

BOARD OF REGENTS POLICY 7.3.4.1
Border State Residents Waiver Implementation Guidance
Updated December 4, 2017

Background:

As a result of enrollment declines and population changes, some USG institutions have excess capacity. Providing out-of-state tuition waivers for these select institutions expands the potential student body we can recruit for these institutions. Increasing our student enrollment at these specific institutions that have capacity allows us to take advantage of our existing USG infrastructure and capabilities to grow our enrollment.

Higher enrollment is good for our USG institutions for many reasons. From a budget standpoint, higher enrollment means more tuition to help cover the costs of providing public higher education and assurance of housing being closer to capacity. For our college completion goals, higher enrollment means there are more students working towards degree completion and meeting our Complete College Georgia goals to have a more educated citizenry.

Board of Regents Policy 7.3.4.1, Out-of-State Tuition Waivers
Border State Residents Waiver

Students domiciled in another state bordering Georgia subject to the following conditions. Each year, the Chancellor shall review the enrollment levels at each USG institution to determine whether any USG institutions have sufficient excess capacity to increase recruitment of students from neighboring states. Should the Chancellor determine that cause exists to activate the Border Residents waiver, the Chancellor or his designee will present the list of institutions to the Academic Affairs Committee of the Board of Regents for approval. If an institution is given permission to award the Border Residents waiver, it will be allowed to do so for the next three academic years. Any students receiving the Border Residents waiver will remain qualified for the waiver, so long as they are continuously enrolled at the institution that awarded the waiver (BoR Minutes, March 2015).

Institutions Approved November 2017	
Institution	Eligible State(s)
1. Abraham Baldwin Agricultural College/Bainbridge State College	AL, FL, SC, TN
2. Albany State University	AL, FL, SC, TN
3. Armstrong State University	AL, FL, SC, TN
4. College of Coastal Georgia	AL, FL, SC, TN
5. Columbus State University	AL
6. Dalton State College	TN
7. Fort Valley State University	AL, FL, SC, TN
8. Georgia Southwestern State University	AL, FL, SC, TN
9. Middle Georgia State University School of Aviation and Cochran Campus	AL, FL, SC, TN
10. Savannah State University	AL, FL, SC, TN
11. South Georgia State College	AL, FL, SC, TN
12. University of West Georgia	AL
13. Valdosta State University	AL, FL, SC, TN

FAQs

1.Q. Is the list of the institutions eligible to award the Border State Residents waiver and the eligible bordering states available online?

- A. The eligible institutions and states are provided on the Border Residents waivers document available online at www.usg.edu/assets/student_affairs/documents/border_waivers.pdf.
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2.Q. What is the process for an institution to become eligible to award the Border State Residents waiver?

- A. As stated in Section 7.3.4.1 of the Policy Manual, each year, the Chancellor shall review the enrollment levels at each USG institution to determine whether any institutions have sufficient excess capacity to increase recruitment of students from neighboring states. Should the Chancellor determine that cause exists to activate the Border State Residents waiver, the Chancellor or his designee will present the list of institutions to the Academic Affairs Committee of the Board of Regents for their approval. If an institution is given permission to award the Border State Residents waiver, it will be allowed to do so for the next three academic years.
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3.Q. What are the requirements for an independent student to be eligible for the Border State Residents waiver?

- A. An independent student must provide clear and convincing evidence that he or she has established and maintained domicile in the eligible border state for at least the 12 consecutive months immediately preceding the first day of classes for the term the waiver is requested.
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4.Q. What are the requirements for a dependent student to be eligible for the Border State Residents waiver?

- A. A dependent student must provide clear and convincing evidence that their parent(s) or U.S. court-appointed legal guardian has established and maintained domicile in the eligible border state for at least the 12 consecutive months immediately preceding the first day of classes for the term the waiver is requested. In addition, the dependent student must either have graduated from a high school in the eligible border state or be claimed as a dependent by their border state domiciled parent or U.S. court-appointed legal guardian on their federal or state income tax return filed for the most recent tax year.
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5.Q. What criteria should be used to determine if a student has established and maintained domicile in the eligible border state for at least the 12 consecutive months immediately preceding the first day of classes for the term the waiver is requested?

- A. Institutions should use the guidance provided in Part IV, Classifying Students as In-State or Out-of-State, of the USG Manual for Determining Tuition Classification and Awarding Out-of-State Tuition Waivers to determine if there is clear and convincing evidence that the independent student, or the dependent student's parent(s) or US court-appointed legal guardian, has established and maintained domicile in the qualifying border state for at least 12 consecutive months immediately preceding the first day of classes for the term the waiver is requested. While the Manual focuses on determining Georgia domicile, the same rules and requirements are to be applied to the eligible bordering state. The Manual can be found on the USG Faculty/Staff Tuition Classification resource page. Please contact the Office of Student Affairs for information on accessing the resource page by calling 404-

6.Q. Are students required to be lawfully present in the United States to be eligible for the Border State Residents waiver?

A. Yes, per Board policy, no student may be classified as in-state or be granted an out-of-state tuition waiver until their lawful presence in the United States has been verified using one of the approved methods found on the USG Lawful Presence Verification Methods Chart. The Chart can be found on the USG Faculty/Staff Verification of Lawful Presence Resource Page. Please contact the Office of Student Affairs for information on accessing the resource page by calling 404-962-3110.

