

AR 5030 FEES AND REFUNDS

Required **student** fees include:

Students should consult ~~the~~ Admissions and Records website, college catalog and schedule of classes ~~contain~~ for the most current information regarding **fees**, refunds and **availability of exemptions from certain mandatory and authorized fees**. These documents are updated regularly. (moved from refund section)

- Enrollment fee (Education Code Sections 76300 and ~~76300.5~~, **-76301, 78021**; Title 5 Sections **55031, 55620**, ~~58500-~~ and 58509 **and 58620**)
- Baccalaureate degree pilot program **enrollment** fees (Education Code sections **78040-78043**; Title 5 Section 58520)
- Nonresident tuition **fees** (Education Code Sections 76140-**76143** and ~~76140.5~~):

~~_____ with these permissive exemptions:~~

- ~~o All nonresident students enrolling for 6 or fewer units; or~~
- ~~o 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);~~
- ~~o All students, other than nonimmigrants 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 immigration status, or will file an application as soon as the student is eligible to do so.~~

- Student representation (Education Code Section 76060.5; Title 5 Section ~~54801~~ and 54805)

Students may decline to pay (opt out of) the student representation fee established under this section on their student portal. (moved from section below).

- Health **fee** (Education Code Section 76355). Some students are exempt from paying this fee. (moved from section below)

For student fee exemptions and exceptions see administrative regulations listed as references at the end of this regulation.

Also see Residency Determination on CCCO webpage and Legal Advisory 18-02

Authorized (optional) Student Fees ~~Fees Authorized by Law include:~~

The District provides students the opportunity to decline (opt out of) some of these fee-based services.

- **Physical Education** at Non-District Physical Education facilities (Education Code Section 76395)
- ~~Noncredit courses (Education Code Section 76385)~~ aren't these free & this EC section not for this?
- Community Service Courses (Education Code Section 78300)
- **Course** Auditing of courses (Education Code Section 76370)
- Instructional materials (Education Code Sections 76365, 81457, and 81458; Title 5 Sections 59400, 59402, 59404, 59406 and 59408) See Appendix A of CCCCO Student Fee Handbook
- Athletic insurance (Education Code Section 3222170902(b)(9))
- Cross-Enrollment at a community college, with the California State University (CSU) or University of California (UC) (Education Code Section 667530-66754)
- Parking (Education Code Section 76360). Some students get discounted rate based on general/financial assistance programs as outlined in the student fee handbook.
- Transportation **Services** (Education Code Sections 76361 and 82305-6)
- Student **Body Center Building and Operating** (Education Code Section 76375; Title 5 Section 58510)
- ~~Copies of~~ Student records (Education Code Section 66022, 76223, 76225; Civil Code Section 1788.93; Title 5 Section 54610)
- Dormitory (Education Code Section 81670)
- Child care (Education Code Sections 66060, 79120 and 79121 et seq.)
- Nonresident capital outlay (Education Code Section 76141)
- Nonresident application processing (Education Code Section 76142)
- Credit for **Prior Learning** by Examination fee (Education Code Section 76300; Title 5 Section 55050)
- Use fee for of facilities financed by revenue bonds (Education Code Section 81901(b)(3) and 81956)
- Refund processing (Education Code Section 76300; Title 5 Section 58508)
- Telephone/**Internet** Registration (Education Code Section 70902(a)(9))
- Physical Education fitness test (Education Code Section 70902(a)(9))
- ~~Instructional Tape Lease/Deposit (Education Code Section 70902(b)(9))~~ this not in handbook & may be part of instructional materials section above

- Credit Card Use **or noncash** (Education Code Section 70902(a)(9))
- International Student Medical Insurance (Education Code Section 70902(a)(9))
- **Criminal Background Checks** (Education Code Section 70902(a)(9))
- **Student Identification Replacement** (Education Code Section 70902(a))
- **District Student Body Organization Funds** (Education Code Sections 76060-76067)
- **Courses Not Eligible for State Apportionments** (Education Code Sections 76380, 76385, 78021 and 84757)

Prohibited fees include:

- Late application (CCCCO Student Fee Handbook)
- Add/drop (CCCCO Student Fee Handbook)
- Mandatory student activities (CCCCO Student Fee Handbook)
- ~~Mandatory~~ Student Identification Cards (CCCCO Student Fee Handbook)
- ~~Mandatory~~ Student Body Organization (CCCCO Student Fee Handbook)
- Nonresident application ~~for domestic students~~ (CCCCO Student Fee Handbook)
- ~~Mandatory Field trip (Title 5 Sections 55450 and 55451)~~
- Fees for dependents of certain veterans (Education Code Section 66025.3)
- Fees for dependents of certain victims of the September 11, 2001 terrorist attacks (CCCCO Student Fee Handbook)
- Fees for certain recipients of the Medal of Honor and certain children of the recipients of the Medal of Honor (Education Code Section 66025.3)
- Fees for surviving spouses and children of a firefighter employed by the federal government whose duty assignment involved the performance of firefighting services in California (Education Code Section 68120)
- For students who have been exonerated of a crime through writ of habeas corpus or pardon that meet certain conditions (Education Code Section 69000)
- 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)
- ~~Mandatory~~ 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 ~~if the enrollment fees were not collected as a result of the District's error in awarding a California College Promise Grant 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.~~

when all of the following conditions are met:

- The fees were not collected due to the District's error in awarding a California College Promise Grant (Board of Governors Fee Waiver) to an ineligible student
- The error was not the fault of the student
- Collecting the enrollment fee would cause the student undue hardship

Collection Fee Collection and Payment Responsibility

Each student is responsible for paying all fees for a term or session. Failure to pay all enrollment fees by the **published** deadline may result in the student being dropped from all classes.

The District shall collect fees enacted by the California Legislature that become effective on or after the date a student has enrolled in an upcoming or current term.

Failure to Pay Financial Obligations

The district may withhold grades, transcripts, diplomas and may withhold enrollment privileges or ~~any combination thereof~~ from any student or former student who ~~was~~ **has been** notified of their failure to pay the proper financial obligations owed to the District. **Withheld** ~~Any item or privileges withheld~~ shall be released when the student satisfactorily meets the financial obligation ~~(authorized in Education Code Section 72237.)~~

Refund of Student Fees as a Result of Enrollment Adjustments

Full Refund Eligibility (No Processing Fee)

A full refund of fees will be provided when any of the following conditions are met:

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

- A. The student's class has been canceled by the District **or withdrawal due to extraordinary conditions per Title 5 §58509.**
- B. The fee was collected in error.
- C. ~~The F~~ fees are refundable ~~because of~~ **due to** changes in law or regulation authorizing and establishing enrollment fees.

- D. The student is a member of an active or reserve military service and has received orders compelling a withdrawal from course(s) at any time during the term.

~~Students withdrawing based on Sections A-D will get a full refund (refund processing fee will be waived).~~

Refund Eligibility (Subject to \$10 Processing Fee)

E. The student has officially withdrawn from a class or classes by the refund deadline which is:

- the **end of the** first two weeks of instruction for a primary term-length course ~~or~~ **OR**
- by the ten-percent **point of instruction** date for a short-term course.

FEES: Should we move up above this section?

- **enrollment fees** (tuition) ~~and health fees.~~
- non-resident tuition ~~and health fees. A processing fee is charged against the tuition fee refunded.~~
- **health fees**
- the Associated Student Resource fee
- the I.D. card fee
- Student Benefits fee
- Student Representation fee

It is the student's responsibility to drop classes by the refund deadline **to avoid** ~~or~~ incurring the fees per Title 5 Section 58508.

