

# POLICY FOR CLASSIFICATION OF STUDENTS FOR TUITION

## Policy for Classification of Students for Tuition Purposes and Out-of-State Waivers

Each University System school shall verify the lawful presence in the United States of every student applying for in-state tuition. Only those students verified to be lawfully present in the United States and meet Georgia domicile requirements per Policy 4.3.2, may be classified a in-state. Methods for verifying lawful presence are listed below. Student may provide copy of one of the following:

- A Certified U.S. Birth Certificate showing the student was born in the U.S. or a U.S. territory. A photocopy is not acceptable. The original document must be presented and copy will be made in the Office of Enrollment Services.
- A U.S. Certificate of Naturalization (USCIS form N#550 or N#570).
- A U.S. Certificate of Citizenship (USCIS form N#560 or N#561).
- A U.S. Certificate of Birth Abroad issued by the Department of State (DS# 1350) or a Consular Report of Birth Abroad (FS#240).
- A current U.S. Passport.
- A current Driver's License issued by the State of Georgia after January 1, 2008.
- A current ID issued by the State of Georgia after January 1, 2008.
- A current military ID (service member only, not dependent) Documented using the Confirmation of Review of Military ID Worksheet. A photocopy is not acceptable.
- A current, valid Permanent Resident Card (USCIS form I#151 or I#551)

The following rules are adopted by the University System of Georgia for determining residency for tuition purposes and are subject to periodic change by Board action.

### United States Citizen Students

**Independent Student** An individual who is not claimed as a dependent on the federal or state income tax returns of a parent or United States court appointed legal guardian and whose parent or guardian has ceased to provide support and rights to that individual's care, custody and earnings.

- An independent student who has established and maintained a domicile in the State of Georgia for a period of at least 12 consecutive months immediately preceding the first day of classes for the term shall be classified as "in-state" for tuition purposes.
- No student shall gain or acquire in-state classification while attending any postsecondary educational institution in this state without clear evidence of having established domicile in Georgia for purposes other than attending a postsecondary educational institution in this state.

**Dependent Student** An individual under the age of 24 who receives financial support from a parent or United State court appointed legal guardian.

- A dependent student shall be classified as in-state for tuition purposes if such dependent student's parent has established

and maintained domicile in the State of Georgia for at least 12 consecutive months immediately preceding the first day of classes for the term and (a) the student has graduated from a Georgia high school; or (b) the parent claimed the student as a dependent on the parent's most recent federal or state income tax return.

- A dependent student shall be classified as in-state for tuition purposes if such student's United States court appointed legal guardian has established and maintained domicile in the State of Georgia for at least 12 consecutive months immediately preceding the first day of classes for the term, provided that such appointment was not made to avoid payment of out-of-state tuition and the U.S. court-appointed legal guardian can provide clear evidence of having established and maintained domicile in the State of Georgia for a period of at least 12 consecutive months immediately preceding the first day of classes for the term.

If the parent or United States court appointed legal guardian of a dependent student currently classified as in-state for tuition purposes establishes domicile outside of the State of Georgia after having established and maintained domicile in the State of Georgia, such student may retain his or her in-state tuition classification as long as such student remains continuously enrolled in a public postsecondary educational institution in this state, regardless of the domicile of the such student's parent or United States court-appointed legal guardian.

### Noncitizens

A noncitizen student shall not be classified as in-state for tuition purposes unless the student is legally in this state and there is evidence to warrant consideration of in-state classification as determined by the Board of Regents. Lawful permanent residents, refugees, asylees, or other eligible noncitizens as defined by federal Title IV regulations may be extended the same consideration as citizens of the United States in determining whether they qualify for in-state classification. International students who reside in the United States under nonimmigrant status conditioned at least in part upon intent not to abandon a foreign domicile shall not be eligible for in-state classification.

### Financially Self-Sustaining Income Students

To establish financial self-sustaining income status, an independent student must meet the Department of Health and Human Services (HHS) Poverty Guidelines stated below. Most recent year's income tax returns may be submitted to substantiate financial self-sufficiency status. If income is less than poverty guideline amounts, student must provide supporting documentation of the other sources(s) of financial assistance

#### Examples:

- A student earning less than \$10,000 a year but living with his/her grandmother who does not charge rent or utilities may be considered for in-state classification provided he/she provides documentation of the support, as well as other documentation demonstrating that domicile in Georgia has been maintained for at least 12 consecutive months immediately preceding the first day of classes. As with all cases, in this example it would be important to consider the student's reason for coming to the state, whether domicile has been established and whether the student was claimed as a dependent on his or her parent's non-Georgia taxes.
- A student filing a Georgia income tax return showing an income of \$1,500 for the last reported year does not earn an income sufficient to be considered self-sufficient. The student is probably receiving financial support and the source of the support must be considered.

