



STUDENT FEE HANDBOOK

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DISTRICT FEE AUTHORITY EXPLAINED

When a district considers imposing a student fee, it must ensure two things: (1) that the fee is either required or authorized by statute; and (2) that the fee does not exceed the reasonable costs to the district of conferring a benefit, granting a privilege, or providing a specific governmental service or product to students who are subject to the fee. If either of these two elements is absent, the proposed fee would be an unauthorized fee, or a tax which could either be subject to a local vote or could be prohibited to a district if the revenue would be for general purposes.

Community College Districts may only impose student fees where there is express statutory authority to do so. The Education Code establishes general community college district authority “to act in any manner that is not in conflict with or inconsistent with, or preempted by, any law. . . .” (Ed. Code, § 70902(a).) This authority can support the imposition of charges that are optional to students. However, section districts may only “impose” student fees when required by law, or “in [their] discretion, [impose] fees as [they are] authorized to establish by law.” (Ed. Code, § 70902(b)(9).) In the absence of express statutory authority, the imposition of a student fee would be “in conflict with or inconsistent with” Education Code section 70902(b).

To avoid being classified as a tax, district student fees must not exceed the reasonable cost of conferring a benefit, granting a privilege, or providing a specific governmental service or product to the students subject to the fee. Proposition 26 (2010) defined all levies, charges, and exactions “imposed” by local governments as taxes, unless they fit into one of seven local government exceptions, of which only two likely relevant to community college districts:

1. A charge imposed for a specific benefit conferred or privilege granted directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of conferring the benefit or granting the privilege.

2. A charge imposed for a specific government service or product provided directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of providing the service or product.

(Cal. Const., art. XIII C, § 1, subd. (e).)

If a student fee exceeds reasonable costs, it could be classified as a local tax. Under Proposition 218 (1996) all taxes imposed by community college districts must be approved by a vote of the local electorate. (Cal. Const. art. XIII C, § 2, subd. (b), (d).) Moreover, community college districts are prohibited from imposing taxes that generate revenue for general, rather than special, purposes. (Cal. Const., art. XIII C, § 2, subd. (a).)

REQUIRED STUDENT FEES

Enrollment Fee

Authorizing Statute and/or Regulation

Education Code, sections 76300, 76301, 78021

Title 5, California Code of Regulations (“Title 5”), sections 55031, 55620, 58500 – 58509, 58620

Background

Enrollment fees are collected for all credit courses. Enrollment fees do not apply to noncredit courses, or courses where the entire cost of the course, including administrative costs, is paid by a public or private agency, corporation, or association under contract and the students are not included in the calculation of FTES (full-time equivalent students). For purposes of the Student-Centered Funding Formula, 98% of student enrollment fees collected by a district are applied as local revenue toward meeting total computational revenue.

Amount of Fee

The current enrollment fee is \$46 per unit for a district operating under the semester system and \$31 per unit for a district operating under the quarter system.

Fund Designation

Unrestricted General Fund

Revenue Control Account

Recorded as local revenue in Fund 8874 Enrollment

Student Fee Exemptions

District governing boards may exempt special part-time (dual enrollment) students from enrollment fees. Enrollment fees must be waived if a student meets minimum academic and progress standards established by the Board of Governors, and one of the following:

- Receives funds from Temporary Assistance for Needy Families program, Supplemental Security Income/State Supplementary Payment Program, or a general assistance

program.

- Demonstrates eligibility in accordance with income standards established in title 5, section 58620(b).
- Demonstrates financial need as determined by Expected Family Contribution calculated with information from the FAFSA.
- At time of enrollment is homeless or a former homeless youth.

Waiver of Fee

These fees shall be waived for students who meet any of the following the requirements:

- Dependent or surviving spouse who has not remarried, of an active member of the California National Guard who, in the line of active duty was killed or died of a disability resulting from an event that occurred while in active service.
- Surviving spouse or child, natural or adopted, of a deceased person who met all the requirements of Education Code section 68120.
- 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 and meets the financial need requirements set forth in Education Code section 69432.7, who was either a resident of California on September 11, 2001, or individual killed in the attacks was a resident of California on September 11, 2001.
- California College Promise Grant (formerly known as the BOG fee waiver).
- 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 .

Reporting Requirements

Enrollment fees are reported to the Chancellor's Office on the Enrollment Fee Revenue Report by September 15 annually, with estimated fee revenue reported on January 15 and April 15.

Nonresident Tuition Fee

Authorizing Statute and/or Regulation

Education Code, sections 76140 – 76143.

Background

District governing boards are required to establish their nonresident tuition fee for the succeeding fiscal year by March 1. Education Code section 76140 specifies the following seven options to determine the nonresident tuition fee.

- Option A.1 - District Average Cost
- Option A.2- District Average Cost with 10 Percent or More Noncredit FTES
- Option B.1 - Statewide Average Cost
- Option B.2 – Highest Statewide Average Cost
- Option C – Contiguous District
- Option D – Between Statewide Average Expense of Education and District
- Option E – Comparable States Average

Amount of Fee

Districts determine the nonresident tuition fee using one of the seven options listed in Education Code section 76140.

