state of Georgia to accept full-time, self-sustaining employment and entered the state in a valid, employment-authorized status. The relocation must be for reasons other than enrolling in an institution of higher education and appropriate steps to establish domicile in the state must be taken. The employment upon which the relocation was based must be held at the time the waiver is awarded. Additionally, non-citizen independent students must provide clear evidence that they, or their spouse, are taking legally permissible steps to obtain lawful permanent resident status in the United States.
Waiver eligibility for the above qualifying students may continue provided full-time, self-sustaining employment in Georgia and the employment-authorized status are maintained. Furthermore, there must be continued evidence of Georgia domicile and efforts to pursue an adjustment to United States lawful permanent resident status.

10. Recently Separated Military Service Personnel. For members of a uniformed military service of the United States who, within 3 years/36 months of separation from such service, enroll in an academic program and demonstrate an intent to become a permanent resident of Georgia. This waiver may also be granted to their spouses and dependent children. There is no limit to the number of terms a student may be awarded the Recently Separated Military Personnel waiver provided the student remains continuously enrolled.

11. Non-resident Student. As of the first day of classes for the term, a non-resident student can be considered for this waiver under the following conditions:
   a. Student under 24
      If the parent, or U.S. court-appointed legal guardian has maintained domicile in Georgia for at least 12 consecutive months and the student can provide clear and legal evidence showing the relationship to the parent or U.S. court-appointed legal guardian has existed for at least 12 consecutive months immediately preceding the first day of classes for the term. Under Georgia code, legal guardianship must be established prior to the student’s 18th birthday.
   b. Student 24 or Older
      If the student can provide clear and legal evidence showing relations to the spouse and the spouse has maintained domicile in Georgia for at least 12 consecutive months immediately preceding the first day of classes for the term. This waiver can remain in effect as long as the student remains continuously enrolled.

If the parent, spouse, or U.S. court-appointed legal guardian of a continuously enrolled non-resident student establishes domicile in another state after having maintained domicile in the State of Georgia for the required period, the non-resident student may continue to receive this waiver as long as the student remains continuously enrolled in a public postsecondary educational institution in the state, regardless of the domicile of the parent, spouse or U.S. court-appointed legal guardian.

12. Vocational Rehabilitation Waiver. For students enrolled in a University System of Georgia institution based on a referral by the Vocational Rehabilitation Program of the Georgia Department of Labor.


14. Border State Residents Waiver. Undergraduate student residents of Florida, South Carolina, North Carolina, Tennessee, and Alabama who have a primary campus of Armstrong or Liberty may receive the Border State Residents Waiver. Continuous enrollment on the Armstrong or Liberty campuses are required to maintain the waiver.

15. Border County Resident Waiver. Undergraduate student residents of Jasper and Beaufort counties in South Carolina who have a primary campus of Armstrong or Liberty may receive the Border County Resident Waiver.

Special Institutional Fee Waiver

Special Institutional Fee Waiver for Active Duty U.S. Military Students

This fee waiver eliminates the Special Institutional Fee charged by University System of Georgia institutions. If approved to receive the waiver, the active duty military member will be awarded the waiver for three consecutive terms (one academic year).

Eligibility:
- Members of the United States Reserve Components serving on active duty or full-time training duty.
- Members of the Georgia National Guard who are employed full-time by the Georgia National Guard.
- Members of the Georgia National Guard who have been called into active service by the Governor of the State of Georgia.

Waiver of Mandatory Fees

Waiver of Mandatory Fees for U.S. Military Reserve and Georgia National Guard Combat Veterans

1. Eligibility. Eligible participants must be Georgia residents who are active members of the U.S. Military Reserves and/or the Georgia National Guard and were deployed overseas for active service in a location or locations designated by the U.S. Department of Defense as combat zones on or after September 11, 2001 and served for a consecutive period of 181 days, or who received full disability as a result of injuries received in such combat zone, or were evacuated from such combat zone due to severe injuries during any period of time while on active service. Additionally, eligible participants must meet the admissions requirements of the applicable USG institution and be accepted for admission.

2. Benefits. Eligible participants shall receive a waiver of all mandatory fees charged by USG institutions including, but not limited to, intercollegiate athletic fees, student health services fees, parking and transportation (where such fees are mandated for all students), technology fees, student activity fees, fees designated to support leases on facilities such as recreation centers, parking decks, student centers and similar facilities, and any other such mandatory fees for which all students are required to make payment. Students receiving this waiver shall be eligible to use the services and facilities these fees are used to provide. This benefit shall not apply to housing, food service, any other elective fees, special fees or other user fees and charges (e.g., application fees).

An institution may waive mandatory fees, excluding technology fees, for:

1. Students who reside or study at another institution.
2. Students enrolled in practicum experiences (e.g., student teachers) or internships located at least 50 miles from the institution.
3. Students enrolled in distance learning courses or programs who are not also enrolled in on-campus courses nor residing on campus. If a student is enrolled in courses from more than one institution during the same term, only the home institution will charge the approved technology fee to the student. Students who participate in distance education offerings as transient students will not be charged a technology fee by the transient institution. No separate technology fee shall be established for collaborative distance learning courses or programs.
4. Students enrolled at off-campus centers, except that the institution shall be authorized to charge select fees to these students for special services subject to approval by the Board of Regents.