

## Immigration Committee, Best Practices

- New law goes into effect January 1, 2012
- Applies to students applying or re-applying January 1, 2012. Will not be required to collect verification on -continuously enrolled students.
- Add new question to the admission application asking if the student is applying for in-state tuition. Collect verification documentation only on those students responding “yes”; for those responding “no”, but otherwise applying for some form of federal financial aid, you should continue to collect information required by the feds.
- The admission office must verify lawful presence of students applying for in-state tuition and collect from students the appropriate documentation.
  - A list of appropriate documents will be provided on the TCSG web site and should be listed on the college website. It includes a Georgia driver’s license or state ID card issued after January 2008.
  - A driver’s license or state identification card from another state that verifies lawful presence prior to issuance is sufficient documentation. Border states including Alabama, South Carolina, Tennessee, and Florida verify lawful presence; therefore, students applying for reciprocity may use these documents.
  - The college is expected to exercise due diligence in verifying lawful presence and authenticity of documentation. The college may determine in which of the following ways it collects the documentation. The documentation may be collected from the student directly, faxed copy sent from the student, copy of document sent in the mail, or scanned copy that is submitted online or via email. Note: a photocopy of a U.S. Birth Certificates will not be acceptable. <http://www.vitalchek.com> provides instructions for ordering a certified U.S. birth certificate.
  - The Attorney General’s Office has published a list of documents verifiable for identification purposes, however, documents on this list may not necessarily be indicative of residency or immigration status; it may be necessary to collect additional documentation to determine a student’s residency or immigration status. The list is located at: [http://www.georgia.gov/vgn/images/portal/cit\\_1210/63/43/173963603Secure\\_and\\_verifiable\\_document\\_list%208.5.11.pdf](http://www.georgia.gov/vgn/images/portal/cit_1210/63/43/173963603Secure_and_verifiable_document_list%208.5.11.pdf)
- The admission office must code every new or returning student (beginning January 1, 2012) as out of state. Once the student provides the verification documentation, he/she may be changed to in-state. However, remember TCSG’s residency policy still states a student must be a resident of Georgia for 12 consecutive months prior to the first day of the term to be awarded in-state tuition. This law does not change this policy. For example, if a student requests in-state tuition and she shows you a Georgia driver’s license that is only 6 months old, she must provide additional documentation showing she has been a resident for at least 12 months.

- The following statement must be used on college websites and any other official college materials that discuss tuition in order to notify students of the requirements if applying for in-state tuition.

### **Verification of Lawful Presence in the United States**

Effective January 1, 2012, all students applying for in-state tuition must provide validation of lawful presence in the United States. The following documents will serve as proof of lawful presence in the United States and documentation will be required before you are eligible for consideration of in-state tuition:

- 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 Driver's License or ID issued by a state that verifies immigration status and only issues to persons lawfully present in the United States. See list of compliant states at [http://law.ga.gov/vgn/images/portal/cit\\_1210/50/35/173461453Lists\\_of\\_states\\_that\\_verify\\_immigration\\_status\\_7\\_26\\_11.pdf](http://law.ga.gov/vgn/images/portal/cit_1210/50/35/173461453Lists_of_states_that_verify_immigration_status_7_26_11.pdf)
- 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
- An approved completed FAFSA for the current financial aid year.
- A current, valid Permanent Resident Card (USCIS form 1-151 or 1-551).
- 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 U.S. Certificate of Citizenship (USCIS form N-560 or N-561).
- A U.S. Certificate of Naturalization (USCIS form N-550 or N-570).

Any student who cannot be verified as lawfully present in the United States is not eligible to be considered for in-state tuition, regardless of how long he or she has lived in Georgia. In addition to being lawfully present in the United States, students must meet the in-state tuition requirements as outlined in TCSG Board Policy and Procedure V.B.3 to warrant an in-state classification. Students that are initially classified as out-of-state, and successfully petition to have their residency changed to in-state also have to meet the verification requirement.