



**UNIVERSITY SYSTEM OF GEORGIA**

**Tuition Classification Updates  
RACRA - Fall 2021  
sarah.wenham@usg.edu**

# Topics

- SB 107/O.C.G.A. 20-3-66
- Isakson and Roe Veterans Healthcare and Benefits Act



# SB 107

- Passed during the 2021 legislative session and signed by Governor Kemp.
- Amended Georgia Code Section 20-3-66:
  - Provides for in-state tuition at units of the USG and the TCSG for youth who are from homeless situations;
  - Provides for the waiver of tuition and all fees, including customary room and board fees, for qualifying foster and adopted students by units of the TCSG; and,
  - Urges the USG to adopt similar waiver provisions for youth who age out of foster care.
- Revisions to BoR Policy 4.3.2 (Classification of Students for Tuition Purposes) were approved to provide in-state tuition to homeless students.



# BoR Policy 4.3.2

- **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.

- **Student from a Homeless Situation**

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



# O.C.G.A. 20-3-66

**(4)** "Student from a homeless situation" means an individual United States citizen who:

**(A)**

**(i)** Has graduated from a Georgia high school or an equivalent high school in another state; or

**(ii)** Has received a HiSET or general educational development (GED) diploma awarded by the Technical College System of Georgia or the equivalent from another state; and

**(B)**

**(i)** Is under the age of 24;

**(ii)** Currently lacks, or during the previous academic year lacked, a fixed, regular, and adequate nighttime residence as described under the McKinney-Vento Homeless Assistance Act, codified at 42 U.S.C. Section 11301, et seq., as of January 1, 2021; and



# McKinney-Vento Act

(2) The term "homeless children and youths"—

(A) means individuals who lack a fixed, regular, & adequate nighttime residence; and

(B) includes—

(i) children & youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;

(ii) children & youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;

(iii) children & youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

(iv) migratory children who qualify as homeless for the purposes of this part because the children are living in circumstances described in clauses (i) through (iii).



# O.C.G.A. 20-3-66

**(iii)** Has evidence of such status as provided for in division (ii) of this subparagraph from:

- (I)** A local educational agency homeless liaison;
- (II)** The director, or his or her designee, of an emergency or transitional shelter, street outreach program, homeless youth drop-in center, or other such program serving homeless youth or families;
- (III)** The director, or his or her designee, of a program funded under Part A of Title IV of the Social Security Act;
- (IV)** The state or tribal organization that administers a state plan under Part B or E of Title IV of the Social Security Act;
- (V)** Staff of a university accredited under the laws of this state; or
- (VI)** Such other similar professional, as deemed appropriate by the postsecondary educational institution;

provided, however, that the term "student from a homeless situation" shall not mean an individual who is or for any period within the last 12 consecutive months has been incarcerated in any correctional institution, detention center, jail, or other similar facility after having been convicted of a crime.





## UNDER THE GOLD DOME

Sep 28, 2021

### Upcoming Events

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Date	Time	Name	Location
09/28/2021	2:00 PM	<a href="#">Joint Study Committee on Airport Infrastructure &amp; Improvements (House)</a>	Saint Simons Airport, 1759 Demere Road, St. Simons Island, GA 31522
09/30/2021	8:00 AM	<a href="#">Senate Retirement Security for Georgians Study Committee (Senate)</a>	450 CAP
10/04/2021	10:00 AM	<a href="#">Joint Governmental Affairs and Annexation &amp; Cityhood Study Committee (House)</a>	406 CLOB HYBRID
10/04/2021	10:00 AM	<a href="#">Georgia Commission on E-Commerce &amp; Freight Infrastructure Funding (House)</a>	The Classic Center, 300 N Thomas St, Athens, GA 30601
10/05/2021	9:30 AM	<a href="#">Senate Study Committee on Improving Access to Healthy Foods and Ending Food Deserts (Senate)</a>	450 CAP
10/06/2021	9:30 AM	<a href="#">Senate Study Committee on Improving Access to Healthy Foods and Ending Food Deserts (Senate)</a>	450 CAP

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09/30/2021	8:00 AM	<a href="#">Senate Retirement Security for Georgians Study Committee (Senate)</a>	450 CAP	
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20-3-66

GA - Official Code of Georgia Annotated



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## Statutes and Legislation (3)

 1. [§ 20-3-66. Determination of in-state resident status of students for tuition or fees](#)

GA - Official Code of Georgia Annotated | O.C.G.A. § 20-3-66

TITLE 20. EDUCATION > CHAPTER 3. POSTSECONDARY EDUCATION > ARTICLE 2. BOARD OF REGENTS AND UNIVERSITY SYSTEM > PART 2. UNIVERSITY SYSTEM > PART 2. UNIVERSITY SYSTEM > PART 2. § 20-3-66. Determination of in-state resident status of students for tuition or fees

(a) As used in this Code section, the term: (1) "Dependent student" means an individual under the age of 24 who receives financial support from a parent or United States court appointed legal guardian. (2) "Emancipated" means 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. ...

... O.C.G.A. § 20-3-66 § 20-3-66. Determination of in-state resident status of students for tuition or ...

