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**District Technical Review Workgroup**  
**Student Services – DTRW-SS**  
**AGENDA**

**November 8, 2012 – Lakin Board Room**  
**3:00 p.m. – 4:30 p.m.**

- **Approval of October 11, 2012 Meeting Notes**
  
- **Old Business**
  - AP 4100 Graduation Requirements for Degrees and Certificates – bring back recommended language for AP 4100 to include AA-T and AS-T degrees (Articulation Officers)
  - BP/AP 4240 Academic Renewal – brought back to clarify Title 5 updates (Susan Bricker and Angelica Gonzales)
  - Waivers from college to college - Waiver process on high-unit majors' rubric (Deans of Student Services)
  - AP 5013 Students in the Military (no BP/AP exists) – bring back proposed language (Registrars)
  - AP 5015 Residence Determination (no BP exists) - bring back proposed language (Registrars)
  - BP/AP 5020 Nonresident Tuition - bring back proposed language (Registrars)
  
- **New Business**

There were no submissions for new business

Next Meeting Date: December 13, 2012, 3 pm

Ventura County Community College District

**District Technical Review Workgroup – DTRW-SS (Formerly DCSL) Meeting Notes**

October 11, 2012 – DAC Lakin Board Room

3:00 p.m. – 4:30 p.m.

**DRAFT PRIOR TO APPROVAL OF MEETING NOTES AT 11.08.12 DTRW-SS MEETING**

**Members:**

Chancellor’s Designee: Erika Endrijonas, Chair (OC)  
 Co-Chair: Victoria Lugo, Co-chair (VC)  
 Deans of Student Services: Karen Engelsen (OC), Pat Ewins (MC), Victoria Lugo (VC)  
 Registrars: Joel Diaz (OC), Kathy Colburn (MC), Susan Bricker (VC)  
 Articulation Officers or non-instructional designee: Shannon Davis (Articulation Officer, OC), Pam Kennedy-Luna (Counselor, MC), Marian Carrasco Nungaray (Counselor VC), Gloria Arevalo (Articulation Officer, VC/guest)  
 Associated Student Government: ASG Rep vacant as of this meeting (OC), Kimberly Eder (MC), Daniel Chavez (VC)  
 Policy and Administrative Procedures: Clare Geisen (Policy/procedure, Chancellor’s Cabinet Liaison/guest)

**Absent:**

Daniel Chavez (VC), Kathy Colburn (Registrar, MC)

**Recorder:**

Laurie Nelson-Nusser

**Notes:**

Agenda Item	Summary of Discussion	Action (If Required)	Completion Timeline	Assigned to:
<b>Welcome and Approval of September 13, 2012 Meeting Notes</b>	<p>Dr. Endrijonas welcomed everyone to DTRW-SS. The meeting commenced at 3:04 pm. Introductions were made for a Kimberly Eder, the ASG representative for Moorpark College.</p> <p>The September 13, 2012 meeting notes were approved with abstention from Karen Engelsen, Kimberly Eder, and Marian Carrasco Nungaray.</p>			
<b>Selection of Co-chair</b>	<p>Dr. Endrijonas called for a nomination of a DTRW-SS Co-chair and Victoria Lugo was designated as the Co-chair.</p>			
<b>OLD BUSINESS</b>				
<b>AP 4100 Graduation Requirements for</b>	<p>The Articulation Officers have reviewed AP 4100 but would like to review guidelines of AA-T and AS-T</p>	Bring back recommended	November 8	Articulation Officers

Agenda Item	Summary of Discussion	Action (If Required)	Completion Timeline	Assigned to:
<b>Degrees and Certificates</b>	degrees and also for review of where VCCCD stands statewide. This item will be tabled until the next meeting on November 8, 2012.	language for AP 4100		
<b>BP/AP 4240 – Academic Renewal</b>	Ms. Bricker provided an overview of the recommended language of the draft of AP 4240. This item will come back to DTRW-SS on November 8 after allowing review of the draft at college level. After recommendations from DTRW-SS, the procedure will go forward to DCAA, Academic Senates, Chancellor’s Cabinet, Policy Committee, and then finally for Board approval.	Bring back changes to DTRW-SS for recommendations to DCAA	November 8	Susan Bricker/ Angelica Gonzales
<b>AP 5055 Enrollment Priorities</b>	<p>A handout provided by Dr. Endrijonas, which was obtained from the State Chancellor’s office, labeled “Priority Enrollment Concept in the Proposed Title 5, Section 58108 Regulation” was reviewed regarding priority groups. All Title 5 changes must be implemented by fall 2014. Process of notification to students regarding losing priority registration must be in place by spring 2013.</p> <p>The current procedure will stay in place and will return after guidelines are released from the State Chancellor’s office. There was discussion regarding Cabinet’s prior decision of disapproving priority registration for athletes and it was determined if there is evidence of athletes being blocked from registering then Cabinet would reconsider this issue. Ms. Geisen will check for documentation regarding the Cabinet decision.</p> <p>Banner implementation for priority registration was discussed as to whether it is possible for students to be classified by groups as priority enrollment students. The deans of Student Services will continue to work on BP/AP 5055 and will return with implementation recommendations to DTRW-SS after the guidelines have been released.</p>	Continue to work on Banner implementation recommendations.	By release date of state guidelines.	Deans of Student Services