7.Q. If the information a student provides on their Border State Residents waiver application is sufficient to determine eligibility, is it necessary for supporting documentation to be submitted?

A. No, if the information a student provides on their Border State Residents waiver application clearly shows they meet the waiver requirements, it is not necessary to require that additional supporting documentation be submitted. If there is not clear and convincing evidence that the student meets the requirements, then additional information should be requested from the student. A student may also need to submit documentation to satisfy the lawful presence requirement if their lawful presence is not verified in some other way (i.e. FAFSA).

8.Q. Can a dependent student who is currently receiving the Border State Residents waiver based on their border state-domiciled parent or US court-appointed legal guardian continue to receive the waiver if the parent or guardian moves from the bordering state?

A. Yes, provided the student remains continuously enrolled, the student may continue to receive the waiver until completion of their degree.

9.Q. Once a student is determined to be eligible for the waiver, does he or she have to reapply for the waiver to continue to receive it?

A. No, once a student has been determined to be eligible for the Border State Residents waiver, they are not required to reapply for the waiver provided continuous enrollment is maintained. Continuously enrolled students may maintain the waiver until the completion of their degree even if the institution is no longer eligible to grant the waiver to new students. Students who do not remain continuously enrolled must reapply for the waiver upon reenrolling and may only be reissued the waiver if the institution continues to be approved to grant the waiver to new students. The definition of “continuous enrollment” is provided in the Tuition Classification Glossary of Terms which is available online at www.usg.edu/student_affairs/students/tuition_classification_glossary.

10.Q. Can a transient student be eligible for the Border State Residents waiver?

A. The Border State Residents waiver is intended to be awarded to undergraduate degree-seeking students.

11.Q. Can a graduate student be eligible for the Border State Residents waiver?

A. No, only undergraduate students may be granted a Border State Residents waiver.

12.Q. If an institution recently approved to grant the Border State Residents waiver has a currently enrolled out-of-state student from one of the eligible bordering states, is that student now eligible for the Border State Residents waiver?

A. Yes, current undergraduate students may be eligible for the Border State Residents waiver.

13.Q. Are reentry/returning/readmit students eligible for the Border State Residents waivers?

A. Yes, reentry/returning/readmit students are eligible to be considered for the Border State Residents waiver provided the institution is eligible to grant the waiver to new students at that time

14.Q. Can an institution grant a new student a Border State Residents waiver if that student is a recent former resident of an eligible border state but has recently established residency in Georgia?

A. Yes, since it takes 12 months to qualify for an in-state tuition classification in Georgia, a former resident of an eligible border state who recently established Georgia residency can be considered for the waiver provided they clearly show they were a resident of the qualifying border state for at least the 12 continuous months immediately prior to their recent move to Georgia. If the student is a dependent student, they must show that their parent or U.S. court-appointed legal guardian was a resident of the qualifying border state for at least the 12 continuous months immediately prior to their recent move to Georgia. In addition, the dependent student must either graduate from high school in the border state or be claimed as a dependent by their parent or U.S. court-appointed legal guardian on their federal or state income tax return filed for the most recent tax year.

15.Q. Can a student receiving the Border State Residents waiver continue to receive the waiver if they transfer to a USG institution not authorized to grant the waiver?

A. No, the Border State Residents waiver may only be granted by those institutions approved by the Chancellor to award the waiver.

16.Q. What fee classification code should be assigned in Banner to students determined to be eligible for the Border State Residents waiver?

A. The fee classification code of WBSR should be used with the Border State Residents waiver. Note, a different code is to be used for students granted the Border County Residents waiver.

17.Q. Is a Border State Residents sample waiver application form available?

- A. Yes, a Border State Residents sample waiver application is available on the USG faculty/staff Tuition Classification resource page. Institutions needing assistance accessing the resource page should contact the Office of Student Affairs by calling 404-962-3110.
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18.Q. Are students granted a Border State Residents waiver counted against the number of Presidential waivers an institution may award?

- A. No, the Border State Residents waiver is a separate out-of-state tuition waiver from the Presidential waiver. Consequently, students granted the Border State Residents waiver do not count against an institution's Presidential waiver cap.
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19.Q. Is the Border State Residents waiver awarded at the discretion of the eligible institutions or is any eligible student to be granted the waiver?

- A. The Border State Resident waiver recommendations that were approved in November 2017 state that the eligible institutions "shall not be required to issue a border state resident out-of-state tuition differential waiver. Institution presidents may further limit the award of a border state resident out-of-state tuition differential waivers within their institution."
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20.Q. Is there a limit to how many waivers an eligible institution may award under the Border State Residents provision?

- A. The intent of the Border State Residents waiver is to allow those USG institutions identified by the Chancellor as having excess capacity to recruit and enroll students from approved bordering states. As noted in the recommendations approved during the November 2017 Board meeting, presidents of the eligible institutions "shall monitor capacity for new enrollments at their respective institutions and/or named instructional site/program and shall cease issuing new Border State Resident out-of-state tuition waivers in the event that the institution no longer has the capacity to enroll academically qualified in-state residents."
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21.Q. If an institution is granted approval to award Border State Residents waivers, when is that approval effective?

- B. Unless otherwise specified by the Board, the approval is effective immediately. For example, institutions notified of approval in November 2017 may begin granting the waiver to students enrolled Spring 2018.