EXECUTIVE ORDER

Determination of Entitlement to Exemption from Payment of Nonresident Tuition for Certain Foreign Students

Pursuant to Education Code Sections 23754 and 23605, and Section 1, subdivision (c) and Section 2 of Chapter III of the Standing Orders of the Board of Trustees, each State College President is authorized to determine the eligibility of foreign students to exemption from nonresident tuition, pursuant to the second paragraph of Education Code Section 23754.1

In order to qualify for the exemption, a student must:

1. Be a citizen and resident of a foreign country (as distinguished, for example, from a foreign student who has been admitted for permanent residence in the United States, or a parolee);

2. Be in attendance at the State College pursuant to an agreement entered into by:
   a. a California organization which is:
      (1) a governmental agency formed under the Constitution or laws of this State;

   or

1/"No admission fee or tuition fee shall be required of any student who is a citizen and resident of a foreign country and who attends a state college under an agreement entered into by a governmental agency formed under the Constitution or laws of this State or a nonprofit corporation or organization so formed, with a similar agency, or corporation or association, domiciled in and organized under the laws of a foreign country, where a principal purpose of the agreement is to encourage the exchange of students with the view of enhancing international good will and understanding. The trustees shall, in each instance, determine whether the conditions for such exemption from fees exist and may prescribe appropriate procedures to be complied with in obtaining the exemption."
(2) a nonprofit corporation or corporation so formed; and

b. a similar agency, corporation or association, which is domiciled or organized under the laws of the student's country of residence;

c. where "a principal purpose of the agreement is to encourage the exchange of students with a view of enhancing international good will and understanding."

A typical example is the attendance of a foreign student who is in the United States pursuant to a "J" (student) visa under the sponsorship of a service club chapter in California, pursuant to an agreement between the local chapter and a chapter of the club in the country of the student's residence, where a principal purpose of the agreement is as stated above.

This delegation of authority to State College Presidents includes the authority to sub-delegate to appropriate members of the President's staff.

This delegation of authority is effective immediately.


GLENN S. DUMKE  
Chancellor

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