Fund Designation

Unrestricted General Fund

Revenue Control Account

Recorded as Student Fees and Charges in Fund 8880 Nonresident Tuition

Exemption from Fee

Education Code sections 76140 through 76143 specify exemptions applicable to various students by district, for students who meet the following criteria:

- Special part-time students, other than a person excluded from the term “immigrant,” under the federal Immigration and Nationality Act.
- Nonresident students who are United States citizens and reside in a foreign country and meet the requirements of Education Code section 76140(a)(5).
- Nonresident students who are enrolled for six or fewer units.
- Nonresident students who are both citizens and residents of a foreign country, while demonstrating a financial need. Not more than 10 percent of the nonresident foreign students attending any single community college district may be exempted.
- Students who attend Lake Tahoe Community College and reside in specific communities in Nevada.
- Students taking noncredit courses per Education Code section 76380.
- Students eligible under Education Code section 68130.5 (AB 540).
- Districts whose boundaries are within 10 miles of another state and (1) have a reciprocity agreement with California governing student attendance and fees, or (2) participate in the Western Undergraduate Exchange, and meet certain FTES requirements, may exempt students from the other state, from the mandatory fee requirement.

For additional exemptions, refer to the Residency for Tuition Purposes – General Overview document under Residency Determination tab on the Chancellor’s Office’s [Attendance Accounting and Residency webpage](#) and [Legal Advisory 18-02](#).

Exceptions to Residency Classification

Certain students who would otherwise be classified as nonresidents and pay the nonresident fee are instead classified as residents (based on an exception) and are therefore not subject to the nonresident tuition fee. This applies to military students stationed in California, dependents of active military members, discharged members of the Armed Forces, and nonresident veterans.

Reporting Requirements

Districts inform the Chancellor's Office of their nonresident tuition fee by completing the Nonresident Fee Worksheet provided annually by the Chancellor's Office.

Student Representation Fee

Authorizing Statute and/or Regulation

Education Code, section 76060.5

Title 5, section 54805

Background

Districts are required to collect a student representation fee of \$2 at the time of registration to provide support for governmental affairs representatives of local or statewide student body associations.

Amount of Fee

The fee is \$2 dollars.

Fund Designation

Fund 72 - Student Representation Fee Trust Fund

Revenue Control Account

Recorded as local revenue in Fund 8884 Student Representation Fee

Exemption from Fee

Students may decline to pay the student representation fee established under this section. Districts must provide students a means to decline to pay the student representation fee on the same form that is used for the collection of fees.

Expenditures – Intended

One dollar of every two-dollar fee collected shall be expended to establish and support the operations of the Student Senate for California Community Colleges (SSCCC) and the remaining \$1 shall be used to support the local student body association (SBA).

Allowable uses of the local \$1 SRF include, but are not limited to:

- Student attendance at conferences, meetings, and events sponsored by the SSSCC or other nonpartisan student organizations that are for the purposes of legislative training, legislative awareness, disbursement of legislative information, or the election of SSSCC officers.
- Visits to legislative offices to lobby and advocate for issues affecting the student body.
- Hosting costs (food, marketing materials, spirit wear) for on- or off-campus meetings, conferences, and events to provide the student body legislative training, legislative awareness and information, and to increase engagement in student government and participatory governance.
- Travel costs (flight, mileage, lodging, local transportation, meals, business center use, incidentals & per diem) associated with attending or hosting conferences, meetings, and events.
- Stipends to participate in participatory governance meetings and activities.
- Organizational dues and or special donations to the SSSCC or any other recognized student lobbying association.
- Local or campus media campaigns to make available information about legislative issues of interest to the student body.
- Purchase of equipment used for lobbying and or advocacy (e.g., computers, printers, Wi-Fi hot spots, tablets, etc.).
- Subscriptions to education-oriented newsletters and or magazines.

District Administrative Cost Recovery

Districts may retain a portion of the fees collected and deposited that is equal to the actual cost of administering these fees, not exceeding 7 percent of the fees collected.

Reporting Requirements

The Student Representation Fee is reported through the Annual Budget and Financial Report (CCFS-311) application which generates an invoice for districts to be used when submitting payments to the Chancellor's Office.

Baccalaureate Degree Program Fee

Authorizing Statute and/or Regulation

Education Code, sections 78040 -78043

Title 5, section 58520

Background

On October 6, 2021, California Governor Gavin Newsom signed AB 927 (Medina) authorizing the Board of Governors to expand and extend the operation of the statewide baccalaureate degree pilot program indefinitely. The bill amends Education Code section 78042 et seq. to authorize the Board of Governors to establish up to 30 baccalaureate degree programs annually, with a maximum of 15 per biannual application cycle.

Amount of Fee

The upper division baccalaureate coursework fee (\$84/unit for semester system colleges and \$56/unit for quarter system colleges) is required to be charged pursuant to Education Code section 78042(g)(5) on all upper division courses that are part of a baccalaureate degree program is not eligible for the Board of Governors Fee Waiver. This fee is an addition to the enrollment fee required pursuant to Education Code section 76300.

Students in the baccalaureate degree program should not be charged fees higher than the mandatory systemwide fees charged for baccalaureate degree programs at the California State University.

Nonresident students are required to pay nonresident tuition fees unless they are eligible for an exemption or waiver. AB 540 students are also exempt from the nonresident tuition fee for the baccalaureate degree program.

Fund Designation

Unrestricted General Fund

Revenue Control Account

Local revenue - Fund 8882 Baccalaureate Degree Program Fee

Waiver of Fee

These fees shall be waived for any student who meets any of the following the requirements:

- Dependent or surviving spouse who has not remarried, of an active member of the California National Guard who, in the line of active duty was killed or died of a disability resulting from an event that occurred while in active service.
- Surviving spouse or child, natural or adopted, of a deceased person who met all the requirements of Education Code section 68120.
- 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 and meets the financial needs requirements set forth in Education Code section 69432.7, who has either a resident of California on September 11, 2001, or individual killed in the attacks was a resident of California on September 11, 2001.
- California College Promise Grant (formerly known as the BOG fee waiver).
- 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.

Additional Guidelines

Additional information can be found on the Chancellor's Office [Baccalaureate Degree Program](#) webpage.

