

**CALIFORNIA COMMUNITY COLLEGES
CHANCELLOR'S OFFICE**

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Memorandum

January 3, 2013

Fiscal Services Memo 13-01
Via E-mail Only

TO: Chief Business Officers
Chief Instructional Officers

FROM: Frederick E. Harris, Assistant Vice Chancellor
College Finance and Facilities Planning

SUBJECT: 2013-14 Nonresident Fees need to be established by February 1, 2013

SYNOPSIS: Education Code (EC) Section 76140 requires each district governing board to establish the nonresident tuition fee not later than February 1 for the succeeding fiscal year.

Nonresident Tuition Fee. For determining your district's 2013-14 nonresident tuition fee, the 2011-12 statewide average expense of education was **\$5,518** per full time equivalent student (FTES). The projected increase in the U.S. Consumer Price Index (USCPI) as determined by the Department of Finance is 1.4% for the 2012-13 fiscal year and 1.9% for 2013-14, for a compound factor of 1.033 against the 2011-12 statewide average expense of education (\$5,518) yields an Average cost of **\$5,700** per FTES for the tuition year, or **\$190** per semester unit for a 30 unit semester term academic year. For districts on the quarter system, the 45 unit quarter term academic year results in **\$127** per quarter term unit.

Nonresident Tuition Fee Options. EC 76140(e) enumerates seven options for a district to choose in setting its nonresident tuition fee. These options are reflected in the enclosed worksheet as the "basis for adoption." Options 1-3 are generally well understood, but for Option 4 ("*No more than contiguous district*") and Option 5 ("*No more than district, no less than statewide cost*"), please keep in mind the following specifics:

Option 4 '*No more than contiguous district*'. A review of the legislative history when this option was adopted confirms that this amount **must be within** the:

- **Fee** (**not cost**) adopted by a contiguous district (**Maximum** amount for Option #4);

AND

- **Cost** of the lesser of (1) your district's average **cost** **OR** (2) the statewide average **cost** (**Minimum** amount for Option #4).

Option 5 ‘No more than district, no less than statewide cost’. The *maximum amount* for this option is the district average cost, and the *minimum amount* for this option is the statewide average cost. **Only** an amount **between** these maximum and minimum amounts is allowed under this option.

Option 6 ‘Highest Years Statewide Average Tuition’. (EC 76140(e)(1)(B)). Use the greater of the succeeding year, the current year or any of the four prior year’s statewide average nonresident tuition fee calculation, which is **\$190 per semester unit** or **\$127 per quarter unit** from **2013-14**.

Option 7 ‘No more than 12 Comparable States Average Tuition’. (EC 76140(e)(1)(E)). No greater than the 2011-12 average nonresident tuition fee of public community colleges in a minimum of 12 states comparable to California in cost of living. This average is calculated to be **\$368 per semester unit** or **\$245 per quarter unit**.

Nonresident Capital Outlay Fee. Pursuant to EC Section 76141 a district **may** also charge to any nonresident student a capital outlay fee. The amount of the nonresident capital outlay fee has to be the lesser of:

- the amount that was expended by the district for capital outlay in the preceding fiscal year divided by the total full-time equivalent students of the district in the preceding fiscal year; **OR**
- 50% of the 2013-14 nonresident tuition fee adopted pursuant to EC 76140.

Processing Fee for Students from Foreign Countries. Pursuant to EC 76142 a district **may** charge each nonresident applicant a processing fee 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.

Exemptions to these fees. Various exemptions to these fees are provided in the law. Please click on the following web links to EC Sections 76140-76143 and a related legal opinion to learn more about these exemptions:

<http://Ed Code Non-Res>

<http://AB540 and Non-Res Capital Outlay Fee>

Tuition Fee Worksheet. A worksheet for computing the nonresident tuition and capital outlay fees is enclosed. The comparable information for all districts used to derive the statewide average expense of education per FTES for 2011-12 is also enclosed for your reference.

ACTION/DATE REQUESTED: Please complete and return by **February 15, 2013** a copy of the enclosed worksheet and provide information on the 2013-14 nonresident tuition and capital outlay fees adopted by your district governing board by February 2013.

CONTACT: If you have any questions or comments regarding this memorandum, please contact Mike Yarber at (916) 327-6818; or myarber@cccco.edu. The office fax number is (916) 323-3057.

