Title: Title 5 Amendment: Nonresident Tuition Exemption – Implementation of AB 2000

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Background

On September 27, 2014, the Governor approved Assembly Bill 2000 (AB 2000-Gomez) to amend Education Code section 68130.5 concerning the exemption from nonresident tuition for students known as AB 540 students. Previously Education Code section 68130.5 permitted an exemption from paying nonresident tuition if a student meets the following three conditions:

- Attended a California high school 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 certified that he or she 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.

AB 2000 amended the first condition 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 coursework 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, this change is intended to allow high school students who participate in accelerated learning programs and graduate early to be eligible for the nonresident tuition exemption.

Proposal

To implement this statutory change, California Code of Regulations, title 5, section 54045.5, is proposed to be amended. The proposed amendments parallel the statutory changes and are attached for review.