

Student Services

1 AP 5020 NONRESIDENT TUITION

2 References:

- 3 Education Code, Sections 68075.65, 68130.5, and 76140 et seq.;
- 4 Title 5, Section 54045.5;
- 5 VACA Act [38 U.S.C. 3679(c)], Section 702

6 **Nonresident Tuition:** Students who are not residents of California for one year prior to
7 the first day of the semester will be charged Nonresident Tuition at the Board-approved
8 rate per semester unit. Nonresident tuition fees are set no later than March 1 of each
9 year. Nonresident students must pay Nonresident Tuition in addition to the California
10 Community College Enrollment Fees. Calculation of such tuition shall be done in
11 compliance with applicable law and regulation to reflect the current expense of education
12 and that of the preceding fiscal year, and it shall reflect fees in contiguous districts.
13 Students who believe they should be reclassified as resident students have the
14 responsibility to request a change of their classification in the Admissions, Records and
15 Services Office prior to enrollment. A notice listing persons exempt from paying
16 nonresident tuition is posted on the District's website.

17 **Nonresident Capital Outlay Fee:** Nonresident students who are both citizens and
18 residents of a foreign country will be charged a Nonresident Capital Outlay Fee, in
19 addition to the Nonresident Tuition and the California Community College Enrollment Fee.

20 **Military Resident Exemption:** Nonresident U.S. military personnel on active duty in
21 California (except those assigned for education purposes to state-supported institutions
22 of higher education) are granted a waiver of Nonresident Tuition until they are discharged
23 from their military service. Their dependents are granted a waiver for a period of one year
24 from the date they enter California. Upon expiration of the waiver, evidence must be
25 provided as to the date the student surrendered his/her out-of-state residence to become
26 a resident of California. The student will be classified as a nonresident and charged
27 Nonresident Tuition until one year has elapsed since the out-of-state residence was
28 surrendered, except when the provisions of the VACA Act [38 U.S.C. 3679(c)], Section
29 702 apply as follows:

- 30 • A student who is covered by the federal Veterans Access, Choice, and
31 Accountability Act (Section 702 of the VACA Act [38 U.S.C. 3679(c)] as stated in
32 parts 1-4 of this bulleted item shall be fully exempt from non-resident fees,
33 including nonresident tuition and the capital outlay fee charged of nonresident
34 students.

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1. A Veteran who lives in California (regardless of his/her formal state of residence) and enrolls in Cerritos College within three years of discharge from a period of active duty service of 90 days or more.
 2. A spouse or child entitled to transferred education benefits who lives in California (regardless of his/her formal state of residence) and enrolls in Cerritos College within three years of the transferor's discharge from a period of active duty service of 90 days or more.
 3. A spouse or child using benefits under the Marine Gunnery Sergeant John David Fry Scholarship (provides Post-9/11 GI Bill benefits to the children and surviving spouses of service members who died in the line of duty while on active duty) who lives in California (regardless of his/her formal state of residence) and enrolls in Cerritos College within three years of the Servicemember's death in the line of duty following a period of active duty service of 90 days or more.
 4. After expiration of the three year period following discharge or death as described in 38 U.S.C. 3679(c), a student who initially qualifies under the applicable requirements above will maintain "covered individual" status as long as he or she remains continuously enrolled (other than during regularly scheduled breaks between courses, semesters or terms) at the institution, even if they enroll in multiple programs and shall continue to be exempt from paying nonresident tuition and other fees, as provided by California EC §68075.5(c) requiring that the District grant a full exemption from the nonresident fee for all students verified to be "covered individuals" per the criteria above within this bulleted item **and** that qualify to use Montgomery GI Bill-Active Duty or Post 9/11 GI Bill education benefits (Chapters 30 and 33, respectively, of Title 38, U.S. Code while living in California. Eligibility determination is subject to the "Certificate of Eligibility" (COE) of the veteran or eligible dependent (who is made eligible through the Transfer of Entitlement [TOE] to basic educational assistance under Chapters 30 and 33 of Title 38, U.S.C.). The DD214, Certificate of Release or Discharge from Active Duty, of the qualifying individual may also be of assistance in confirming "covered individual" status as it shows the effective date of the veteran's discharge from active service.

67 **High School Graduate Exemptions:** Students, other than nonimmigrant aliens under 8
68 U.S.C. 1101(a)(15), who meet the following requirements are exempt from paying
69 nonresident tuition:

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- 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 for any term commencing on or after January 1, 2002;
 - completion of a questionnaire form prescribed by the Chancellor verifying eligibility for this nonresident tuition exemption; and

80 • in the case of a student without lawful immigration status, the filing of an
81 affidavit that the student has filed an application to legalize his or her
82 immigration status, or will file an application as soon as he or she is eligible to
83 do so.

84 **Nonimmigrant Aliens:** Any nonimmigrant aliens granted “T” or “U” visa status under title
85 8 U.S. Code Section 1101(a)(15)(T)(i) or (ii), or section 1101(a)(15)U)(i) or (ii),
86 respectively, who meet the following requirements:

- 87 • high school attendance in California for three or more years;
- 88 • graduation from a California high school or attainment of the equivalent thereof;
- 89 • registration or enrollment in a course offered for any term or commencing on or
90 after January 1, 2002; and
- 91 • completion of a questionnaire form prescribed by the State Chancellor’s Office
92 verifying eligibility for this nonresident tuition exemption.

93 **College and Career Access Pathways (CCAP):** A special part-time student, other than
94 a nonimmigrant alien under 8 U.S. Code Section 1101(15)(a), participating in a College
95 and Career Access Pathways (CCAP) partnership program and enrolled in no more than
96 15 units per term.

97 **Foreign Students:** Citizens and residents of a foreign country shall be charged a Board-
98 approved tuition and a Capital Outlay Fee. Foreign students may be exempt from the
99 Capital Outlay Fee if they meet the criteria in BP 5020 titled Nonresident Tuition.
100 Nonresident tuition and the Capital Outlay Fee are paid in addition to the enrollment fee
101 paid by all students. If the student believes he or she should be classified as a resident
102 student, it is their responsibility to request a change of their classification in the
103 Admissions, Records and Services Office prior to enrollment.

104 **September 11, 2001 Exemption:** If an individual who was killed in the terrorist attacks
105 on the World Trade Center in New York City, the Pentagon in Washington, D.C., or the
106 crash of United Airlines Flight 93 was a resident of California on September 11, 2001, or
107 if his or her dependent was a resident on that date and if he or she meets the financial
108 need requirement for the Cal Grant A Program, the dependent(s) of this individual may
109 be exempt from nonresident tuition. If the dependent is a spouse, the exemption applies
110 until January, 1, 2013. If the dependent is a child, the exemption applies until the person
111 reaches the age of 30.

112 Refer also to AP 5015 titled Residence Determination and AP 5030 titled Fees

113 Office of Primary Responsibility: Vice President, Student Services

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