



University System of Georgia Petition for Classification of Students for Tuition Purposes

INSTRUCTIONS

University System of Georgia students are responsible for registering under the proper tuition classification. Students who have been classified as out-of-state for tuition purposes and believe they are entitled to be classified in-state for tuition purposes may petition the institution for a change of status. For more information about the classification of students for tuition purposes, see Board of Regents Policy Manual, section 403.02 Classification of Students for Tuition Purposes (<http://www.usg.edu/regents/policymanual/400.phtml>). For petition filing dates, consult with the Tuition Classification Officer at the institution to which you have applied for admission.

Who should file this petition?

This petition should be submitted **only** if you have already been notified that you have been classified as out-of-state for tuition purposes and you think that further information could alter that decision.

You must demonstrate that you, your parent, your spouse or your court appointed guardian (if you are a minor) is a legal resident of Georgia. You may establish this claim by providing documentation to support the definition established by the Board of Regents. **Please note that establishing in-state status for tuition purposes as defined by the Board of Regents is different than residency for purposes of such things as voting, having a GA license/tag etc., and requires more than establishing eligibility to vote, securing a driver's license, and/or paying taxes.**

Who has the best claim for in-state status for tuition purposes?

You, your parent, your spouse or your court-appointed guardian should meet **ALL** the following criteria:

- The person has always resided in Georgia or can demonstrate that they currently reside in Georgia and residence in any other state or country has been abandoned. Maintenance of ties with another state or country will contribute to an out-of-state classification and include such things as: financial support from a person who is a resident of another state or country, payment of income taxes to another state, registering a vehicle or securing a driver's license in another state or country.
- The person has lived in Georgia for the 12 consecutive months immediately preceding the start date for the term and their 12-month durational requirement has not included time attending any higher educational institution in Georgia on a full-time basis.
- The person can demonstrate that they moved to Georgia for purposes other than attending any educational institution in the State of Georgia.
- The person can demonstrate economic self-sufficiency and has contributed to the state by paying meaningful taxes.
- The person is a U.S. citizen, Resident Alien or is in a visa status permitting indefinite or permanent residence in the United States.

List of Documents which may be necessary:

1. A letter/statement from your employer(s) verifying any employment during the last 12 months. The letter/statement should indicate dates of employment and whether you had full or part-time employment. The letter/statement should be on company letterhead or be notarized.
2. A copy of the lease or deed for your residence(s) during the past 12 months, receipts from the payment of property taxes. **If the lease or deed is not in your name**, please also provide a notarized statement from the person who is on the lease stating that you do/did in fact live with him/her and for how long you have/had continuously resided with this person.
3. A Certified copy of your last Georgia income tax return from the Georgia Department of Revenue and a statement of intent to file current year tax (January –April, please include copies of past years W-2's). A copy of your parent's, guardian's or spouse's income tax return. If your parents, guardian, or spouse are Georgia residents, please also include a certified copy of their last Georgia income tax return.

4. Homestead exemption documents.
5. Verification of voter registration. (not sufficient by itself)
6. A valid vehicle registration for the State of Georgia. (not sufficient by itself)
7. A valid Georgia Driver's License. (not sufficient by itself)
8. Verify or provide copies of home of military record, military orders in Georgia, military I.D., and LES.
9. Copies of guardianship paperwork. (court orders)
10. If basing residency claim on marriage to a Georgia resident, a copy of your marriage certificate.
11. A copy of your permanent resident alien card (both sides), and/or documentation of any other visa status. If your permanent resident status or visa has been in place for less than 12 months, prior to the semester in question, please document your prior visa status.
12. A copy of your birth certificate or other legal documentation.
13. A copy of business or professional license(s) in Georgia.
14. Documentation of family, social, civic, or governmental ties in the State of Georgia which evidence intent to remain permanently.
15. Any other documentation that you may feel is relevant to your status.

Petitions for Classification of Tuition should be submitted to the Admissions Office prior to the first day of classes for the term for which the student seeks to pay fees as an in-state student. Requests for tuition waivers must be received in the appropriate office no later than the last day to pay fees for the term for which the out-of-state tuition is to be waived. *Petitions or requests for waivers submitted after that date will not be considered for the term.*



University System of Georgia

Policy for Classification of Students

for

Tuition Purposes and Out-of-State Waivers

Under the Constitution and 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 benefit of Georgia citizens. The state, in turn receives a substantial benefit from individuals who are attending or who have attended these institutions through their significant contributions to the civic, political, economic, and social advancement of the citizens of the State of Georgia.