### Current HHS Poverty Guidelines

Persons in Family or Household	48 Contiguous States and D.C.
1	\$15,060
2	\$20,440
3	\$25,820
4	\$31,200
5	\$36,580
6	\$41,960
7	\$47,340
8	\$52,720

For each additional person over 8 in the family/household add: \$5,380 per person

### Out-of-State Tuition Waivers

Under certain conditions a nonresident of Georgia may be granted an out-of-state tuition differential waiver for in-state tuition. Qualifying students must be able to provide proof of lawful presence in the U.S. Waivers are as follows:

- 1. Presidential Waiver.** There are three categories of Presidential waivers; Academic, International and Athletic. Athletic waivers are limited to 1/3 of the total number of waivers. The number of waivers will be determined as 2% of the previous Fall semester's enrollment. Students who are currently receiving an SOOS or International Waiver will continue to be eligible as long as they remain continuously enrolled and continue to meet the eligibility requirements under which they were awarded. Students who do not maintain continuous enrollment will be reevaluated under the new standards. Students who are eligible for more than one category must choose which category they are applying for and will remain in that category until their studies at DSC are complete or they become eligible to be classified as legal residents of the state. Applications for Presidential Waivers will not be reviewed for eligibility until the admissions process is complete. Students admitted on a conditional basis (limited admission) are not eligible for a Presidential Waiver. Failure to maintain the specified level of academic performance shall result in the student being placed in a two-semester probationary period for waiver purposes. The student shall be eligible to maintain a waiver during this probationary period but shall be ineligible for the waiver if the student is not able to achieve the specified GPA during the first probationary term or is mathematically unable to meet the required GPA by the end of the probationary period. **Academic Category:** 3.0 HS GPA from a USG recognized high school program. Non-traditional students must exempt learning support requirements. 2.5 transfer GPA and exemption from learning support requirements for students with less than 30 transferable (semester) hours. Transfer students with more than 30 transferable hours must have completed ENGL 1101 or its equivalent and the appropriate Area A Math course. Students who receive the Academic Waiver must maintain a 2.5 SAP GPA. **International Category:** 3.0 HS GPA or its equivalent for incoming freshmen international students and a minimum 450CR/500M/19ACTE/21ACTM. GPA may be validated by SAT/ACT score. (500CR/500M/21ACTE/21ACTM). Students who receive the International Waiver must maintain a 2.5 SAP GPA. **Athletic Category:** 2.0 HS GPA or its equivalent. Conditionally admitted students are not eligible for the Athletic Waiver. Students applying for the Athletic waiver must meet all categories of the SAP (Satisfactory Academic Progress) to include Quantitative and Qualitative requirements. Transfer students must have a 2.0 GPA.
- 2. Border Residents: Border County Waivers:** Students domiciled in an out-of-state county bordering Georgia and enrolling in a program offered at a location approved by the Board of Regents for which the offering institution has been granted permission to award Border County Waivers; or, **Border State Waivers:** Students domiciled in Tennessee.
- 3. Economic Development: (a)** Students who are certified by the Commissioner of the Georgia Department of Economic Development as being part of a competitive economic development project. **(b)** 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 noncitizens 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. **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. **(c)** Students who are employees of Georgia-based corporations or organizations that have contracted with the Board of Regents through USG institutions to provide out-of-state tuition differential waivers. **(d)** Students enrolled in a USG institution based on a referral

by the Vocational Rehabilitation Program of the Georgia Department of Labor or the Department of Veterans Affairs. (e) 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

4. **Employee:** (a) Full-time employees of the University System, their spouses, and their dependent children. (b) Full-time employees of the public schools of Georgia or the Technical College System of Georgia (TCSG), their spouses, and their dependent children. (c) Teachers employed full-time on military bases in Georgia.
5. **Active Duty Military Personnel.** Active duty military personnel, their spouses, and their dependent children who meet one of the following criteria: (a) The military sponsor is currently stationed in or assigned to Georgia; (b) 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; (c) The military sponsor is reassigned outside of Georgia and the spouse and dependent children remain in Georgia; (d) The military sponsor is stationed in a state contiguous to the Georgia border and resides in Georgia; (e) Dependent children of a military sponsor previously stationed in or assigned to Georgia within the previous five years; (f) Dependent children of a military sponsor if the child completed at least one year of high school in Georgia; or, (g) 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.
6. **Georgia National Guard and U.S. Military Reservists.** 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.
7. **Separated Military.** Separated military members from a uniformed military service of the United States who meet one of the following: (a) Individuals who within 36 months of separation from such service enroll in an academic program and demonstrate intent to become domiciled in Georgia. This waiver may also be granted to their spouses and dependent children. (b) Any separated service member or any student utilizing transferred VA educational benefits and physically residing in the state; (c). Any individual as described in 38 U.S.C. 3679(c).
8. **Reciprocal:** (a) Students selected to participate in programs offered through the Academic Common Market. (b) Any student who enrolls in a USG institution as a participant in an international or domestic direct exchange program that provides reciprocal benefits to USG students. (c) Any student who enrolls in a USG study-abroad program to include programs outside the State of Georgia but within the United States and study abroad programs outside the United States. Tuition and fees charged study abroad students shall be consistent with the procedures established in the USG Business Procedures Manual ([https://www.usg.edu/business\\_procedures\\_manual/](https://www.usg.edu/business_procedures_manual/)) and as determined by the institution President.
9. **Non-Resident Student.** As of the first day of classes for the term, a non-resident student can be considered for the waiver under the following conditions:
  - a. **Students under the age of 24.**
    - If the parent, or United States court-appointed legal guardian has maintained domicile in Georgia for at least twelve (12) consecutive months and the student can provide clear and legal evidence showing the relationship to the parent or United States court-appointed legal guardian has existed

for at least twelve (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; or

- If the student can provide clear and legal evidence showing a familial relationship 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.

b. **Students 24 years of age and older.**

- If the student can provide clear and legal evidence showing a familial relationship to the spouse and the spouse has maintained domicile in Georgia for at least twelve (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 regardless of the domicile of the parent, spouse, or United States court-appointed, legal guardian..

**Please visit our website at** <https://www.daltonstate.edu/academics/registrar/current-and-former-student-forms/> for all residency applications and forms.