California Community Colleges

2013-14 NONRESIDENT FEES WORKSHEET

NONRESIDENT TUITION FEE CALCULATIONS FOR OPTIONS 1 THROUGH 7

2013-14 NONRESIDENT TUITION FEE (EC 76140)	(Col. 1) Statewide	(Col. 2) District	(Col. 3) 10% or More Noncredit FTES
A. Expense of Education for Base Year (2011-12 CCFS 311, Expenditures by Activity Report, AC 0100-6700, Cols: 1-3)	\$6,525,620,578	\$ _____	\$ _____
B. Annual Attendance FTES (Recal 2011-12)	1,182,633	_____	_____
C. Average Expense of Education per FTES (A ÷ B)	\$5,518	\$ _____	\$ _____
D. U.S. Consumer Price Index Factor (2 years)	x 1.033	x 1.033	x 1.033
E. Average Cost per FTES for Tuition Year (C x D)	\$5,700	\$ _____	\$ _____
F. Average Per Unit Nonresident Cost – Semester (Qtr)	\$190 (\$127)	\$ _____	\$ _____
G. Highest year Statewide average – Semester (Qtr)	\$190 (\$127)	\$ _____	\$ _____
H. Comparable 12 state average – Semester (Qtr)	\$368 (\$245)	\$ _____	\$ _____

Annual Attendance FTES includes all student contact hours of attendance in credit and noncredit courses for resident students, nonresident students and apprentices; however apprentice hours are divided by 525 to compute an FTES equivalent. Round tuition fee to the nearest dollar.

Column 3 is an option for use by a district with ten percent or more noncredit FTES (*Section 76140(e)(1)(A)*). If your district qualifies, then fill out this column with noncredit FTES and noncredit expense of education data excluded.

NONRESIDENT TUITION FEE CALCULATIONS FOR OPTIONS 6 OR 7

Option 6. The greater amount of the calculations of statewide nonresident tuition for 2007-08 through 2013-14 is \$190 per semester unit or \$127 per quarter unit (2012-13).

Option 7. The average of the nonresident tuition fees of public community colleges in 2011-12 of no less than 12 states comparable to California in cost of living is \$368 per semester unit or \$245 per quarter unit.

Requirement for Use of Option 6 or 7: The additional revenue generated by the increased nonresident tuition permitted under options 6 or 7 shall be used to expand and enhance services to resident students (*EC 76140(e)(2)*). Districts meeting one or more criteria below shall be considered in compliance with the requirements of *EC 76140(e)(2)*. Please check all that apply:

- Revenue from nonresident tuition was less than 5% of total general fund revenue.
- Actual resident FTES was greater than funded resident FTES.
- Percent expenditures for counseling and student services were greater than statewide average (AC 6300 plus 6400 divided by AC 0100-6700, Cols. 1-3).
- Percent expenditures for instructional services were greater than statewide average (AC 0100-5900 divided by AC 0100-6700, Cols. 1-3).

Continue to next page ►

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The district governing board at its _____, 20____ meeting adopted a **nonresident tuition fee** of \$ _____ per semester unit or \$ _____ per quarter unit.

Basis for adoption is (*place an X in one box only*).

- 1. Statewide average cost, per column 1.
- 2. District average cost, per column 2.
- 3. District average cost with 10% or more noncredit FTES, per column 3.
- 4. Contiguous district. _____ . (*Specify district and its fee*).
- 5. No more than district average cost (Col. 2 or 3); no less than statewide average cost.
- 6. Statewide average cost, from 2009-10 (\$190 per semester unit; \$127 per quarter unit).
- 7. No more than average tuition of 12 states with cost of living comparable to California.

NONRESIDENT CAPITAL OUTLAY FEE (EC 76141)

For districts electing to charge a **capital outlay fee** to **any** nonresident student, please compute this fee as follows:

- a. Capital Outlay expense for 2011-12 \$ _____
- b. FTES for 2011-12 _____
- c. Capital outlay expense per FTES (*line a divided by line b*) _____
- d. Capital Outlay Fee per unit:
 - 1. Per semester unit (*line c divided by 30 units*) _____

OR

- 2. Per quarter unit (*line c divided by 45 units*) _____
- e. 2013-14 Nonresident Student Capital Outlay Fee (*the lesser of line d **OR** 50% of adopted 2011-12 Nonresident Tuition Fee*) _____

The district governing board at its _____, 20____ meeting adopted a **nonresident capital outlay fee** of \$ _____ per semester unit or \$ _____ per quarter unit.

Upon adoption of nonresident tuition and/or capital outlay fees by your district governing board by February 1, 2013, please submit a copy of this report by February 15, 2013 to:

**California Community Colleges Chancellor's Office
Fiscal Services Unit
1102 Q Street, 4th Floor
Sacramento, CA 95811-6549 FAX (916) 323-3057**

District _____
Contact Person _____
Phone Number & email _____

CALIFORNIA COMMUNITY COLLEGES
 2013-14 Nonresident Tuition Fee
 Based on 2011-12 Actual Expense of Education from CCFS-311
 (AC 0100-6700, columns 1-3)