~~Students withdrawing based on section E will incur a \$10 refund processing fee.~~

Refundable Fees Refund of Fees

~~The Admissions and Records website, college catalog and schedule of classes contain the most current information regarding refunds. These documents are updated regularly. (moved above)~~

~~If the student has officially withdrawn from a class or classes by the refund deadline, which is the first two weeks of instruction for a primary term-length course or by the ten-percent date for a short-term course, the following fees are refundable (minus any applicable refund processing fee not to exceed \$10 per term):~~

Parking Fee Refunds

Parking fees can only be refunded in full within:

- The first three weeks of Fall and Spring terms
- The first two weeks of Winter, Summer

Parking fee refunds must be requested through the Cashier's Office by the published deadlines. A processing fee may be assessed. Students must complete and submit a "Refund Request Form".

~~Exception: Parking fees can only be refunded in full within the first three weeks of the Fall and Spring term and within the first two weeks of the Winter, Summer and short terms. Refunds for parking fees must be requested through the Cashiers Office by published deadlines and a processing fee may be assessed. The student must complete and submit a "Request for Refund" form and attach the parking permit. A refund will be processed upon verification of purchase.~~

Non-Refundable Fees

Instructional materials fees are not refundable after the first day of the term.

What does the Appendix A say from Student Handbook CCCCO? Why first day?

Refunds as a Result of Enrollment Adjustments

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

Refund Processing Time START HERE

If a student is eligible for a refund, the refund will be processed and mailed within 30 days of the transaction date per Title 5 Section 58508.

Special Circumstances:

- ~~Refunds to International and Veteran students may require a longer processing time. International students may request an emergency refund to be processed within 10 days if leaving the country.~~
- International students leaving the country may request emergency refund processing within 10 days.

Parking Regulations

To use the on-campus parking facilities, a student ~~is~~ **are** required to purchase a parking decal permit. ~~Parking for s~~ **Some of the satellite campuses are** **offer** free **parking** but still require a ~~printable decal permit~~. Student parking ~~decal~~ permits are not valid in faculty/staff parking areas. Parking fees vary ~~depending on the~~ **by** term, and reduced rates are available for **eligible** students who qualify.

Reduced Parking Fee Eligibility

~~Students are eligible for a reduced parking fee each term if eligible for a California College Promise Grant (formerly BOG Fee Waiver) or who demonstrate financial need under federal standards~~ **?what section?** ~~or if at the time of enrollment, is a homeless youth as defined in subdivision (b) of Title 5 Section 66025.9.~~

Students are eligible for reduced parking fees each term if they:

- Qualify for a California College Promise Grant (formerly BOG Fee Waiver)
- Demonstrate financial need under federal standards, OR
- Are homeless youth as defined in subdivision (b) of Title 5 Section 66025.9 at the time of enrollment

Accessible Parking

~~Education Code Section 67301(b) requires the district to provide visitor parking at no charge for disabled persons or veterans and for persons providing transportation services to individuals with disabilities. Regulations in conformance with this requirement are contained in the California Code of Regulations, Title 5 Section 59306(a). The District shall post in conspicuous places notice that parking is available to students with disabilities and those providing transportation for such students. Title 5 §54100~~

Education Code Section 67301(b) requires the District to provide visitor parking at no charge for:

- Disabled persons or veterans
- Persons providing transportation services to individuals with disabilities

Regulations conforming to this requirement are contained in California Code of Regulations, Title 5 Section 59306(a). The District shall post conspicuous notices that parking is available to students with disabilities and those providing transportation for such students (Title 5 Section 54100).

Transcript and Student Verification Fees

The first two copies of transcripts and enrollment verifications are **provided free of charge**, excluding expedited requests. **Current Fees** are posted on the Admissions and Records website.

References:

Education Code Sections 66025.3, 66060-66061, 66750-66754, 67301, 68120, 70900-70902 ~~subdivision (b)(9),~~ 76060-76067, 76140-76143, 76220-76225, 76300-76303, 76350-76395 , 78020-78023; 78040-78043, 78300, 79120-79121, 81450-81460, 81670-81678, 81901-81966, 84750.4-84811

Title 5 Sections 51012, 54100, 54610, 54700-54710, 54805, 55031, 55050, 55620, 58500-58510, 58520, 58620, 58629, 59400-59408

California Community Colleges Chancellor's Office (CCCCO) Student Fee Handbook **and Legal Advisory 18-02;**
California Civil Code Section 1788.93

Reviewed/Revised: 11/2/2010; 9/20/2017, **11/12/25**

BP 5030 Fees – The Service updated this policy to add a legal citation to the revised Title 5 regulations on burden-free access to instructional materials and baccalaureate degree programs. The Service also updated this policy to revise the permissible fees for upper-division coursework in a baccalaureate degree program and to identify the District's policy to ensure student access to instructional materials.

AP 5030 Fees – The Service updated this procedure to add a legal citation to the revised Title 5 regulations on baccalaureate degree programs. The Service also updated this policy to revise the permissible fees for upper-division coursework in a baccalaureate degree program and to identify the District's policy to ensure student access to instructional materials.

AP 5030 Fees (Leagues Template)

NOTE: *This procedure is **legally required**. Local practice can be inserted below, but it 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 Sections 76300 and 76300.5; Title 5 Sections 58500 and 58509)
- Baccalaureate degree program fees (Title 5 Section 58501):
 - Students enrolled in upper-division coursework in a baccalaureate degree program shall be charged a per-unit fee in addition to the enrollment fee, as prescribed by law.
- 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 persons excluded from the term "immigrant" for purposes of the federal Immigration and Nationality Act (8 U.S. Code Section 1101 subdivision (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;
 - filing a California Nonresident Tuition Exemption Request form with the District or in the case of students applying for state-based financial aid, by filing a California Dream Act Application (CADAA) with the California Student Aid Commission verifying eligibility for this nonresident tuition exemption; and
 - in the case of undocumented persons, the filing of an affidavit that the student has filed an application to legalize his/her/their immigration status or will file an application as soon as he/she/they is eligible to do so.
- A nonresident student who enrolls in a credit English as a Second Language (ESL) course at the district and who is any of the following:
 - A recent immigrant, as defined in 8 U.S. Code Section 1101 subdivision (a)(15);
 - A recent refugee, as defined in 8 U.S. Code Section 1101 subdivision (a)(42); or
 - A person who has been granted asylum by the United States, as defined in 8 U.S. Code Section 1158.

This exemption applies only to individuals who, upon entering the United States, settled in California and who have resided in California for less than one year. This exemption applies only to the tuition fee for credit ESL courses.

- Student representation (Education Code Section 76060.5; Title 5 Section 54805) [***Applies only if a student body association has been established at the District.***]

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 subdivision (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 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 66060 and 79121 et seq.)
- Nonresident capital outlay (Education Code Section 76141)
- Nonresident application processing (Education Code Section 76142)
- Credit for Prior Learning (Education Code Section 76300; Title 5 Section 55050)
- Use of facilities financed by revenue bonds (Education Code Section 81901 subdivision (b)(3))
- Refund processing (Title 5 Section 58508)
- Telephone registration (Education Code Section 70902 subdivision (a))
- Physical fitness test (Education Code Section 70902 subdivision (b)(9))
- Instructional Tape Lease/Deposit (Education Code Section 70902 subdivision (b)(9))
- Credit Card Use (Education Code Section 70902 subdivision (b)(9))
- International Student Medical Insurance (Education Code Section 70902 subdivision (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)
- 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)
- For surviving spouses and children of a firefighter employed by the federal government whose duty assignment involved the performance of firefighting services in California (Education Code Section 68120)
- For students who have been exonerated of a crime through writ of habeas corpus or pardon that meet certain conditions (Education Code Section 69000)
- 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)

Collection and Refund of Fees

NOTE: *Local practice may be inserted below, **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 and § 58509
- 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

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 California College Promise Grant (formerly known as 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.

