



Administrative Regulation
Chapter 5 – Student Services

AR 5030 FEES

NOTE: This regulation is **legally required**. Local practice can be inserted here, but must comply with applicable law. Community college districts may only require students to pay a fee if required or specifically authorized by statute.

The General Counsel's Office of the California Community Colleges Chancellor's Office regularly publishes an updated student fee handbook that analyzes which fees are required and which are permitted, as well as those which are prohibited.

Required fees include:

- Enrollment (Education Code Section 76300 and 76300.5; Title 5 Sections 58500 and 58509)
- Baccalaureate degree pilot program fees (Title 5 Section 58520)
- Nonresident tuition with these permissive exemptions (Education Code Sections 76140 and 76140.5):
 - All nonresident students enrolling for 6 or fewer units; or
 - A student who is a citizen and resident of a foreign country who demonstrates financial need and this required exemption (Education Code Section 68130.5);
 - All students, other than nonimmigrant aliens under 8 U.S. Code Section 1101(a)(15), who meet 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 or enrollment in a course offered for any term commencing on or after January 1, 2002;
 - completion of a questionnaire form prescribed by the State Chancellor's Office verifying eligibility for this nonresident tuition exemption; and
 - in the case of a student without lawful immigration status, 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/she is eligible to do so.

Fees authorized by law include:

- Non-District physical education facilities (Education Code Section 76395)
- Noncredit courses (Education Code Section 76385)
- Community service courses (Education Code Section 78300)
- Auditing of courses (Education Code Section 76370)
- Instructional materials (Education Code Sections 73365, 81457, and 81458; Title 5 Sections 59400 and 59408)
- Athletic insurance (Education Code Section 70902(b)(9))
- Cross-Enrollment with the California State University (CSU) or University of California (UC) (Education Code Section 66753)
- Health (Education Code Section 76355)
- Parking (Education Code Section 76360)
- Transportation (Education Code Sections 76361 and 82305.6)
- Student representation (Education Code Section 76060.5; Title 5 Sections 54801 and 54805)
- Student Center (Education Code Section 76375; Title 5 Section 58510)
- Copies of student records (Education Code Section 76223)
- Dormitory (Education Code Section 81670)
- Child care (Education Code Sections 79121 et seq. and 66060)
- Nonresident capital outlay (Education Code Section 76141)
- Nonresident application processing (Education Code Section 76142)
- Credit by Examination (Education Code Section 76300; Title 5 Section 55050)
- Use of facilities financed by revenue bonds (Education Code Section 81901(b)(3))
- Refund processing (Title 5 Section 58508)
- Telephone registration (Education Code Section 70902(a))
- Physical fitness test (Education Code Section 70902(b)(9))
- Instructional Tape Lease/Deposit (Education Code Section 70902(b)(9))
- Credit Card Use (Education Code Section 70902(b)(9))
- International Student Medical Insurance (Education Code Section 70902(b)(9))

Prohibited fees include:

- Late application (CCCCO Student Fee Handbook)
- Add/drop (CCCCO Student Fee Handbook)
- Mandatory student activities (CCCCO Student Fee Handbook)
- Student Identification Cards (CCCCO Student Fee Handbook)
- Student Body Organization (CCCCO Student Fee Handbook)
- Nonresident application (CCCCO Student Fee Handbook)
- Field trip (Title 5 Sections 55450 and 55451)
- For dependents of certain veterans (Education Code Section 66025.3)
- For dependents of certain victims of the September 11, 2001, terrorist attacks (CCCCO Student Fee Handbook)
- For certain recipients of the Medal of Honor and certain children of the recipients of the Medal of Honor (Education Code Section 66025.3)