Reporting Requirements

The enrollment fee charged to baccalaureate degree program students must continue to be reported to the California Community Colleges Chancellor's Office for purposes of computing state apportionment to districts (state apportionment offset).

The fees for upper division coursework are **not** required to be reported to the California Community Colleges Chancellor's Office for purposes of state apportionment offset.

AUTHORIZED (OPTIONAL) STUDENT FEES

Health Supervision and Services Fee

Authorizing Statute and/or Regulation

Education Code, section 76355

Title 5, sections 54700 - 54710

Background

- Governing boards may elect to charge a health supervision and services fee and may increase the fee annually by the same percentage as the Implicit Price Deflator.
- The district may also make a health supervision and services fee on part-time students mandatory or optional.
- Districts that begin charging a health supervision and services fee may recover startup costs during the first 5 years.

Amount of Fee

The maximum allowable fee is published on the Chancellor's Office [Student Fees webpage](#). The fee may be increased annually by the same percentage as the increase in the Implicit Price Deflator for State and Local Government Purchases of Goods and Services as published by the U.S. Department of Commerce. In January of each year, the Chancellor's Office calculates the percentage increase by comparing the prior year index with the current year index as published on the Department of Finance's webpage. The percentage increase is then used to calculate the maximum student health, parking, and transportation service fees for the upcoming semester, summer, intersession, and quarter terms. Whenever that calculation produces an increase of one dollar (\$1) above the existing fee, the maximum allowable fee is increased by one dollar (\$1). Districts are not required to charge these fees and may also choose to charge a fee lower than the maximum allowable.

Fund Designation

Restricted General Fund

Revenue Control Account

Recorded as Student Fees and Charges in Fund 8876 Health Supervision and Services

Exemption from Fee

The following students are exempt from paying the fee:

- Students who depend exclusively upon prayer for healing in accordance with the teachings of a bone fide religious sect, denomination, or organization.
- Students who are attending a community college under an approved apprenticeship training program.

Expenditures – Intended

The health supervision and services fee may cover the direct and indirect costs necessary to provide any, or a portion of the student health programs and services approved by the governing board for offering within the district, which may include the following:

- Clinical Care Services:
 - Assessment, intervention, and referral for health services
 - First aid and basic emergency care
 - Health appraisal
 - Communicable disease control
- Mental Health Services:
 - Crisis management
 - Short-term psychological counseling
 - Alcohol/drug counseling
 - Eating disorders counseling
 - Stress management
 - Suicide prevention
 - Sexual harassment/assault recovery counseling program

- Mental health assessment
- Support Services:
 - A variety of services supporting the clinical and mental health efforts including, but not limited to, maintenance of health records in a confidential and ethical manner, laboratory, radiology, and/or pharmacy services.
- Special Services:
 - Health education and promotion
 - Teaching and research
 - Student insurance programs
 - Environmental health and safety, including illness and injury prevention programs.

Expenditure Restrictions

Not Allowable:

- Athletic trainer's salaries
- Athletic insurance
- Medical supplies for athletics
- Physical exams for intercollegiate athletics
- Ambulance services
- Salaries of health professionals for athletic events
- Deductible portion of accident claims filed for athletic team members.
- Any other expense that is not available to all students

Parking Fee

Authorizing Statute and/or Regulation

Education Code, section 76360

Background

Districts may require students in attendance and employees to pay a fee for parking services.

Amount of Fee

The maximum allowable fee is published on the Chancellor's Office [Student Fees webpage](#). The fee may be increased annually by the same percentage as the increase in the Implicit Price Deflator for State and Local Government Purchases of Goods and Services as published by the U.S. Department of Commerce. In January of each year, the Chancellor's Office calculates the percentage increase by comparing the prior year index with the current year index as published on the Department of Finance's webpage. The percentage increase is then used to calculate the maximum student health, parking, and transportation service fees for the upcoming semester, summer, intersession, and quarter terms. Whenever that calculation produces an increase of one dollar (\$1) above the existing fee, the maximum allowable fee is increased by one dollar (\$1). Districts are not required to charge these fees and may also choose to charge a fee lower than the maximum allowable.

Fund Designation

Restricted General Fund

Revenue Control Account

Recorded as Student Fees and Charges in Fund 8881 Parking Services and Public Transportation

Exemption from Fee

Students who receive financial assistance from any programs described in the following, are exempt from paying more than thirty dollars (\$30) per semester:

- Recipient of benefits under the Temporary Assistance for Needy Families program, the Supplemental Security Income/State Supplementary Payment Program, or a general assistance program.
- Demonstrates eligibility according to income standards established by regulations of the board of governors.
- 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.
- At the time of enrollment, is a homeless youth or a former homeless youth.

Expenditures – Intended

District may use their discretion when allocating parking fees for various parking services such as parking security, repair, and maintenance.

Expenditure Restrictions

Revenue can only be used for parking services or for purposes of reducing the costs to students and employees of the college of using public transportation to and from the college.

Transportation Services Fee

Authorizing Statute and/or Regulation

Education Code, section 76361

Background

Districts may require students and employees to pay a fee to partially or fully recover transportation costs incurred by the district or to reduce fares for services provided by common carriers or municipally owned transit systems for students and employees.

Transportation fees may be required to be paid by students and employees using the services or, if the majority of students and employees vote to implement a fee, all students and/or employees may be required to pay.

