CALIFORNIA COMMUNITY COLLEGES
CHANCELLOR'S OFFICE
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Memorandum

December 21, 2011 **Fiscal Services Memo 11-08**
Via E-mail Only

TO: Chief Business Officers
Chief Instructional Officers

FROM: Frederick E. Harris, Assistant Vice Chancellor
College Finance and Facilities Planning

SUBJECT: 2012-13 Nonresident Fees need to be established by February 1, 2012

SYNOPSIS: Education Code (EC) Section 76140 requires each district governing board to establish the nonresident tuition fee not later than February 1 for the succeeding fiscal year.

Nonresident Tuition Fee. For determining your district's 2012-13 nonresident tuition fee, the 2010-11 statewide average expense of education was ***$5,159*** per full time equivalent student (FTES). The projected increase in the U.S. Consumer Price Index (USCPI) as determined by the Department of Finance is 1.9% for the 2011-12 fiscal year and 1.9% for 2012-13, for a compound factor of 1.038 against the 2010-11 statewide average expense of education ($5,159) yields an Average cost of ***$5,355*** per FTES for the tuition year, or ***$179*** per semester unit for a 30 unit semester term academic year. For districts on the quarter system, the 45 unit quarter term academic year results in ***$119*** per quarter term unit.

Nonresident Tuition Fee Options. EC 76140(e) enumerates seven options for a district to choose in setting its nonresident tuition fee. These options are reflected in the enclosed worksheet as the "basis for adoption." Options 1-3 are generally well understood, but for Option 4 ("*No more than contiguous district*") and Option 5 ("*No more than district, no less than statewide cost"*), please keep in mind the following specifics:

Option 4 '*No more than contiguous district'*. A review of the legislative history when this option was adopted confirms that this amount **must be *within*** the:

- **Fee** (not ***cost***) adopted by a contiguous district (***Maximum*** *amount for Option #4*);

AND

- **Cost** of the lesser of (1) your district's average **cost** ***OR*** (2) the statewide average **cost** (***Minimum*** *amount for Option #4*).

Option 5 '*No more than district, no less than statewide cost*'. The ***maximum amount*** for this option is the district average cost, and the ***minimum amount*** for this option is the statewide average cost. **Only** an amount **between** these maximum and minimum amounts is allowed under this option.

Option 6 '***Highest Years Statewide Average Tuition'***. *(EC 76140(e)(1)(B)).* Use the greater of the succeeding year, the current year or any of the four prior year's statewide average nonresident tuition fee calculation, which is **$190 per semester unit** or **$127 per quarter unit** from **2009-10**.

Option 7 '***No more than 12 Comparable States' Average Tuition'.*** *(EC 76140(e)(1)(E)).* No greater than the 2010-11 average nonresident tuition fee of public community colleges in a minimum of 12 states comparable to California in cost of living. This average is calculated to be **$331 per semester unit** or **$221 per quarter unit**.

Nonresident Capital Outlay Fee. Pursuant to EC Section 76141 a district **may** also charge to any nonresident student a capital outlay fee. The amount of the nonresident capital outlay fee has to be the lesser of:

- the amount that was expended by the district for capital outlay in the preceding fiscal year divided by the total full-time equivalent students of the district in the preceding fiscal year; **OR**
- 50% of the 2012-13 nonresident tuition fee adopted pursuant to EC 76140.

Processing Fee for Students from Foreign Countries. Pursuant to EC 76142 a district **may** charge each nonresident applicant a processing fee not to exceed the lesser of (1) the actual cost of processing an application and other documentation required by the federal government **OR** (2) $100, which may be deducted from the tuition fee at the time of enrollment.

Exemptions to these fees. Various exemptions to these fees are provided in the law. Please click on the following web links to EC Sections 76140-76143 and a related legal opinion to learn more about these exemptions:

http://Ed Code Non-Res

http://AB540 and Non-Res Capital Outlay Fee

Tuition Fee Worksheet. A worksheet for computing the nonresident tuition and capital outlay fees is enclosed. The comparable information for all districts used to derive the statewide average expense of education per FTES for 2010-11 is also enclosed for your reference.

ACTION/DATE REQUESTED: Please complete and return by **February 15, 2012** a copy of the enclosed worksheet and provide information on the 2012-13 nonresident tuition and capital outlay fees adopted by your district governing board by February 1, 2012.

CONTACT: If you have any questions or comments regarding this memorandum, please contact Mike Yarber at (916) 327-6818; or myarber@cccco.edu. The office fax number is (916) 323-3057.

