

# ADMINISTRATIVE MEMORANDUM

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SUBJECT Reporting the residence of those military personnel and dependents afforded a reduced tuition rate under G.S. 116-143.3

NUMBER 255

DATE October 13, 1987

You will recall that the 1984 General Assembly enacted a law (codified as G.S. 116-143.3) that gave the in-state tuition rate to nondomiciliary military personnel stationed in and living in North Carolina and to such service members' dependents living with them. You will also recall that the 1985 General Assembly amended G.S. 116-143.3, in part, to set the tuition charge of nondomiciliary military personnel stationed and living in North Carolina at the out-of-state rate subject to reduction under a statutory formula that factored in any federal entitlements that the service member might have available to apply toward enrollment within the University. When applied to various fact situations, the resulting tuition rate could be as small as the in-state rate or as large as the out-of-state rate.

While determining how to report these individuals by residence in enrollment figures, institutional personnel were faced with enrollments by students who did not qualify for the in-state tuition rate by reason of North Carolina legal residence (domicile) but who yet sometimes were eligible to be charged a tuition rate equal to the in-state rate by reason of G.S. 116-143.3. In response to institutional inquiries we have reviewed the military tuition statute (G.S. 116-143.3) as well as other statutes and related advice of the Attorney General. In light of this review we have determined that service members enrolled at tuition rates established by G.S. 116-143.3 should be reported as non-resident students; dependents of such service members afforded the in-state tuition rate by G.S. 116-143.3 should be reported as resident students of the county in which the sponsoring service member is stationed.

This Administrative Memorandum should be treated as a supplement to Administrative Memorandum Number 221 (dated August 2, 1985), which explains in detail G.S. 116-143.3 as amended by the 1985 General Assembly.

  
C. D. Spangler, Jr.