

**RESOLUTION GRANTING RESIDENCY STATUS FOR DETERMINING ADMISSION AND TUITION FOR ACTIVE DUTY SERVICE MEMBERS, SPOUSES, DEPENDENTS, AND VETERANS IN ACCORDANCE WITH ACT 2013-423**

WHEREAS, during the 2013 Regular Session, the Alabama Legislature passed House Bill 424 to amend Section 16-24-2 of the Code of Alabama 1975 to direct that for purposes of admission and tuition, public institutions of higher education should consider that the term "resident student" applies to an individual, who at the time of registration, is not a minor and satisfies one of the following:

- A full-time permanent employee of the institution at which the student is registering or is the spouse of such an employee;
- Can verify full-time permanent employment within the State of Alabama or is the spouse of such an employee and will commence the employment within 90 days of registration with the institution;
- Is employed as a graduate assistant or fellow by the institution at which the student is registering;
- A member or the spouse of a member of the United States military on full-time active duty stationed in Alabama under orders for duties other than attending school;
- An accredited member of a consular staff assigned to duties in Alabama;
- A member, as of May 22, 2012, of the Alabama National Guard for a period of at least two years immediately preceding the student qualifying for resident tuition and who continues to be a member of the Alabama National Guard while enrolled at the public institution of higher education;
- A veteran of the Armed Forces of the United States, provided that the veteran has become a resident of Alabama and satisfies at least one of the following conditions:
  1. The veteran has served on active duty for a continuous period of time, not less than two years, and has received an honorable discharge as verified by a United States Department of Defense Form 214 within five years of enrolling in an Alabama public institution of higher education.
  2. The veteran is currently serving in a reserve component of the Armed Forces of the United States, as verified by a memorandum from the commanding officer of the veteran student.
  3. The veteran has been assigned a service-connected disability by the United States Department of Veterans Affairs.
- An out-of-state veteran who resides within 90 miles of a campus located in Alabama and has enrolled at an institution whose board of trustees has voted to allow nonresident in-state tuition for active and retired military; and

WHEREAS, this legislation also directs that for purposes of admission and tuition, public institutions of higher education should consider that the term "resident student" applies to any of the following *persons who are minors and whose supporting person is*:

- A full-time permanent employee of the institution at which the student is registering;
- A member of the United States military on full-time active duty stationed in Alabama under orders for duties other than attending school
- A full-time permanent employment within the State of Alabama and will commence the employment within 90 days of registration with the institution;
- Is an accredited member of a consular staff assigned to duties in Alabama; and

WHEREAS, Section 2 of Act 2013-423 mandates that "boards of trustees of each public institution of higher education in the state shall adopt rules and guidelines necessary to implement this section, as amended. It is the intent of the Legislature that constitutionally created boards of trustees comply with the requirements of this section, as amended";

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees for Athens State University that it hereby adopts the mandates relating to in-state residency status for active duty service members, their spouses, their dependents, and veterans in accordance with Act 2013-423 passed by the Alabama Legislature on May 20, 2013, and signed by Governor Robert Bentley on May 23, 2013.

ADOPTED, RESOLVED, and APPROVED this 18<sup>th</sup> day of October 2013.

ATTESTED this 18<sup>th</sup> day of Oct. 2013

Paundra Sims - de Braffenried 10/18/13  
Chair pro tempore Date

Tell T. Mc 10/18/13  
Vice Chair pro tempore Date

Jackie Gooch 10/18/13  
Secretary to the Board Date