



IN-STATE TUITION CONTINUITY

In many states, students with a military sponsor stationed in a state are considered in-state for tuition purposes. However, if the sponsor has a change of station out of state between receiving their letter of acceptance and start of classes the student can lose this status.

KEY MESSAGE: Allow a spouse or child of an active member of the armed forces who is assigned to duty out-of-state, and has received a letter of acceptance, to be deemed an in-state resident for purposes of determining tuition and fees as long as the spouse or child remains continuously enrolled in the institution of higher learning.



DISCUSSION POINTS:

- “Out-of-State” or non-resident tuition is often 2 to 3 times that of “in-state” tuition. A change in status before enrollment places the student in a situation where they must find another college at the last minute or pay higher tuition.
- States can alleviate this stressor on the family by allowing a spouse or child of an active member of the armed forces who is assigned to duty out-of-state, and has received a letter of acceptance, to be deemed an in-state resident for purposes of determining tuition and fees at all state institutions of higher learning as long as the spouse or child enrolls and remains continuously enrolled.
 - Five states, Arizona, California, New Mexico, Texas and Virginia have existing language that would accommodate this action.
 - Most states grant in-state status while the service member is assigned in the state.
 - Many state statutes/policies use terminology such as, ‘enrolled’ or ‘continuously enrolled’ rather than accepted.

California statute provides that a spouse or dependent child is in attendance at, or has been admitted to, a public postsecondary institution, (1) is thereafter transferred on military orders to a place outside this state where the member continues to serve in the Armed Forces of the United States, or (2) is thereafter retired as an active member of the Armed Forces of the United States, the student dependent shall not lose his or her resident classification so long as he or she remains continuously enrolled at that institution.¹

Arizona statute provides that a spouse or a dependent child does not lose in-state student classification under this subsection if the spouse or dependent child qualifies for in-state tuition classification at the time the spouse or dependent child is accepted for admission to a community college under the jurisdiction of a community college district governing board or a university under the jurisdiction of the Arizona board of regents.²

¹ California Education Code, California Residency, Part 41, Chapter 1, Article 6, 68074 (b). https://california.public.law/codes/ca_educ_code_section_68074

² Arizona Statute, Title 15 (Education), Chapter 14, Sec. 15-1802 E. <https://azleg.gov/viewdocument/?docName=https://www.azleg.gov/ars/15/01802.htm>