

## **AP 5020 Nonresident Tuition**

Reference:

**Education Code Sections 68075.65, 68130.5, and 76140 et seq.  
Title 5 Section 54045.5**

- 1.0 **Non-Resident Tuition:** Students who are not residents of California for one year prior to the first day of the term will be charged Nonresident Tuition at the Board-approved rate per semester unit. Nonresident students must pay Nonresident Tuition in addition to the California Community College Enrollment Fees. Students who believe they should be reclassified as a resident student have the responsibility to change their classification in the Admissions and Records Office prior to registration.
- 1.1 Nonresident special part-time students shall be exempt from the requirement to pay nonresident tuition for community college credit courses.
- 1.1.1 The term “special part-time student” refers to students who have been recommended by the principal of the pupil’s school and have parental permission to attend a community college during any session or term and who enroll in 11.99 or fewer units per semester. The exemption does not apply to special full-time students.
- 1.2 A nonresident student who is a U.S. citizen and resides in a foreign country shall be exempt from nonresident tuition if the student meets all of the following requirements.
- 1.2.1 Demonstrates a financial need for the exemption.
- 1.2.2 Has a parent or guardian who has been deported or was permitted to depart voluntarily under the federal Immigration and Nationality Act.
- 1.2.3 Moved abroad as a result of the deportation or voluntary departure.
- 1.2.4 Lived in California immediately before moving abroad.
- 1.2.5 Attended a public or private secondary school in California for three or more years.
- 1.2.6 Upon enrollment, will be in his or her first academic year as a matriculated student in California public higher education.
- 1.2.7 Will be living in California and will file an affidavit with the community college stating that he or she intends to establish residency in California as soon as possible.
- 1.2.8 Documentation shall be provided by the student as required by statute as specified in Education Code Section 76140(a)(5).
- 2.0 **Nonresident Capital Outlay Fee:** Nonresident students who are both citizens and residents of a foreign country will be charged a Nonresident Capital Outlay Fee, in addition to the Nonresident Tuition and the California Community College Enrollment Fee, unless exempt per BP 5020.

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- 3.0 **Military Resident Exemption:** Nonresident U.S. military personnel on active duty in California (except those assigned for educational purposes to state-supported institutions of higher education) are granted a waiver of Nonresident Tuition until they are discharged from their military service. Their dependents are granted a waiver for a period of one year from the date they enter California. Upon expiration of the waiver, evidence must be provided as to the date the student surrendered his/her out-of-state residence to become a resident of California. The student will be classified as a nonresident and charged Nonresident Tuition until one year has elapsed since the out-of-state residence was surrendered.
- 4.0 **Nonresident Minor High School Student Exemption:** High school/pre-high school students admitted on a part-time basis on the recommendation of their principal are exempt from paying Nonresident Tuition when taking a class for high school credit. Nonresident special part-time students, who have been recommended by the principal of the pupil's school and have parental permission to attend a community college during any session or term and who enroll in 11.99 or fewer units per semester, shall be exempt from the requirement to pay nonresident tuition for community college credit courses.
- 5.0 **High School Graduate Exemption:** Students without lawful immigration status who attended high school in California for three or more years and graduated from a California high school or attained the equivalent are exempt from non-resident tuition. Students without lawful immigration status must file an affidavit stating that the student has filed an application to legalize their immigration status, or will do so as soon as possible. Undocumented students are not eligible for exemption.
- 6.0 **Foreign Students:** Citizens and residents of a foreign country shall be charged a Board-approved tuition and a Capital Outlay Fee. Foreign students may be exempt from the nonresident tuition and/or the Capital Outlay Fee if they meet the criteria in BP5020, Section 4.0. Nonresident tuition and Capital Outlay Fees are paid in addition to the enrollment fee paid by all students. If the students believe they should be reclassified as a resident student, it is their responsibility to change their classification in the Admissions and Records Office prior to registration.
- 7.0 **September 11, 2001 Exemption:** If an individual who was killed in the terrorist attacks on the World Trade Center in New York City, the Pentagon in Washington, D.C., or the crash of United Airlines Flight 93 was a resident of California on September 11, 2001, or if their dependent was a resident on that date and if they meet the financial need requirement for the Cal Grant A Program, the dependents of this individual may be exempt from non-resident tuition. If the dependent is a spouse, the exemption applies until January 1, 2013. If the dependent is a child, the exemption applies until the person reaches the age of 30.
- 8.0 **College and Career Access Pathways Special Part-time Student Exemption:** High school students, other than nonimmigrant individuals who are not citizens or nationals of the United States under 8 U.S. Code Section 1101(15)(a), participating in a College and Career Access Pathways (CCAP) partnership program and enrolled in no more than 15 units per term are exempt from nonresident tuition.
- 9.0 **English as a Second Language Student Exemption:** A nonresident student who enrolls in a credit English as a Second Language course at the District and who is any of the following:

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- 9.1 A recent immigrant, as defined in 8 U.S. Code Section 1101(a)(15);
- 9.2 A recent refugee, as defined in 8 U.S. Code Section 1101(a)(42); or
- 9.3 A person who has been granted asylum by the United States, as defined in 8 U.S. Code Section 1158.

This exemption applies only to individuals who, upon entering the United States, settled in California and who have resided in California for less than one year, and applies only to the tuition fee for credit ESL courses.

10.0 **Payment:** Tuition must be paid in full within 72 hours of registering.

10.1 For nonresident students, tuition must be paid in full within 72 hours of registering. Failure to do so will result in the students being dropped from all registered classes unless the student enrolls and actively participates in the payment plans offered by the District.

11.0 **Refunds:** The same refund guidelines apply as those for other registration fees. (Refer to AP 5030, Fees, Sections 4.4, 4.5, and 4.8.).

See Board Policy 5020, Nonresident Tuition and Administrative Procedure 5030, Fees.

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