

OHLONE COMMUNITY COLLEGE DISTRICT

MEMORANDUM

TO: Board of Trustees

FROM: Gari Browning

DATE: February 10, 2010

SUBJECT: Approval of Resolution No. 13/09-10
Establishing a Nonresident Tuition Fee for Fiscal Year 2010-2011

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. 13/09-10 sets the District's nonresident tuition fee at \$199 per semester unit. The rationale for this recommendation is number 4 above contiguous districts. San Jose/Evergreen and West Valley Mission are both charging \$199.

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.

The staff recommends that the 2010-2011 capital outlay fee be \$10 per semester unit. This reflects something less than the actual expenditures per FTES but keeps the tuition fees competitive with the two contiguous districts that we are basing our tuition fee on.

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. 13/09-10, which establishes the Nonresident Tuition Fees for Fiscal Year 2010-2011 effective with the Fall 2010 Semester.

Attachments