POLICY Board of Trustees - Montgomery College **45003**

Chapter: Student Affairs Modification No. 012

Subject: Tuition and Fees; State Aid

I. Maryland law grants authority to the Board of Trustees to set tuition and fees for Montgomery College students, including the authority to "…operate one or more community colleges." (Education Article of the Annotated Code of Maryland, §16-103 (b)) and to "…charge students reasonable tuition and fees set by it with a view toward making college education available to all qualified individuals at low cost." (Education Article of the Annotated Code of Maryland, §16-103 (j)).

II. In addition, the administrative policy of the Maryland Higher Education Commission ("MHEC") permits approved categories of students to be included in the submission of FTE enrollment of the College for purposes of State Aid

III. The purpose of this policy is to set forth the basic tuition structure and to meet the MHEC requirements for submission for State Aid, specifically excluding such students from the FTE count if not within a category of students approved by MHEC for State Aid FTE submission. In addition, this policy conforms to any special State policies with respect to tuition rates.

IV. In meeting its responsibilities under the law, and in order to promote the education of all qualified students, it is the policy of the Board of Trustees to provide a quality, affordable education. For each fiscal year, and more often as may be necessary, the Board of Trustees shall set appropriate fees and tuition rates in at least three categories: 1. Montgomery County residents ("C Rate"); 2. Maryland residents from outside Montgomery County ("S Rate"), and 3. Out-of-State residents ("OS Rate").

V. The Board of Trustees authorizes the president to establish any procedures necessary to implement this policy.

Effective Date: January 18, 1982.
Modification Date(s): July 19, 1982; March 21, 1983; July 17, 1989, effective July 1, 1989; October 28, 1991; May 20, 1996; June 15, 2009; November 15, 2010; June 20, 2011 (*effective December 6, 2012*); January 25, 2013; March 23, 2015, April 15, 2024.
Last Review Date: April 15, 2024.

PROCEDURE - Montgomery College **45003CP**

Chapter: Student Affairs Modification No. 008

Subject: **Tuition and Fees; State Aid**

I. Credit Students

A. Applicability of Tuition Rates

Except as otherwise permitted by State or federal law, students attending Montgomery College will pay the tuition based on their place of residence at the time they are admitted to the College The three categories of tuition are: 1. Montgomery County residents (“C Rate”); 2. Maryland residents from outside Montgomery County (“S Rate”); and 3. Out-of-State residents (“OS Rate”).

B. Determination of Residence and Domicile

1. To qualify as a resident of Montgomery County or the State of Maryland for purposes of determining the applicable tuition rate to be applied, legal domicile must have been maintained for a period not less than three months prior to the first regularly scheduled class for the semester.

2. For a student to be considered as a resident of Montgomery County or the State of Maryland for purposes of determining the applicable tuition rate to be applied, the student must possess the legal capacity under State and federal law to establish Maryland domicile.

3. Domicile shall be considered as "a person's permanent place of abode, where physical presence and possessions are maintained and where he/she intends to remain indefinitely. The domicile of a person who received more than one-half of his/her financial support from others in the most recently completed year is the domicile of the person contributing the greatest proportion of support, without regard to whether the parties are related by blood or marriage."

4. At the time of admission to or initial enrollment in any credit course at Montgomery College, each student shall sign a statement affirming domicile and the factual basis for the claim of domicile. If facts indicate the domicile has changed, the student shall indicate whether his/her domicile is the same or different from previous signed statement affirming domicile.

5. A domicile in Montgomery County of the State of Maryland is lost when a new domicile is established for a period of three months at a location outside the County or State.

6. An individual's immigration status shall not preclude award of Maryland residency under this policy if the individual has the legal capacity to establish domicile in Maryland.