California Community Colleges

2012-13 NONRESIDENT FEES WORKSHEET

NONRESIDENT TUITION FEE CALCULATIONS FOR OPTIONS 1 THROUGH 7

2012-13 NONRESIDENT TUITION FEE (EC 76140)	(*Col. 1*) **Statewide**	(*Col. 2*) **District**	(*Col. 3*) **10% or More Noncredit FTES**
A. Expense of Education for Base Year (2010-11 CCFS 311, Expenditures by Activity Report, AC 0100-6700, Cols: 1-3)	$6,582,664,734	$ 13,399,842	$ N/A
B. Annual Attendance FTES (Recal 2010-11)	1,276,020	1,818.97	
C. Average Expense of Education per FTES (A ÷ B)	$5,159	$ 7,367	$
D. U.S. Consumer Price Index Factor (2 years)	x 1.038	x 1.038	x 1.038
E. Average Cost per FTES for Tuition Year (C x D)	**$5,355**	$ 7,647	$
F. Average Per Unit Nonresident Cost – Semester (*Qtr*)	**$179 (*$119*)**	$ 255	$
G. Statewide average – Semester (*Qtr*)	**$190 ($127)**	$ 190	$
H. Comparable 12 state average – Semester (*Qtr*)	**$331 ($221)**	$ 331	$

Annual Attendance FTES includes all student contact hours of attendance in credit and noncredit courses for resident students, nonresident students and apprentices; however apprentice hours are divided by 525 to compute an FTES equivalent. Round tuition fee to the nearest dollar.

Column 3 is an option for use by a district with ten percent or more noncredit FTES *(Section 76140(e)(1)(A)).* If your district qualifies, then fill out this column with noncredit FTES and noncredit expense of education data excluded.

NONRESIDENT TUITION FEE CALCULATIONS FOR OPTIONS 6 OR 7

Option 6. The greater amount of the calculations of statewide nonresident tuition for 2007-08 through 2012-13 is $190 per semester unit or $127 per quarter unit (2009-10).

Option 7. The average of the nonresident tuition fees of public community colleges in 2010-11 of no less than 12 states comparable to California in cost of living is $331 per semester unit or $221 per quarter unit.

Requirement for Use of Option 6 or 7: The additional revenue generated by the increased nonresident tuition permitted under options 6 or 7 shall be used to expand and enhance services to resident students *(EC 76140(e)(2).* Districts meeting one or more criteria below shall be considered in compliance with the requirements of EC 76140(e)(2). Please check all that apply:

- ☐ Revenue from nonresident tuition was less than 5% of total general fund revenue (2009-10).
- ☐ Actual resident FTES was greater than funded resident FTES (2009-10).
- ☐ Percent expenditures for counseling and student services were greater than statewide average (AC 6300 plus 6400 divided by AC 0100-6700, Cols. 1-3) (2009-10)
- ☐ Percent expenditures for instructional services were greater than statewide average (AC 0100-5900 divided by AC 0100-6700, Cols. 1-3 (2009-10).

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The district governing board at its January 24, 2012 meeting adopted a **nonresident tuition fee** of $ 179 per semester unit or $ 119 per quarter unit.

Basis for adoption is (***place an X in one box only***).

X	**1. Statewide average cost, per column 1.**
	2. District average cost, per column 2.
	3. District average cost with 10% or more noncredit FTES, per column 3.
	4. Contiguous district. _____. *(Specify district and its fee).*
	5. No more than district average cost (Col. 2 or 3); no less than statewide average cost.
	6. Statewide average cost, from 2009-10 ($190 per semester unit; $127 per quarter unit).
	7. No more than average tuition of 12 states with cost of living comparable to California.

NONRESIDENT CAPITAL OUTLAY FEE (EC 76141)

For districts electing to charge a **capital outlay fee** to **any** nonresident student, please compute this fee as follows:

a. Capital Outlay expense for 2010-11 $_____

b. FTES for 2010-11 _____

c. Capital outlay expense per FTES *(line a divided by line b)* _____

d. Capital Outlay Fee per unit:

1. Per semester unit *(line c divided by 30 units)* _____

OR

2. Per quarter unit *(line c divided by 45 units)* _____

e. 2012-13 Nonresident Student Capital Outlay Fee (*the lesser of line d **OR** 50% of adopted 2010-11 Nonresident Tuition Fee)* _____

The district governing board at its _____, 20____ meeting adopted a **nonresident capital outlay fee** of $ _____ per semester unit or $ _____ per quarter unit.

Upon adoption of nonresident tuition and/or capital outlay fees by your district governing board by February 1, 2012, please submit a copy of this report by *February 15, 2012* to:

California Community Colleges Chancellor's Office
Fiscal Services Unit
1102 Q Street, 4th Floor
Sacramento, CA 95811-6549 FAX (916) 323-3057

District Palo Verde Community College District

Contact Person Russi Egan

Phone Number & email (760) 921-5524 russi.egan@paloverde.edu

CALIFORNIA COMMUNITY COLLEGES
2012-13 Nonresident Tuition Fee
Based on 2010-11 Actual Expense of Education from CCFS-311
(AC 0100-6700, columns 1-3)