Agenda Item	Summary of Discussion	Action (If Required)	Completion Timeline	Assigned to:
<b>Waivers from College to College (Pat Ewins)</b>	<p>Ms. Ewins reviewed the Moorpark College “Spring 2013 High Unit Majors (HUM) Waiver Request” and “Spring 2013 Registration Waiver Process” forms. The goal is to have a consistent process across the colleges.</p> <p>Ms. Bricker stated DegreeWorks may be able to handle the technology challenge to track students between colleges. The Deans of Student Services will work on the issue and it was determined SARS notes should be utilized at all colleges. Ventura College does not use SARS notes and handles notes manually. Dr. Endrijonas clarified this is not an issue of academic freedom. Ms. Carrasco Nungaray would like to take this issue back to the Ventura College Counseling Department for their recommendations and also raised the issue of increased workload for the Counseling Department.</p>	Review SARS notes issue with Ventura College Counseling Department	November 8	Marian Carrasco Nungaray
<ul style="list-style-type: none"> <li>• <b>BP/AP 5013 Students in the Military</b> (no BP/AP exists)</li> <li>• <b>BP/AP 5015 Residence Determination</b> (no BP exists)</li> <li>• <b>BP/AP 5020 Nonresident Tuition</b> (current BP/AP)</li> </ul>	Revised versions were distributed and the group was asked to send any recommendations or revisions to Ms. Bricker and Mr. Diaz. Ms. Bricker will work with the other registrars to incorporate suggestions for revisions. These items will come back to the next meeting. Ms. Nusser will send out the current electronic versions to everyone. This will go forward to DCAA after revisions are recommended by DTRW-SS.	<p>Bring back recommended language for BP/AP 5013, 5015, and 5020.</p> <p>Send out current versions of APs</p>	<p>November 8</p> <p>November 5</p>	<p>Registrars</p> <p>Laurie Nusser</p>
<b>Other Business</b>	Ms. Geisen provided the VCCCD Policy/Procedure Tracking sheet for review of DTRW-I. Gray shaded areas require review. Dr. Endrijonas and Ms. Rees will review it for designation to DTRW-I or DTRW-SS review.	Review for committee designation of review.		
<b>NEXT MEETING</b>	Thursday, November 8, 2012 – 3:00 p.m.			



Book	VCCCD Administrative Procedure Manual
Section	Chapter 4 Academic Affairs
Title	AP 4100 GRADUATION REQUIREMENTS FOR DEGREES AND CERTIFICATES
Number	AP 4100
Status	Active
Legal	<a href="#">Title 5, Section 55024</a> <a href="#">Title 5, Section 55023</a> <a href="#">Title 5, Section 55022</a> <a href="#">Title 5, Section 55063</a> <a href="#">Title 5, Section 55064</a> <a href="#">Title 5, Section 55062</a> <a href="#">Title 5, Section 55061</a> <a href="#">Title 5, Section 55072</a> <a href="#">Title 5, Section 55070</a> <a href="#">Title 5, Section 55060</a> <a href="#">Title 5, Section 55002</a> <a href="#">Title 5, Section 55000.5</a>
Adopted	June 16, 2010
Last Reviewed	May 8, 2012

Graduation Requirements for Degrees and Certificates of the District Colleges must address the following:

- Standards of Scholarship:
  - Students must achieve a cumulative grade point average of no less than 2.0 in all degree-applicable college and university coursework attempted.
  - Courses used for Areas of Emphasis, Majors, Certificates of Achievement, or Proficiency Awards must be completed with a grade of C or better or “P” in each course.
  - District policies and procedures regarding general education and degree requirements must be published in the college catalog and must be filed with the State Chancellor’s Office.
- For the Associate in Arts or Associate in Science degree, a student must demonstrate competence in reading, in written expression, and in mathematics.
  - The student must satisfactorily complete at least 60 semester units of degree-applicable college work.
  - A definition of “college work” provides that courses acceptable toward the associate degree include those that have been properly approved pursuant to Title 5, Section 55002(a), or, if completed at other than a California community college, would reasonably be expected to meet the standards of that section. The work must include:
    - at least 18 semester units in general education as noted in AP 4025.
    - at least 18 semester units in a major listed in the Community Colleges “Taxonomy of Programs” or 18 semester units in an area of emphasis approved by the CCCCO.
    - at least 12 semester units in residence at the college granting the degree; exceptions to the residence requirement can be made by the Board when an injustice or undue hardship would

