Kern Community College District
Administrative Procedure
Chapter 5 – Student Services

AP 5013 Students in the Military

References:

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

Residence Determinations for Military Personnel and Dependents

A student who is a member of the Armed Forces of the United States stationed in California, 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.

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/she/they is thereafter transferred on military orders to a place outside of California, so long as the student remains continuously enrolled in the District.

A veteran who was discharged or released from at least 90 days of active service, commencing on or after July 1, 2015, and his/her/their dependents, regardless of the veteran's state of residence is entitled to resident classification.

An individual who is the child or spouse of a service member 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.

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.

A parent who is a federal civil service employee and his/her/their 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.

A student claiming the residence classifications provided for in this procedure must provide a statement from the service member'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 educational purposes. A student claiming the residence classifications provided herein for the dependent of military personnel shall provide a statement from the service member's Commanding Officer or personnel officer that the service member's duty station is in California on active duty as of the residence determination date, or has been transferred outside of California on active duty after the residence determination date, or that the service member has retired from active duty after the residence determination date. (Title 5 Sections 54041 and 54042)

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 may be assigned which may be a "W" or a "MW" (Military Withdrawal). A 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.

Military Absence Policy

Long Term Military Absence

A student informing campuses under Kern Community College District (Bakersfield College, Cerro Coso Community College, or Porterville College) of absence for more than 30 days of military service may choose from among the following options:

- Withdraw retroactively to the beginning of the academic term with a full refund of tuition and fees (California Education Code § 99130 and Section 824 of the Military and Veterans Code); or
- If at least 75 percent of the academic term has been completed, the student may request that the faculty member assign a grade for the course based on the work the student has completed. The faculty member shall make the final decision as to whether to grant the student's request (California Education Code § 99130).

If the faculty member assigns a grade of "I" (Incomplete) for the student's coursework, the student shall have a minimum of four (4) weeks after returning to the campus to complete the course requirements. Additional time may be granted if alternative arrangements are made with the faculty member, and provided that the alternative arrangements are consistent with the requirements of and Section 824 of the Military and Veterans Code (California Education Code § 99130).

Short-Term Military Absence

Students currently serving in the US Armed Forces, and particularly those in the Reserve or National Guard, may be called to active duty or be required to fulfill reserve military obligations for periods shorter than 30 days. In recognition that such service is mandated by State or federal government authorities, absences for these duties shall be considered "excused absences" and shall be accommodated by the colleges of the Kern Community College District. Such students shall not be penalized for the absence.

The instructor will provide the servicemember with reasonable alternative arrangements and due dates to complete coursework missed due to mandatory military service. Examples of alternative arrangements may include, but not limited to:

- Rescheduling exams and quizzes;
- Creating alternative assignments;
- Offering online opportunities to participate in class;
- Establishing alternative dates, times, or modalities for presentations; and/or
- Offering independent study options to complete course requirements

Coursework submitted by the revised deadline shall not incur a reduced grade penalty.

A student whose service meets the requirements for short-term military leave may also choose from the following options for absences less than 30 days of service:

- Withdraw from the institution, retroactively to the beginning of the academic term, with a full refund of tuition and fees (California Education Code § 99130 and Section 824 of the Military and Veterans Code); or
- If at least 75 percent of the academic term has been completed, the student may request that the faculty member assign a grade for the course based on the work the student has completed. The faculty member shall make the final decision as to whether to grant the student's request (California Education Code § 99130).

If the faculty member assigns a grade of "I" (Incomplete) for the student's coursework, the student shall have a minimum of four (4) weeks after returning to the institution to complete the course requirements. Additional time may be granted if alternative arrangements are made with the faculty member and provided that the alternative arrangements are consistent with the requirements of and Section 824 of the Military and Veterans Code (California Education Code § 99130).

Credit for Military or Public Service

Credit for military service and for course of study taken while in the military service may be allowed upon verification and evaluation.

Refer to AP 4235 – Credit for Prior Learning for additional information.