

**Student Services**

CCLC 42 updated this legally required policy to provide an exemption to a nonresident student who enrolls in a credit English as a Second Language course if they meet certain requirements pursuant to changes in the Education Code. This is a 10+1. Mici 5-25-2023

To Jonathan/SLS 6-28-2023

Copy Jon H/Enrollment 6-28-2023

To Academic Senate

**BP 5020 NON-RESIDENT TUITION**

**References:**

Education Code Sections 68050, 68051, 68130, 68130.5, 76140, and 76141;  
Title 5 Section 54045.5

Non-resident students shall be charged non-resident tuition for all units enrolled, unless specifically required otherwise by law.

Not later than March 1 of each year, the Superintendent/President shall bring to the Board of Trustees for approval an action to establish non-resident 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 Superintendent/President shall establish procedures regarding collection, waiver, and refunds of nonresident tuition.

The Superintendent/President is authorized to implement a fee as officially adopted by the Board of Trustees and published in the District Catalog and Schedule of Classes.

This fee applies to:

- United States citizens or permanent United States residents who reside outside the state of California and
- persons who are both citizens and residents of foreign countries (international students).

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 country 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.

Pursuant to Education Code Section 76141, a district may also charge a capital outlay fee to nonresident students, other than those with exemptions pursuant to Assembly Bill 540.

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 move abroad from California as a result of that deportation or voluntary departure, and they attend 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.

Additionally, students who would otherwise be charged nonresident tuition fees for credit English as a Second Language courses shall be exempt if they demonstrate they are a recent immigrant, a recent refugee, or a person who has been granted asylum by the United States. 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.

*Office of Primary Responsibility:* Administrative Services

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Date Adopted: October 13, 2009 (*Replaced a portion of College of Marin Policy 6.0011*)

Date Reviewed/Revised: November 17, 2020

**Date Revised:**