Amount of Fee

The maximum allowable fee is published on the Chancellor's Office [Student Fees webpage](#). The fee may be increased annually by the same percentage as the increase in the Implicit Price Deflator for State and Local Government Purchases of Goods and Services as published by the U.S. Department of Commerce. In January of each year, the Chancellor's Office calculates the percentage increase by comparing the prior year index with the current year index as published on the Department of Finance's webpage. The percentage increase is then used to calculate the maximum student health, parking, and transportation service fees for the upcoming semester, summer, intersession, and quarter terms. Whenever that calculation produces an increase of one dollar (\$1) above the existing fee, the maximum allowable fee is increased by one dollar (\$1). Districts are not required to charge these fees and may also choose to charge a fee lower than the maximum allowable.

This fee should not be charged for on-campus shuttles or other transportation services operated on a campus or between the campus and parking facilities owned by the district.

Fund Designation

Restricted General Fund

Revenue Control Account

Recorded as Student Fees and Charges in Fund 8881 Parking Services and Public Transportation

Exemption from Fee

The fee required of a part-time student must be prorated to an amount less than the amount of the fee charged to full-time students.

Districts may adopt rules and regulations to exempt low-income students from this fee, or to require low-income students to pay all or part of this fee.

Expenditures – Intended

The revenue must be used to reduce fares for students and employees or to recover transportation costs incurred by the district.

Instructional Materials Fees

Authorizing Statute and/or Regulation

Education Code, sections 76365, 81458

Title 5, sections 59400, 59402, 59404, 59406, and 59408

Background

Districts have authority to require students to provide various types of instructional materials. The governing board of a district may require students to provide instructional materials required for a credit or noncredit course, provided that such materials are tangible personal property, owned and controlled by student, and of continued value to a student outside of the classroom setting (e.g., textbooks, tools, equipment, clothing, and materials necessary for a student's vocational training and employment).

Districts may not require students to provide instructional materials that are solely or exclusively available from the district, unless they are provided at the district's actual cost and: (1) the material is otherwise generally available but there are health and safety reasons for the district being the provider, or (2) the material is provided in lieu of other generally available but more expensive materials that would otherwise be required.

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

Amount of Fee

Fees required by the district for instructional materials that are solely or exclusively available from the district must be provided at the district's actual costs. Other instructional material costs would vary and are not under the jurisdiction of the district.

Districts should carefully review the fees described in their catalogs, class schedules, and their websites to ensure that optional fees are clearly described as optional and cannot be mistaken for required charges. Students should be clearly advised when they have the option of providing their own materials or of purchasing materials at the listed price from the

district. When optional fees are not properly described, the district may appear to be charging an impermissible mandatory fee.

Fund Designation

Unrestricted General Fund

Revenue Control Account

Recorded as Student Fees and Charges in Fund 8877 Instructional Materials Fees and Sales of Materials

Additional Guidelines

Please refer to Appendix A for a full list of fees that may be charged under current law including computer paper, gym towels, etc.

Course Auditing Fee

Authorizing Statute and/or Regulation

Education Code, section 76370

Background

Districts may authorize individuals to audit courses and may charge a fee. No student auditing a course may change their enrollment to receive credit for the course. Attendance of students auditing a course may not be included in state apportionment.

Amount of Fee

Not to exceed \$15 per unit, per semester but districts may adjust the amount of the fee for term lengths based upon a quarter system or other alternative system. Districts should also proportionately adjust the amount of the fee for summer sessions, intersessions, and other short-term courses.

Fund Designation

Unrestricted General Fund

Revenue Control Account

Recorded as Student Fees and Charges in Fund 8885 Other Student Fees and Charges

Exemption from Fee

Students enrolled in classes to receive credit for 10 or more semester credit units shall not be charged a fee to audit three or fewer semester units per semester.

Student Body Center Building and Operating Fee

Authorizing Statute and/or Regulation

Education Code, section 76375

Title 5, section 58510

Background

Districts may establish annual building and operating fees for the purpose of financing, constructing, enlarging, remodeling, refurbishing, and operating a student body center, which fee shall be required of all students attending a community college where a student body center is to be located.

Amount of Fee

The annual building and operating fee shall not exceed one dollar (\$1) per credit hour, up to a maximum of ten dollars (\$10) per student per fiscal year. The fee requirement shall not apply to students enrolled in the noncredit courses designated by [Section 84757](#). The fee requirement shall not apply to a student who is a recipient of the benefits under the Temporary Assistance for Needy Families program, the Supplemental Security Income/State Supplementary Program, or the General Assistance program.

Fund Designation

Fund 73 – Student Body Center Fee Trust Fund

Revenue Control Account

Recorded as Student Fees and Charges in Fund 8883 Student Body Center Fee

Expenditures – Intended

Revenue for the purpose of financing, constructing, enlarging, remodeling, refurbishing, and operating a student center. Revenue for the support of governmental affairs representatives. Until needed for authorized purposes, all moneys collected will be subjected to approval of the student government body or designee, including districts reimbursements from these

funds in an amount to cover the cost of custodial and accounting services provided by the district in connection with these funds.

Student Records Fee

Authorizing Statute and/or Regulation

Education Code, sections 66022, 76223, 76225; Civil Code, section 1788.93

Title 5, section 54610

Background

Districts may charge a reasonable amount not to exceed the actual cost of furnishing copies of any student record, including special certificates. However, no fee is permitted for furnishing (1) up to two transcripts of students' records or (2) up to two verifications of various records of students. No fee may be made to search for or to retrieve any student record. Districts may not withhold student records for unpaid fees, or otherwise use a transcript as tool for debt collection from a student.

Districts may offer a service to students that enables them to place their college certified documents in an electronic vault at a fixed charge at the time of registration or as a paid service by the college or district.

Amount of Fee

District will determine fee if it is a “reasonable charge.”

Fund Designation

Unrestricted General Fund

Revenue Control

Recorded as Student Fees and Charges in Fund 8879 Student Records

Additional Guidelines

The current practices governing fees and standard transcript requests apply to electronic transcript requests.