- result
  - The general education requirements must include a minimum amount of work in the natural sciences, the social and behavioral sciences, humanities, and language and rationality.
  - Ethnic studies must be offered.
- For a Certificate of Achievement, a student must successfully complete a course of study that has been approved by the CCCCO and that consists of 18 or more semester units of degree-applicable credit coursework. Additionally, a student must earn a cumulative grade point average of not less than 2.0 in all degree-applicable college and university coursework attempted and must complete at least 12 semester units in residence at the college granting the certificate. Certificate programs may also be approved for fewer units (a minimum of 12 and a maximum of 17.5 semester units of degree-applicable credit coursework), in this case, the same scholarship and residency standards would apply. The Certificate of Achievement shall be designed to demonstrate that the student has completed coursework and developed capabilities relating to career or general education.
- Shorter credit programs that lead to a Proficiency Award may be established by the District. Content and assessment standards for Proficiency Awards shall ensure that these programs are consistent with the District Colleges' mission, meet a demonstrated need, are feasible, and adhere to guidelines on academic achievement. A student must complete all applicable coursework used for proficiency Award with a grade of C or better or "P" in each course. Proficiency Awards cannot be memorialized on a student transcript.

### **Graduation Application Procedure**

- Students must file a petition for a degree and/or certificate through the Counseling Office.
- District Colleges offer three graduation dates: Summer term, Fall semester, Spring semester.
- Graduation ceremonies are conducted at the end of the Spring semester.
- Graduation petition deadline dates are locally announced at each District College.

### **Variance in Major Requirements**

Occasionally a student may have difficulty in completing exact major requirements as specified in the college catalog due to circumstances of class schedule conflicts, class cancellation, related but nonequivalent coursework taken outside of this college district, or circumstances beyond the control of the student. Under such circumstances, a student may file a Petition for Variance to seek approval from the appropriate college officials to substitute one or more courses in a designated major, an area of emphasis, or in general education. The petition forms are available in the Counseling Center.

### **Double Counting**

While a course might satisfy more than one general education requirement, it may not be counted more than once for these purposes. A course may be used to satisfy both a general education requirement and a major or area of emphasis requirement.

### **Catalog Rights/Continuous Enrollment**

A student remaining in continuous enrollment at one or more of the colleges of the Ventura County Community College District (VCCCD) or at any other regionally accredited college or university, may meet the VCCCD graduation requirements in effect at the time of his/her entering or at any time thereafter. This applies only to graduation requirements and not to policies, procedures, or other regulations. Catalog rights/continuous enrollment are defined as attendance in at least one term each calendar year. Any academic record symbol entered on a transcript (A-F, CR, CRE, NC, P, NP, I, IP, RD, W, MW) shall constitute enrollment or attendance.

A student who has not maintained continuous enrollment is considered to be under new requirements when returning unless the student is granted a petition/waiver for extenuating circumstances. This petition must be initiated by the student through a college counselor and approved by the appropriate dean or designee.

Students should be made aware that other governing agencies may impose more restrictive limitations concerning the definitions of continuous enrollment or continuous attendance. Some agencies define continuous enrollment as remaining in attendance both fall and spring semesters. Some will not accept selected academic record symbols (such as Ws). Those affected by more restrictive guidelines include students receiving financial aid and alien students.

**Academic Year**

The Fall semester is the first term of an academic year. A summer term, whether one or more sessions, constitutes the last term of an academic year.

**Guidelines for Additional Degrees**

Any college in the Ventura County Community College District will award additional associate degrees under the following conditions:

- A student who has earned an associate degree at any regionally accredited institution may earn additional associate degrees.
- Additional degrees can be in a specific major, a general studies area of emphasis or an additional option within the field of the original degree.
- Students must meet all minimum Title 5 requirements for the catalog year covering the additional degree(s). These include, but are not limited to residency requirements, a minimum of 12 additional units for each degree (i.e., a minimum total of 72 units for a second degree and 84 units for a third degree, etc.) and competency requirements in written expression and mathematics.
- Students must complete all required major/emphasis courses listed in the appropriate year's catalog for the specific major, area of emphasis or area of option for the additional degree(s).
- A student who already holds an Associate degree or higher degree from any regionally accredited institution or one evaluated as equivalent to a regionally accredited institution only needs to complete minimum Title 5 requirements and the major/emphasis requirements to earn an additional degree. No further general education or local additions will be required.

