

## **AP 5020      Nonresident Tuition**

Reference:      ***Education Code Sections 68075.65, 68130.5 and, 76140 et seq; Title 5 Section 54045.5***

Date Issued:      July 10, 2012

Revised: ~~July 20, 2021~~

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The Grossmont-Cuyamaca Community College District (District) Chancellor shall ensure that District procedures for nonresident tuition will comply with California Education Code, Section 76140, and follow the guidelines of the California Community College Budget and Accounting Manual in determining the District's full expense of education.

**NOTE: This procedure is legally required. Local practice may be inserted, which must include or address:**

- Exemptions, including:
  - Any students, other than non-immigrant aliens under 8 U.S. Code Section 1101(a)(15), who meet the following requirements:
    1. 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;
    2. graduation from a California high school or attainment of the equivalent thereof;
    3. registration or enrollment in a course offered for any term commencing on or after January 1, 2002;
    4. completion of a questionnaire form prescribed by the State Chancellor's Office verifying eligibility for this nonresident tuition exemption; and
    5. 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 immigration status, or will file an application as soon as he/she is eligible to do so.
  - Any students who meet the following requirements:
    1. demonstrates financial need;
    2. has a parent who has been deported or was permitted to depart voluntarily;
    3. moved abroad as a result of that deportation or voluntary departure;
    4. lived in California immediately before moving abroad;
    5. attended a public or private secondary school in the state for three or more years; and
    6. 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.

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- Any nonimmigrant aliens 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:
    1. high school attendance in California for three or more years;
    2. graduation from a California high school or attainment of the equivalent thereof;
    3. registration or enrollment in a course offered for any term or commencing on or after January 1, 2002; and
    4. completion of a questionnaire form prescribed by the State 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:
    1. A recent immigrant, as defined in 8 U.S. Code Section 1101(a)(15);
    2. A recent refugee, as defined in 8 U.S. Code Section 1101(a)(42); or
    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. This exemption applies only to the tuition fee for credit ESL courses.

Any student who feels they are eligible for the exemption above may submit a petition to their respective campus Petitions Committee

The annual District procedures will include, but may not be limited to addressing the following components:

- Determine processing fees, if any, for international students
- A requirement that the calculation include the expense of education in the preceding fiscal year
- A requirement that the calculation reflect fees in contiguous Districts
- A requirement that the calculation provide for students enrolled in more or less than 15 units per term
- A requirement that the nonresident tuition fee be set not later than March 1 of each year
- A requirement that a notice listing persons exempt from paying nonresident tuition be posted on the District’s website
- A requirement that the calculation reflect the current expense of education calculated according to the Budget and Accounting Manual.
- Exemptions, if any, due to reciprocity with bordering states.