Physical Education at Non-district Facilities Fee

Authorizing Statute and/or Regulation

Education Code, section 76395

Background

The community college district may impose a fee on a participating student for the additional expenses incurred when physical education courses are required to use non-district facilities.

Amount of Fee

District fees must be calculated only to recover the expense of participating student use of non-district facilities.

Fund Designation

Unrestricted General Fund

Revenue Control Account

Recorded as Student Fees and Charges in Funds 8875 Field Trips and Use of Non district Facilities.

Community Service Classes Fee

Authorizing Statute and/or Regulation

Education Code, section 78300

Background

The community college district can establish and maintain community service classes in civic, vocational, literacy, health, homemaking, 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 therein.

Amount of Fee

Districts may charge students enrolled in community service classes a fee not to exceed the cost of maintaining community service classes or may provide instruction in community service classes for remuneration by contract, or with contributions or donations of individuals or groups.

The Board of Governors maintains guidelines defining the acceptable reimbursable costs for which a fee may be charged and collects data and maintains uniform accounting procedures to ensure that General Fund moneys are not used for community services classes.

Fund Designation

Restricted General Fund

Revenue Control Account

Recorded as Student Fees and Charges in Fund 8872 Community Service Classes

Additional Guidelines

Governing boards shall not expend General Fund moneys to establish and maintain community service classes.

Cross Enrollment Fees

Authorizing Statute and/or Regulation

Education Code, sections 66750 through 66754

Background

The cross-enrollment program permits students who are enrolled at a community college, a campus of the California State University, or a campus of the University of California, under certain conditions, under certain limited circumstances, to cross-enroll in one state supported course per term at an institution from one of the other segments on a space-available basis at the discretion of the appropriate campus authorities on both campuses.

Students are qualified to participate in the cross-enrollment program if they are enrolled in any campus of the California Community Colleges, the California State University, or the University of California and meets the following requirements specified in section 66752:

- a) The student has completed at least one term at the home campus as a matriculated student and is taking at least six units at the home campus during the current term;
- b) The student has attained a grade point average of 2.0 for work completed;
- c) The student has paid appropriate tuition or fees, or both, required by the home campus for the academic term in which the student seeks to cross-enroll; and
- d) The student has the appropriate academic preparation, as determined by the host campus, consistent with the standard applied to currently enrolled students, to enroll in the course in which the student seeks to enroll.

Students who are cross enrolled from another segment are not required to participate in the community college matriculation program, but such students can be required to meet any course prerequisites or corequisites which have been properly established for the course.

Amount of Fee

An administration fee may be charged by the host campus, not to exceed an amount sufficient for the campus to cover the full amount of administrative costs it incurs.

Fund Designation

Unrestricted General Fund

Revenue Control Account

Recorded in Fund 8874 Enrollment

Dormitory Fee

Authorizing Statute and/or Regulation

Education Code, section 81670

Background

Districts 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.

Amount of Fee

Fees will be determined by the district.

Fund Designation

Fund 35 – Revenue Bond Project

Revenue Control Account

Recorded as Student Fees and Charges in Fund 8873 Dormitory

Child Care Fees

Authorizing Statute and/or Regulation

Education Code, sections 66060, 79120, 79121

Background

Education Code sections 66060, 79020, and 79121 authorize the operation of child development programs. Section 79121(c) requires fees for student families.

Amount of Fee

Fees are established by the Superintendent of Public Instruction.

Fund Designation

Fund 33 – Child Development Fund or general fund if part of instructional activity of the college/district.

Revenue Control Account

Recorded as Fund 8871 Child Development Services

Waiver of Fee

Student families who are recipients of public assistance shall be subject to the same assignment of priority as other student families whose incomes fall in the same income range. Student financial aid may be available for qualifying students to pay childcare services.

Expenditures – Intended

Expenditures for day care centers; for learning laboratories for students enrolled in child development or childcare programs, or for services to develop children's physical, mental, and educational skills.

Nonresident Capital Outlay Fee

Authorizing Statute and/or Regulation

Education Code, section 76141

Background

The community college districts are authorized to charge nonresident students a capital outlay fee.

Amount of Fee

The fee cannot exceed the amount that was expended for capital outlay in the preceding fiscal year divided by total full-time equivalent students in the preceding fiscal year. The fee cannot be more than 50 percent of the nonresident tuition fee pursuant to Section 76140.

Fund Designation

Fund 41 – Capital Outlay Projects

Revenue Control Account

Recorded as Student Fees and Charges in Fund 8880 Nonresident Tuition

Exemption from Fee

The following students are exempt from this fee:

- Students demonstrating economic hardship, including recipients of benefits under the Temporary Assistance for Needy Families program, Supplemental Security Income, or a general assistance program.
- Victims of persecution or discrimination in the country of citizenship or residence.

Expenditure Restrictions

Only for purposes of capital outlay, maintenance, and equipment.

Reporting Requirements

This fee is reported to the Chancellor's Office by using the annual Nonresident Tuition Fee worksheet.

Nonresident Application Processing Fee

Authorizing Statute and/or Regulation

Education Code, section 76142

Background

Districts may charge nonresident applicants a processing fee.

Amount of Fee

The fee is not to exceed the lesser of (1) the actual cost of processing an application and other documentation required by the federal government, or (2) \$100, which may be deducted from the tuition fee at the time of enrollment.