District Code	District	2011-12 Expense of Education*	2011-12 Total FTES**	2011-12 Expense Per FTES
610	Allan Hancock	48,542,729	9377.68	5176.41
620	Antelope Valley Joint	58,653,759	10701.91	5480.68
910	Barstow	14,654,714	2400.27	6105.44
110	Butte-Glenn	73,002,477	11876.71	6146.69
410	Cabrillo	66,347,150	11374.06	5833.20
810	Cerritos	86,287,320	17510.62	4927.71
480	Chabot-Las Positas	98,522,198	16570.85	5945.51
920	Chaffey	77,309,444	13882.94	5568.67
820	Citrus	56,674,215	11035.36	5135.69
830	Coast	176,522,979	35253.31	5007.27
710	Compton	31,551,148	6483.95	4866.04
310	Contra Costa	158,028,228	30909.17	5112.66
970	Copper Mountain	11,423,717	1660.05	6881.55
930	Desert	43,568,695	7889.66	5522.25
720	El Camino	105,562,329	19231.22	5489.11
120	Feather River	13,234,409	1842.72	7182.00
420	Foothill-DeAnza (quarter system)	189,168,147	33531.19	5641.56
440	Gavilan	31,591,210	5217.3	6055.09
730	Glendale	81,039,375	15673.45	5170.49
20	Grossmont-Cuyamaca	105,121,727	18663.33	5632.53
450	Hartnell	39,725,374	7124.65	5575.76
30	Imperial	40,159,084	6173.76	6504.80
520	Kern	102,199,973	19131.04	5342.10
220	Lake Tahoe (quarter system)	13,687,610	1941.44	7050.24
130	Lassen	12,441,604	1916.53	6491.73
840	Long Beach	110,312,821	20084.94	5492.32
740	Los Angeles	570,243,853	106935.31	5332.61
230	Los Rios	284,493,371	53007.79	5367.01
330	Marin	46,643,041	5180.03	9004.40
140	Mendocino-Lake	21,016,882	2750.72	7640.50
530	Merced	54,542,432	9737.18	5601.46
50	Mira Costa	81,412,772	10851.78	7502.25
460	Monterey Peninsula	33,519,502	6994.65	4792.16
850	Mt. San Antonio	146,470,452	29441.59	4974.95
940	Mt. San Jacinto	52,595,557	10812.29	4864.42
240	Napa Valley	34,644,124	5650.11	6131.58

District Code	District	2011-12 Expense of Education*	2011-12 Total FTES**	2011-12 Expense Per FTES
860	North Orange County	163,831,364	33976.29	4821.93
430	Ohlone	46,053,374	8253.47	5579.88
950	Palo Verde	13,287,862	1390.36	9557.14
60	Palomar	111,349,681	19850.24	5609.49
770	Pasadena	117,771,253	23064.16	5106.25
340	Peralta	122,932,067	19792.28	6211.11
870	Rancho Santiago	149,957,835	28108.49	5334.97
160	Redwoods	31,980,148	4732.73	6757.23
880	Rio Hondo	72,775,518	14007.33	5195.53
960	Riverside	150,868,713	26327.45	5730.47
980	San Bernardino	73,688,293	13925.45	5291.63
70	San Diego	218,576,191	40696.07	5370.94
360	San Francisco	217,557,056	34585.64	6290.39
550	San Joaquin Delta	83,861,491	16789.97	4994.74
470	San Jose-Evergreen	83,197,606	14678.31	5668.06
640	San Luis Obispo County	50,943,950	8828.43	5770.44
370	San Mateo County	120,532,722	19918.02	6051.44
650	Santa Barbara	94,690,040	17169.63	5514.97
660	Santa Clarita	70,907,800	14457.17	4904.68
780	Santa Monica	144,731,928	25627.89	5647.44
560	Sequoias	50,842,859	9255.49	5493.26
170	Shasta-Tehama-Trinity	38,761,954	7304.14	5306.85
270	Sierra Jt.	76,902,067	14840.19	5182.01
180	Siskiyou Jt.	17,651,100	2341.59	7538.08
280	Solano	49,779,175	8607.89	5782.97
260	Sonoma	101,675,054	20029.66	5076.22
890	South Orange County	140,256,208	28963.5	4842.52
90	Southwestern	89,302,223	14977.15	5962.56
570	State Center	148,475,567	26473.83	5608.39
680	Ventura	139,391,195	26873.57	5186.93
990	Victor Valley	55,103,453	9638.89	5716.78
580	West Hills	35,723,361	5324.9	6708.74
690	West Kern	21,347,109	2555.4	8353.73
490	West Valley	97,740,611	16594.19	5890.05
590	Yosemite	105,490,124	16345.51	6453.77
290	Yuba	46,769,204	7508.22	6229.07
Totals		\$6,525,620,578	1,182,633.06	\$5,518

* "Expense of Education" is defined in the Budget and Accounting Manual as including all General Fund expenditures, restricted and unrestricted, for all objects of expenditure 1000 through 5000 and all expenditures of activity from 0100 through 6700. For the purposes of calculating the Nonresident Tuition Fee, Expense of Education is different than the 50% Law "current expense of education".

** Includes FTES for resident, nonresident, credit, noncredit and apprenticeship.