

AP 5013 Students in the Military

Reference:

Title 5, Sections 54041, 54042, 54050, 55023, 55024, 58620;
Education Code Sections 68074, 68075, 68075.5, and 68075.7;
Military and Veterans Code Section 824
38 U.S. Code Section 3679

1.0 Resident Determinations for Military Personnel and Dependents

1.1 A student who is a member of the Armed Forces of the United States stationed in California on active duty, except a member of the Armed Forces assigned for educational purposes to a state-supported institution of higher education, is entitled to resident classification for the purpose of determining the amount of tuition and fees. Such student shall retain resident classification in the event he or she is thereafter transferred on military orders to a place outside of California and continues to serve in the Armed Forces of the United States, so long as the student remains continuously enrolled in the District.

1.1.1 A student claiming resident status pursuant to these provisions must provide evidence of the date of assignment to California and a statement from the student's commanding officer or personnel officer that the assignment to active duty in California is not for educational purposes.

1.2 A student who is a natural or adopted child, stepchild, or spouse who is a dependent of a member of the Armed Forces of the United States stationed in California on active duty is entitled to resident classification for the purpose of determining the amount of tuition and fees. If the member of the Armed Forces of the United States, whose dependent natural or adopted child, stepchild, or spouse is in attendance at an institution within the District is thereafter transferred on military orders to a place outside of California or is thereafter retired as an active member of the Armed Forces of the United States, the student dependent shall retain resident classification for so long as the student remains continuously enrolled in the District.

1.2.1 A student dependent claiming resident status pursuant to these provisions must provide a statement from the military person's commanding officer or personnel officer that (1) the military person's duty station is in California on active duty as of the residence determination date; or (2) that the military person is outside of California on active duty after having been transferred immediately and directly from a California duty station after the residence determination date; or (3) that the military person has, after the residence determination date, retired as an active member of the Armed Forces of the United States. A statement that the student is a dependent of the military person for an exemption on federal taxes shall also be provided.

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- 1.3 A veteran who was discharged or released from at least 90 days of active services less than three years before the date of enrollment in a course commencing on or after July 1, 2015, and his/her dependents, regardless of the veteran's state of resident is entitled to resident classification.
- 1.4 A parent who is a federal civil service employee and his or her natural or adopted dependent children are entitled to resident classification if the parent has moved to this state as a result of a military mission realignment action that involves the relocation of at least 100 employees. This classification shall continue until the student is entitled to be classified as a resident, so long as the student continuously attends an institution of public higher education.
- 1.5 An individual who is the child or spouse of a person who, on or after September 11, 2001, died in the line of duty while serving on active duty as a member of the Armed Forces who resides in California and enrolls in the community college within three years of the Service Member's death in the line of duty following a period of active duty service of 90 days or more.
- 2.0 **Withdrawal Policies for Members of the Military:** A student who is a member of an active or reserve United States military service and who receives orders compelling a withdrawal from courses shall be permitted to withdraw upon verification of such orders. A withdrawal symbol will be assigned, which is an "MW." Military withdrawal shall not be counted in progress probation, dismissal calculations, or in calculating the permitted number of withdrawals. In no case may a college require a student who is required to report for military duty to withdraw from a course by a specified date in order to receive a full refund of the tuition and fees the student paid to the college for the academic term in which the student was required to report for military service.

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