



## **AP 5020 Nonresident Tuition**

### Reference:

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

1. The Board of Trustees will determine the nonresident tuition fee be set not later than March 1 of each year.
  - A. The fee shall be calculated in accordance with guidelines contained in applicable state regulations and/or the California Community College Attendance Accounting Manual.
  - B. The Board of Trustees may charge a capital outlay fee to all nonresident students.
  - C. When calculating the nonresident tuition, the District shall review the calculation include the expense of education in the preceding fiscal year.
  - D. When calculating the nonresident tuition, the District shall review the calculation reflect fees in contiguous Districts.
2. Nonresident exemptions:
  - A. Any students, other than a person excluded from the term “immigrant,” for purposes of the federal Immigration and Nationality Act (8 U.S.C. Sec. 1101), pursuant to paragraph (15) of subsection (a) of Section 1101 of Title 8 of the United States Code, who meet the following requirements:
    - i. 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;
    - ii. graduation from a California high school or attainment of the equivalent thereof;
    - iii. registration or enrollment in a course offered for any term commencing on or after January 1, 2002;
    - iv. completion of a questionnaire form prescribed by the California Community Colleges Chancellor’s Office verifying eligibility for this nonresident tuition exemption; and

- v. in the case of a student without lawful immigration status, the filing of an affidavit that the student has filed an application to legalize their immigration status or will file an application as soon as they are eligible to do so.
  - B. Any students who meet the following requirements:
    - i. demonstrates financial need;
    - ii. has a parent who has been deported or was permitted to depart voluntarily;
    - iii. moved abroad as a result of that deportation or voluntary departure;
    - iv. lived in California immediately before moving abroad;
    - v. attended a public or private secondary school in the State for three or more years; and
    - vi. Upon enrollment, will be in their 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 they intend to establish residency in California as soon as possible.
  - C. Any nonimmigrants 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:
    - i. high school attendance in California for three or more years;
    - ii. graduation from a California high school or attainment of the equivalent thereof;
    - iii. registration or enrollment in a course offered for any term or commencing on or after January 1, 2002; and
    - iv. completion of a questionnaire form prescribed by the California Community Colleges Chancellor’s Office verifying eligibility for this nonresident tuition exemption.
  - D. A special part-time student, other than a person excluded from the term “immigrant,” for purposes of the federal Immigration and Nationality Act (8 U.S.C. Sec. 1101), pursuant to paragraph (15) of subsection (a) of Section 1101 of Title 8 of the United States Code, participating in a College and Career Access Pathways (CCAP) partnership program and enrolled in no more than 15 units per term.
- 3. A listing of all persons exempt from paying nonresident tuition shall be posted on the District’s website.

Reviewed and Endorsed by CPC: 9/26/23

Next review date: Fall 2029