

470-plus students' residency unclear; Regents issue report on fall enrollment.; State board working to ensure correct tuition rates are charged.

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Body

Georgia's public colleges have enrolled at least 472 students for fall classes who could not provide proof of legal residency, according to a report released by the State Board of Regents on Wednesday. More than half the institutions saying fewer than 10 such students will attend their campuses.

The report was essentially an inventory ordered by the regents to make sure students are charged the correct tuition rates. The regents reiterated that illegal immigrants may attend the University System of Georgia legally, which prompted a key state lawmaker to guarantee a change in law.

Of the nearly 50,000 new students expected this fall, 242 are undocumented students, according to preliminary figures. At least another 230 undocumented students will return this fall, regent Jim Jolly said, adding the figures may change because nine of the 35 campuses have yet to turn in data.

"Undocumented is not synonymous with illegal," Jolly said, explaining students are classified this way because they did not provide documentation to determine their tuition status. While many say undocumented students are illegal immigrants, Jolly said the terminology can include U.S. citizens who didn't complete or turn in forms.

To comply with state and federal law, the regents said all undocumented students will be charged out-of-state tuition. Admission applications require students to answer questions about their citizenship status, although the applications do not specifically ask whether the student is in the country illegally.

Sen. Don Balfour, R-Snellville, who this summer joined 13 other state senators in urging the regents to bar illegal immigrants, said a new law is coming.

"It will be against state law next year," Balfour said. "I'm pretty confident the bill will be introduced and passed. I can guarantee them it will be made very clear that this is illegal."

Illegal immigration has long been a hot-button issue in Georgia.

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Colleges got drawn into this debate last spring when it was disclosed that Kennesaw State University charged an illegal immigrant in-state tuition in violation of state law.

In response to the furor, the regents ordered colleges to make sure students are charged the appropriate tuition. Students from outside Georgia and the country must pay out-of-state tuition, which is about three times as expensive.

The regents also appointed a committee, chaired by Jolly, to look at current policies. The committee's report is due in October.

"We are not involved in setting state law," Jolly said. "That is not our business."

The committee is considering whether different policies are needed at five colleges that turn students away --- Georgia Tech, Georgia State University, University of Georgia, Medical College of Georgia and Georgia College & State University.

Georgia State will have 24 undocumented students this fall, while Georgia Tech and the Medical College will have four each and Georgia College & State will have two, according to the preliminary data. UGA will have 10 undocumented students attending for the first time, but officials have not completed a report on how many will be returning.

The highest concentration of undocumented students was reported at two-year colleges, such as Georgia Perimeter College, and four-year state colleges, such as Dalton State College and Gainesville State College. These institutions are less expensive to attend and have more open enrollment.

While the review was not an attempt to determine how many illegal immigrants attend the state's colleges, some say these students take spots away from those who are in the country legally.

"If a person from Gwinnett, Fulton or Cobb or any of the other counties can't get into the school, why would we take in some illegal immigrant?" Balfour said. "We should not be rewarding their illegal activities. We should not be affording them the benefits of those here legally."

In a 2008 letter from the U.S. Immigration and Customs Enforcement --- the most current guidelines --- the agency wrote federal law does not bar illegal immigrants from attending public colleges and that individual states "must decide for themselves whether or not to admit illegal aliens."

How 'undocumented' is being used and the number of students

While all prospective students are asked for citizenship information on their applications, students are classified as "undocumented" because they failed to provide appropriate documentation after repeated efforts by college administrators. They are charged out-of-state tuition rates. They may or may not be in the country illegally but the questions determine residency only for the purpose of setting tuition charges.

According to a Board of Regents preliminary report, here are the number of undocumented students attending some Georgia colleges:

College New this fall Returning this fall

Clayton State University 7 23

Dalton State College 66 N/A

Georgia College & State University 0 2

Georgia Gwinnett College 0 0

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Georgia Tech 0 4

Georgia Perimeter College 33 100

Georgia State University 6 18

Kennesaw State University 1 12

Medical College of Georgia 2 2

Southern Polytechnic State University 3 6

University of Georgia 10 N/A

University of West Georgia 2 3

University System total 242 230

NOTE: N/A refers to one of the nine institutions that have not completed this report. Findings are expected in September.

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