- Required or funded services (CCCCO Student Fee Handbook)
- Refundable deposits (CCCCO Student Fee Handbook)
- Distance education (other than the statutorily authorized enrollment fee) (CCCCO Student Fee Handbook)
- Mandatory mailings (CCCCO Student Fee Handbook)
- Rental of practice rooms (CCCCO Student Fee Handbook)
- Apprenticeship courses (Education Code Section 76350)
- Technology fee (CCCCO Student Fee Handbook)
- Late payment fee (Title 5 Sections 58502 and 59410)
- Nursing/healing arts student liability insurance (Title 5 Section 55234)
- Cleaning (CCCCO Student Fee Handbook)
- Breakage (CCCCO Student Fee Handbook)
- Test proctoring (CCCCO Student Fee Handbook)

Waiver of Fees

The District may waive enrollment fees which were not collected in a previous session where the enrollment fees were not collected as a result of the District's error in awarding a Board of Governors Fee Waiver to an ineligible student and not through the fault of the student, and to collect the enrollment fee would cause the student undue hardship.

Collection and Refund of Fees

*** NOTE:** *Local practice may be inserted here, which should include or address:*

- *Fees to be collected when enacted by the Legislature following registration by the student*
- *Fees collected in error*
- *Fees refundable because of a reduction in the educational program of the District*
- *Fees refundable because of the student's reduction in units or withdrawal from an education program*
- *Fees refundable because of changes in law or regulation authorizing and establishing enrollment fees*
- *Notice to students of availability of exemptions from certain mandatory and authorized fees*

❖ From current SMC AR 4124 Refunds

If a student is eligible for a refund, it will be processed and mailed within 45 days of the start of the semester.

1. Tuition and health fees are fully refundable within the first 10% of the semester only. A \$10 processing fee is charged against the amount refunded.

2. If all classes are dropped within the first 10% of the semester, 80% of the A.S. fee will be refunded.
3. The I.D. card fee is not refundable.
4. Materials fees are not refundable on or after the first day of the semester.
5. Nonresident tuition is fully refundable within the first 10% of the semester.
6. Parking fees can only be refunded in full within the first three weeks of the Fall and Spring semesters and within the first two weeks of the Winter, Summer and short term sessions. The permit and receipt must be presented at the Auxiliary Services Office.

NOTE: The information in blue ink below is sample language from other districts and is included for consideration.

*** Sample 1 of "Collection and Refund of Fees" from another District:**

Collection and Refund of Fees

- The District shall collect fees raised by an act of the legislature and made effective on or after the date a student has enrolled in an upcoming or current term.
- The District shall refund fees collected in error.
- The District shall refund fees that are refundable because of a reduction in the educational program of the College.
- The District shall refund fees that are refundable because of the student's reduction in units or withdrawal from an educational program, in compliance with Title 5 Section 58508.
- The District shall refund fees that are refundable because of changes in law or regulation authorizing and establishing enrollment fees.
- The District shall provide notice to students of availability of exemptions from certain mandatory, authorized and permissive fees.

The college catalog and schedule of classes contain the most current information regarding fees. These documents are updated regularly.

Sample 2 of "Collection and Refund of Fees" from another District:

Collection

Each student is responsible for paying all fees for a term or session. If the California Legislature changes the fees, the student is responsible for any fee increase for classes that remain on or are added to the student schedule. When fees are not paid, the fees owed are past due and subject to the collections process. If a delinquent debt is sent to collections, a twenty-five-percent penalty charge may be added to the balance owed.

Failure to Pay Financial Obligations

The district may withhold grades, transcripts, and diplomas and may withhold enrollment privileges or any combination thereof from any student or former student who has been provided with written notice that he or she has failed to pay a proper financial obligation due to the District. Any item or items withheld shall be released when the student satisfactorily meets the financial obligation (authorized in Education Code Section 72237.)

Refund of Student Fees

A refund of fees will be given to eligible students, providing at least one of the following eligibility requirements is met:

- A. A student's class has been canceled by the District.
- B. The fee was collected in error.
- C. A student has officially withdrawn from a class or classes by the refund deadline (during the first two weeks of the semester or by the ten-percent date for a short-term course or intersession).
- D. A student who is a member of an active or reserve military service and has received orders compelling a withdrawal from courses at any time during the semester.

