

# ADMINISTRATIVE REGULATION 5020

SOUTH ORANGE COUNTY  
COMMUNITY COLLEGE DISTRICT

STUDENT SERVICES

## NONRESIDENT STUDENT TUITION

Nonresident students shall be charged nonresident tuition and a capital outlay fee for all units enrolled unless exempted under one of the following provisions:

- A. Any students, other than non-immigrant aliens under 8 U.S. Code Section 1101(a)(15), (see exception below for students who have been granted T or U visa status), who meet the following requirements:
1. attended a combination of California high school, adult school, and California Community College for the equivalent of three years or more, or;  
attained credits earned in California from a California high school equivalent to three or more years of full-time high school course work and attended a combination of elementary, middle, and/or high schools in California for a total of three or more years, and
  2. graduated from a California high school or attained the equivalent prior to the start of the term (for example, passing the GED or California High School Proficiency exam); or
  3. completed an associate degree from a California Community College, or
  4. completed the minimum requirements at a California Community College for transfer to the California State University or the University of California, and
  5. registered or enrolled in a course offered for any term commencing on or after January 1, 2002; and
  6. completed a questionnaire form prescribed by the California Community Colleges Chancellor's Office verifying eligibility for this nonresident tuition exemption; and
  7. in the case of a student without lawful immigration status, filed an affidavit that the student has filed an application to legalize their immigration status, or will file an application as soon as they are eligible to do so.
- B. Any nonresident student who is a United States citizen who resides in a foreign country, if that nonresident student meets all of 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;

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5. attended a public or private secondary school in the State for three or more years; and
6. upon enrollment, will be in 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 they intend to establish residency in California as soon as possible.

Documentation shall be provided by the student as required by statute.

C. Any non-immigrant aliens granted “T” or “U” visa status under 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 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 this nonresident tuition exemption.

D. Nonresident Tuition Exemptions for Special Immigrant Visa holders

1. the exemption for a student is only available for the maximum time it would take for the student to establish residency.
2. completion of a questionnaire form prescribed by the California Community Colleges Chancellor’s Office verifying eligibility for this nonresident tuition exemption.

E. A special part-time student, other than a non-immigrant alien under 8 U.S. Code Section 1101(15)(a), participating in a College and Career Access Pathways (CCAP) partnership program or a special part-time student (non CCAP- concurrently enrolled high school student) and enrolled in no more than 15 units per term. This exemption does not apply to categories of students who would be precluded from qualifying for the AB 540 nonresident tuition exemption. (See Administrative Regulation 5011 – *Admission of Concurrently Enrolled K-12 Students* for additional information regarding admission or enrollment of concurrently enrolled students.)

F. 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.

G. Members of the Armed Forces and their dependents as defined in Education Code and Veterans Access, Choice and Accountability Act. See Administrative Regulation 5013 – *Military Affiliated Students* for exemptions.

H. Any nonresident who is both a citizen and resident of a foreign country if the nonresident has demonstrated a financial need for exemptions. Not more than 10 percent of the nonresident foreign students attending may be exempted under this exemption. This exemption may be done on a case-by-case basis.

These exemptions will be posted on each college’s website.

*References:*

*Education Code 68075.65, 68130.5, and 76140 et seq.  
Title 5, Section 54045.5*