



TIDEWATER COMMUNITY COLLEGE  
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# IN-STATE TUITION FOR MILITARY DEPENDENTS

The *Code of Virginia* specifies several ways that a student may be eligible for in-state tuition rates. Students are eligible if they are domiciliary residents of Virginia or if they qualify under one of the exception provisions, including an exception for military spouses and dependents.

## § 23-7.4 E.

“E. Notwithstanding any other provision of law, all dependents, as defined by 37 U.S.C. 401, of active duty military personnel, or activated or temporarily mobilized reservists or guard members, assigned to a permanent duty station or workplace geographically located in Virginia or in a state contiguous to Virginia or the District of Columbia, who reside in Virginia shall be deemed to be domiciled in Virginia for purposes of eligibility for in-state tuition and shall be eligible to receive in-state tuition in Virginia in accordance with this section. All such dependents shall be afforded the same educational benefits as any other individual receiving in-state tuition pursuant to this section. Such benefits and in-state tuition status shall continue so long as they are continuously enrolled in an institution of higher education in Virginia or are transferring between Virginia institutions of higher education or from an undergraduate degree program to a graduate degree program, regardless of any change of duty station or residence of the military service member.”

For the purpose of this subsection:

“Temporarily mobilized” means activated for service for six months or more.

## Spouses and Dependents Who Established Virginia Domicile

A. Nonmilitary spouses and dependents are entitled to show eligibility for in-state tuition rates in the same manner as nonmilitary personnel. Factors presented in support of Virginia domicile shall have existed for the one-year period prior to the date of the alleged entitlement. Such factors include: continuous residence, payment of Virginia income taxes (if employed), Virginia driver’s license, Virginia motor vehicle registration, voter registration in Virginia, employment, property ownership, sources of financial support, military records, and any other social or economic relationships with the Commonwealth and other jurisdictions. The waiver of the one-year waiting period does not apply to these persons.

B. Nonmilitary *dependent* spouses and dependent children who have not established Virginia domicile may claim Virginia domicile through a servicemember after the servicemember has taken actions to establish domicile in Virginia, including payment of Virginia income taxes on all military income. The nonmilitary dependent spouse must receive at least one-half of his/her financial support from the servicemember. As supporting documentation, the nonmilitary dependent spouse must provide proof of his/her financial support, a copy of the servicemember’s Leave and Earning Statement showing Virginia as the tax situs, and the servicemember’s Virginia driver’s license, Virginia motor vehicle registration, and Virginia voter registration. Under this provision, the one-year waiting period does not apply.

## Spouses and Dependents Who Have Not Established Virginia Domicile

Spouses and Dependents who do not or have not established Virginia Domicile may be eligible for in-state tuition under § 23-7.4 E. of the Code of Virginia.

### **Supporting documentation:**

- A copy of the active duty members military orders
  - Verifying active duty military status or activation or reservist/guard member and
  - Permanent duty station within Virginia, a contiguous state or Washington DC;
- Documentation verifying Virginia residence; and
- Copy of military dependent ID card issued by the military.