Revised 2/03, 8/03, 9/05, 2/06, 8/06, 2/07, 3/12, 9/12, 4/15, 10/15, 4/18, 3/19, 4/20, 10/20, 4/21, 4/23, 4/24, 10/24, 10/25

§ 51012. Student Fees.

The governing board of a community college district may only establish such mandatory student fees as it is expressly authorized to establish by law.

§ 54100. Parking for Students with Disabilities.

- (a) Each community college district which provides parking shall, consistent with the requirements of this section and Education Code section 67301, provide parking at each of its colleges or centers to students with disabilities and those providing transportation for such students.
- (b) For purposes of this section, "students with disabilities" are those who have enrolled at the college and:
- (1) qualify as disabled persons or disabled veterans pursuant to section 22511.5 of the Vehicle Code; or
 - (2) are entitled to special parking provided through Disabled Student Programs and Services pursuant to subchapter 1 (commencing with section 56000) of chapter 7 of this division.
- (c) Students with disabilities using parking provided under this section may be required to display a distinguishing license plate or placard issued by the Department of Motor Vehicles pursuant to section 22511.5 of the Vehicle Code or a special sticker issued by the college authorizing parking in spaces designated for persons with disabilities.

(d) Students with disabilities may be required to pay parking permit fees imposed pursuant to Education Code section 76360. Students with disabilities shall not be required to pay any other charge, or be subjected to any time limitation or other restriction not specified herein, when parking in any of the following areas:

- (1) any restricted zone described in subdivision (a) of section 21458 of the Vehicle Code;
- (2) any street upon which preferential parking privileges and height limits have been given pursuant to section 22507 of the Vehicle Code;
- (3) any parking zone that is restricted as to the length of time parking is permitted as indicated by a sign erected pursuant to a local ordinance;
- (4) any metered zone; or
- (5) any space in any lot or area otherwise designated for use by faculty, staff, administrators, or visitors.

(e) Parking specifically designated for persons with disabilities pursuant to Section 7102 of Title 24 of the California Code of Regulations shall be available to students with disabilities, and those providing transportation to such persons, in those parking areas which are most accessible to facilities which the district finds are most used by students.

(f) Each community college district shall post in conspicuous places notice that parking is available to students with disabilities and those providing transportation for such students.

(g) When parking provided pursuant to this section is located in an area where access is controlled by a mechanical gate, the district shall ensure that accommodations are made for students with disabilities who are unable to operate the gate controls. Accommodations may be provided by an attendant assigned to assist in operation of the gate or by any other effective means deemed appropriate by the district.

(h) Revenue from parking fees collected pursuant to Education Code section 76360 may be used to offset the costs of implementing this section.

§ 54610. Student Access.

Community college districts shall provide access to student records pursuant to Education Code sections 76210(c) and 76230, provided that if any material or document in the student record includes information on more than one student, the rights provided in section 76230 shall only extend to such information as pertains to the student. Each student shall be permitted to select the means of access to his or her own student records.

§ 54700. Separate Funds and Accounting Procedures.

All student fees collected for the student health services program shall be deposited in a special fund established for that purpose by the district. All monies in this fund shall be expended only for the purposes for which they were collected.

The recording of income and expenditures shall be in accordance with the uniform system of accounting as prescribed by the California Community Colleges "Budget and Accounting Manual."

§ 54702. Proper Use of Funds (health).

§ 54704. Allowable Charges (health).

Those identifiable expenses incurred which directly benefit the student health service program, as defined in Section 54708, are allowable charges to the student health fund for the health services authorized by the district governing board pursuant to Section 54702. Where the expense is not exclusively for the student health program, only the prorated portion applicable to the student health service program may be charged against this fund.

§ 54706. Expenses Not Funded (health).

§ 54708. Fundable Expenses (health).

§ 54710. Emergency information.

For the protection of a student's health and welfare the governing board of a community college district may require the parent or legal guardian of a minor to keep current at the minor's school of attendance, emergency information including the home address and telephone number, business address, and telephone number of the parents or guardian, and the name, address, and telephone number of a relative or friend who is authorized to care for the student in any emergency situation if the parent or legal guardian cannot be reached.

§ 54805. District Collection of the Representation Fee.

District governing boards shall include in the materials given to each student at registration, information pertaining to the student representation fee. The form used by a college for the purpose of collecting the fee, whether paper or digital, shall contain, at a minimum, the following:

- (a) a statement indicating that the money collected pursuant to this article shall be expended to provide support for students or representatives who may be stating their positions and viewpoints before city, county, and district government, and before offices and agencies of the state and federal government;
- (b) the amount of the fee; and
- (c) a statement informing the students of their right to decline to pay the student representation fee established by Education Code section 76060.5, in substantially the following form: "I decline to pay the \$2 student representation fee which supports local and statewide community college student advocacy organizations. [Followed by a check box, yes/no option, or similar device to establish consent or refusal]."

§ 55050. Credit for Prior Learning.

- (a) The governing board of each community college district shall adopt and publish policies pertaining to credit for prior learning. The policies shall be transparent and accessible to all

stakeholders, published at least in college catalogs. Procedures for students to attain credit for prior learning shall include, but not be limited to, credit by examination, evaluation of Joint Services Transcripts, evaluation of student-created portfolios, evaluation of industry-recognized credential documentation, and standardized exams.

(b) The governing board may grant credit to any student who satisfactorily passes an assessment approved or conducted by proper authorities of the college. For purposes of this section, “assessment” means the process that faculty undertake with a student to ensure the student demonstrates sufficient mastery of the course outcomes as set forth in the course outline of record. “Sufficient mastery” means having attained a level of knowledge, skill, and information equivalent to that demonstrated generally by students who receive the minimum passing grade in the course.

(c) The nature and content of the assessment shall be determined solely by faculty in the discipline who normally teach the course for which credit is to be granted in accordance with policies and procedures approved by the curriculum committee established pursuant to section 55002. The faculty shall determine that the assessment adequately measures mastery of the course content as set forth in the outline of record. The faculty may accept an assessment conducted at a location other than the community college for this purpose.

(d) Credit may be awarded for prior experience or prior learning only for individually identified courses with subject matter similar to that of the individual's prior learning, and only for a course listed in the catalog of the community college. Colleges shall consider the credit recommendations of the American Council on Education pursuant to Education Code section 66025.71. Upon a student's demonstration of sufficient mastery through an examination or assessment, an award of credit should be made, if possible, to California Intersegmental General Education Transfer Curriculum, California State University General Education Breadth, and local community college general education requirements or requirements for a student's chosen program. Award of credit may be made to electives for students who do not require additional general education or program credits to meet their goals.

(e) Credit by Examination: The determination to offer credit by examination rests solely on the discretion of the discipline faculty. A separate examination shall be conducted for each course for which credit is to be granted. Credit may be granted only to a student who is registered at the college and in good standing and only for a course listed in the catalog of the community college.

(f) The student's academic record shall be clearly annotated to reflect that credit was earned by assessment of prior learning.

(g) Grading shall be according to the regular grading system approved by the governing board pursuant to section 55023, except that students shall be offered a “pass-no pass” option if that option is ordinarily available for the course.

(h) Units for which credit is given pursuant to the provisions of this section shall not be counted in determining the 12 semester hours of credit in residence required for an associate degree.

