

OHLONE COMMUNITY COLLEGE DISTRICT

MEMORANDUM

TO: Board of Trustees

Consent Agenda Item

FROM: Gari Browning

DATE: January 14, 2009

SUBJECT: Approval of Resolution No. 07/08-09
Establishing a Nonresident Tuition Fee for Fiscal Year 2009-2010

Pursuant to the provisions of Education Code Section 76140, each community college district shall establish a nonresident tuition fee by February 1 of each year for the succeeding fiscal year. Each district has five rationales possible for establishing the fee:

1. Statewide Basis
2. District Basis
3. District Basis with 10% or more noncredit FTES
4. No more than a contiguous district
5. No more than District Basis; No less than Statewide Basis

The attached Resolution No. 07/08-09 sets the District's nonresident tuition fee at \$189 per semester unit. The rationale for this recommendation is number 1 above.

Education Code Section 76141 (a) (added by Assembly Bill 2055, Chapter 853, Statutes of 1991) further authorizes each district to "charge nonresident students who are both citizens and residents of a foreign country an additional amount not to exceed the amount that was expended by the district for capital outlay in the preceding fiscal year divided by the total full-time equivalent student in the preceding year." Any fee charged for capital outlay cannot exceed 50 percent of the nonresident tuition fee established by the district. In addition, any fee collected pursuant to Education Code Section 76141 must be expended for capital outlay purposes.

To remain competitive the staff recommends that the 2009-2010 capital outlay fee be \$5 per semester unit.

Pursuant to Education Code Section 76142, districts are also authorized to charge nonresident applicants who are both citizens and residents of a foreign country a processing fee not to exceed \$50 for the actual cost of processing an application and other documentation required by the federal government. Staff is recommending that the District continue its existing \$50 processing fee, and that this fee be non-refundable.

RECOMMENDATION

The President/Superintendent recommends that the Board of Trustees approve Resolution No. 07/08-09, which establishes the Nonresident Tuition Fees for Fiscal Year 2009-2010 effective with the Fall 2009 Semester.

Attachments

OHLONE COMMUNITY COLLEGE DISTRICT

RESOLUTION NO. 07/08-09

**RESOLUTION TO ESTABLISH
A NON-RESIDENT TUITION FEE
FOR 2009-2010 FISCAL YEAR**

WHEREAS, the Education Code of the State of California requires that each community college district calculate a tuition fee for nonresident students and establish the conditions under which they shall be applied in full or in part to students who are not residents of the State of California or whose residence is outside the United States.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Ohlone Community College District establishes a nonresident tuition fee of \$189 per semester unit for the 2009-2010 Fiscal Year.

BE IT FURTHER RESOLVED, that the Board of Trustees of the Ohlone Community College District also establishes a Capital Outlay fee of \$5 per semester unit for the 2009-2010 Fiscal Year which will be charged to nonresident students who are both citizens and residents of a foreign country.

BE IT FINALLY RESOLVED, that the Board of Trustees of the Ohlone Community College District also establishes a processing fee of \$50 per semester for the 2009-2010 Fiscal Year, which will be a non-refundable fee.

PASSED AND ADOPTED by the Ohlone Community College District Board of Trustees on this fourteenth day of January 2009 by the following vote:

AYES:

NOES:

ABSENT:

Secretary of the Board of Trustees of the
Ohlone Community College District of
Alameda County, State of California