In addition to enrollment fees, nonresident students shall be charged nonresident tuition for all units enrolled, unless specifically required otherwise by law.

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.

The superintendent/president shall establish procedures regarding collection, waiver, and refunds of nonresident tuition.

The superintendent/president is authorized to implement a capital-outlay fee to be charged to nonresident students. Not later than February 1 of each year, the superintendent/president shall bring to the board for approval an action whether or not to establish a capital-outlay fee for the following fiscal year and the amount of such fee. If established, the board shall find and declare that this fee does not exceed the amount expended by the district for capital outlay in the preceding year divided by the total FTES (full-time equivalent students) in the preceding fiscal year.

A student who would otherwise be charged this capital-outlay fee shall be exempt if he or she demonstrates that he or she is a victim of persecution or discrimination in the country of which he or she is a citizen and resident, or if he or she demonstrates 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.

The district may charge each nonresident applicant who is both a citizen and resident of a foreign country a processing fees not to exceed the lesser of (1) the actual cost of processing an application and other documentation required by the federal government, or (2) $100, which may be deducted from the tuition fee at the time of enrollment.

See Administrative Procedures 5020.