Appeals to the above policy may be submitted to the Executive Vice President, or designee. Waivers may be granted under extenuating circumstances or when there has not been sufficient opportunity to enroll in required courses.

## **BP 5013 Students in the Military**

Reference:

***Education Code Sections 68074, 68075, 68075.5; Title 5, Section 55758, 54041, 54042, 54050, 58620***

~~The colleges of the Ventura County Community College District shall provide services for students in the Military for the purpose of furthering equality of educational opportunity and academic success. The purpose is to bring the student and the district into agreement regarding the student's educational goal through the district's established programs, policies, procedures and requirements.~~

The ~~VCCCD Board of Trustees~~ Chancellor shall establish procedures defining enrollment priorities, limitations, and processes for students in the Military in compliance with federal and state law.



## AP 5013 STUDENTS IN THE MILITARY

### References:

Education Code Sections 68074, 68075, and 68075.5;  
Title 5 Sections 55023, 55024, 54041, 54042, 54050, and 58620;  
Military and Veterans Code Section 824

### Residence Determinations for Military Personnel and Dependents

A student who is a member of the armed forces of the United States stationed in California on active duty, ~~except a member of the armed forces assigned for educational purposes to a state-supported institution of higher education,~~ is entitled to resident classification only for the purpose of determining tuition and fees. Such student shall retain resident classification in the event that the member of the armed forces is thereafter transferred on military orders to a place outside of California or thereafter retires from active duty, so long as the student remains continuously enrolled in the colleges of the District.

An undergraduate student who is a natural or adopted child, stepchild, or spouse who is a dependent of a member of the armed forces of the United States stationed in this state on active duty shall be entitled to resident classification only for the purpose of determining tuition and fees. Such student shall retain resident classification if he/she is thereafter transferred on military orders to a place outside of California, so long as the student remains continuously enrolled in the District.

A student who was a member of the armed forces of the United States stationed in California on active duty for more than one year immediately prior to being discharged from the armed forces is entitled to resident classification only for the purpose of determining tuition and fees, for the length of time he or she lives in California after being discharged up to the minimum time necessary to become a resident.

A parent who is a federal civil service employee and his/her natural or adopted dependent children are entitled to resident classification only for the purpose of determining tuition and fees if the parent has moved to this state as a result of a military mission realignment action that involves the relocation of at least 100 employees. This classification shall continue until the student is entitled to be classified as a resident, so long as the student continuously attends an institution of public higher education.

A student claiming the residence classifications provided for in this procedure must provide a statement from the student's commanding officer or personnel officer providing evidence of active duty assignment to California and the date of the assignment to California, ~~and that the assignment to active duty in California is not for educational purposes~~. A student claiming the residence classifications provided for here for the dependent of military personnel shall provide a statement from the military person's commanding officer or personnel officer that the military person's active duty station assignment is in California ~~on active duty~~ as of the residence determination date, or has been transferred outside of California on active duty after the residence determination date, or that the military person has retired from active duty after the residence determination date. (Title 5 Sections 54041; 54042)

### ~~Withdrawal Policies for Members of the Military~~ Military Withdrawal Based on Orders

Military withdrawal occurs when students who are members of an active or reserve United States military service receive orders compelling withdrawal from classes. Upon verification of orders, the

appropriate withdrawal symbol may be assigned at any time after the period established by the governing board during which no notation is made on the permanent academic record for withdrawals.

Students requesting military withdrawal must present a petition for withdrawal and a copy of the military orders, ~~or other acceptable documentation~~, which ~~verifies~~ verify the dates and location of military assignment that compelled or compels withdrawal from classes. Other types of verifying documentation may be considered only if orders are unavailable providing they verify the dates and location of military assignment that compelled or compels withdrawal from classes. Military withdrawal may be requested at any time upon the student's return to college.

A grade of MW shall be recorded on the permanent academic record upon approval of petition for military withdrawal that occurs after the third week of full-semester length classes or 16% of total meetings of short-term classes. MW grades shall not be counted as one of the three enrollment attempts allowed to achieve a standard (passing) grade of C/P or better (course repetition), or in the calculation of a student's academic progress for the determination of academic standing.

The student will be eligible to receive a full refund for all fees paid in the term for which the military withdrawal was granted. The cost of books and supplies may be eligible for refund pursuant to the policies and procedures of the campus bookstore.