The Board of Regents has adopted the following policies governing the classification of students as in-state and out-of-state for tuition purposes. (Effective Fall 2007)

403.02 Classification Status for Tuition Purposes

403.02 CLASSIFICATION OF STUDENTS FOR TUITION PURPOSES

Description of Terms Used in the Policy

1. Dependent Student – an individual under the age of 24 who receives financial support from a parent or United States court appointed legal guardian.
2. Emancipated – a minor who, under certain circumstances, may be treated by the law as an adult. A student reaching the age of 18 shall not qualify for consideration of reclassification by virtue of having become emancipated unless he or she can demonstrate financial independence and domicile independent of his or her parents
3. 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 individuals' care, custody, and earnings.

The other terms used in the Tuition Classification Policy can be found in the Glossary of Terms for Classification of Students for Tuition Purposes.

United States Citizens

A. Independent Students

1. 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.

2. If an independent student classified as in-state for tuition purposes relocates out of state temporarily but returns to the State of Georgia within 12 months of the relocation, such student shall be entitled to retain his or her in-state tuition classification.

B. Dependent Students

1. 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.
2. A dependent student shall be classified as in-state for tuition purposes 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.

3. 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 so long as such student remains continuously enrolled in a public postsecondary educational institution in this state, regardless of the domicile of such student's parent or United States court-appointed legal guardian.

Noncitizen Students

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.

O.C.G.A. 20-3-66 approved/effective 07/01/2008 (Board Minutes 8-2008)

704.041 Out-of-State Tuition Waivers

Under certain conditions an institution may award out-of-state tuition differential waivers and assess in-state tuition for nonresidents of Georgia.

- A. Academic Common Market. (<http://www.sreb.org/programs/acm/acmindex.asp>) Students selected to participate in a program offered through the Academic Common Market.
- B. International and Superior Out-of-State Students. International students and superior out-of-state students selected by the institutional president or an authorized representative, provided that the number of such waivers in effect does not exceed 2% 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.
- C. University System Employees and Dependents. Full-time employees of the University System, their spouses, and their dependent children.
- D. Medical/Dental Students and Interns. Medical and dental residents and medical and dental interns at the Medical College of Georgia (BR Minutes, 1986-87, p. 340).
- E. Full-Time School Employees. Full-time employees in the public schools of Georgia or Technical College System of Georgia (BR Minutes, October 2008), their spouses, and their dependent children. Teachers employed full-time on military bases in Georgia shall also qualify for this waiver (BR Minutes, 1988-89, p. 43).
- F. 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.
- G. Military Personnel. Military personnel, their spouses, and their dependent children stationed in or assigned to Georgia and on active duty. The waiver can be retained by the military personnel, their spouses, and their dependent children if
 - a. the military sponsor is reassigned outside of Georgia, and the student(s) remain(s) continuously enrolled and the military sponsor remains on active military status;
 - b. the military sponsor is reassigned out-of-state and the spouse and dependent children remain in Georgia and the sponsor remains on active military duty; or
 - c. active military personnel and their spouse and dependent children who are stationed in a state contiguous to the Georgia border and who live in Georgia. (BR Minutes, February 2009).

- H. Research University Graduate Students. Graduate students attending the University of Georgia, the Georgia Institute of Technology, Georgia State University, and the Medical College of Georgia, which shall be authorized to waive the out-of-state tuition differential for a limited number of graduate students each year, with the understanding that the number of students at each of these institutions to whom such waivers are granted, shall not exceed the number assigned below at any one point in time:

University of Georgia	80
Georgia Institute of Technology	60
Georgia State University	80
Medical College of Georgia	20

