
**Kern Community College District
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

Note: This procedure is legally required.

Exemptions to nonresident tuition include:

- 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 California Community Colleges Chancellor's Office verifying eligibility for 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/their immigration status or will file an application as soon as he/she/they is/are 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 California for three (3) 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.
- 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 California Community Colleges Chancellor’s Office verifying eligibility for 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 requirement that the nonresident tuition fee be set not later than March 1 of each year.
 - 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.
 - 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 than 15 units per term.
 - A requirement that a notice listing persons exempt from paying nonresident tuition be posted on the District’s website.

Out-of-State Resident Tuition:

Out-of-State residents shall be charged tuition in accordance with the regulations of the Board of Governors of the California Community Colleges (Education Code Sections 68051 and 76004) See AP 5020 for procedures related to non-resident tuition refunds.

Nonresident Enrollment Fees and Tuition:

Unless expressly exempted or entitled to a waiver, nonresident students shall be charged nonresident fees and tuition for all units enrolled, unless otherwise required by law.

Any nonresident who is both a citizen and a resident of a foreign country who has demonstrated a financial need will be exempted. Not more than 10 percent (10%) of the nonresident foreign students attending any community college district may be exempted.

(1) The student shall be credited any excess non-resident tuition computed based on the units of current enrollment if a student drops a course within:

- Two (2) weeks after the starting date of the semester for a semester length course, or
- A date calculated to be ten percent (10%) from the starting date of a course other than semester length.

If a course is ten (10) days or less in length, the course must be dropped before the second (2nd) meeting to be credited a refund, computed based on units of current enrollment.

(2) If a class is cancelled or rescheduled, the student shall be credited any excess non-resident tuition computed based on units of current enrollment.

(3) A student entitled to receive the non-resident tuition must apply for the refund before the end of the second consecutive semester of non-attendance (summer session is not considered a semester) and shall use the appropriate campus refund request form.

(4) If a student does not apply for a fee refund within the timeframe noted above, the available funds will revert to the District.

(5) Exceptions to these procedures must be approved by the College President or designee.