



# The Board of Governors of the California Community Colleges

PRESENTED TO THE BOARD OF GOVERNORS

DATE: November 17-18, 2014

SUBJECT: Nonresident Tuition Exemption - Regulation (PUBLIC HEARING)		Item Number: 3.1	
		Attachment: Yes	
CATEGORY:	Student Services and Special Programs	TYPE OF BOARD CONSIDERATION:	
Recommended By:	 Linda Michalowski, Vice Chancellor	Consent/Routine	
		First Reading	X
Approved for Consideration:	 Brice W. Harris, Chancellor	Action	
		Information	

**ISSUE:** A change is proposed to section 54045.5, of title 5, of the California Code of Regulations, governing when a student may be exempt from paying nonresident tuition to conform to a recent change in law.

**BACKGROUND:** On September 27, 2014, the Governor approved Assembly Bill 2000 (Gomez). This bill amended Education Code section 68130.5. Previously the law permitted nonresident students an exemption from paying nonresident tuition if the student meets the following three conditions:

- attended high school in California for three or more years,
- graduated from a California high school or attained the equivalent thereof, and,
- in the case of a student who does not have lawful immigration status, has filed an application to legalize his or her immigration status, or will file an application as soon as he or she is eligible to do so.

Assembly Bill 2000 amended the first of these criteria, necessitating a conforming change to the regulations.

**RECOMMENDATION:** The proposed regulations are presented to the Board of Governors for a first reading. The Board of Governors must hold a public hearing for receipt of comments, both written and oral, which are offered concerning the proposed action. It is anticipated that the regulations will be presented to the Board for adoption at its January 20-21, 2015 meeting.

**ANALYSIS:** Assembly Bill 2000 (Gomez) amended the first condition that a student must meet to be exempt from paying nonresident tuition by allowing the attainment of credits earned in California from a California high school equivalent to three or more years of full-time high school course work to substitute for three years of high school attendance as long as the student attended a combination of elementary and/or secondary schools in California for a total of three or more years. According to the author, the intent of this change is to allow high school students who participate in accelerated learning programs and graduate early to be eligible for the nonresident tuition exemption.

The proposed regulatory change is included as Attachment 1.