
Administrative Procedure
Chapter 5 – Student Services

AP 5020 NONRESIDENT TUITION

References:

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

Nonresident Tuition: Students who are not residents of California for one year prior to the first day of the semester 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. Calculation of such tuition shall be done in compliance with applicable law and regulation to reflect the current expense of education and that of the preceding fiscal year, and it shall reflect fees in contiguous districts. Students who believe they should be reclassified as resident students have the responsibility to request a change of their classification in the Admissions, Records and Services Office prior to enrollment.

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.

Military Resident Exemption: Nonresident U.S. military personnel on active duty in California (except those assigned for education 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/they 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.

Exemptions, including:

Students, other than nonimmigrant aliens under 8 U.S.C. 1101(a)(15), who meet the following requirements are exempt from paying nonresident tuition:

- 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
- 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/their immigration status, or will file an application as soon as he/she is eligible to do so.

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/her/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 he/she/they intends to establish residency in California as soon as possible.

Any nonimmigrant aliens granted “T” or “U” visa status under 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 California Community Colleges Chancellor’s Office verifying eligibility for this nonresident tuition exemption.

A special part-time student, other than a nonimmigrant alien 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.

A nonresident student who enrolls in a credit English as a Second Language course at the district and who is any of the following:

- A recent immigrant, as defined in 8 U.S. Code Section 1101(a)(15);
- A recent refugee, as defined in 8 U.S. Code Section 1101(a)(42); or
- 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. This exemption applies only to the tuition fee for credit ESL courses.

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

Capital Outlay Fee if they meet the criteria in BP 5020 Nonresident Tuition. Nonresident tuition and the Capital Outlay Fee are paid in addition to the enrollment fee paid by all students. If the student believes he/she/they should be classified as a resident student, it is their responsibility to request a change of their classification in the Admissions, Records and Services Office prior to enrollment.

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 his/her/their dependent was a resident on that date and if he/she meets the financial need requirement for the Cal Grant A Program, the dependent(s) of this individual may be exempt from nonresident 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.

Also see AP 5015 Residence Determination

Approved: August 25, 2021

Revised: January 24, 2024