Fund Designation

Unrestricted General Fund

Revenue Control Account

Recorded as Student Fees and Charges in Fund 8885 Other Student Fees and Charges

Exemption from Fee

The following students may be eligible for an exemption:

- Student who demonstrates economic hardship.
- Students who are exempted from nonresident tuition pursuant to Education Code section 76140:
 - Special part-time student, other than a person excluded from the term “immigrant,” per federal Immigration and Nationality Act.
 - A nonresident student who is a United States citizen and resides in a foreign country and meets the specified requirements Education Code section 76140(a)(5).

- Nonresident students who are enrolled for six or fewer units.
- Nonresident student who is both a citizen and resident of a foreign country, while demonstrating a financial need. Not more than 10 percent of the nonresident foreign students attending any community college district may be exempted.
- Students who attend Lake Tahoe Community College and residence in specific communities in Nevada.
- Students eligible under Education Code section 68130.5 (AB 540).
- Districts whose boundary is within 10 miles of another state and (1) has a reciprocity agreement with California governing student attendance and fees, or (2) participates in the Western Undergraduate Exchange, and meets certain FTES requirements, may exempt students from that state, from the mandatory fee requirement.

Use Fee for Facilities Financed by Revenue Bonds

Authorizing Statute and/or Regulation

Education Code, sections 81901 and 81956

Background

Districts may issue revenue bonds to acquire real or personal property necessary for the use of any project acquired, constructed, equipped, furnished, operated, or maintained by the board, or services rendered.

Districts may charge users of such bond-funded facilities a fee calculated to yield annual revenue equal to annual operating and maintenance expenses, including repairs and insurance costs and all redemption payments and interest charges and reserve fund requirements on the revenue bonds associated with the facility.

Amount of Fee

Even when use fees are authorized by section 81901, the amount of the fees must fall within the parameters of Education Code section 81956.

Fund Designation

Fund 35 – Revenue Bond Project Fund

Revenue Control Account

Recorded as Local Revenues in Fund 8800

Expenditure Restrictions

Any balance remaining in a revenue bond project fund after payment of all costs, expenses, and charges authorized to be expended from the fund may be allocated and used for purposes incidental to the acquiring, constructing, furnishing, equipping, operating, and maintaining of the projects authorized under Education Code sections 81901 et seq., as may be determined by the governing board.

Refund Processing Fee

Authorizing Statute and/or Regulation

Education Code, section 76300

Title 5, section 58508

Background

Districts must refund any enrollment fee paid by students for program changes made during the first two weeks of instruction for a primary term-length course, or by the 10 percent point of length of the course for a short-term course.

Districts must advise students specifically, in writing and in advance of their payment of the enrollment fee, that if they choose to pay the enrollment fee and then seek a refund, a processing fee in a specified amount will be withheld. A statement to this effect should be clear and unambiguous so that students are fully informed when they pay the enrollment fee, that they will not be able to secure a full refund of the fee. If a district meets these conditions, it may then charge a reasonable processing fee to those students who pay the enrollment fee and who then seek a refund or credit.

Amount of Fee

When refunding an enrollment fee, a community college district is permitted to retain a maximum of \$10 from enrollment fees as a refund processing fee.

Fund Designation

Unrestricted General Fund

Revenue Control Account

Fund 8885 Other Student Fees and Charges

Exemption from Fee

Any student who is a member of an active or reserve United State military service, and who has withdrawn from course 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.

District Student Body Organization Funds

Authorizing Statute and/or Regulation

Education Code, sections 76060 - 76067

Background

The community college district may authorize the students at a college to organize a student body association. The association can 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 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.

Fund Designation

71 Associated Students Trust Fund

Revenue Control Account

8885 Other Student Fees and Charges

Expenditures – Intended

Student body money shall be deposited, invested, loaned, and expended in accordance with procedures established by the student body organization consistent with Education Code sections 76063 and 76064. Expenditures of student funds must be approved by an employee or official of the community college district designated by the governing board, the certificated employee who is the designated adviser of the particular student body organization, and a representative of the relevant student body organization.

External Bank Account/Investment of Funds

Districts with student body associations will need a checking account at a local bank. Deposits and investments of association funds are subject to the supervision of district governing boards. Associations may deposit or invest funds in banks that are fully insured by the Federal Deposit Insurance Corporation and may have investment certificates or

withdrawable shares in state-chartered savings, loan associations, savings accounts of federal savings and loan associations. Associations may purchase any securities authorized for investment by Section 16430 of the Government Code or investment by the Treasurer in those securities. Participation in funds that are exempt from federal income tax pursuant to Section 501(c)(3) of the Internal Revenue Code and that are open exclusively to nonprofit colleges, universities, and independent schools is allowable. Investment certificates or withdrawable shares in federal or state credit unions are allowed, if the credit unions are doing business in this state and have their accounts insured by the National Credit Union Administration and if funds are invested or deposited in certificates, shares, or accounts fully covered by the insurance.

See FCMAT'S Associate Student Body: Accounting Manual, Fraud Prevention Guide and Desk Reference for additional guidance.

Courses not Eligible for State Apportionments

Authorizing Statute and/or Regulation

Education Code, sections 76385, 76380, 78021, 84757

Background

Districts may impose a fee on students enrolled in a class that is not eligible for state apportionment funding. Before charging a fee for a course that is not eligible for state apportionment, a district should ensure that the fee is not expressly prohibited by section 76380 of the Education Code. The total revenues derived from the fee shall not exceed the estimated cost of offering the class.

Districts should account for these fees based on their local accounting policies, in accordance with GAAP and input from the district's contracted audit team.

