

East Georgia State College Lawful Presence Policy

Revisions Adopted by President's Cabinet 3/30/18

Adopted by President's Cabinet 12/20/16

In accordance with Board of Regents Policy 4.3.4, all applicants who are accepted for admission or readmission to the college for Fall 2011 or any academic semester thereafter, and who seek to be classified as in-state for tuition purposes, will be required to provide validation of residency and lawful presence in both the State of Georgia and the United States.

East Georgia State College will strive to make this process clear by publicizing to all applicants through letter, website (check your status) and e-mails to students requesting in-state tuition that they must confirm their Georgia residency status on their applications and provide proof of legal presence in the United States. In some cases, the student must provide more than one document from the list below. The following list of secure and verifiable documents, provided by the Attorney General of Georgia and published under the authority of O.C.G.A. § 50-36-2, contains documents that are used for identification purposes, and documents on this list may not necessarily be indicative of residency or immigration status.

- Student's completed FAFSA for the current financial aid year.
- Student's original or certified copy of your U.S. Birth Certificate showing that he/she was born in the U.S. or a U.S territory. **A photocopy is not acceptable.**
- Copy of student's unexpired Driver's License issued by one of the United States, the District of Columbia, the commonwealth of Puerto Rico, Guam, the Commonwealth of Northern Marianas Islands, the United States Virgin Island, American Samoa, or the Swain Islands, provided that it contains a photograph of the bearer or lists sufficient identifying information regarding the bearer, such as name, date of birth, gender, height, eye color, and address to enable identification of the bearer.
- Copy of student's unexpired identification card issued by one of the United States, the District of Columbia, the commonwealth of Puerto Rico, Guam, the Commonwealth of Northern Marianas Islands, the United States Virgin Island, American Samoa, or the Swain Islands, provided that it contains a photograph of the bearer or lists sufficient identifying information regarding the bearer, such as name, date of birth, gender, height, eye color, and address to enable identification of the bearer.
- Copy of an unexpired tribal identification card of a federally recognized Native American tribe, provided that it contains a photograph of the bearer or lists sufficient identifying information regarding the bearer, such as name, date of birth, gender, height, eye color, and address to enable identification of the bearer.
- Copy of student's U.S. Certificate of Naturalization (USCIS form N-550 or N-570).
- Copy of student's U.S. Certificate of Citizenship (USCIS form N-560 or N-561).
- Copy of student's unexpired Permanent Resident Card or Alien Registration Receipt Card (USCIS form I-151 or I-551)
- Present student's unexpired military ID (service member only, not dependent) **A photocopy is not acceptable.**
- Copy of student's unexpired U.S. Passport or passport card provided that such passport is accompanied by a United States Department of Homeland Security ("DHS") Form I-94, DHS Form I-94A. DHS Form I-94W, or other federal form specifying an individual's lawful immigration status or other proof of lawful presence under federal immigration law.
- Copy of student's unexpired passport issued by a foreign government, provided that such passport is accompanied by United States Department of Homeland Security (DHS) Form I-94, DHS Form I-94A. DHS Form I-94W, or other federal form specifying an individual's lawful immigration status or other proof of lawful presence under federal immigration law.

- An unexpired Merchant Mariner Document or Merchant Mariner Credential issued by the United States Coast Guard.
- An unexpired Free and Secure Trade (FAST) card.
- An unexpired NEXUS card.
- An unexpired Secure Electronic Network for Travelers Rapid Inspection (SENTRI) card.
- An unexpired driver's license issued by a Canadian government authority.
- An unexpired Employment Authorization Document that contains a photograph of the bearer.
- Certification of Report of Birth of a US Citizen born abroad issued by the United States Department of State (Form FS-1350).
- Consular Report of Birth Abroad of a US Citizen issued by the United States Department of State (Form FS-240)
- Certification of Birth Abroad of Citizen of US issued by US Department of State (Form FS-545)

Applications processed by the Admissions or Records Office will be reviewed with emphasis on those students requesting in-state tuition and their positive responses to Georgia residency questions. Our policy provides that these students will be initially coded as in-state awaiting proof of their U.S. lawful presence. We agree that all students Fall 2011 and thereafter will have the LAWP code included in their Banner Checklist and the LP code added to SOAHOLD to prevent them from registering or releasing a transcript until they establish U.S. lawful presence. We believe that the majority (80-90%) of our students will satisfy this requirement through their FAFSA application since SAVE is checking their U.S. lawful presence status as part of this process. For the remaining 10-20%, those students may use one of the other documents listed above to satisfy their in-state tuition requirement. Each respective department will manually enter the appropriate document code on the checklist and place an end date on the hold.

Our Database Administrator created a script that runs 9am every day checking for information from the FAFSA, if one was filed, and will automatically update the checklist code and place an end date to the hold. In some cases, the student must provide additional information. Conversely, if a new application is processed and no FAFSA has been filed yet, the script will add the LAWP code to the checklist and the LP code to SOAHOLD.

Students at the time of registration on orientation days or other registration days, who have satisfied the Georgia residency requirement but not provided proof of the U.S. lawful presence will have their status changed to non-resident (update SAAADMS, SGASTDN), place an end date the LP hold, and Op-Out added to the LAWP checklist code. The attribute code UDOC will be added so that they are listed as undocumented.

Students will have until the last official day of schedule adjustment to provide their proof of U.S. lawful presence or complete the **Opt-Out of Verification of Lawful Presence** form. <http://www.ega.edu/images/uploads/lawful-presence-opt-out-form.pdf>

All students who failed to prove their lawful presence after that date will be assessed out-of-state tuition for the current term. If they provide the lawful presence proof before the next semester's registration period and they have already proved their Georgia residency status, they may be changed to in-state.