### **Credit for Military Educational Training**

The colleges of the Ventura County Community College District will recognize and grant credit to service personnel for formal educational training completed in the United States armed forces provided such credit is not a duplication of work taken previously.

Service personnel may be allowed credit for formal service school courses offered by the United States military service recommended in the Guide to the Evaluation of Educational Experiences in the armed services of the American Council on Education. The credit allowed will be based upon the recommendations specified in the Guide.

Students must submit an official transcript of military education to the Registrar's Office for evaluation of military credit. The maximum amount of credit which may be allowed toward satisfaction of college requirements shall be 12 units. All military credit will be posted to the student's transcript as units earned.

Book VCCCD Board Policy Manual

Section Chapter 5 Student Services

Title BP 5015 RESIDENCE DETERMINATION

Number BP 5015

Status Active

Legal Education Code Sections 68040; 76140; Title 5, Sections 54000, et seq.

Adopted April 18, 2006

Students shall be classified at the time of each application for admission or registration as a resident or nonresident student.

A resident is any person who has been a bona fide resident of California for at least one year on the residence determination date. The residence determination date shall be the day immediately preceding the first day of a semester or summer session for which the student applies to attend.

Residence classification shall be made for each student at the time applications for admission are accepted or registration occurs and whenever a student has not been in attendance for more than one semester. A student previously classified as a nonresident may be reclassified as of any residence determination date.

The Chancellor shall enact procedures to assure that residence determinations are made in accordance with Education Code and Title 5 regulations.

See Administrative Procedure 5015.

# AP 5015 Residence Determination

## References:

Education Code Sections 68000 et seq. and 68130.5;  
Title 5 Sections 54000 et seq.

**Note:** *This procedure is **legally required** except as noted. Districts may insert their local practices here. The following is provided as an illustrative example.*

**Residence Classification** – Residency classifications shall be determined for each student at the time of each registration application for admission ~~and whenever a student has not been in attendance for more than one semester.~~ Residence classifications are to be made in accordance with the following provisions:

- A residence determination date is that day immediately preceding the opening day of instruction for any session during which the student proposes to attend.
- Residence classification is the responsibility of the Registrar's Office.

Students ~~must~~ shall be notified of residence determination within 14 calendar days of submission of application.

## Rules Determining Residence

- ~~• A student who has resided in the state for more than one year immediately preceding the residence determination date is a resident.~~
- ~~• A student who has not resided in the state for more than one year immediately preceding the residence determination date is a nonresident.~~

The residence of each student enrolled in or applying for enrollment in any class or classes maintained by this District shall be determined in accordance with the Education Code which states that every person has, in law, a residence. In determining the place of residence, the following rules are to be observed:

- Every person who is married or eighteen years of age, or older, and under no legal disability to do so, may establish residence.
- A person may have only one residence.
- A residence is the place where one remains when not called elsewhere for labor or other special or temporary purpose and to which one returns in seasons of repose.
- A residence cannot be lost until another is gained.
- The residence can be changed only by the union of act and intent.

- A man or a woman may establish his or her residence. A woman's residence shall not be derivative from that of her husband.
- The residence of the parent with whom an unmarried minor child maintains his/her place of abode is the residence of the unmarried minor child. When the minor lives with neither parent, the minor's residence is that of the parent with whom the last place of abode was maintained, provided the minor may establish his/her residence when both parents are deceased and a legal guardian has not been appointed.
- The residence of an unmarried minor who has a parent living cannot be changed by the minor's own act, by the appointment of a legal guardian, or by relinquishment of a parent's right of control.

### **Determination of Resident Status**

~~A resident is a student who has been a bona fide resident of the state for one year prior to the residence determination date. A bona fide resident is a person whose residence is in California as determined above except:~~

- ~~• A student who is a minor and remains in this state after the parent, who was previously domiciled in California and has established residence elsewhere, shall be entitled to retain resident classification until attaining the age of majority and has resided in the state the minimum time necessary to become a resident, so long as continuous attendance is maintained at an institution.~~
- ~~• A student who is a minor and who provides evidence of being entirely self-supporting and actually present in California for more than one year immediately preceding the residence determination date with the intention of acquiring a residence therein, shall be entitled resident classification until he/she has resided in the state the minimum time necessary to become a resident.~~
- ~~• A student who has not been an adult for one year immediately preceding the residence determination date for the semester for which the student proposes to attend an institution shall have the immediate premajority-derived California residence, if any, added to the post-majority residence to obtain the one year of California residence.~~
- ~~• A student holding a valid credential authorizing service in the public schools of this state, who is employed by a school district in a full-time position requiring certification qualifications for the college year in which the student enrolls in an institution, shall be entitled to resident classification if each student meets any of the following requirements:~~

