

Nonresident Tuition

Reference: Education Code Sections 68130.5, 76140 et seq.; Title 5, Section 54045.5

It is required that the nonresident tuition fee be set not later than February 1 of each year; therefore, the Superintendent/President shall bring to the Board for approval an action to establish nonresident tuition for the following fiscal year no later than January 1 of each year.

The fee shall be calculated in accordance with guidelines contained in the applicable state regulations and/or the California Community College Attendance Accounting Manual. The calculation shall:

- include the expense of education in the preceding fiscal year;
- reflect fees in contiguous districts.
- provide for students enrolled in more or less than 15 units per term.

Non-residents of California enrolling for credit classes at Palo Verde College will be charged a non-resident tuition fee plus the state enrollment fee which is due and payable upon registration.

Fees are specified in BP/AP 5030 – Fees, and the college catalog.

Exemptions:

Any student, other than one with United States Citizenship and Immigration Services (USCIS) **nonimmigrant** visa status (see exception below for students who have been granted T or U visa status) who meets all of the following requirements, shall be exempt from paying nonresident tuition.

- A student is exempt from paying nonresident tuition if the student meets *all* of the following four requirements:
 1. The student must have:
 - 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. The student must have:
 - 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
 - completed an associate degree from a California Community College, or
 - completed the minimum requirements at a California Community College for transfer to the California State University or the University

of California, and

3. The student must register as an entering student at, or current enrollment at, an accredited institution of higher education in California, and
 4. The student must file an affidavit with the college or university stating that if the student is a non-citizen without current or valid immigration status, the student has filed an application to legalize immigration status, or will file an application as soon as the student is eligible to do so.
- Students who are nonimmigrants who are victims of trafficking, domestic violence, and other serious crimes who have been granted T or U visa status, under Title 9 of the United States Code, sections 1101 (a)(15)(T) or (U) are eligible for this exemption.
 - Students who are nonimmigrants, other than those with T or U visa status as noted above, (for example, those who hold F (student) visas, B (visitor) visas, etc.) are not eligible for this exemption.
 - A year's equivalence at a California Community College is a minimum of 24 semester units of credit or 36 quarter units of credit. For noncredit courses, a year's attendance is a minimum of 420 hours, 210 hours for a semester, and 140 hours a quarter.
 - The accumulation of credit and/or non-credit in any academic year shall be calculated in reference to a year's equivalence. Partial completion in an academic year is allowed. (Example: 12 units of credit courses in an academic year is equal to a semester for purposes of determining eligibility.)
 - Attendance in credit courses at a California Community College towards the attendance requirements shall not exceed two years of full-time attendance.
 - 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. Student information obtained in this process is strictly confidential unless disclosure is required under law.
 - Students eligible for this exemption who are transferring to another California public college or university must submit a new request (and documentation if required) to each college under consideration.
 - Nonresident students meeting the criteria will be exempted from the payment of nonresident tuition, but they will *not* be classified as California residents. They continue to be "nonresidents".
 - The California Dream Act extends Cal Grant A and B Entitlement awards, Cal Grant C awards, the California Promise Grant (formerly known as the BOG fee waiver), Chaffee grants, and institutional financial aid to students that meet these criteria as well as the applicable criteria for eligibility for specific types of financial aid.
 - AB540 does not provide federal student financial aid eligibility for undocumented students. These students remain ineligible for federal financial aid.

Non-residents from the state of Arizona living in La Paz, Mohave and Yuma counties will be charged a special fee pursuant to inter-district agreements. This fee includes the state enrollment fee and is due and payable upon registration.

See also BP/AP 5010 - Admissions and Concurrent Enrollment

See also BP/AP 5015 - Residence Determination

See also BP/AP 5030 - Fees

(Formerly a part of PVC Board Policy 5060)

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