

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 as defined in AP 5015 will be
7 charged Nonresident Tuition at the Board-approved rate per semester unit. Nonresident
8 tuition fees are set no later than March 1 of each year. Nonresident students must pay
9 Nonresident Tuition in addition to the California Community College Enrollment Fees.
10 Calculation of such tuition shall be done in compliance with applicable law and regulation
11 to reflect the current expense of education and that of the preceding fiscal year, and it
12 shall reflect fees in contiguous districts. Students who believe they should be reclassified
13 as resident students have the responsibility to request a change of their classification in
14 the Admissions and Records Office prior to enrollment. A notice listing persons exempt
15 from paying nonresident tuition is posted on the District's website.

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

19 For Military Resident Exemption, see Administrative Procedure 5013.

20 **High School Graduate Exemptions:** Students, other than a person excluded from the
21 term "immigrant" for purposes of the federal Immigration and Nationality Act 8 U.S.C.
22 1101(a)(15), who meet the following requirements are exempt from paying nonresident
23 tuition:

- 24 • either high school attendance in California for three or more years OR
25 attainment of credits earned in California from a California high school
26 equivalent to three or more years of full-time high school coursework and a total
27 of three or more years of attendance in California elementary schools,
28 California secondary schools, or combination of those schools;
- 29 • graduation from a California high school or attainment of the equivalent thereof;
- 30 • registration or enrollment in a course offered for any term commencing on or
31 after January 1, 2002;
- 32 • filing a California Nonresident Tuition Exemption Request form with the District,
33 or in the case of students applying for state-based financial aid, by filing a
34 California Dream Act Application (CADAA) with the California Student Aid
35 Commission verifying eligibility for this nonresident tuition exemption; and

36 • in the case of a student without lawful immigration status, the filing of an
37 affidavit that the student has filed an application to legalize his/her/their
38 immigration status, or will file an application as soon as he/she/they is eligible
39 to do so.

40 **Students on Visas:** Any person granted “T” or “U” visa status under title 8 U.S. Code
41 Section 1101(a)(15)(T)(i) or (ii), or section 1101(a)(15)U(i) or (ii), respectively, who meet
42 the following requirements:

43 • high school attendance in California for three or more years;
44 • graduation from a California high school or attainment of the equivalent thereof;
45 • registration or enrollment in a course offered for any term or commencing on or
46 after January 1, 2002; and
47 • filing a California Nonresident Tuition Exemption Request form with the District
48 or in the case of students applying for state-based financial aid, by filing a
49 California Dream Act Application (CADAA) with the California Student Aid
50 Commission, verifying eligibility for this nonresident tuition exemption.

51 **College and Career Access Pathways (CCAP):** A special part-time student, other than
52 a person excluded from the term “immigrant” for purposes of the federal Immigration and
53 Nationality Act (8 U.S. Code Section 1101(15)(a)), participating in a College and Career
54 Access Pathways (CCAP) partnership program and enrolled in no more than 15 units per
55 term.

56 **Foreign Students:** Citizens and residents of a foreign country shall be charged a Board-
57 approved tuition and a Capital Outlay Fee. Foreign students may be exempt from the
58 Capital Outlay Fee if they meet the criteria in BP 5020 entitled Nonresident Tuition.
59 Nonresident tuition and the Capital Outlay Fee are paid in addition to the enrollment fee
60 paid by all students. If the student believes he/she/they should be classified as a resident
61 student, it is their responsibility to request a change of their classification in the
62 Admissions and Records Office prior to enrollment.

63 Office of Primary Responsibility: Vice President, Student Services

64 See also AP 5011 titled Admission and Concurrent Enrollment of High School and Other
65 Young Students; AP 5015 titled Residence Determination; and AP 5030 titled Fees.

Date Approved: May 21, 2007

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