- ~~○ He/she holds a provisional credential and is enrolled in courses necessary to obtain another type of credential authorizing service in the public schools.~~
- ~~○ He/she holds a credential issued pursuant to Education Code Section 44250 and is enrolled in courses necessary to fulfill credential requirements.~~
- ~~○ He/she is enrolled in courses necessary to fulfill the requirements for a fifth year of education prescribed by subdivision (b) of Education Code Section 44259.~~
- ~~○ A student holding a valid emergency permit authorizing service in the public schools of this state, who is employed by a school district in a full-time position requiring certification qualifications for the academic year in which the student enrolls at an institution in courses necessary to fulfill teacher credential requirements, is entitled to resident classification only for the purpose of determining the amount of tuition and fees for no more than one year. Thereafter, the student's residency status will be determined under the other provisions of this procedure.~~
- ~~● A student who is a full-time employee of the California State University, the University of California or a community college, or of any state agency or a student who is a child or spouse of a full-time employee of the California State University, the University of California or a community college, or of any state agency may be entitled to resident classification, until the student has resided in the state the minimum time necessary to become a resident.~~
- ~~● A student who is a natural or adopted child, stepchild, or spouse who is a dependent of a member of the armed forces of the United States stationed in this state on active duty shall be entitled to resident classification. If the member of the armed forces of the United States later transferred on military orders to a place outside this state, or retires as an active member of the armed forces of the United States, the student dependent shall not lose his or her resident classification until he/she has resided in the state the minimum time necessary to become a resident.~~
- ~~● A student who is a member of the armed forces of the United States stationed in this state on active duty, except a member of the Armed Forces assigned for educational purposes to a state-supported institution of higher education, is entitled to resident classification only for the purpose of determining the amount of tuition and fees.~~
- ~~● A student who was a member of the armed forces of the United States stationed in this state on active duty for more than one year immediately prior to being discharged from the armed forces is entitled to resident classification for the~~

~~length of time he/she lives in this state after being discharged up to the minimum time necessary to become a resident.~~

- ~~• A student who is a minor and resides with his or her parent in a district or territory not in a district shall be entitled to resident classification, provided that the parent has been domiciled in California for more than one year prior to the residence determination date for the semester, quarter or term for which the student proposes to attend.~~
- ~~• A student who is a native American is entitled to resident classification for attendance at a community college if the student is also attending a school administered by the Bureau of Indian Affairs located within the community college district.~~
- ~~• A student who is a federal civil service employee and his or her natural or adopted dependent children are entitled to resident classification if the parent has moved to this state as a result of a military mission realignment action that involves the relocation of at least 100 employees. This classification shall continue until the student is entitled to be classified as a resident, so long as the student continuously attends an institution of public higher education.~~
- ~~• A student who resides in California and is 19 years of age or under at the time of enrollment, who is currently a dependent or ward of the state through California's child welfare system, or was served by California's child welfare system and is no longer being served either due to emancipation or aging out of the system, may be entitled to resident classification until he/she has resided in the state the minimum time necessary to become a resident.~~
- ~~• A student who lives with a parent who earns a livelihood primarily by performing agricultural labor for hire in California and other states, and the parent has performed such labor in this state for at least two months per year in each of the two preceding years, and the parent resides in this District and the parent of the student has claimed the student as a dependent on his state or federal personal income tax return if he/she has sufficient income to have personal income tax liability shall be entitled to resident classification.~~

**Reclassification** – A student previously classified as a non-resident may be reclassified as of any residence determination date upon submission of a Request for Residency Reclassification and adequate documentation to support that California residency has been established. A residence determination date is that day immediately preceding the opening day of instruction for any session during which the student proposes to attend.

Petitions Requests for Residency Reclassification are to be submitted to the appropriate office as identified above. Written documentation may will be required of the student in support of the reclassification request.

~~Petitions Reclassification requests must be submitted prior to the semester for which reclassification is to be effective. Extenuating circumstances may be considered in cases where a student failed to petition for reclassification prior to the residency determination date. In no case, however, may a student receive a non-resident tuition refund after the date of the first census.~~

~~A questionnaire to determine financial independence must be submitted with the petition is included in the request for reclassification. Determination of financial independence is not required for students who were classified as non-residents by the University of California, the California State University, or another community college District (Education Code Section 68044).~~

A student shall be considered financially independent for purposes of residence reclassification if the applicant meets all of the following requirements:

- Has not and will not be claimed as ~~an exemption~~ a deduction for state and federal tax purposes by his/her parent in the calendar year prior to the year the reclassification application is made;
- Has not lived and will not live for more than six weeks in the home of his/her parent during the calendar year the reclassification application is made.