- (i) A district may charge a student a fee for administering an examination pursuant to this section, provided the fee does not exceed the enrollment fee which would be associated with enrollment in the course for which the student seeks credit by examination.
- (j) The policies and procedures adopted by the governing board of a community college district pursuant to this section shall require that a student, upon completion of their educational plan pursuant to California Education Code Section 78212, shall be referred to the college's appropriate authority for assessment of prior learning if the student is a veteran or an active-duty member of the armed forces, holds industry-recognized credentials, or requests credit for a course based on their prior learning.
- (k) The policies for assessments adopted by the governing board of a community college shall offer students an opportunity to accept, decline, or appeal decisions related to the award of credit, and in cases of credit by exam, pursuant to sections 55021 and 55025.
- (l) The governing board of each community college district shall review the credit for prior learning policy every three years and report findings to the Chancellor's Office. Findings shall include data disaggregated by gender and race/ethnicity including the number of students who received credit for prior learning, the number of credits awarded per student, retention and persistence rates of students earning credit for prior learning, completion data (for certificate, degree, and transfer) for students earning credit for prior learning, and qualitative assessments by students of the policies and procedures.
- (m) The governing board of each community college district shall incorporate policies pursuant to section 55052 on College Board Advanced Placement examinations and any other districtwide policies governing the award of credit for prior learning to create a comprehensive credit for prior learning policy.
- (n) By December 31, 2020, the district shall certify in writing to the Chancellor of the California Community Colleges that the policies required by this section have been adopted and implemented.

§ 58500. Definition.

Each district governing board shall charge each student a fee for enrolling in credit courses pursuant to the requirements of Education Code section 76300 and the requirements of this article. The fee prescribed by section 76300 shall be known as the enrollment fee.

§ 58501. Enrollment Fee.

- (a) Semester: The enrollment fee charged of students enrolled in a regular semester shall be a per credit unit rate prescribed by the Legislature.
- (b) Quarter: The enrollment fee charged of students enrolled in a regular quarter session shall be two-thirds of the per credit unit rate for a regular semester.

(c) Fractional Units: The enrollment fee charged for courses with fractional unit value shall be computed by multiplying the fraction times the applicable semester or quarter unit rate and rounding off to the nearest dollar.

(d) Baccalaureate Program Fees: The fees charged for students enrolled in upper division coursework in a baccalaureate degree program shall be a per credit unit rate prescribed by the Legislature. Students enrolled in a baccalaureate degree program pay the baccalaureate degree program fee in addition to the enrollment fee.

(e) Enrollment and all related fees shall be published in the college catalogs and on college websites.

§ 58502. Fee Charged at Enrollment.

The enrollment fee shall be charged of a student at the time the student is enrolled in a class. The district governing board may establish a policy authorizing the collection of the fee to be deferred under conditions determined by the governing board.

§ 58503. Variable Unit Classes.

A student shall be charged for a variable unit class at the time the student enrolls in the class. The enrollment fee shall be based on the number of units in which the college enrolls the student. If the student later earns additional units, the student may add those units pursuant to the district's policy for adding classes. Any additional enrollment fee shall then be charged of the student. No refund shall be made for units not earned by the student, except as provided in section 58508.

§ 58507. Program Changes.

A community college district may allow a student to add or drop classes during the term pursuant to district policy. The enrollment fee shall be adjusted to reflect added or dropped courses as allowed by district policy.

§ 58508. Refunds.

(a) A community college district governing board shall refund upon request any enrollment fee paid by a student pursuant to section 58501 for program changes made during the first two weeks of instruction for a primary term-length course, or by the 10 percent point of the length of the course for a short-term course.

(b) A student shall be allowed at least two weeks from the final qualifying date of the program change specified in subdivision (a) to request an enrollment fee refund.

(c) A community college district shall not refund any enrollment fee paid by a student for program changes made after the first two weeks of instruction for a primary term-length course, or after the 10 percent point of the length of the course for a short-term course, unless the program change is a result of action by the district to cancel or reschedule a class or to drop a student pursuant to subdivision (f) of section 55003 where the student fails to meet a prerequisite.

(d) When refunding an enrollment fee pursuant to subdivision (a), a community college district may retain once each semester or quarter an amount not to exceed \$10.00.

(e) If the district has adopted a withdrawal policy pursuant to section 55024, any student who is a member of an active or reserve United States military service, and who has withdrawn from courses due to military orders, may file a petition with the district requesting refund of the enrollment fee. The district shall refund the entire fee unless academic credit has been awarded.

(f) Prior to refunding any enrollment fee or tuition, the district may determine if the student received federal Title IV funds during the term of enrollment. If funds were received, the refund may be held for up to 30 days while the district determines if any institutional or student return to the federal Title IV programs is due under Section 485 of the Higher Education Amendments of 1998, P.L. 105-244. If a return is deemed to be required, the amount of enrollment fee refund may first be used to meet any return obligation of the district and, if an amount of enrollment fee refund remains after the district obligation has been met, that amount may be used to meet any return obligation of the student. If an enrollment fee refund amount remains after all return obligations have been met, the student shall receive the remainder.

§ 58509. Refund of Enrollment Fees and Withdrawal due to an Extraordinary Condition.

(a) Notwithstanding section 58508, a community college district may provide a full refund of enrollment fees to any student who withdrew from one or more courses, where the district finds that such withdrawal was necessary for one of the following reasons:

(1) the college attended by the student was closed or the college was unable to provide all or substantially all of the instruction in the course or courses in which the student was enrolled due to fire, flood or other condition as defined in section 58146; or

(2) the student was personally impacted by an event enumerated in section 58146, conditions preventing the student from attending one or more courses.

(b) Consistent with section 55024, subdivision (a)(4), a community college district shall record an "EW" on the academic record of a student who withdraws from one or more courses due to any of the circumstances described in subdivision (a).

§ 58510. Student Center Fee Election.

If it desires to exercise the authority given by section 76375 of the Education Code, the governing board of a community college district shall establish procedures for an election conducted for the purpose of collecting a student body center building and operating fee, and call an election for such purpose. The procedures shall be developed in consultation with the student government body of the college(s) at which the fee would be assessed. The election shall, at minimum, meet the following criteria:

(a) The governing board shall make available in its district office and the student government office written information regarding the election procedures. Such information shall be made available to the public upon request.

(b) Adequate notice of the election shall be given. Adequate notice is deemed to be at least ten school days prior to the election date.

(c) The election shall be held on a day which counts toward the 175 day requirement set forth in section 58142. In instances where the election is conducted for more than one day, those days shall be consecutive and shall be limited to a maximum of five days.

(d) The ballot proposal seeking authorization of the fee shall specify the intended duration of the fee and the intended use of the fee revenue.

(e) The election shall be conducted in a manner that would allow equal opportunity for day and evening students to participate.

§ 58620. Student Eligibility: California College Promise Grant.

§ 58629. Ineligible Student: District Error.

(a) The community college district may waive enrollment fees which were not collected in a previous session where:

(1) the enrollment fees were not collected as a result of the district's error in awarding a California College Promise Grant to an ineligible student and not through the fault of the student, and

(2) to collect the enrollment fees would cause the student undue hardship.

(b) Enrollment fees waived pursuant to this section are to be included in the FTES adjustments described in Education Code section 76300(c) for purposes of computing apportionments.

(c) The Board of Governors shall not reduce the apportionment of a district pursuant to Education Code section 76300(d) for enrollment fees that are waived by a district provided all the requirements for the waiver have been met.

§ 59400. Required Instructional Materials.

(a) The governing board of a district may, consistent with the provisions of this subchapter, require students to provide instructional materials required for a credit or noncredit course, provided that such materials are of continuing value to a student outside of the classroom setting, and provided that such materials are not solely or exclusively available from the district.

