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 Policy Area: Chapter 5 Student Services
 References:

BP 5020 Nonresident Tuition

(Replaces current SBCCD BP 5020)

Nonresident students shall be charged nonresident tuition for all units enrolled, unless specifically required otherwise by law.

Not later than February 1 of each year, the Chancellor shall bring to the Board of Trustees for approval an action to establish nonresident tuition for the following fiscal year. The fee shall be calculated in accordance with guidelines contained in applicable state regulations and/or the California Community College Attendance Accounting Manual.

The Chancellor is responsible for establishing procedures regarding collection, waiver, and refunds of nonresident tuition.

NOTE: The following is optional for those districts that enact a capital outlay component to nonresident tuition as permitted by Education Code Section 76141.

The Chancellor is authorized to implement a capital outlay fee of \$ _____, in an amount established by the board to be charged only to persons who are both citizens and residents of foreign countries. The Board of Trustees finds and declares that this fee does not exceed the amount expended by the district for capital outlay in the preceding year divided by the total FTES in the preceding fiscal year.

Students who would otherwise be charged this fee shall be exempt if they demonstrate that they are a victim of persecution or discrimination in the county of which they are a citizen and resident, or if they demonstrate economic hardship.

Students shall be deemed victims of persecution or discrimination if they present evidence that they are citizens and residents of a foreign country and that they have been admitted to the United States under federal regulations permitting such persons to remain in the United States. Students shall be deemed to have demonstrated economic hardship if they present evidence that they are citizens and residents of a foreign country and that they are receiving Temporary Assistance for Needy Families Program, Supplemental Income/State Supplementary benefits, or general assistance.

Students who would otherwise be charged this fee shall be exempt if they demonstrate that they have a parent who has been deported or was permitted to depart voluntarily, they moved abroad from California as a result of that deportation or voluntary departure, and they attended a public or private secondary school in the state for three or more years. Upon enrollment, students who qualify for this exemption must be in their first academic year as a matriculated student in California public higher education, live in California, and file an affidavit with the District stating that they intend to establish

residency in California as soon as possible.

References:

Education Code Sections 68050, 68051, 68052, 68130, **68130.5**, and **76141**;
Title 5 Section **54045.5**

Attachments:

[BP 5020 Nonresident Tuition - Comments](#)
[BP 5020 Nonresident Tuition - Legal Citations](#)
[BP5020 -OLD.pdf](#)

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