A student who has established financial independence may be reclassified as a resident if the student has met the requirements of Title 5 Sections 54020, 54022, and 54024.

Failure to satisfy all of the financial independence criteria listed above does not necessarily result in denial of residence status if the one year requirement is met and demonstration of intent is sufficiently strong.

Financial dependence in the current or preceding calendar year shall weigh more heavily against finding California residence than financial dependence in the preceding second and third calendar years. Financial dependence in the current or preceding calendar year shall be overcome only if (1) the parent on whom the student is dependent is a California resident, or (2) there is no evidence of the student's continuing residence in another state.

The Registrar's Office will make a determination, based on the evidence and notify the student not later than 14 days of receipt of the petition for reclassification.

Students have the right to appeal according to the procedures ~~above~~ below.

**Non-Citizens** – The District ~~will~~ may admit any non-citizen who is 18 years of age or a high school graduate.



If non-citizens are present in the United States illegally or with any type of temporary visa, they will be classified as non-residents and charged non-resident tuition unless they meet the exceptions contained below.

If, for at least one year and one day prior to the start of the semester in question, a non-citizen has possessed any immigration status that allows him/her to live permanently in the United States and she or he meets the California residency requirements, the student can be classified as a resident.

A student who is without lawful immigration status may be exempted from payment of non-resident tuition pursuant to AB540 provided they submit verifiable documentation to certify that ~~classified as a resident~~ if he or she meets the following requirements:

- high school attendance in California for three or more years;
- graduation from a California high school or attainment of the equivalent thereof;
- registration for classes not earlier than the fall semester or quarter of 2001-2002;
- the filing of an affidavit that the student has filed an application to legalize his/her immigration status, or will file an application as soon as he or she is eligible to do so.
- Verifiable documentation shall include the self-certifying affidavit required by the California Community Colleges' Chancellor's Office, and may include high school transcripts or other acceptable documents verifying attendance and graduation.

The initial residency classification will be made at the time the student applies for admission. ~~Students may file residency questionnaire forms through the third week of the semester to request a review of their residency status.~~ Final residency determination is made by the Registrar's Office. Students may appeal the decision.

**Right To Appeal** – Students who have been classified as non-residents have the right to a review of their classification (Title 5 Section 54010 (a)). Any student, following a final decision of residence classification by the Registrar's Office may make written appeal to the Dean of Student Services within 30 calendar days of notification of final decision by the college regarding classification.

**Appeal Procedure** – The appeal is to be submitted to Dean of Student Services, which must forward it to the ~~the~~ ***[designate, such as Chief Student Services Officer]*** within five working days of receipt. ~~Copies of the original application for admission, the residency questionnaire, and evidence or documentation provided by the student, with a cover statement indicating upon what basis the residence classification decision was made, must be forwarded with the appeal.~~ The appeal must include a cover letter indicating

the student's rationale, and the documented, verifiable evidence as to why his or her residency classification is incorrect.

The Dean of Student Services shall review all ~~the~~ applicable records including the application for admission (may be a copy of the student's online admission application), the residency reclassification request form and supporting documentation, and ~~has~~ the right to ~~may~~ request additional information from either the student or the Admissions Registrar's Office.

Within 30 calendar days of receipt, the Dean of Student Services shall send a written determination to the student. The determination shall state specific facts on which the appeal decision was made.

Revised 2/02, 2/11

Book VCCCD Board Policy Manual

Section Chapter 5 Student Services

Title BP 5020 NONRESIDENT TUITION

Number BP 5020

Status Active

Legal Education Code Sections 68050, 68051, 68052, 68130, 76141

Adopted April 18, 2006

Consolidation

Nonresident students shall be charged nonresident tuition for all units enrolled.

No later than February 1 of each year, the Chancellor shall bring to the Board 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 Chancellor shall establish procedures regarding collection, waiver, and refunds of nonresident tuition.

The Chancellor is authorized to implement a fee to be charged ~~only to persons who are both citizens and residents of foreign countries~~ pursuant to existing law to students who are not residents of California, including persons who are classified as international students. The Board finds and declares that this fee does not exceed the amount expended by the district for capital outlay in the preceding year divided by the total FTES in the preceding fiscal year.

~~Students' self-certification may serve as proof of high school attendance and graduation (or its equivalent).~~ Students' self-certification may serve as proof of high school attendance and graduation (or its equivalent). No later than February 1 of each year, the Chancellor shall bring to the Board for approval an action to establish international student 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.

Students who would otherwise be charged this fee shall be exempt if they demonstrate that they are a victim of persecution or discrimination in the county of which they are a citizen and resident, or if they demonstrate 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 Aid to Families with Dependent Children, Supplemental Income/State Supplementary benefits, or general assistance.