- I. Border County Residents. Students domiciled in an out-of-state county bordering Georgia, enrolling in a program offered at a location approved by the Board of Regents and for which the offering institution has been granted permission to award Border County waivers (BR Minutes, October 2008).
- J. 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 (BR Minutes, October 2008).
- K. Students enrolled in University System institutions as part of Competitive Economic Development Projects. Students who are certified by the Commissioner of the Georgia Department of Economic Development as being part of a competitive economic development project.
- L. Students in Georgia-Based Corporations. Students who are employees of Georgia-based corporations or organizations that have contracted with the Board of Regents through University System institutions to provide out-of-state tuition differential waivers.
- M. Students in Pilot Programs. Terminated October 2008.
- N. Students in ICAPP[®] Advantage (<http://www.icapp.org/>) programs. Any student participating in an ICAPP[®] Advantage program.
- O. International and Domestic Exchange Programs. Any student who enrolls in a University System institution as a participant in an international and domestic direct exchange program that provides reciprocal benefits to University System students (BR Minutes, October 2008).
- P. Economic Advantage. As of the first day of classes for the term, an economic advantage waiver may be granted to a U.S. citizen or U.S. legal permanent resident who is a dependent or independent student and can provide clear evidence that the student or the student's parent, spouse, or U.S. court-appointed legal guardian has relocated to the State of Georgia to accept full-time, self-sustaining employment and has established domicile in the State of Georgia. Relocation to the state must be for reasons other than enrolling in an institution of higher education. For U.S. citizens or U.S. legal permanent residents, this waiver will expire 12 months from the date the waiver was granted.

As of the first day of classes for the term, an economic advantage waiver may be granted to an independent non-citizen possessing a valid employment-related visa status who can provide clear evidence of having relocated to the State of Georgia to accept full-time, self-sustaining employment. Relocation to the state must be for employment reasons and not for the purpose of enrolling in an institution of higher education. These individuals would be required to show clear evidence of having taken legally permissible steps toward establishing legal permanent residence in the United States and the establishment of legal domicile in the State of Georgia. Independent non-citizen students may continue to receive this waiver as long as they maintain a valid employment-related visa status and can demonstrate continued efforts to establish U.S. legal permanent residence and legal domicile in the State of Georgia.

A dependent non-citizen student who can provide clear evidence that the student's parent, spouse, or U.S. court-appointed legal guardian possesses a valid employment-related visa status and can provide clear evidence of having relocated to the State of Georgia to accept full-time, self-sustaining employment is also eligible to receive this waiver. Relocation to the state must be for employment reasons and not for the purpose of enrolling in an institution of higher education. These individuals must be able to show clear evidence of having taken legally permissible steps toward establishing legal permanent residence in the United States and the establishment of legal domicile in the State of Georgia. Non-citizen students currently receiving a waiver who are dependents of a parent, spouse, or U.S. court-appointed legal guardian possessing a valid employment-related visa status may continue to receive the waiver as long as they can demonstrate that their parent, spouse or U.S. court-appointed legal guardian is maintaining full-time, self-sustaining employment in Georgia and is continuing efforts to pursue an adjustment of status to U.S. legal permanent resident and the establishment of legal domicile in the State of Georgia (BR Minutes, amended October 2008).

- Q. Recently Separated Military Service Personnel. Members of a uniformed military service of the United States who, within 12 months of separation from such service, enroll in an academic program and demonstrate an intent to become domiciled in Georgia. This waiver may also be granted to their spouses and dependent children. This waiver may be granted for not more than one year (BR Minutes, June 2004, amended October 2008).
- R. Nonresident Student. As of the first day of classes for the term, a nonresident student can be considered for this waiver under the following conditions:
- Dependent Student. 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 (BR Minutes, October 2008).
- Independent Student. 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 (BR Minutes, October 2008).
- If the parent, spouse, or U.S. court-appointed legal guardian of a continuously enrolled nonresident student establishes domicile in another state after having maintained domicile in the State of Georgia for the required period, the nonresident 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 (BR Minutes, June 2006, amended October 2008).
- S. Vocational Rehabilitation Waiver. Students enrolled in a University System of Georgia institution based on a referral by the Vocational Rehabilitation Program of the Georgia Department of Labor (BR Minutes, October 2008).

Requests for tuition waivers must be received in the appropriate office no later than the last day to pay fees for the term for which the out-of-state tuition is to be waived. Petitions or requests for waivers submitted after that date will not be considered for the term.
Waivers must be renewed annually unless otherwise noted.



Glossary of Terms for Petition for Classification of Students for Tuition Purposes

The following definitions of terms apply in the determination of a student's classification for tuition purposes in the University System of Georgia.