OTHER CHARGES

Fee	Description	Authority
Athletic Insurance	Education Code section 32221 provides that districts require each member of an athletic team to have insurance protection. The costs of the insurance protection must be paid either out of the funds of the district, the funds of the relevant student body, or by any other persons on behalf of, the individual team members or students covered by the insurance. The district may not prohibit a student who is financially unable to pay the costs of insurance protection from participation but must require the costs of the protection to be paid either out of funds of the district or funds of the student body.	Ed. Code, § 32221
Credit by Examinations	Districts may charge students for administering an examination, provided the charge does not exceed the enrollment fee associated with enrollment in the course for which the student seeks credit by examination.	Ed. Code, § 76300; 5 Cal. Code Regs. § 55050
Telephone/Internet Registration	Districts that provide optional telephone or Internet registration may charge students for access to this service because such a charge would not be an “imposed” fee. However, students should be advised that the telephone or Internet registration charges can be avoided by in-person registration. Districts should also consider waiving such charges to accommodate students with disabilities.	Ed. Code, § 70902(a)

Fee	Description	Authority
Physical Fitness Tests	Districts that offer optional physical fitness or wellness testing that may involve computerized analyses of various body conditions may charge for this service because such a charge would not be an “imposed” fee.	Ed. Code, § 70902(a)
International Student Medical Insurance	Federal law may require international students to have medical insurance. Districts may allow students to demonstrate that they are insured or may offer students participation in a district medical plan. This service would not constitute a fee “imposed” by the district.	Ed. Code, § 70902(a)
Credit Card Use or Noncash	Districts may charge students for the optional convenience of using a credit card because such charges would not be an “imposed” fee. Students should be informed that the charges can be avoided by using alternative payment methods.	Ed. Code § 70902(a)
Criminal Background Checks	Districts that provide services related to the provision of criminal background checks may charge for these services. However, districts should inform students that these fees can be avoided by requesting a criminal history directly from the California Department of Justice, which may also waive its fees.	Ed. Code § 70902(a)

Fee	Description	Authority
Student Identification	Districts may not charge a fee for the initial issuance of a student identification card. However, districts may charge a replacement fee for student identification cards which shall not exceed the actual costs of creating the card. Students should be informed that the student ID card is not required, and the charge can be avoided since students should have alternative methods to access campus benefits, services or, facilities without a student identification card. These alternative methods may include, but are not limited to, using a state identification card, driver's license, passport, or any other accepted form of identification. This service would not constitute a fee "imposed" by the district.	Ed. Code § 70902(a)

APPENDIX A – INSTRUCTIONAL MATERIALS

Over the years, specific items have been considered under the instructional materials standards.

Ammunition - Ammunition that is used in connection with police science courses (shooting at the practice range) is a material that students can be required to provide. To the extent that shell casings can be reloaded, they can be taken from the course setting, and they are not wholly consumed, used up or rendered valueless as they are applied in achieving the required objectives of a course.

Bluebooks - Used bluebooks if returned to students, are materials of continuing value to the student outside of the classroom setting. If the district is the sole provider of bluebooks, they must be provided to students at the district's actual cost. If used bluebooks are not returned they are not of continuing value to the student and thus should be provided by the district.

Chemicals - see **Welding Rods (and other transformed materials)** below.

Clay - Clay is an example of a “transformed” material that, under most circumstances, can retain continuing value outside of the classroom setting. For instance, a district could require that a student provides 20 pounds of a given type of clay in order to take a course. The clay can be sold through the college bookstore if the student wishes to purchase it there. The clay, when converted into objects and fired in a kiln, can be taken from the classroom by the student. The clay is not wholly consumed, used up or rendered valueless in the process of becoming an object.

A critical distinction to apply with respect to transformed materials is whether the transformed material becomes part of something that a student will take from a class, or part of something that is just used for practice and will not become the property of a student. Materials used in practice--objects that don't become the property of the student--should be provided by the district; whereas if the material is part of an object that becomes the property of the student, it can be required.

Another method to handle transformed materials such as clay is to provide the material for

free, but to charge the student for any transformed material that he or she wishes to take from the classroom. Under this method, the material doesn't become the permanent property of the student until he or she chooses to buy it. In any case, if students are required to provide clay, the transformed objects must become their property.

Other examples of transformed materials which can have value to the student outside of the classroom setting include wood, metal, film, photographic paper, oil paints, canvas, cloth, food and paper generally.

Clothing - see **Uniforms and Clothing**, below.

Computer Paper - Computer paper is a material which can be used by many students, but which can have continuing value to students based on the information preserved on the paper during the course. For instance, a district could require that each student provide a specified quantity and brand of computer paper in order to enroll in a course. A student wouldn't necessarily be using the box of computer paper he or she bought, but as long as he or she was entitled to keep all printouts, and as long as the student would generate roughly the quantity of paper he or she provided, a student could be required to provide computer paper.

Diesel Fuel - see **Welding Rods (and other transformed materials)** below.

Equipment - Education Code section 76365 specifically mentions equipment as a material that has continuing value to the student outside of the classroom setting. Thus, students can be required to provide their own equipment for classes.

Equipment Use Charge - In lieu of requiring students to provide certain expensive equipment, one suggestion is that students be given the option to “rent” the equipment from the district for the duration of the course. The instructional materials regulations do not address rental of equipment that is required by a district. Rather, the regulations only address the authority of districts to require the equipment.

Rental of equipment should be classified as an “optional fee,” and thus would be authorized within the parameters of the permissive code. Districts should not subsidize their equipment budgets by renting equipment which students should not be expected to own. For instance, it

would be improper to require students to provide a certain \$5,000 television camera and then offer them the “option” of renting one for use during the class for \$20 per semester.

