

Modesto Junior College (MJC)
Academic Senate Resolution SU20-B:
Non-Resident Student Tuition Exemption

Proposed by Senator Annaliese Hausler-Akpovi and colleague Ruth Luman

Whereas: A significant number of undocumented students in the college and the community, many of whom pay California income taxes, fall outside of the eligibility requirements for AB 540 and are, therefore, required to pay out-of-state tuition. As a result, many are unable to begin or continue their education due to the high cost of non-resident fees in a community that is often ranked as one of the least educated in the nation; and,

Whereas: According to California Education Code, *Sections 76140-76143, Article 9*, “A community college district may admit and shall charge a tuition fee to non-resident students. The district may exempt from all or parts of the fee any person described in paragraph (1), (2), or (3), including: “All nonresidents who enroll for six or fewer units. Exemptions made pursuant to this paragraph shall not be made on an individual basis;” and,

Whereas: The undocumented student population, which falls outside of the eligibility of AB 540 or DACA, has highly limited educational options and is arguably the most vulnerable and marginalized student population within the college and community with a significant need for educational support.

Whereas: In-state tuition fees granted to this student population could benefit the college and community through increased college retention and graduation rates, increase in enrollment, and greater empowerment and engagement of residents within the community; and,

Whereas: MJC, a Hispanic Serving Institution, has committed to supporting the undocumented community through the establishment of the UndocuAlly committee, passage of *Academic Senate Resolution S17-B*, and provisions in its mission statement. The college mission states that it provides an “undergraduate educational environment for the ever-changing populations and workforce needs of our regional community,” a regional community in which undocumented residents play a significant role in the functioning of its economy; and,

Whereas: A number of other California community colleges have set a precedent of waiving non-resident tuition fees for this student population; colleges utilizing the Ed Code Section 76140 (1) (a) tuition exemption for non-resident students include: Chaffey College, Citrus College, College of Marin, College of the Sequoias, Copper Mountain College, Crafton Hills College, Cuyamaca College, De Anza College, East Los Angeles College, El Camino College, El Camino Compton Community Educational Center, El Dorado Center, Feather River College, Foothill Community College, Grossmont College, Imperial Valley College, Los Angeles Southwest College, Los Angeles Trade-Tech College, Moreno Valley College, Riverside Community College, San Bernadino Valley College, Shasta College, College of the Siskiyous, and Taft College.

Therefore, Be It Resolved: Therefore, Be It Resolved: The Academic Senate adopt this resolution as a means to bring attention to the plight of undocumented non-resident students in our college and community who fall outside of the eligibility requirements of AB 540 and formally and explicitly advocate for a revision in Administrative Board Policy 5020 to allow for tuition exemption for these non-resident students enrolled in six or fewer units in accordance with Ed Code *Section 76140 (1) (a)*.

First Reading: June 18, 2020

Final Reading: July 16, 2020

Disposition: Carried