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**BOARD OF REGENTS OF
THE UNIVERSITY SYSTEM OF GEORGIA**

August 13, 2021

Presidents
University System of Georgia
sent via email

Dear Presidents:

The Board of Regents of the University System of Georgia (USG) met on August 10, 2021, in Atlanta, Georgia. During this meeting, revisions were made to the following Board of Regents (BOR) policies:

Student Affairs

➤ **Board Policy 4.3.2 Classification of Students for Tuition Purposes**

Finance and Business

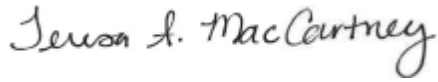
➤ **Board Policy 7.3.4.1 Out-of-State Tuition Waivers and Waiver of Mandatory Fees**

The revisions to Board Policy 4.3.2 were made to provide a definition for the term “student from a homeless situation” consistent with Georgia law and to establish a corresponding in-state tuition classification. Questions regarding this policy revision should be directed to Dr. Martha Venn who serves as the Vice Chancellor for Academic Affairs. Dr. Venn may be reached at martha.venn@usg.edu or (404) 962-3097.

The revisions to Board Policy 7.3.4.1 were made to ensure USG institutions remain compliant with 38 U.S.C. 3679(c). The Isakson and Roe Veterans Health Care and Benefits Act of 2020 amends 38 U.S.C. 3679(c) and removes the requirement that a covered individual (a student using VA educational benefits) enroll within 36 months of the separation to be eligible to pay at the in-state tuition rate. Provision 3.B. of the military out-of-state tuition waiver provided in Section 7.3.4.1 of the Policy Manual permits the USG institutions to be compliant with 38 U.S.C. 3679(c) by allowing covered individuals classified as out-of-state to pay at the in-state tuition rate; however, the policy currently indicates that the covered individual must enroll within 120 months of the separation. This requirement must be removed for the policy to remain compliant with 38 U.S.C. 3679(c). Questions regarding this policy revision should be directed to Dr. Martha Venn who serves as the Vice Chancellor for Academic Affairs. Dr. Venn may be reached at martha.venn@usg.edu or (404) 962-3097.

The effective date of these policy revisions is August 10, 2021. Attached as an Exhibit is a document that shows the language added / deleted from each policy. Please share widely with the appropriate offices at your institution to include Academic Affairs, Student Affairs, Business and Finance, Legal Affairs, Audit and Compliance.

Sincerely,



Teresa MacCartney
Acting Chancellor

cc: Dr. Tristan Denley, Executive Vice Chancellor for Academic Affairs
Ashley Jones May, Chief of Staff and Vice Chancellor for External Affairs
Claire Arnold, Vice Chancellor for Internal Audit, Chief Audit Officer
Dr. John Fuchko, III, Vice Chancellor for Organizational Effectiveness
Dr. Juanita Hicks, Vice Chancellor for Human Resources
Sandra Neuse, Vice Chancellor for Real Estate and Facilities
Dr. Joyce Jones, Vice Chancellor for Student Affairs
Jonathan Piersol, Vice Chancellor and Chief Information Officer
Karen McCauley, Vice Chancellor of Development
Aaron Diamant, Vice Chancellor for Communications
Edward Tate, Vice Chancellor of Legal Affairs and Secretary to the Board
Dr. Martha Venn, Vice Chancellor for Academic Affairs
Brooke Bowen, Senior Legal Counsel
Sarah Wenham, Director of Student Enrolment Services
Wesley Horne, Director of Ethics and Compliance
Institutional Chief Enrollment Management Officers
Institutional Chief Business Officers
Institutional Legal Officers
Institutional Effectiveness Leads
Institutional Tuition Classification Officers

Exhibit
BOARD OF REGENTS POLICY MANUAL
Revised Policies with Markup
Meeting of August 10, 2021

I. Revision to BOR Policy Manual: Section 4.3.2 Classification of Students for Tuition Purposes

REVISED POLICY LANGUAGE

4.3.2 Classification of Students for Tuition Purposes

4.3.2.1 Description of Terms Used in the Policy

Terms used in the Tuition Classification Policy not found below can be found in the [Tuition Classification Glossary of Terms](#).

Dependent Student

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

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.

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.

Student from a Homeless Situation

An individual defined as a "Student from a homeless situation" pursuant to Georgia Code Section 20-3-66(4).

4.3.2.2 United States Citizens

Independent Students

An independent student who has established and maintained a domicile in the State of Georgia for a period of at least twelve (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.

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

Dependent Students

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 twelve (12) consecutive months immediately preceding the first day of classes for the term and:

1. The student has graduated from a Georgia high school; or,
2. 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 twelve (12) consecutive months immediately preceding the first day of classes for the term, provided that:

1. Such appointment was not made to avoid payment of out-of-state tuition; and,
2. The United States 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 twelve (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/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.

Student from a Homeless Situation

Any student from a homeless situation shall be classified as in-state for tuition purposes. Upon the classification of any such student as in-state for tuition purposes, such student shall maintain such classification until the earlier occurrence of the completion of a baccalaureate degree or ten years.

4.3.2.3 Non-Citizens

A non-citizen 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 non-immigrant status conditioned at least in part upon intent not to abandon a foreign domicile shall not be eligible for in-state classification.

II. Revision to Policy Manual: Section 7.3.4.1 Out-of-State Tuition Waivers

REVISED POLICY LANGUAGE

7.3.4.1 Out-of-State Tuition Waivers

Military

1. 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.
2. 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.
3. 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. ~~who enrolls within 120 months of separation is also eligible.~~
 - c. Any individual as described in 38 U.S.C. 3679(c).