(b) Required instructional materials shall not include materials used or designed primarily for administrative purposes, class management, course management or supervision.

(c) Where instructional materials are available to a student temporarily through a license or access fee, the student shall be provided options at the time of purchase to maintain full access to the instructional materials for varying periods of time ranging from the length of the class up to at least two years. The terms of the license or access fee shall be provided to the student in a clear and understandable manner prior to purchase.

(d) Except as specifically authorized or required in the Education Code, the governing board of a community college district shall not require a student to pay a fee for any instructional materials required for a credit or noncredit course.

(e) The Chancellor's Office shall adopt guidelines for districts implementing this subchapter.

§ 59402. Definitions.

For the purposes of this subchapter the following definitions apply:

(a) "Required instructional materials" means any materials which a student must procure or possess as a condition of registration, enrollment or entry into a class; or any such material which the instructor determines is necessary to achieve the required objectives of a course.

(b) "Solely or exclusively available from the district" means that the instructional material is not available except through the district, or that the district requires that the instructional material be purchased or procured from it. A material shall not be considered to be solely or exclusively available from the district if it is provided to the student at the district's actual cost and:

(1) the instructional material is otherwise generally available, but is provided solely or exclusively by the district for health and safety reasons; or

(2) the instructional material is provided in lieu of other generally available but more expensive material which would otherwise be required.

(c) "Required instructional materials which are of continuing value outside of the classroom setting" are materials which can be taken from the classroom setting, and which are not wholly consumed, used up, or rendered valueless as they are applied in achieving the required objectives of a course which are to be accomplished under the supervision of an instructor during the class.

§ 59404. District Policies and Regulations for Instructional Materials.

(a) The governing board of a community college district which requires that students provide instructional materials for a course shall adopt policies or regulations, consistent with the provisions of this subchapter, which specify the conditions under which such materials will be required. These policies and regulations shall direct instructors to take reasonable steps to minimize the cost and ensure the necessity of instructional materials.

(b) The policies or regulations specified in subdivision (a) shall be published in each college catalog developed after the date of adoption.

§ 59408. Violations of Subchapter.

The governing board of a district which prescribes required instructional materials in violation of this subchapter shall be deemed to have established a student fee not expressly established by law.

66025.3. General Provisions

(a) Notwithstanding Section 76300, a campus of the University of California, the California State University, or the California Community Colleges shall not charge any mandatory systemwide tuition or fees, including enrollment fees, registration fees, differential fees, or incidental fees, to any of the following:

(1) A dependent eligible to receive assistance under Article 2 (commencing with Section 890) of Chapter 4 of Division 4 of the Military and Veterans Code.

(2) (A) Any child of any veteran of the United States military who has a service-connected disability, has been killed in service, or has died of a service-connected disability, where the annual income of the child, including the value of any support received from a parent, does not exceed the state poverty level as defined in subdivision (d).

(B) Notwithstanding Section 893 of the Military and Veterans Code, the Department of Veterans Affairs may determine the eligibility for fee waivers for a child described in subparagraph (A).

(3) A dependent, or a surviving spouse who has not remarried, of any member of the California National Guard who, in the line of duty, and while in the active service of the state, was killed, died of a disability resulting from an event that occurred while in the active service of the state, or is permanently disabled as a result of an event that occurred while in the active service of the state. For the purposes of this paragraph, "active service of the state" refers to a member of the California National Guard activated pursuant to Section 146 of the Military and Veterans Code.

(4) (A) An undergraduate student who is a recipient of a Medal of Honor, commonly known as a Congressional Medal of Honor, or an undergraduate student who is a child of a recipient of a Medal of Honor and who is no more than 27 years old, if both of the following requirements are met:

(i) The undergraduate student's annual income, including the value of any support received from a parent, does not exceed the state poverty level as defined in subdivision (d).

(ii) The recipient of the Medal of Honor who is or was the parent of the undergraduate student is, or at the time of the recipient's death was, a California resident as determined pursuant to Chapter 1 (commencing with Section 68000) of Part 41.

(B) The Department of Veterans Affairs shall determine the eligibility of any applicant for a fee waiver under this paragraph.

(b) (1) Notwithstanding Section 76300, a campus of the University of California or the California State University shall not charge any mandatory systemwide tuition or fees, including enrollment fees, registration fees, differential fees, or incidental fees, to a current or former foster youth, if the current or former foster youth meets all of the following conditions:

(A) Is 25 years of age or younger.

(B) Has been in foster care for at least 12 consecutive months after reaching 10 years of age.

(C) Meets any of the following:

(i) Is under a current foster care placement order by the juvenile court.

(ii) Was under a foster care placement order by the juvenile court upon reaching 18 years of age.

(iii) Was adopted, or entered guardianship, from foster care.

(D) Completes and submits the Free Application for Federal Student Aid (FAFSA).

(E) Maintains a minimum grade point average and meets other conditions necessary for the student to be in good standing at the public postsecondary educational institution that the current or former foster youth attends, as determined by the appropriate public postsecondary segment.

(F) Meets the financial need requirements established for Cal Grant A awards under Chapter 1.7 (commencing with Section 69430) of Part 42.

(2) A student shall not have the student's mandatory systemwide tuition or fees waived pursuant to this subdivision in excess of the equivalent of attendance in a four-year undergraduate program.

(3) The amount of a student's tuition or fee waiver pursuant to this subdivision shall be reduced by any state or federal financial aid, including scholarships or grants, received by the student for the academic year or semester, or the equivalent, in which the student receives the tuition or fee waiver pursuant to this subdivision.

(c) A person who is eligible for a waiver of tuition or fees under this section may receive a waiver for each academic year during which the person applies for that waiver, but an eligible person may not receive a waiver of tuition or fees for a prior academic year.

(d) As used in this section, the "state poverty level" means annual household income that is less than the amount calculated for a single person with no dependents pursuant to Section 18501 of the Revenue and Tax Code.

(e) The waiver of tuition or fees under this section shall apply only to a person who is determined to be a resident of California pursuant to Chapter 1 (commencing with Section 68000) of Part 41.

(f) Subdivision (a) shall not apply to a dependent of a veteran within the meaning of paragraph (4) of subdivision (a) of Section 890 of the Military and Veterans Code.

(g) The provisions of this section shall not apply to the University of California except to the extent that the Regents of the University of California, by appropriate resolution, make a provision applicable.

Campus Child Care and Development Programs [66060 - 66061]

66060.

(a) Notwithstanding any law to the contrary, higher educational institutions may establish and maintain child development programs on or near their respective campuses. Those higher educational

institutions under contract with the State Department of Education for child care and development services pursuant to this chapter or Chapter 2 (commencing with Section 8200) of Part 6 are subject to the rules and regulations adopted by the Superintendent of Public Instruction.

Cross-Enrollment [66750 - 66754]

66750.

For purposes of this chapter, the following definitions apply:

- (a) “Home campus” means the campus at which the student is matriculated.
- (b) “Host campus” means the campus to which the student seeks access.

General Provisions [67300 - 67302.5]

67301.

(a) The Board of Governors of the California Community Colleges and the Trustees of the California State University shall, and the Regents of the University of California may, adopt rules and regulations prescribing requirements similar to those provided by Section 22511.5 of the Vehicle Code and all other applicable sections of the Vehicle Code relating to parking exemptions for disabled persons, as defined by Section 295.5 of the Vehicle Code, and disabled veterans, as defined by Section 295.7 of the Vehicle Code. The rules and regulations shall include authorization to park for unlimited periods in time-restricted parking zones and to park in any metered parking space without being required to pay any parking meter fee or to display a parking permit other than pursuant to Section 5007 or 22511.55 of the Vehicle Code, provided those spaces are otherwise available for use by the general public. The adopted regulations shall authorize parking at campus facilities and grounds by students with disabilities and by persons providing transportation services to students with disabilities. Except as otherwise provided in this section, students with disabilities and persons providing transportation to students with disabilities shall be required to display a valid parking permit, if applicable, for the campus attended. Nothing in this section prohibits the adoption of rules and regulations providing greater accessibility for students with disabilities and persons providing transportation services to those students.

