



Policy

5013 Students in the Military

The Board directs the Chancellor to establish procedures that ensure the District complies with the appropriate laws, mandates, and statutes regarding students in the military.

References:

Adopted: April 10, 2019

Last Reviewed: April 10, 2019

Administrative Procedure

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5013 Students in the Military

- I. Residence Determinations for Military Personnel and Dependents
 - A. 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. Such student shall retain resident classification in the event that the member of the armed forces is thereafter transferred on military orders to a place outside of California or thereafter retires from active duty, so long as the student remains continuously enrolled in the District.
 - B. An undergraduate 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 this state on active duty and is in attendance at, or has been admitted to, the District shall be entitled to resident classification. Such student shall retain resident classification if he or she is thereafter transferred on military orders to a place outside of California, so long as the student remains continuously enrolled in the District.
 - C. A veteran who was discharged or released from at least 90 days of active service less than three years before the date of enrollment in a course commencing on or after July 1, 2015, and his or her dependents, regardless of the veteran’s state of residence is entitled to resident classification.
 - D. 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 is entitled to resident classification.
 - E. After expiration of the three year period following discharge or death as described in 38 U.S.C. 3679(c), a student who initially qualifies under the applicable requirements above will maintain “covered individual” status as long as he or she remains continuously enrolled (other than during regularly scheduled breaks between courses, semesters or terms) at the district, even if they enroll in multiple programs and shall continue to be exempt from paying nonresident tuition.
 - F. An individual who is entitled to transferred Post-9/11 GI Bill program benefits by virtue of their relationship to a member of the uniformed services who is serving on active duty is entitled to resident classification.
 - G. 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.
 - H. A student claiming the residence classifications provided for in this procedure must provide a statement from the student’s commanding officer or personnel officer providing evidence of the date of the assignment to California, and that the assignment to active duty in California is not for

1 educational purposes. A student claiming the residence classifications provided for here for the
2 dependent of military personnel shall provide a statement from the military person's
3 commanding officer or personnel officer that the military person's duty station is in California on
4 active duty as of the residence determination date, or has been transferred outside of California
5 on active duty after the residence determination date, or that the military person has retired from
6 active duty after the residence determination date. (Title 5 Sections [54041](#) and [54042](#)).

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8 II. Withdrawal Policies for Members of the Military

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10 A. A student who is a member of an active or reserve United States military service and who receives
11 orders compelling a withdrawal from courses shall be permitted to withdraw upon verification of
12 such orders. A withdrawal symbol "MW" will be assigned. Military withdrawal shall not be
13 counted in progress probation, dismissal calculations, or in calculating the permitted number of
14 withdrawals. In no case may a military withdrawal result in a student being assigned an "F" grade.
15 In no case may a college require a student who is required to report for military duty to withdraw
16 from a course by a specified date in order to receive a full refund of the tuition and fees the
17 student paid to the college for the academic term in which the student was required to report for
18 military service.

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20 **References:**

21 Education Code Sections [68074](#), [68075](#), [68075.5](#), and [68075.7](#); Title 5 Sections [55023](#), [55024](#), [54041](#),
22 [54042](#), [54050](#), and [58620](#); Military and Veterans Code Section [824](#); [38 U.S. Code Section 3679](#)

24 **Procedure Last Revised:** April 10, 2019

25 **Last Reviewed:** April 10, 2019