- a. **Adoption** – A legally recognized relationship that creates a parent-child relationship between individuals who are not biologically related to each other.
- b. **Adult Student** – An emancipated individual, over the age of 18.
- c. **Asylee** – A foreign national who is unable or unwilling to return to his or her country of nationality because of persecution or a well-founded fear of persecution based on the alien's race, religion, nationality, membership in a particular social group, or political opinion. A stamp reading "Asylum status granted pursuant to Section 208, USCIS" affirms an individual's official status as an asylee.
- d. **Continuously enrolled student** – A student who makes satisfactory academic progress toward completion of a degree, diploma, or certificate program of study at a public postsecondary educational institution or accredited, bona fide study abroad program in the State of Georgia without a break in enrollment of more than one traditional academic semester (fall or spring). A student who is not enrolled for two or more consecutive traditional academic semesters is not considered to be a continuously enrolled student.
- e. **Dependent student** – An individual under the age of 24 who receives financial support from a parent or United States court appointed legal guardian.
- f. **Domicile** – A person's present, permanent home where that individual intends to stay indefinitely and to which that individual returns following periods of temporary absence. Domicile, once established, shall not be affected by mere transient or temporary physical presence in another state. No individual may have more than one domicile even though an individual may maintain more than one residence. Temporary residence does not constitute the establishment of one's domicile. To acquire domicile, an individual must demonstrate intent to remain permanently or indefinitely.
- g. **Durational Requirement** – The period of 12 consecutive months after the individual has established domicile and preceding the first day of classes for intended term of enrollment.
- h. **Emancipated** – A minor who under certain circumstances may be treated by the law as an adult. A student reaching the age of 18 shall not qualify for consideration of reclassification by virtue of having become emancipated unless he/she can demonstrate financial independence and domicile independent of his/her parents.
- i. **Eligible non-citizens** – Refugees, persons granted asylum, certain conditional entrants, persons paroled into the U.S. for at least one year who can demonstrate an intent to become a legal permanent resident, and Cuban-Haitian entrants.
- j. **Full-time employment** – An annual earned income reported for tax purposes which is equivalent to minimum wage earned by working forty hours per week during fifty work-weeks per year.
- k. **Immigrant** – A foreign national issued an immigrant visa by the Department of State overseas, or a foreign national who has adjusted to permanent resident status by U.S. Citizenship and Immigration Services in the United States. An immigrant is legally accorded the privilege of residing permanently in the United States.
- l. **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.
- m. **In-state tuition classification** – Status granted to a student, in accordance with the policies of the Board of Regents, who has been determined to be eligible to pay tuition at the in-state rate.

- n. International student – An individual who enters the United States temporarily for the purpose of attending an educational institution under a nonimmigrant visa status that does not permit long-term, indefinite or permanent residence in the United States.
- o. Lawful permanent resident – [also known as *Permanent Resident Alien*, *Resident Alien Permit Holder*, and *Green Card Holder*] A non-citizen residing in the United States under legally recognized and lawfully recorded permanent residence status as an immigrant.
- p. Legal guardian – An individual who has been granted custody of a dependent person (under the age of 24) by a court in the United States.
- q. Military personnel – Full-time members of the Armed Forces of the United States, including active-duty commissioned officers of the Public Health Service and the National Oceanic and Atmospheric Administration.
- r. Minor student – An unemancipated student under the age of 18 years of age.
- s. Non-citizen – A person who is not a U.S.-born or naturalized citizen of the United States.
- t. Nonimmigrant – A foreign national who maintains permanent residence abroad and seeks temporary entry to the United States. Nonimmigrant classifications include foreign government officials; visitors for business and for pleasure; aliens in transit through the United States; treaty traders and investors; students; international representatives; temporary workers and trainees; representatives of foreign information media; exchange visitors; fiancé(e)s of U.S. citizens; intra-company transferees; NATO officials; religious workers; witnesses or informants; victims of trafficking or certain crimes; NAFTA professionals; humanitarian parole status individuals; dependents of lawful permanent residents awaiting lawful permanent resident status; and Temporary Protected Status individuals. Nonimmigrant classifications which allow temporary presence in the United States but prohibit the establishment of domicile in the United States include visitors for business and for pleasure; aliens in transit through the United States; students; temporary workers and trainees; representatives of foreign information media; exchange visitors; and NAFTA professionals.
- u. Non-resident – A person who has not had an established domicile in the State of Georgia for a period of at least 12 months prior to the first day of classes for the term for which the person is intending to enroll at a postsecondary educational institution in Georgia.
- v. Nonresident alien – A person who is not a citizen or national of the United States and who is in the country on a visa or temporary basis and does not have the right to remain indefinitely.
- w. Out-of-state tuition classification – Status granted to a student, in accordance with the policies of the Board of Regents, who has been determined to be ineligible to pay tuition at the in-state rate.
- x. Out-of-state tuition waiver – A waiver of the difference in tuition paid by students classified as out-of-state and those classified as in-state for tuition purposes.
- y. Postsecondary educational institution – An institution of higher (tertiary) education, public or private, above the high-school level.
- z. Refugee – [See *Asylee*]
- aa. Residency – [See also *In-state tuition classification* and *Domicile*] Residency is the state and country where an individual currently lives. An individual may be residing in Georgia and may be classified as having established Georgia residency for securing marital status, a driver's license, or classification of taxpayer status but does not meet the qualifications to establish domicile in Georgia.
- bb. Title IV regulations - Federal regulations governing Title IV of the Higher Education Act of 1965, as amended by the Higher Education Amendments of 1998, found in Chapter Six of Title 34 of the Federal Register.
- cc. U.S. citizen – A person born in the United States, Puerto Rico, a U.S. Island Area, or abroad of American parent or parents; or a person who has become a United States citizen through naturalization.
- dd. U.S. national – A citizen of American Samoa and Swain's Island.

