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4 **NON-RESIDENT TUITION**

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6 **A. Status Defined**

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8 Students who do not establish residence in this State for more than one year immediately
9 preceding the residence determination date prescribed below are classified as "nonresident
10 students." "International students" are students who are citizens and residents of a foreign
11 country.

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13 **B. Authority to Determine Residence**

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15 The College President or designee shall make the determination of residence status. The
16 Office of County Counsel shall act as the reviewing authority if differences arise.

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18 **C. Resident Determination Date**

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20 The "resident determination date" is the day preceding the first day of instruction of the
21 semester or term during which the student proposes to enroll.

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23 **D. Residency Reclassification –**

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25 In order to establish residency, it is necessary that there be a union of act and intent. To
26 establish residency, a person capable of establishing residence in California must couple
27 his or her physical presence in California with objective evidence that the physical
28 presence is with the intent to make California the home for other than a temporary
29 purpose.

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31 1. A student seeking reclassification as a resident, who was classified as a non-
32 resident in the preceding term, shall be determined financially independent or
33 dependent in accordance with Ed Code 68044.
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35 2. One-Year Waiting Period – The one year residence period which a student must
36 meet to be classified as a resident does not begin until the student is both
37 present in California and has manifested a clear intent to become a California
38 resident.
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40 3. Reestablished Residence – If a student or the parents of a minor student relinquish
41 California residence after moving from the state, one full year of physical presence,
42 coupled with one full year of demonstrated intent to be a California resident, is
43 required to reestablish residence for tuition purposes, except as provide in Ed
44 Code section 68070.
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46 4. Physical Presence – A person capable of establishing residence in California must
47 be physically present in California for one year prior to the residence determination
48 date to be classified as a resident student. Physical presence with in the state
49 solely for educational purposes does not constitute establishing California
50 residence regardless of the length of that presence.
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52 5. Intent – Intent to make California the home for other than a temporary purpose
53 may be manifested in many ways. No one factor is controlling. Objective
54 manifestations of intent to establish California residence include but are not limited
55 to (1) ownership of residential property or continuous occupancy of rented Property
56 in California, (2) registering to vote and voting in California, (3) licensing from

57 California for professional practice, (4) active membership in service or social
58 clubs, (5) presence of spouse, children or other close relative in the state, (6)
59 showing California as home address on federal income tax form, (7) payment of
60 California state income tax as resident, (8) possessing California motor vehicle
61 license plates, (9) possessing a California driver's license, (10) maintaining
62 permanent military address or home of record in California while in armed forces.
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64 **E. Tuition**

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66 The Board shall determine the nonresident tuition fee prior to February 1 each year. Fees
67 are due and payable prior to completion of registration.
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69 **F. Admission Errors**

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71 Nonresident students subject to payment of nonresident fees, who have been admitted to a
72 class in error without payment of tuition, shall be excluded from attendance until fees have
73 been paid.
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75 **G. Falsification of Residence**

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77 Nonresident students, who have been admitted to a class without the payment of the
78 nonresident fees based on the submission of incomplete or falsified information either by or
79 for them, are subject to immediate exclusion.
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81 **H. Exemptions**

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83 1. Students who are concurrently enrolled in K-12 classes are exempt from
84 nonresident tuition.
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86 2. Students who are members of the military services are exempt from nonresident
87 tuition for one year after their date of assignment in California. After that period,
88 they must take steps to establish residency or pay the nonresident tuition.
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90 **I. Refunds**

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92 Refunds are subject to conditions set forth in the Refund Policy.
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