GA - Official Code of Georgia Annotated > TITLE 20. EDUCATION > CHAPTER 4. VOCATIONAL, TECHNICAL, AND ADULT EDUCATION > ARTICLE 2. TECHNICAL AND ADULT EDUCATION

 2. [§ 20-4-21. Tuition fees](#)

GA - Official Code of Georgia Annotated | O.C.G.A. § 20-4-21

TITLE 20. EDUCATION > CHAPTER 4. VOCATIONAL, TECHNICAL, AND ADULT EDUCATION > ARTICLE 2. TECHNICAL AND ADULT EDUCATION > ARTICLE 2. § 20-4-21. Tuition fees

(a) As used in this Code section, "student from a homeless situation" shall have the same meaning as provided for in Code Section 20-3-66. (b) Any postsecondary technical school operated by a local board of education, an area postsecondary technical education board, or the Technical College System of Georgia shall be authorized to charge tuition fees in conformity with the rules and regulations promulgated by the State Board of the Technical College System of Georgia; provided, however, that any student from a homeless situation shall be classified as in-state for tuition purposes. Upon ...

... shall have the same meaning as provided for in Code Section 20-3-66. (b) Any postsecondary technical school operated by a local board ...

GA - Official Code of Georgia Annotated > TITLE 20. EDUCATION > CHAPTER 3. POSTSECONDARY EDUCATION > ARTICLE 2. BOARD OF REGENTS AND UNIVERSITY SYSTEM > PART 2. UNIVERSITY SYSTEM

 3. [§ 20-3-67. Powers of regents over system and institutions over students not limited by lowering age of majority](#)

GA - Official Code of Georgia Annotated | O.C.G.A. § 20-3-67

TITLE 20. EDUCATION > CHAPTER 3. POSTSECONDARY EDUCATION > ARTICLE 2. BOARD OF REGENTS AND UNIVERSITY SYSTEM > PART 2. UNIVERSITY SYSTEM > PART 2. § 20-3-67. Powers of regents over system and institutions over students not limited by lowering age of majority

Nothing in Code Section 20-3-66 and in Code Section 39-1-1 lowering the age of legal majority shall be construed to limit the power of the board of regents to adopt and enforce rules and regulations for the government, control, and management of the university system nor shall such Code sections be construed so as to limit the authority of any institution in the system to adopt and to enforce rules or regulations governing housing, conduct, discipline, and other related activities of the student body. ...

... not limited by lowering age of majority Nothing in Code Section 20-3-66 and in Code Section 39-1-1 lowering the age of legal majority ...

[Previous](#)[Next](#)**O.C.G.A. § 20-3-66**[Copy Citation](#)

Current through the 2021 Regular Session of the General Assembly.

[GA - Official Code of Georgia Annotated](#) > [TITLE 20. EDUCATION](#) > [CHAPTER 3. POSTSECONDARY EDUCATION](#) > [ARTICLE 2. BOARD OF REGENTS AND UNIVERSITY SYSTEM](#) > [PART 2. UNIVERSITY SYSTEM](#)

**§ 20-3-66. Determination of in-state resident status of students for tuition or fees**

(a) As used in this Code section, the term:

- (1) "Dependent student" means an individual under the age of 24 who receives financial support from a parent or United States court appointed legal guardian.
- (2) "Emancipated" means 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" means 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 right to that individual's care, custody, and earnings.
- (4) "Student from a homeless situation" means an individual United States citizen who:
  - (A)
    - (i) Has graduated from a Georgia high school or an equivalent high school in another state; or
    - (ii) Has received a HISET or general educational development (GED) diploma awarded by the Technical College System of Georgia or the equivalent from another state; and
  - (B)
    - (i) Is under the age of 24;
    - (ii) Currently lacks, or during the previous academic year lacked, a fixed, regular, and adequate nighttime residence as described under the McKinney-Vento Homeless Assistance Act, codified at 42 U.S.C. Section 11301, et seq., as of January 1, 2021; and
    - (iii) Has evidence of such status as provided for in division (ii) of this subparagraph from:
      - (I) A local educational agency homeless liaison, as provided for under the McKinney-Vento Homeless Assistance Act, codified at 42 U.S.C. Section 11301, et seq., as of January 1, 2021;
      - (II) The director, or his or her designee, of an emergency or transitional shelter, street outreach program, homeless youth drop-in center, or other such program serving homeless youth or families;

# Isakson and Roe Health Care & Benefits Improvement Act of 2020



**U.S. Department of Veterans Affairs**  
Veterans Benefits Administration

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## **Isakson and Roe Veterans Health Care and Benefits Improvement Act of 2020**

### **Section 1005. Requirements for in-State tuition**

Removes the requirement for covered individuals to enroll in a course at a public institution of higher learning within three years of being discharged to receive in-state tuition. Also, VA will make publicly available on the VA website a database explaining any public institution's requirements for beneficiaries to be charged in-state tuition. Effective: **August 1, 2021.**

# BoR Policy 7.3.4.1

## Military

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).



# Next Steps

- Provide a new military sample waiver application form:
  - Removed requirement that individuals using VA educational benefits enroll within a certain period of time after the separation.
  - Updated to a fillable form.
  - Combined the Separated Military, Active Duty, and Georgia National Guard & U.S. Military Reservists waiver forms into one form.
- Provide applicants the opportunity to indicate if they are a student from a homeless situation on their admission application.
- Introduce new coding for institutions to capture if a student is eligible for an in-state tuition classification based on the updated policy.
- Post updated USG Tuition Classification Manual. Institution manuals should also be updated to reflect these changes.

Thank you!

sarah.wenham@usg.edu