- C. I am a dependent student whose parent(s) have 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 for which I plan to enroll **and** I have been claimed as a dependent on the parent(s)' most recent federal or state tax return.
- D. I am a dependent student of a U.S. court-appointed legal guardian who 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 for which I plan to enroll and I can provided clear evidence that the appointment was not made to avoid payment of out-of-state tuition.
- E. I am an independent student who was previously classified as in-state and temporarily left the State of Georgia for less than 12 months.
- F. I am a dependent student classified as in-state for tuition purposes and I have been continuously enrolled even though my parent(s) or U.S. court-appointed legal guardian have elected to leave the State established domicile outside of Georgia.
- G. I (or my parents) am in the U.S. military and my home of record is Georgia.
- H. According to the U.S. Bureau of Citizenship and Immigration Services, I am a Permanent Resident or other eligible noncitizen under a visa status granting indefinite stay in the United States. I also qualify for: *(Select one from A-G above)*
 - A B C D E F G

(A copy of my visa paperwork: I-94, I-55, I-688, I-485, I-797, passport, etc is attached)

- I. I am a nonresident and I am requesting consideration for an out-of-state tuition differential waiver. *(Select one)*

<ul style="list-style-type: none"> <input type="checkbox"/> A Academic Common Market <input type="checkbox"/> B International and Superior Out-of-State Student <input type="checkbox"/> C University System of Georgia Employee and Dependents <input type="checkbox"/> D Medical/Dental Students and Interns <input type="checkbox"/> E Full-time School Employees <input type="checkbox"/> F Career Consular <i>(Requires an additional application form)</i> <input type="checkbox"/> G Military Personnel <i>(Requires an additional application form)</i> 	<ul style="list-style-type: none"> <input type="checkbox"/> H Research University Graduate Students <input type="checkbox"/> I Border County Resident <input type="checkbox"/> J GA Nat'l Guard & US Military Reservists <input type="checkbox"/> K Economic Development Project <input type="checkbox"/> L Georgia Based Corporation <input type="checkbox"/> N ICAPP Advantage <input type="checkbox"/> O Internat'l & Domestic Exchange Programs <input type="checkbox"/> P Economic Advantage <input type="checkbox"/> Q Recently Separated Military <input type="checkbox"/> R Non Resident Student <input type="checkbox"/> S Vocational Rehabilitation
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(Supporting documentation accompany this petition)

Oath and Affirmation

I, the undersigned, hereby swear or affirm to the authenticity of the information provided on all pages of this affidavit. I understand that any false or misleading information on this affidavit or provided in support of this affidavit may result in denial of admission or expulsion from the institution. I understand that it may also cause me to be billed for the out-of-state tuition. I hereby give permission for the institution to review or examine any and all documents and records, including any confidential loan forms and related data, which may assist in clarifying my in-state status.

Subscribed and sworn to before me this _____ day of _____ 20____

Notary Public

Commission Expires

Signature of person making affidavit

Petitions for Classification Students for Tuition Purposes should be submitted to the institution prior to the first day of classes for the term which the student seeks to pay fees as an in-state student. Requests for tuition waivers must be received no later than the last day to pay fees for the term for which the out-of-state tuition is to be waived.