Access for All Students: Overview of Eligibility for AB540, including those who may be undocumented

Fall 2019 Counselor Conference
Overview

Information Regarding Undocumented Students and DACA

Education Code §68130.5, known as AB540, Requirements & Eligibility

Admission Application Process

Required forms: California Nonresident Tuition Exemption Request & Affidavit

Financial Aid

Additional Resources
How do you conceptualize these terms?
Deferred Action for Childhood Arrivals (DACA)

Federal process that defers removal action of an individual by U.S. Citizenship and Immigration Services (USCIS) for a specified number of years.

• University's enrollment and tuition policies are not based on DACA status.
• Enrollment, tuition and financial aid for students are not impacted by the ending of the program.
• State funding under the California Dream Act is not based on DACA status and will not change.
Education Code §68130.5 known as AB540

Eligibility & Requirements
• Any student, except a person in non-immigrant status, who meets the specific requirements shall be exempt from paying nonresident tuition at all public colleges and universities in California
  
  • Any student means U.S. citizen, legal resident and undocumented person
  
  • An undocumented person is a non-citizen who entered the U.S. without legal immigration status or who stayed after the period authorized to be in the U.S.
AB540 Eligibility

• Students who are nonimmigrants, victims of trafficking, domestic violence, and other serious crimes and have been granted T or U visa status, under Title 8 of the United States Code, sections 1101(a)(15)(T) or (U) are eligible for this exemption.

• Students who are nonimmigrants, other than those with T or U visa status as noted above, [for example, those who hold an F (student) visa, B (visitor) visa, etc.] are not eligible for this exemption.

3 In 2012, AB 1899 added section 68122 to the Education Code and allows holders of T and U non-immigrant visas to be exempt from paying nonresident tuition if they attended a California high school for three or more years and graduated.
# AB540 Requirements

<table>
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<tr>
<th>Attendance</th>
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<td>Attendance at a California elementary and/or secondary school</td>
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<td>Attendance at a California adult school</td>
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<td>Attendance at a California community college</td>
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AB540 Requirements

Attendance Explained

Option 1

- Attended or attained credits for the equivalent of 3 years or more at a combination of
  - California high school
  - California adult school
  - California Community College

Option 2

- 3 or more years of high school coursework and
  - 3 years of attendance in California elementary schools, California secondary schools, or a combination of California elementary and secondary schools.
## AB540 Requirements

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<tr>
<td>Graduation</td>
<td>Graduation from a California high school</td>
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<td>Attainment of an associate degree at a California Community college</td>
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<td>Fulfillment of the minimum CSU transfer requirements at a California community college</td>
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<tr>
<td>Registration</td>
<td>Registration at a California public institution of higher education (i.e., CCC, CSU or UC)</td>
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<tr>
<td>Affidavit</td>
<td>Submission of the California Nonresident Tuition Exemption Request and Affidavit</td>
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Admission Application Process
Admission Application Process

Priority filing period (Oct. 1 - Nov 30)

- Create an account for Cal State Apply
- Complete your profile
- Select your programs (majors)
- Complete quadrants in My Application tab
  - AB540 students are eligible for EOP
Admission Application Process

- Social Security Number (SSN) on Admission Application

International students and AB540 students should check this box
Admission Application Process

- Citizenship/Residency

AB540 Applicants should select None.

Applicants that reside in CA should select Yes regardless of US Citizenship status.
Admission Application Fee Waiver

- The Admissions Application Fee waiver may be available to students who qualify for an AB540 nonresident tuition exemption and meet the income guidelines.
California Nonresident Tuition Exemption Request & Affidavit

Required Forms
California Nonresident Tuition Exemption

- The California Nonresident Tuition Exemption form and affidavit is required.
- Students must submit the exemption request and affidavit to the campus they will be attending.
- Students do not need to resubmit the exemption request and affidavit each year while enrolled at the same campus.
- The information on the affidavit is kept confidential, as required by law. Immigration has no access to student information.

California Nonresident Tuition Exemption

Applicants must meet at least one option in each column.
AB540 Information

• Campus is responsible for verifying AB540 eligibility and may ask for documentation in addition to the AB540 California Nonresident Tuition Exemption form and affidavit.

• Check with the campus Admission Office for any applicable deadlines or additional forms that may be required.
Financial Aid Resources
• The California Dream Act (CA Assembly Bills 130 and 131) made it possible for students who meet AB540 criteria to apply for non-state funded scholarships and state funded financial aid.
  • Cal Grants, Middle Class Scholarship, California State University Grant, and EOP Grant are a few examples of grants for students.

• California Dream Loan Program (CA Senate Bill 1210)
  • In 2015-2016, the CSU established a loan program for students, who do not have lawful immigration status. Students should contact their campus for more information.

• Scholarship Information
  • There are a number of scholarship resources including “Smart Student Guide to Financial Aid” at www.finaid.org, scholarship resources available through the Mexican American Legal Defense and Educational Fund www.maldef.org and local resources at many of the CSU campuses.
Applying for Financial Aid

- AB 540 students who are ineligible to file the FAFSA, should complete the California Dream Act Application – www.CalDreamAct.org
- You must have an AB540 California Nonresident Tuition Exemption and affidavit on file with the campus to begin the review of financial aid eligibility
- Must apply for financial aid every year
- The California priority filing deadline for financial aid is March 2
- Cal Grants and Middle Class Scholarships have a firm March 2 deadline
- All undocumented immigrant males 18 through 25 years of age must register for the Selective Service
  - Individuals without a social security number should complete the fillable registration form available at https://www.sss.gov/Portals/0/PDFs/regform_copyINT_1.pdf or pick up the form at a local U.S. Post Office
Legal Services

California Department of Social Services

• Coalition for Humane Immigrant Rights (CHIRLA)
• Immigrant Legal Defense (ILD)
• CARECEN
• Jewish Family Service
Additional Resources

Resources available include information on grants, loans and scholarships, and legal and campus support services.

For information visit:

http://calstate.edu/resources-for-undocumented-students
Questions