68120. Provisions Related to Particular Institutions [68120 - 68124]

(a) Notwithstanding any other law, no mandatory systemwide fees or tuition or mandatory campus-based fees of any kind shall be required or collected by the Regents of the University of California, the Board of Directors of the college named in Section 92200, the Trustees of the California State University, the Board of Governors of the California Community Colleges, or any campus of the University of California, the California State University, or the California Community Colleges from any surviving spouse or surviving child of a deceased person who met all of the following requirements:

- (1) The deceased person was a resident of this state.

- (2) The deceased person was employed by a public agency or was a contractor, or an employee of a contractor, performing services for a public agency, or was a firefighter employed by the federal government whose duty assignment involved the performance of firefighting services in this state.
- (3) The deceased person's principal duties consisted of active law enforcement service or active fire suppression and prevention. This section does not apply to a person whose principal duties were clerical, even if the person was subject to occasional call or was occasionally called upon to perform duties within the scope of active law enforcement or active fire suppression and prevention.
- (4) The deceased person was killed in the performance of active law enforcement or active fire suppression and prevention duties, died as a result of an accident or an injury caused by external violence or physical force incurred in the performance of the person's active law enforcement or active fire suppression and prevention duties, or died as a result of an industrial injury or illness arising out of and in the course of active law enforcement or fire suppression and prevention duties.
- (b) Notwithstanding subdivision (a), a person who qualifies for the waiver of mandatory systemwide fees and tuition and mandatory campus-based fees under this section as a surviving child of a contractor, or of an employee of a contractor, who performed services for a public agency shall, in addition to the requirements set forth in subdivision (a), meet both of the following requirements:
- (1) Enrollment as an undergraduate student at a campus of the University of California or the California State University or as a student at a community college campus.
- (2) Documentation that the student's annual income, including the value of any support received from a parent, does not exceed the maximum household income and asset level for an applicant for a Cal Grant B award, as set forth in Section 69432.7.
- (c) As used in this section:
- (1) "Contractor" or "employee of a contractor" does not include a security guard or security officer, as defined in Section 7582.1 of the Business and Professions Code.
- (2) "Public agency" means the state or any city, county, city and county, district, or other local authority or public body of or within the state.
- (3) "Spouse" has the same meaning as defined in Section 22171.
- (4) "Surviving child" means either of the following:
- (A) A surviving natural or adopted child of the deceased person.
- (B) A surviving stepchild who meets both of the following requirements:
- (i) The stepchild was living or domiciled with the deceased person at the time of the deceased person's death.

(ii) The stepchild was claimed on the tax form most recently filed by the deceased person before that person's death, or the stepchild received 50 percent or more of the stepchild's support from that deceased person in the tax year immediately preceding the death of the deceased person, or both.

THE CALIFORNIA COMMUNITY COLLEGES [70900 - 70902]

70902.

(a) (1) Every community college district shall be under the control of a board of trustees, which is referred to herein as the "governing board." The governing board of each community college district shall establish, maintain, operate, and govern one or more community colleges in accordance with law. In so doing, the governing board may initiate and carry on any program, activity, or may otherwise act in any manner that is not in conflict with or inconsistent with, or preempted by, any law and that is not in conflict with the purposes for which community college districts are established.

(2) The governing board of each community college district shall establish rules and regulations not inconsistent with the regulations of the board of governors and the laws of this state for the government and operation of one or more community colleges in the district.

(b) In furtherance of subdivision (a), the governing board of each community college district shall do all of the following:

(1) Establish policies for, and approve, current and long-range academic and facilities plans and programs and promote orderly growth and development of the community colleges within the district. In so doing, the governing board shall, as required by law, establish policies for, develop, and approve, comprehensive plans. The governing board shall submit the comprehensive plans to the board of governors for review and approval.

(2) Establish policies for and approve courses of instruction and educational programs. The educational programs shall be submitted to the board of governors for approval. Courses of instruction that are not offered in approved educational programs shall be submitted to the board of governors for approval. The governing board shall establish policies for, and approve, individual courses that are offered in approved educational programs, without referral to the board of governors.

(3) Establish academic standards, probation and dismissal and readmission policies, and graduation requirements not inconsistent with the minimum standards adopted by the board of governors.

(4) Employ and assign all personnel not inconsistent with the minimum standards adopted by the board of governors and establish employment practices, salaries, and benefits for all employees not inconsistent with the laws of this state.

(5) To the extent authorized by law, determine and control the district's operational and capital outlay budgets. The district governing board shall determine the need for elections for override tax levies and bond measures and request that those elections be called.

- (6) Manage and control district property. The governing board may contract for the procurement of goods and services as authorized by law.
- (7) Establish procedures that are consistent with minimum standards established by the board of governors to ensure faculty, staff, and students the opportunity to express their opinions at the campus level, to ensure that these opinions are given every reasonable consideration, to ensure the right to participate effectively in district and college governance, and to ensure the right of academic senates to assume primary responsibility for making recommendations in the areas of curriculum and academic standards.
- (8) Establish rules and regulations governing student conduct.
- (9) Establish student fees as it is required to establish by law, and, in its discretion, fees as it is authorized to establish by law.
- (10) In its discretion, receive and administer gifts, grants, and scholarships.
- (11) Provide auxiliary services as deemed necessary to achieve the purposes of the community college.
- (12) Within the framework provided by law, determine the district's academic calendar, including the holidays it will observe.
- (13) Hold and convey property for the use and benefit of the district. The governing board may acquire by eminent domain any property necessary to carry out the powers or functions of the district.
- (14) Participate in the consultation process established by the board of governors for the development and review of policy proposals.
- (c) In carrying out the powers and duties specified in subdivision (b) or other provisions of statute, the governing board of each community college district shall have full authority to adopt rules and regulations, not inconsistent with the regulations of the board of governors and the laws of this state, that are necessary and proper to executing these prescribed functions.
- (d) Wherever in this section or any other statute a power is vested in the governing board, the governing board of a community college district, by majority vote, may adopt a rule delegating the power to the district's chief executive officer or any other employee or committee as the governing board may designate. However, the governing board shall not delegate any power that is expressly made nondelegable by statute. Any rule delegating authority shall prescribe the limits of the delegation.

Student Organizations [76060 - 76067]

76060.

The governing board of a community college district may authorize the students of a college to organize a student body association. The association shall encourage students to participate in the

governance of the college and may conduct any activities, including fundraising activities, as may be approved by the appropriate college officials. The association may be granted the use of community college premises and properties without charge, subject to any regulations that may be established **by the governing board of the community college district.**

Nonresident Tuition [76140 - 76143]

76140.

(a) A community college district may admit, and shall charge a tuition fee to, nonresident students, except that a community college district may exempt from all or parts of the fee any person described in paragraph (1), (2), (3), or (6), and shall exempt from all of the fee any person described in paragraph (4), (5), or (7):

General Provisions [76220 - 76225]

76225.

(a) Whenever a student transfers from one community college or public or private institution of postsecondary education to another within the state, appropriate records or a copy of appropriate records shall be transferred by the former community college, or college or university upon a request from the student. Any community college, college, or university making a transfer of these records shall notify the student of the student's right to receive a copy of the record and the student's right to a hearing to challenge the content of the record.