If a student drops all classes by the refund deadline, he/she shall be eligible to receive a refund of the enrollment fee, health services fee, materials fee, nonresident tuition, and student center fee. Classes dropped after the refund deadline (the first two weeks for regular session or the ten-percent date for short-term courses) will not be refunded. It is the student's responsibility to drop classes by the refund deadline or incur the fees.

Processing of refunds will begin after the tenth day of classes for regular semester and after the ten-percent date for short-term class periods. Refunds will be automatically mailed to the student or credited to his or her credit card if payment was made by credit card. Students should allow four to six weeks after the drop deadline for processing.

The parking fee and I.D. card fee are nonrefundable.

Sample 3 of "Collection and Refund of Fees" from another District:

Collection and Refund of Registration Fees:

Collection

All registration fees must be paid in full within four days of registering. Seven days prior to the start of each term the fees must be paid the same day the student registers. Failure to pay all registration fees by deadline will result in student being dropped from all classes. Acceptable forms of payment are: cash, check, money order, MasterCard, Visa or Discover.

Failure to Pay Financial Obligations

The District may withhold grades, transcripts and diplomas, and may withhold enrollment privileges or any combination thereof from any student or former student who has been provided with written notice that he or she has failed to pay a proper financial obligation due to the District. Any item or items withheld shall be released when the student satisfactorily meets the financial obligation.

Collection when Legislature Changes Fees Following Registration

When, by an act of the Legislature, the registration fees are increased during a semester in which a student has already registered and paid fees in full, the student will be sent a bill informing them of the fee increase. The student will be allowed to continue enrollment for the semester currently in progress, but will not be sent grades, given a copy of a transcript, or allowed to enroll in classes the following semester until payment for the fee increase is made in full.

Refund Process

Registration fees are refundable when a student withdraws from class(es) if the student withdraws from the class(es) by the 10% point of the length of the course for summer or short-term courses, or by the end of the second week for full-term fall/spring semester courses. A processing fee will be deducted from the refund. No refunds will be made after the second week of instruction.

Transportation service fees are mandatory and assessed at the time of registration. To obtain a refund, all courses must be dropped by the published transportation fee refund deadline.

The Student Government Association discount sticker and student representation fees are non-refundable.

Parking

Refunds for parking fee must be requested through the Enrollment Services Office and a processing fee may be assessed. This processing fee is assessed once a semester. The student must complete a "Request for Refund" form and attach the parking permit.

Processing Time

The processing time for semester refunds is approximately two weeks after the last day to drop a full-term class. Once this time frame has lapsed, refunds are then processed on a monthly basis and mailed by the 25th of each month.

Non-resident Tuition

The amount of the tuition to be refunded will depend on the drop date.

Refunds as a Result of Registration Adjustments

Refunds due to changes in the college's educational offerings, or fees collected in error will be refunded to the student in full and the refund processing fee will be waived.

Collection of Fees for Service or Other Fees:

Transcript and Student Status Fees

For transcript requests (first two copies free) and verification of student status fees are payable at the Enrollment Services Office (a photo ID is required).

(NOTE: Also see sample language from other Districts included in the notebook)

References:

Education Code Sections 66025.3, 70902(b)(9), 76300, 76300.5;

Title 5 Sections 51012, 58520, and 58629;

California Community College Chancellor's Office (CCCCO) Student Fee Handbook;

ACCJC Accreditation Standard I.C.6

NOTE: The **red ink** signifies language that is **legally required** and recommended by the Policy and Procedure Service and its legal counsel (Liebert Cassidy Whitmore). This regulation reflects updates/revisions from the Policy & Procedure Service in February 2003, August 2003, September 2005, February 2006, August 2006, February 2007, March 2012, September 2012, April 2015, and October 2015. The language in **black ink** is from current SMC AR 4124 Refunds approved on December 11, 2001 and revised on April 12, 2010 and November 2, 2010. The language in **blue ink** is included for consideration. The language in **yellow highlighting** is included to draw the reviewers' attention, and this language will be removed upon final approval.

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Revised: April 12, 2010; November 2, 2010;

(Replaces SMC AR 4124)