Flowers and Food - Flowers for a flower arrangement class are an example of a material which can be required, with the student having the option to purchase them from the district. The district can specify the required flowers which the student needs and then provide the student with an option to purchase all necessary flowers from the district for a specified price. The same is true of food for a cooking class. It is contemplated that students in culinary programs will be able to consume and/or to take food items purchased with their instructional materials fees. For example, students may consume or take away pastries they prepare in class. It would not be appropriate, however, for students to be required to supply all of the food for a culinary class unless those food materials have continuing value to the students outside the class. It would not be appropriate for students to pay for food that they prepare for non-students, such as through a dining room or food service program. Similarly, an instructional materials fee would be appropriate in a wine-making class if students are able to keep the wine that they bottle.

Gasoline - see **Welding Rods (and other transformed materials)** below.

Gym Towels - If having a towel is mandatory to the class, districts may require students to provide their own towels, or the district may provide them. However, the towels cannot be solely or exclusively available from the district based on the health and safety definition of section 59402(c)(1) because district-only towels do not fulfill a health and safety requirement.

Instructional Tapes/Videos - Instructional tapes or videos that must be returned to the district cannot be the basis for an instructional materials fee. Students retain no tangible personal property when the materials must be returned. (See section 3.16 above.)

Instructional Materials – Districts may require students to provide instructional materials only if: (1) they have continuing value outside of the classroom setting; and (2) they are not solely available from the district. Otherwise, the district is required to provide these materials to students at the district's actual cost. Students may only be required to purchase instructional materials that the instructor has determined are “necessary to achieve the required objectives of a course.” (5 Cal. Code Regs. § 59400.) Districts must harmonize fees

imposed for instructional materials with the Zero-Textbook-Cost Degree Grant Program. (Ed. Code, §§ 78051 et seq.)

Lab Books, Workbooks, and Sheet Music - Lab books and workbooks are distinguished from texts and instructor-produced materials in that they are written extensively or have various exercises which result in pages being torn out. Even though such materials are altered, they retain some value to the student outside of the classroom setting, and therefore can be required of students. Sheet music is another example of workbook-type material which can be required.

Laboratory Animals - Under most conditions, required laboratory animals must be provided by the district because they have no continuing value to the student outside of the classroom setting. This general rule, however, does not require a district to provide an unlimited supply of laboratory animals. Laboratory animals in addition to those reasonably needed for completion of course, objectives can be sold as “optional” materials. Decomposable materials used in dissection are not instructional materials because students cannot reasonably retain the materials for future use outside of the classroom.

Medical Supplies (such as Band-Aids, sterile syringes, and catheters) - see **Welding Rods (and other transformed materials)** below.

Models for Art Classes - Models for art classes have no continuing value to the student outside of the classroom setting. They are not owned or primarily controlled by individual students. Therefore, students cannot be required to pay for models in art classes.

Performances - Requiring a student to see a play, film, concert, or other performance is not an instructional or other material and is not covered by the regulations. A district may require a student to see a specified play, film, concert, or performance, but in order to generate FTES for the student's attendance at the performance, the district must provide for attendance free of charge to the student. If seeing a performance is accomplished through a field trip, students may be asked to pay for incidental expenses, including entrance fees to the performance, but no student can be denied the right to participate in the field trip due to lack of funds. (See 5 Cal. Code Regs., §§ 55220-55222.)

Photographic Chemicals - Photographic chemicals are a material which can be used by many students, but which usually will have no continuing value to students outside of the classroom setting. Unlike computer paper, photographic chemicals can be tainted through misuse and tend to become used up in the classroom setting. If photographic chemicals are kept separate for each student and are given to students upon completion of the class, students can be required to provide them.

Recording Tape, Video Tape - Recording tape, video tape, and other such reusable recording materials generally have continuing value to students outside of the classroom setting. They are generally available, tangible personal property of continuing value that is owned or controlled by the student.

Scantrons – A scantron is a prepared form used for multiple-choice and true-or-false testing. While a charge for a scantron is not a valid instructional material fee, it is permissible for a college Bookstore, whether independently operated or self-operated, to charge a nominal fee to students, for the purchase of this supply. To foster a more equitable learning environment for students, districts should also consider purchasing scantrons with alternative or categorical funding that allow for these purposes and providing scantrons to students at no charge.

Sheet Music - See Lab Books, Workbooks, and Sheet Music, above.

Student Catalogs and Course Schedules – Student catalogs and course schedules should be available in hard copy to students in order to meet open access requirements. However, a college is not required to provide unlimited numbers of paper versions of those course catalogs and schedules. A college may charge for additional versions of its catalog, so long as the critical information contained within it is sufficiently available for free through alternative means.

Syllabi - See **Instructional Materials**, above.

Textbooks – See **Instructional Materials**, above.

Uniforms and Clothing - Education Code section 76365 specifically itemizes clothing as a material which is of continuing value to a student outside of the classroom setting. Students

can be required to provide their own uniforms and clothing.

Video Tape - see **Recording Tape, Video Tape**, above.

Welding Rods (and other transformed materials) - Welding rods are an example of a “transformed” material which, under most circumstances, have no continuing value outside of the classroom setting after being used. A welding rod is rendered valueless in the process of being used for practice welds. Hence, a district must provide those rods necessary to complete those required objectives of a course which are to be accomplished under the supervision of an instructor during class hours. Extra welding rods for practice or in addition to those needed to complete required objectives may be sold to the student as optional material.

Welding rods and other transformed materials can have continuing value under limited circumstances, however. If welding rods are used to make a project or material that a student will take from the class, the student can be required to provide the rods that will be used for the project. For instance, if the welding rods are used to make an art object and the art object becomes the property of the student, welding rods may be required.

Other examples of transformed materials that are usually rendered valueless after use include chemicals, gasoline, diesel fuel, and medical supplies such as Band-Aids, sterile syringes, and catheters.

Workbooks - See **Lab Book, Workbooks, and Sheet Music**