



AP 5020 Nonresident Tuition

Non-resident tuition will be charged to students who have not established residency in the State of California for a period of one year prior to the day before classes begin. The nonresident enrollment fee (U.S. Citizen and Non-U.S. Citizen) is published in the catalog and schedule of classes. 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.

Nonresident Tuition Exemption Request:

A student who qualifies for the Nonresident Tuition Exemption Request will be exempt from paying the out-of-state tuition fee and will pay an in-state enrollment fee. The qualifications for the waiver are stated below.

A student other than a non-immigrant alien within the meaning of paragraph (15) of subsection (a) of Section 1101 of Title 8 of the United States Code, who meets all of the following requirements shall be exempt from paying nonresident tuition at Chaffey College:

- High school attendance in California for three or more years.
- Graduation from a California high school or attainment of the equivalent thereof (equivalent considered GED or high school proficiency test) must be obtained in the state of California.
- 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 State Chancellor's Office verifying eligibility for this nonresident tuition exemption; and
- In the case of a person without lawful immigration status, the filing of an affidavit (available in the Admissions and Records Office) stating that the student has filed an application to legalize his or her immigration status, or will file an application as soon as he/she is eligible to do so.

The student must file an exemption request including a signed affidavit with the college that indicates the student has met all applicable conditions described above. The exemption request and affidavit can be downloaded from the District website or can be obtained from the Admissions and Records Office. Student information obtained in this process is strictly confidential unless disclosure is required by law.

A student who meets the qualifications for the Nonresident Tuition Exemption Request is not a resident of the state of California until he/she meets physical presence and



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intent requirements. Therefore, students may not be eligible for any federal supported financial aid.

There are two types of non-resident students: a non-resident U.S. citizen and a nonresident alien (or non-citizen). Nonresident U.S. citizens may not be eligible for state supported financial aid. A nonresident alien may not be eligible for either state or federal financial aid.

Not later than February 1 of each year, the Superintendent/President 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.

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. The Governing Board 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 year. The fee will be reviewed annually.

References: Education Code Sections 68130.5 and 76140 et seq. ;
Title 5 Section 54045.5;
8 United States Code Section 1101(a)(15)

Approved: 06/12/14