See Administrative Procedures 5020.

Book	VCCCD Administrative Procedure Manual
Section	Chapter 5 Student Services
Title	AP 5020 NONRESIDENT TUITION
Number	AP 5020
Status	UNDER REVIEW
Legal	Education Code Sections 76140 et seq.
Adopted	April 14, 2009

### 1. Nonresident Tuition

The nonresident and capital outlay surcharge fees will be set by the VCCCD Board of Trustees no later than February 1 of each year. The calculation will reflect the expense of education in the preceding fiscal year according to the Budget and Accounting Manual.

Students who are not residents of California, including persons who are classified as international students, for one year prior to the first day of the term will be charged nonresident tuition and a capital outlay surcharge at the Board-approved rate per semester unit unless they are exempted by statute. All N nonresident students must pay nonresident tuition in addition to the California Community College enrollment mandatory fees.

### 2. Reclassification to California Resident

~~Any student who believes that he/she should be reclassified as a resident student has the responsibility to request a change of classification in the Admissions Office prior to registration and in accordance with AP 5015~~

~~A student who believes that he or she should be reclassified as a resident student has the responsibility to request a change of classification in Residency Reclassification Request to the Admissions Office prior to registration and~~

A student may be considered for reclassification to California resident status if they have resided in California for no less than one year and one day immediately preceding the term for which residency is requested; and are able to present verifiable documentation to support the actions they have taken to establish California residency.

A student previously classified as a non-resident may be reclassified as of any residence determination date upon submission of a Request for Residency Reclassification and adequate documentation to support that California residency has been established in accordance with AP 5015.

### 3. Exemptions from Payment of Nonresident Tuition

#### **Military Resident Exemption: Non-resident U.S.:**

Military personnel on active duty in California (except those assigned for educational purposes ~~to state-supported institutions of higher education~~) are granted a waiver of nonresident tuition until they are discharged from ~~their~~ military services. Their Dependents of active duty military personnel are granted a waiver for a period of one year from the date they enter California. Upon expiration of the waiver, evidence must be provided as to the date the student surrendered his/her out-of-state residence to become a resident of California. ~~The~~ Any student who does not submit adequate evidence that California residency has been established will be classified as a

nonresident and charged nonresident tuition until ~~one year has elapsed since the out-of-state residence was surrendered~~ such time as California residency has been established.

### **California High School Graduate Attendance and Graduation Exemption (AB540):**

Students without lawful immigration status and U.S. citizens who are not residents of California may be entitled to exemption from nonresident tuition if they meet all of the following criteria:

- who attended high school in California for three or more years
- graduated from a California high school or attained the equivalent
- filed an affidavit stating that they have filed or will file an application to legalize their immigration status as soon as possible
- are exempt from nonresident tuition. Students without lawful immigration status must file an affidavit stating that the student has filed an application to legalize their immigration status, or will do so as soon as possible. Students' self-certification may serve as proof of high school attendance and graduation (or its equivalent). Verifiable documentation shall include the self-certifying affidavit required by the California Community Colleges' Chancellor's Office, and may include high school transcripts or other acceptable documents verifying attendance and graduation.

Nonimmigrant alien students (students who are present in the U.S. on a nonimmigrant visa) are not eligible for this exemption.

Eligibility for an AB540 exemption does not result in the student being classified as a California resident.

### **September 11, 2001 Exemption:**

If an individual who was killed in the terrorist attacks on the World Trade Center in New York City, the Pentagon in Washington, D.C., or the crash of United Airlines Flight 93 was a resident of California on September 11, 2001, or if their dependent was a resident on that date and if they meet the financial need requirement for the Cal Grant A Program, the dependents of this individual may be exempt from nonresident tuition. If the dependent is a spouse, the exemption applies until January 1, 2013. If the dependent is a child, the exemption applies until the person reaches the age of 30.

### **Other Exemptions**

**Other limited exemptions from non-resident tuition may be authorized. Eligibility for exemption shall be approved by the campus Vice President of Business Services or his or her designee.**

#### 4. Payment

Fees must be paid in full at the time of registration, or payment arrangements must be made using the district-approved payment plan option.

#### 5. Refunds

The same refund guidelines apply as those for other registration fees. Courses must be dropped by the refund deadlines for each semester/session to generate a fee credit or refund. Nonresident Tuition is refunded at a rate of 100% for classes that are dropped by the 10% withdrawal deadline, and at a rate of 50% for classes that are dropped by the 20% withdrawal deadline. No fee credits or refunds are issued for withdrawals that occur after the 20% withdrawal deadline.