District Code	District	2010-11 Expense of Education*	2010-11 Total FTES**	2010-11 Expense Per FTES
610	Allan Hancock	51,094,099	10,189.40	5,014
620	Antelope Valley Joint	61,785,085	11,477.52	5,383
910	Barstow	12,991,686	3,580.22	3,629
110	Butte-Glenn	75,333,150	12,417.91	6,066
410	Cabrillo	66,561,559	11,847.82	5,618
810	Cerritos	86,449,047	18,173.79	4,757
480	Chabot-Las Positas	103,325,249	18,012.08	5,736
920	Chaffey	76,983,878	15,025.24	5,124
820	Citrus	58,183,229	12,087.39	4,814
830	Coast	183,027,594	37,015.40	4,945
710	Compton	30,649,403	6,760.40	4,534
310	Contra Costa	154,973,248	32,827.22	4,721
970	Copper Mountain	11,745,252	1,716.06	6,844
930	Desert	39,830,472	8,982.33	4,434
720	El Camino	108,083,990	20,488.34	5,275
120	Feather River	12,971,693	1,818.30	7,134
420	Foothill-DeAnza (quarter system)	188,416,509	35,267.34	5,343
440	Gavilan	30,947,844	5,575.59	5,551
730	Glendale	86,400,676	16,779.95	5,149
20	Grossmont-Cuyamaca	108,368,852	20,437.55	5,302
450	Hartnell	33,368,770	7,055.69	4,729
30	Imperial	42,746,040	7,383.66	5,789
520	Kern	103,922,308	20,918.48	4,968
220	Lake Tahoe (quarter system)	12,624,136	1,943.43	6,496
130	Lassen	12,870,428	1,964.64	6,551
840	Long Beach	110,909,809	21,478.55	5,164
740	Los Angeles	582,421,908	112,887.66	5,159
230	Los Rios	285,795,369	57,494.85	4,971
330	Marin	44,329,864	5,550.01	7,987
140	Mendocino-Lake	20,642,390	3,196.09	6,459
530	Merced	54,451,544	10,644.06	5,116
50	Mira Costa	81,553,658	10,824.71	7,534
460	Monterey Peninsula	34,048,249	7,889.32	4,316
850	Mt. San Antonio	146,585,045	31,862.86	4,600
940	Mt. San Jacinto	53,805,425	11,660.15	4,614
240	Napa Valley	37,175,725	6,757.02	5,502

District Code	District	2010-11 Expense of Education*	2010-11 Total FTES**	2010-11 Expense Per FTES
860	North Orange County	170,678,746	38,631.73	4,418
430	Ohlone	46,526,205	8,886.72	5,235
950	Palo Verde	13,399,842	1,818.97	7,367
60	Palomar	110,791,365	21,173.12	5,233
770	Pasadena	123,527,712	24,892.34	4,962
340	Peralta	131,308,737	21,007.17	6,251
870	Rancho Santiago	145,314,633	31,693.73	4,585
160	Redwoods	34,410,306	5,454.67	6,308
880	Rio Hondo	73,696,008	14,332.11	5,142
960	Riverside	153,616,639	29,609.61	5,188
980	San Bernardino	72,051,842	15,356.67	4,692
70	San Diego	223,236,852	45,537.14	4,902
360	San Francisco	211,894,549	39,438.17	5,373
550	San Joaquin Delta	85,628,248	16,810.97	5,094
470	San Jose-Evergreen	82,476,605	15,903.89	5,186
640	San Luis Obispo County	51,780,664	9,563.04	5,415
370	San Mateo County	114,671,526	22,244.08	5,155
650	Santa Barbara	93,164,900	18,127.39	5,139
660	Santa Clarita	73,106,754	15,813.79	4,623
780	Santa Monica	140,418,742	27,112.62	5,179
560	Sequoias	54,930,674	10,832.35	5,071
170	Shasta-Tehama-Trinity	44,289,359	7,914.95	5,596
270	Sierra Jt.	78,424,447	16,081.28	4,877
180	Siskiyou Jt.	17,902,123	2,384.80	7,507
280	Solano	51,280,398	9,397.96	5,457
260	Sonoma	104,620,811	21,689.91	4,823
890	South Orange County	141,775,934	29,329.89	4,834
90	Southwestern	87,770,578	16,189.93	5,421
570	State Center	148,733,190	29,484.33	5,044
680	Ventura	140,873,412	27,761.05	5,074
990	Victor Valley	51,750,647	10,264.24	5,042
580	West Hills	35,293,378	5,705.71	6,186
690	West Kern	23,712,552	2,540.55	9,334
490	West Valley	97,155,393	18,148.18	5,353
590	Yosemite	103,681,093	17,587.50	5,895
290	Yuba	46,131,571	8,126.06	5,677
	Totals	**$6,582,664,734**	**1,276,020.23**	**$5,159**

* "Expense of Education" is defined in the Budget and Accounting Manual as including all General Fund expenditures, restricted and unrestricted, for all objects of expenditure 1000 through 5000 and all expenditures of activity from 0100 through 6700. For the purposes of calculating the Nonresident Tuition Fee, Expense of Education is different than the 50% Law "current expense of education".

** Includes FTES for resident, nonresident, credit, noncredit and apprenticeship.