



# In-State Tuition Continuity

**Allow a spouse or child of an active-duty service member, if they have been accepted at an institution of higher learning but their sponsor is transferred to another state, to be deemed an in-state resident as long as they remain continuously enrolled at the school.**

## Discussion Points:

1. **Out-of-state or nonresident tuition is often two to three times that of in-state tuition. And a change in status before enrollment puts the student in a situation where they must find another college at the last minute or pay higher tuition.**
2. **States can remedy this by allowing a spouse or child of an active-duty service member who is assigned out of state – if they have received a letter of acceptance – to be deemed an in-state resident for the purposes of determining tuition and fees at all state institutions of higher learning as long as they remain continuously enrolled.**
3. **A California law provides that a spouse or dependent child shall not lose his or her resident classification so long as he or she remains continuously enrolled at that institution, is in attendance at, or has been admitted to, a public postsecondary institution when the military orders transfer the service member out of state.<sup>1</sup>**
4. **An Arizona law provides that a spouse or a dependent child does not lose in-state student classification if the spouse or dependent child qualifies for in-state tuition at the time they are accepted for admission to the institution.<sup>2</sup>**



- **Twenty-one states 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.**

<sup>1</sup> California Education Code, California Residency, Part 41, Chapter 1, Article 6, 68074 (b). [https://california.public.law/codes/ca\\_educ\\_code\\_section\\_68074](https://california.public.law/codes/ca_educ_code_section_68074)

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