

STUDENT SERVICES

AP 5020 NONRESIDENT TUITION

References:

Education Code Sections 68130.5 and 76140 et seq.;
Title 5 Section 54045.5

The nonresident tuition fee will be established not later than February 1 for the succeeding fiscal year according to one of the following bases:

- Statewide basis
- District basis
- District basis with 10% or more noncredit FTES
- No more than a contiguous district
- No more than the District basis and no less than the statewide basis

Exemptions to the nonresident tuition fee requirements include any students, other than non-immigrant foreign nationals under 8 U.S. Code Section 1101(a)(15), who meet all of the following requirements:

- either high school attendance in California for three or more years OR attainment of credits earned in California from a California high school equivalent to three or more years of full-time high school coursework and a total of three or more years of attendance in California elementary schools, California secondary schools, or combination of those schools;
- graduation from a California high school or attainment of the equivalent thereof
- registration or enrollment in a course offered by an accredited institution of higher education for any term commencing on or after January 1, 2002
- completion of a questionnaire form prescribed by the State Chancellor's Office verifying eligibility for this nonresident tuition exemption and
- in the case of a student without lawful immigration status, the filing of an affidavit that the student has filed an application to legalize his/her immigration status, or will file an application as soon as he/she is eligible to do so

Additionally:

- Any students who meet the following requirements:
 - demonstrates financial need;
 - has a parent who has been deported or was permitted to depart voluntarily;
 - moved abroad as a result of that deportation or voluntary departure;
 - lived in California immediately before moving abroad;
 - attended a public or private secondary school in the state for three or more years; and

- Upon enrollment, will be in his or her first academic year as a matriculated student in California public higher education, will be living in California, and will file an affidavit with the District stating that he or she intends to establish residency in California as soon as possible.
- Any nonimmigrant foreign nationals granted “T” or “U” visa status under title 8 U.S. Code Section 1101(a)(15)(T)(i) or (ii), or section 1101(a)(15)U(i) or (ii), respectively, who meet the following requirements:
 - high school attendance in California for three or more years;
 - graduation from a California high school or attainment of the equivalent thereof;
 - registration or enrollment in a course offered for any term or commencing on or after January 1, 2002; and
 - completion of a questionnaire form prescribed by the State Chancellor’s Office verifying eligibility for this nonresident tuition exemption.
- Non-resident fees for special part-time students will be waived based on the following criteria (Education Code Section 76140):
 - The student must be residing in California.
 - The student must be attending a high school (public or private) in California.
 - The student must be enrolled as a special part-time student in fewer than 12 units each semester or fewer than 15 units if participating in a CCAP as defined in AP 5011.
 - The student must be recommended by the principle of the pupil’s school and have parental permission to attend a community college.
 - This exemption does not apply to special full-time students.
 - This exemption does not apply to non-immigrants other than “T” and “U” non-immigrant visa.
 - Students receiving this non-resident tuition exemption do not receive resident status.

The computation of the nonresident tuition per unit charge is based on the expense of education for the base year, the annual attendance (FTES), and the U.S. Consumer Price Index.

The computation of the nonresident capital outlay fee is not to exceed the amount expended for capital outlay in the preceding year divided by the total full-time equivalent students.

The application processing fee for citizens and residents of a foreign country is not to exceed the lesser of:

- the actual cost of processing an application and other documentation required by the federal government, or
- \$100, which may be deducted from the tuition fee at the time of enrollment.

Offices of Primary Responsibility: Fiscal Services and Student Services