

AR 5013 Residency Determinations for Military Personnel and Dependents (NEW)

A few bullet points were taken out of AR 5015 Residency Determinations

Students who are members of the U.S. Armed Forces may qualify for resident classification for enrollment/tuition fee purposes under the following military-related conditions:

- A student shall retain resident classification if they are transferred due to military orders outside of California or thereafter retires from active duty, so long as the student remains continuously enrolled.
- A student who is stationed in California is entitled to resident classification (Education Code §68044, §68075; Title 5 §54042).
- A dependent student who is a natural or adopted child, stepchild, or spouse of a member of the armed forces stationed in California on active duty shall be entitled to resident classification. The student shall retain resident classification if the member of the military is transferred due to military orders outside of California or thereafter is discharged or retires from active duty, so long as the dependent student remains continuously enrolled (Education Code, §68044, §68074; Title 5 §54041).
- A veteran who was discharged or released from at least 90 days of active service, commencing on or after July 1, 2015, and their dependents, regardless of the veteran's state of residence is entitled to resident classification (Education Code §68075.7).
- A student 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 is entitled to resident classification (Education Code §68121, §76300).
- A student who is entitled to transferred Post-9/11 GI Bill program benefits by virtue of their relationship to a member of the armed forces who is serving on active duty is entitled to resident classification.

The student is eligible for education benefits under the federal Montgomery GI Bill-Active Duty program (Chapter 30 (commencing with Section 3001) of Title 38 of the United States Code), the Veterans Readiness and Employment program (Chapter 31 (commencing with Section 3100) of Title 38 of the United States Code), the Post-9/11 GI Bill program (Chapter 33 (commencing with Section 3301) of Title 38 of the United States Code), or the Survivors' and Dependents' Educational Assistance program (Chapter 35 (commencing with Section 3500) of Title 38 of the United States Code), as each read on January 5, 2022.

- A parent who is a federal civil service employee and their natural or adopted dependent children are entitled to resident classification if the parent has moved to California due to a military mission realignment involving 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 remains continuously enrolled (Education Code §68084).

- A student claiming this residence classification must provide a statement from the student's commanding officer or personnel officer as evidence of the date of the assignment to California, and that the assignment to active duty in California is not for educational purposes.
- A student claiming the residence classifications provided for the dependent of military personnel shall provide a statement from the commanding officer or personnel officer that the military person's duty station is in California on active duty as of the residency determination date, or has been transferred outside of California on active duty after the residency determination date, or the military person has retired from active duty after the residency determination date (Title 5 §54041 and §54042).

Withdrawal Processes 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 military withdrawal symbol "MW" will be assigned. Military withdrawal shall not be counted in progress notice, progress dismissal calculations, or in calculating the permitted number of withdrawals. Withdrawals do not count in calculating grade point average.
- A Special Consideration petition and verification of orders must be submitted through the Admissions and Records webpage.
- A military withdrawal shall not result in a student being assigned an "F" "W", "NP" or "FW" grade. The student is eligible for a 100% refund of the tuition and fees for the affected term.

Also see AR 5010 Admission Eligibility, AR 5015 Residency Determination, AR 5020 Nonresident Tuition and Fees, AR 5075 Course Adds and Withdrawals from Courses, AR 4230 Grading and Academic Record Symbols and AR 5030 Fees and Refunds

References:

Education Code Sections 68044, 68070-68086, 68074, 68075, 68075.5, 68075.7, 68121, 76300 and 99130;
 Title 5 Sections 54041, 54042, 54050, 55023, 55024, and 58620;
 Military and Veterans Code Section 824;
 38 U.S. Code §3679 and 8 U.S. Code §1101

Approved: 5/28/25