C. Proof of Residency

In determining the adequacy of the factual basis for domicile provided by the student, the College will consider any of the following factors and request evidence for substantiation:

1. Ownership or rental of local living quarters;

2. Substantially uninterrupted physical presence including the months when the student is not in attendance at the College;

3. Maintenance in Maryland and in the County of all, or substantially all, of the student's possessions;

4. Payment of Maryland State and local piggyback income taxes on all taxable income earned, including all taxable income earned outside the State;

5. Registration to vote in the State and County;

6. Registration of a motor vehicle in the State, with a local address specified, if the student owns or uses such a vehicle; or

7. Possession of a valid Maryland driver's license, with a local address specified, if the student is licensed anywhere to drive a motor vehicle.

D. Reclassification of Residency

A person shall be provided the opportunity to request a change in residence classification or to appeal current classification within a reasonable time after the decision by the College. Appeals for changes of resident classification must be accompanied by evidence justifying such changes and must be processed prior to the end of the third week of fall and spring classes or the first week of winter and summer classes. Any changes processed after the third week of classes will be effective the following semester. Appeals shall be submitted in writing to the appropriate Campus Registrar.

E. Non-Residents Who May Qualify for a Lower Tuition Rate

In addition to the general requirements above, State and federal law in some instances provide that specific categories of non-resident students may be eligible for the “S Rate” or “C Rate.” To qualify, students may need to provide documentation and/or complete forms developed by the Office of Records & Registration Please contact the Office of Records & Registration if you have questions or believe you may be covered by one of the following categories.

1. Active duty members of the United States armed forces, their spouses and their financially dependent children, if the active duty member is stationed in, resides in, or is domiciled in Montgomery County or in Maryland. Spouses and financially dependent children continue to be eligible for a lower tuition rate after the active duty service member is no longer stationed in, resides in, or is domiciled in Montgomery County or Maryland if they remain continuously enrolled.

2. A veteran who was honorably discharged from the United States armed forces and resides in or is domiciled in Maryland.

3. A member of the National Guard who provides a critical military occupational skill or is a member of the Air Force Critical Specialty Code.

4. A student who is the spouse or financially dependent child of a State or local public safety employee killed in the line of duty.

5. A student, including an undocumented immigrant but excluding a nonimmigrant alien within the meaning of 8 U.S.C 11101(a)(15), who meets the following requirements:

    a. Attended a public or nonpublic high school in Maryland;

    b. Graduated from a public or nonpublic high school in Maryland or received the equivalent of a high school diploma from the State;

    c. Enrolls at Montgomery College not later than six years after graduating from a public or nonpublic secondary school in the State or receiving the equivalent of a high school diploma in the State;

    d. Provides documentation that the individual, or the individual's parent or legal guardian has filed a Maryland income tax return annually for the 2 year period before the academic year in which the tuition rate exemption would apply;

    e. Provides an affidavit stating that the individual will file an application to become a permanent resident within 30 days after the individual becomes eligible to do so; and

    f. Provides proof that the individual, if required to do so (males age 18-25), has registered with the selective service system.

6. A student from outside the State who enrolls in an education program leading to licensure in nursing if, at the time of registration, they furnish a surety bond or promissory note satisfactory to the Maryland Higher Education Commission, that on completion of the nursing program, the student will work full-time in Maryland for at least 2 years in a hospital or related institution.

7. A student who is employed by a business located in Montgomery County.

8. A Montgomery County Public Schools teacher who has been employed for less than a year and resides in Montgomery County or Maryland but is unable to meet residency requirements for tuition purposes and is taking a course that is required for employment.

9. A student who is an employee, or a spouse or a financially dependent child of an employee, who moved to Montgomery County or Maryland as part of the Base Realignment and Closure process and resides in the

County or State but does not meet residency requirements for tuition purposes.

10. A student enrolled in a program designated as a health manpower shortage program or a statewide or regional by the Maryland Higher Education Commission if domiciled in the approved region for the program.

11. A student from outside the State who enrolls as part of a reciprocity agreement negotiated between Maryland and another state.