76300. Enrollment Fees and Financial Aid [76300 - 76303]

(a) The governing board of each community college district shall charge each student a fee pursuant to this section.

(b) (1) The fee prescribed by this section shall be forty-six dollars (\$46) per unit per semester, effective with the summer term of the 2012 calendar year.

(2) The board of governors shall proportionately adjust the amount of the fee for term lengths based upon a quarter system, and also shall proportionately adjust the amount of the fee for summer sessions, intersessions, and other short-term courses. In making these adjustments, the board of governors may round the per unit fee and the per term or per session fee to the nearest dollar.

(c) For the purposes of computing apportionments to community college districts pursuant to Section 84750.4 or 84750.5, as applicable, the board of governors shall subtract, from the total revenue owed to each district, 98 percent of the revenues received by districts from charging a fee pursuant to this section.

(d) The board of governors shall reduce apportionments by up to 10 percent to any district that does not collect the fees prescribed by this section.

(e) The fee requirement does not apply to any of the following:

(1) Students enrolled in the noncredit courses designated by Section 84757.

(2) California State University or University of California students enrolled in pretransfer classes provided by a community college district on a campus of the University of California or a campus of the California State University, for whom the district claims an attendance apportionment pursuant to an agreement between the district and the California State University or the University of California.

(3) Students enrolled in credit contract education courses pursuant to Section 78021, if the entire cost of the course, including administrative costs, is paid by the public or private agency, corporation, or association with which the district is contracting and if these students are not included in the calculation of the full-time equivalent students (FTES) of that district.

(f) The governing board of a community college district **may** exempt special part-time students admitted pursuant to Section 76001 from the fee requirement.

(g) (1) The fee requirements of this section shall be waived for any student who meets all of the following requirements:

(A) Meets minimum academic and progress standards adopted by the board of governors that fulfill the requirements outlined in this paragraph and paragraphs (2) to (5), inclusive. Any minimum academic and progress standards adopted pursuant to this section shall be uniform across all community college districts and campuses. These standards shall not include a maximum unit cap, and community college districts and colleges shall not impose requirements for fee waiver eligibility other than the minimum academic and progress standards adopted by the board of governors and the requirements of subparagraph (B).

(B) Meets one of the following criteria:

(i) At the time of enrollment, is a recipient of benefits under the Temporary Assistance for Needy Families program, the Supplemental Security Income/State Supplementary Payment Program, or a general assistance program.

(ii) Demonstrates eligibility according to income standards established by regulations of the board of governors.

(iii) Demonstrates financial need in accordance with the methodology set forth in federal law or regulation for determining the expected family contribution of students seeking financial aid.

(iv) At the time of enrollment, is a **homeless youth or a former homeless youth** as defined in subdivision (b) of Section 66025.9.

(2) (A) The board of governors, in consultation with students, faculty, and other key stakeholders, shall consider all of the following in the development and adoption of minimum academic and progress standards pursuant to subparagraph (A) of paragraph (1):

(i) Minimum uniform academic and progress standards that do not unfairly disadvantage financially needy students in pursuing their education.

(ii) Criteria for reviewing extenuating circumstances and granting appeals that, at a minimum, take into account and do not penalize a student for circumstances outside the student's control, such as reductions in student support services or changes to the economic situation of the student.

(iii) A process for reestablishing fee waiver eligibility that provides a student with a reasonable opportunity to continue or resume the student's enrollment at a community college.

(B) To ensure that students are not unfairly impacted by the requirements of subparagraph (A) of paragraph (1), the board of governors shall establish a reasonable implementation period that commences no sooner than one year from adoption of the minimum academic and progress standards, or any subsequent changes to these standards, pursuant to subparagraph (A) of paragraph (1) and that is phased in to provide students adequate notification of this requirement and information about available support resources.

(3) It is the intent of the Legislature that minimum academic and progress standards adopted pursuant to subparagraph (A) of paragraph (1) be implemented only as campuses develop and implement the student support services and interventions necessary to ensure no disproportionate impact to students based on ethnicity, gender, disability, or socioeconomic status. The board of governors shall consider the ability of community college districts to meet the requirements of this paragraph before adopting minimum academic and progress standards, or any subsequent changes to these standards, pursuant to subparagraph (A) of paragraph (1).

(4) It is the intent of the Legislature to ensure that a student shall not lose fee waiver eligibility without a community college campus first demonstrating a reasonable effort to provide a student with adequate notification and assistance in maintaining the student's fee waiver eligibility. The board of governors shall adopt regulations to implement this paragraph that ensure all of the following:

(A) Students are provided information about the available student support services to assist them in maintaining fee waiver eligibility.

(B) Community college district policies and course catalogs reflect the minimum academic and progress standards adopted pursuant to subparagraph (A) of paragraph (1) and that appropriate notice is provided to students before the policies are put into effect.

(C) A student does not lose fee waiver eligibility unless the student has not met minimum academic and progress standards adopted pursuant to subparagraph (A) of paragraph (1) for a period of no less than two consecutive academic terms.

(5) The board of governors shall provide notification of a proposed action to adopt regulations pursuant to this subdivision to the appropriate policy and fiscal committees of the Legislature in

accordance with the requirements of paragraph (1) of subdivision (a) of Section 70901.5. This notification shall include, but not be limited to, all of the following:

(A) The proposed minimum academic and progress standards and information detailing how the requirements of paragraphs (1) to (4), inclusive, have been or will be satisfied.

(B) How many students may lose fee waiver eligibility by ethnicity, gender, disability, and, to the extent relevant data is available, by socioeconomic status.

(C) The criteria for reviewing extenuating circumstances, granting appeals, and reestablishing fee waiver eligibility pursuant to paragraph (2).

(h) The fee requirements of this section shall be waived for any student who, at the time of enrollment, is a dependent or surviving spouse who has not remarried, of any member of the California National Guard who, in the line of duty and while in the active service of the state, was killed, died of a disability resulting from an event that occurred while in the active service of the state, or is permanently disabled as a result of an event that occurred while in the active service of the state. "Active service of the state," for the purposes of this subdivision, refers to a member of the California National Guard activated pursuant to Section 146 of the Military and Veterans Code.

(i) The fee requirements of this section shall be waived for any student who is the surviving spouse or the child, natural or adopted, of a deceased person who met all of the requirements of Section 68120 or 68120.3.

(j) The fee requirements of this section shall be waived for any student in an undergraduate program, including a student who has previously graduated from another undergraduate or graduate program, who is the dependent of any individual killed in the September 11, 2001, terrorist attacks on the World Trade Center and the Pentagon or the crash of United Airlines Flight 93 in southwestern Pennsylvania, if that dependent meets the financial need requirements set forth in Section 69432.7 for the Cal Grant A Program and either of the following applies:

(1) The dependent was a resident of California on September 11, 2001.

(2) The individual killed in the attacks was a resident of California on September 11, 2001.

(k) A determination of whether a person is a resident of California on September 11, 2001, for purposes of subdivision (j) shall be based on the criteria set forth in Chapter 1 (commencing with Section 68000) of Part 41 of Division 5 for determining nonresident and resident tuition.

(l) (1) "Dependent," for purposes of subdivision (j), is a person who, because of the person's relationship to an individual killed as a result of injuries sustained during the terrorist attacks of September 11, 2001, qualifies for compensation under the federal September 11th Victim Compensation Fund of 2001 (Title IV (commencing with Section 401) of Public Law 107-42).

(2) A dependent who is the surviving spouse of an individual killed in the terrorist attacks of September 11, 2001, is entitled to the waivers provided in this section until January 1, 2013.