12. A "covered individual" using benefits under the Post 9/11 GI Bill® or Montgomery GI Bill®[1]as provided for by Section 702 of the Veterans Access, Choice and Accountability Act or Section 301 of the Veterans Affairs Expiring Authorities Act of 2018. A "covered individual" is defined by the Act as:

    a. A veteran who lives in Montgomery County or Maryland (regardless of his or her formal state of residence) and enrolls at Montgomery College within 3 years of discharge from a period of active duty service of 90 days or more;

    b. Anyone using transferred benefits who lives in Montgomery County or Maryland (regardless of his or her formal state of residence) and enrolls at Montgomery College within 3 years of the transferor's discharge from a period of active duty service of 90 days or more;

    c. A spouse or child using benefits under the Marine Gunnery Sergeant John David Fry Scholarship veteran who lives Montgomery County or Maryland (regardless of his or her formal state of residence);

    d. Anyone using transferred Post-9/11 G.I. Bill (38 U.S.C. § 3319) benefits who lives in Montgomery County or Maryland (regardless of his or her formal state of residence) and the transferor is a member of the uniform service who is serving on active duty;

    e. An individual using educational assistance under chapter 31, Vocational Rehabilitation and Employment, who lives in Montgomery County or Maryland, while attending Montgomery College (regardless of the individual's formal state of residence), effective for courses, semesters or terms beginning after March 1, 2019.

    f. Anyone described above while the individual remains continuously enrolled (other than during regularly scheduled breaks between courses, semesters, or terms) at the same school. The person so described must have enrolled in the school prior to the expiration of the three-year period following discharge or release as described above and must be using educational benefits under either Chapter 30, Chapter 31

(Vocational Rehabilitation and Employment), or Chapter 33 of Title 38, United States Code.

13. A victim of human trafficking who provides evidence of such status, including certified law enforcement, court, or other federal or state agency records or files; documentation from a human trafficking prevention or assistance program; or documentation from a religious, medical, or other professional from whom the applicant has sought assistance or treatment as a victim of human trafficking. Such evidence and any other information collected or maintained by the College related to an individual's application or related to the individual's status as a victim of human trafficking shall remain confidential and may only be disclosed upon the applicant's written consent. "Victim of human trafficking" means an individual who has been recruited, harbored, transported, provided, or obtained for labor, services, or a sexual act through the use of force, fraud, or coercion. The College will keep a record of the number of individuals affected by this tuition adjustment and will report this information to the Maryland Higher Educational Commission annually.

14. A returned Peace Corps volunteer who is domiciled in the County or State.

15. Citizens of the three Freely Associated States, which are the Federated States of Micronesia (FSM), the Republic of the Marshall Islands (RMI), and the Republic of Palau, for tuition charged to students on or after July 1, 2024.

II. Noncredit Students

In establishing the domicile of a person enrolling in a noncredit continuing education course, a person shall indicate on a signed registration document whether he/she is a resident of the State, County, or region.

III. Contracted Education and Training

Montgomery College may enter into a contract with any public or private sector employer or non-profit organization that maintains facilities, operates, or does business in the State to provide education or training for public or private sector employees or members for a set contractual fee in place of payment of tuition and fees under the following conditions:

A. The employee or member is enrolled in credit or noncredit courses which will benefit the employer;

B. The employer or non-profit organization pays the fee charged by the College;

C. The fee reasonably reflects the usual costs borne by students in the same or similar courses;

D. The employees or members enrolled under this program shall be treated as any other students in accordance with Montgomery College policies and procedures and the general policies of the Maryland Higher Education Commission, with the exception of payment of tuition;

E. Contractual arrangements under this section may include customized training as well as employer paid tuition and tuition reimbursement plans.

Footnote: GI Bill® is a registered trademark of the U.S. Department of Veterans Affairs (VA). More information about education benefits offered by VA is available at the official U.S. government Web site at http://www.benefits.va.gov/gibill

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Administrative Approval: March 23, 2015; June 30, 2017; October 11, 2018; February 6, 2019; June 15, 2022; April 24, 2024; June 27, 2024, June 23, 2026.