(3) A dependent who is the surviving child, natural or adopted, of an individual killed in the terrorist attacks of September 11, 2001, is entitled to the waivers under subdivision (j) until that person attains 30 years of age.

(4) A dependent of an individual killed in the terrorist attacks of September 11, 2001, who is determined to be eligible by the California Victim Compensation Board, is also entitled to the waivers provided in this section until January 1, 2013.

(m) (1) It is the intent of the Legislature that sufficient funds be provided to support the provision of a fee waiver for every student who demonstrates eligibility pursuant to subdivisions (g) to (j), inclusive.

(2) From funds provided in the annual Budget Act, the board of governors shall allocate to community college districts, pursuant to this subdivision, an amount equal to 2 percent of the fees waived pursuant to subdivisions (g) to (j), inclusive. From funds provided in the annual Budget Act, the board of governors shall allocate to community college districts, pursuant to this subdivision, an amount equal to ninety-one cents (\$0.91) per credit unit waived pursuant to subdivisions (g) to (j), inclusive. It is the intent of the Legislature that funds provided pursuant to this subdivision be used to support the determination of financial need and delivery of student financial aid services, on the basis of the number of students for whom fees are waived. It also is the intent of the Legislature that the funds provided pursuant to this subdivision directly offset mandated costs claimed by community college districts pursuant to Commission on State Mandates consolidated Test Claims 99-TC-13 (Enrollment Fee Collection) and 00-TC-15 (Enrollment Fee Waivers). Funds allocated to a community college district for determination of financial need and delivery of student financial aid services shall supplement, and shall not supplant, the level of funds allocated for the administration of student financial aid programs during the 1992–93 fiscal year.

(n) (1) A community college district may use available emergency relief funds provided by the federal government to waive the fee requirements established pursuant to this section for a student who has not paid the fee due to the impacts of the COVID-19 pandemic.

(2) A community college district may use the authorization established pursuant to this subdivision only to waive the fees of students that are unpaid due to the impacts of the COVID-19 pandemic. A participating community college district shall first waive the unpaid fees of low-income students and students from underrepresented communities.

(o) The board of governors shall adopt regulations implementing this section.

(Amended by Stats. 2022, Ch. 465, Sec. 5. (AB 2973) Effective January 1, 2023.)

76300.5. Enrollment Fees and Financial Aid [76300 - 76303]

(a) A district shall waive the fees of a student who is exempt from paying nonresident tuition under Section 68130.5, and who otherwise qualifies for a waiver under Section 76300, under regulations and procedures adopted by the board of governors. The Legislature finds and declares that this section is a state law within the meaning of Section 1621(d) of Title 8 of the United States Code.

76301. Enrollment Fees and Financial Aid [76300 - 76303]

Notwithstanding any other law, a community college district shall waive the fees of a student who is a victim of trafficking, domestic violence, and other serious crimes who has been granted a status under Section 1101(a)(15)(T)(i) or (ii), or Section 1101(a)(15)(U)(i) or (ii), of Title 8 of the United States Code to the same extent as individuals who are admitted to the United States as refugees under Section 1157 of Title 8 of the United States Code.

Authorized Fees [76350 - 76395]

76355.

(a) (1) The governing board of a district maintaining a community college may require community college students to pay a fee in the total amount of not more than ten dollars (\$10) for each semester, seven dollars (\$7) for summer school, seven dollars (\$7) for each intersession of at least four weeks, or seven dollars (\$7) for each quarter for health supervision and services, including direct or indirect medical and hospitalization services, or the operation of a student health center or centers, or both.

(2) The governing board of each community college district may increase this fee by the same percentage increase as the Implicit Price Deflator for State and Local Government Purchase of Goods and Services. Whenever that calculation produces an increase of one dollar (\$1) above the existing fee, the fee may be increased by one dollar (\$1).

(b) If, pursuant to this section, a fee is required, the governing board of the district shall decide the amount of the fee, if any, that a part-time student is required to pay. The governing board may decide whether the fee shall be mandatory or optional.

(c) The governing board of a district maintaining a community college shall adopt rules and regulations that exempt the following students from any fee required pursuant to subdivision (a):

(1) Students who depend exclusively upon prayer for healing in accordance with the teachings of a bona fide religious sect, denomination, or organization.

(2) Students who are attending a community college under an approved apprenticeship training program.

(d) (1) All fees collected pursuant to this section shall be deposited in the fund of the district designated by the California Community Colleges Budget and Accounting Manual. These fees shall be expended only to provide health services as specified in regulations adopted by the board of governors.

(2) Authorized expenditures shall not include, among other things, athletic trainers' salaries, athletic insurance, medical supplies for athletics, physical examinations for intercollegiate athletics, ambulance services, the salaries of health professionals for athletic events, any deductible portion of accident claims filed for athletic team members, or any other expense that is not available to all students. No student shall be denied a service supported by student health fees on account of participation in athletic programs.

(e) Any community college district that provided health services in the 1986–87 fiscal year shall maintain health services, at the level provided during the 1986–87 fiscal year, and each fiscal year thereafter. If the cost to maintain that level of service exceeds the limits specified in subdivision (a), the excess cost shall be borne by the district.

(f) A district that begins charging a health fee may use funds for startup costs from other district funds, and may recover all or part of those funds from health fees collected within the first five years following the commencement of charging the fee.

(g) The board of governors shall adopt regulations that generally describe the types of health services included in the health service program.

Contract Education [78020 - 78023]

78021.

(a) The governing board of any community college district may establish, or with one or more community college districts may establish, contract education programs within or outside the state by agreement with any public or private agency, corporation, association, or any other person or body, to provide specific educational programs or training to meet the specific needs of these bodies.

Baccalaureate Degree Program [78040 - 78043]

78040.

For purposes of this article, "district" means any community college district identified by the Chancellor of the California Community Colleges as participating in the statewide baccalaureate degree program.

Community Service Classes [78300- 78300.]

78300.

(a) The governing board of a community college district may, without the approval of the board of governors, establish and maintain community service classes in civic, vocational, literacy, health, family and consumer sciences, technical, and general education, including, but not limited to, classes in the fields of visual and performing arts, handicraft, science, literature, nature study, nature contacting, aquatic sports, and athletics. These classes shall be designed to provide instruction and

to contribute to the physical, mental, moral, economic, or civic development of the individuals or groups enrolled in them.

Child Development Centers [79120 - 79121]

79120.

The governing board of any community college district may establish and maintain a child development center on or near each community college campus pursuant to the provisions of Chapter 2 (commencing with Section 8200) of Part 6 of Division 1 of Title 1.

Sale of Personal Property [81450 - 81460]

81458.

The governing board of a community college district may sell to persons enrolled in classes for adults maintained by the district materials that may be necessary for the making of articles by those persons in the classes. The materials shall be sold at not less than the cost thereof to the district and any article made therefrom shall be the property of the person making it.

Community College Property [81670 - 81678]

81670.

The governing board of any community college district may construct and maintain dormitories in connection with any community college within the district for use and occupancy by students in attendance at the community college, and shall fix the rates to be charged the students for quarters in the dormitories.

Community College Revenue Bond Act of 1961 [81901 - 81966]

81901.

(a) The governing board of any community college district may issue revenue bonds pursuant to this chapter.

(b) The board, for the purpose of this chapter, has power and is hereby authorized, in addition to and amplification of all other powers conferred upon the board by the Constitution of the State of California or by any statute of the State of California:

Program-Based Funding [84750.4 - 84811]

84757.

(a) For purposes of this chapter, the following noncredit courses, noncredit classes, and support services shall be eligible for funding: