

# AB540 Students—California

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- 65,000 **undocumented students**—that is, children who were not born in the U.S. and are not US citizens or legal residents—graduate from U.S. high schools every year. These students are guaranteed education from K-12, but face many obstacles legally and financially when obtaining higher education.

## Who are Undocumented Students?

- They arrive to the US at a very young age, from many countries NOT just Latin America.
- Came to this country with their parents and have been raised here just like their U.S. citizen classmates.
- Were brought to the U.S. without legal documentation or were brought with a visa that was allowed to expire.
- Have been raised here since childhood and therefore know no other country.

## What is the Assembly Bill 540?

The AB540 Law was passed in 2001 in order to allow undocumented students to pay resident fees in California's public colleges and universities, as long as the student graduates from a California high school with at least three years of residency in the state.

- Leticia A 1985 Alameda County Superior Court ruling made it possible for undocumented immigrants who had graduated from a California high school to attend a California State University and avoid out-of-state fees.
- **1985–1991:** the Alameda County Court ruling on Leticia A v. UC Regents and California State University System establishes that undocumented students can be treated as residents for tuition and state financial aid purposes.
- Spring of **1991–1992:** Los Angeles Superior Court overturns the Alameda County Leticia A court ruling for both the UC and CSU systems.
- From **1992–2001**, undocumented students attending the University of California, California State University and California community colleges were charged out-of-state tuition.
- On **October 12, 2001**, Governor Gray Davis signed Assembly Bill 540 into law.
- States that have passed the AB540 law: Texas, California, New York, Utah, Illinois, Washington, Nebraska, New Mexico, Oklahoma and Kansas.

## AB540 Students must meet the following requirements:

- The student must attend a California high school for three or more years.
- Graduate from a California high school or obtain a GED.
- Register as an entering student at, or current enrollment at, an accredited institution of higher education in California: University of California, California State University and all community colleges.
- If the person is without a lawful immigration status, the student must complete an affidavit with the public college or university stating that the student has filed an application to legalize his or her immigration
- Student information provided to the college or university is confidential and protected by Federal law.

## Tuition Fees for One Academic Year:

### University of California

#### In-state tuition:

Undergraduate: \$8,007

Graduate: \$10,376

#### Out-of-State tuition (nonresident):

Undergraduate: \$28,615

Graduate: \$25,380

### California State University

#### In-state tuition:

Undergraduate: \$3,797

Graduate: \$7,380

#### Out-of-State tuition (nonresident):

Undergraduate: \$11,794

Graduate: \$10,468

- Under AB540- undocumented students can pay in-state tuition. Although out-of-state students have to pay higher fees than AB540 students, AB540 students are not eligible for federally funded student financial aid, including loans, grants, scholarships, and work-study programs and many AB540 students do not have a work permit to legally work in the US.

## What is the California Dream Act?

- The Development, Relief, and Education for Alien Minors Act (DREAM Act).
- The California Dream Act is a state legislative proposal (**Senate Bill 66, formerly SB 160**) that allows U.S. citizens and undocumented AB 540 students to apply and compete for financial aid at California public colleges and universities *without* the use of the Federal Application for Student Aid (FAFSA).
- On March 26, 2009, the "Development, Relief, and Education for Alien Minors (DREAM) Act" was introduced in both the House and the Senate.

# Undocumented Students in North Carolina

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- In North Carolina there exists no law that allows undocumented students to pay in-state tuition.
- Undocumented students attending universities and community colleges are not eligible for state or federal scholarships or loans.
- North Carolina, like all states provides education for undocumented students from K-12.
- There are approximately 150,000 Latino students in K-12. More than half are citizens.
- In 2006-07, there were 27 undocumented immigrant students in the North Carolina public university system, out of a total of 200,000 students.
- Undocumented students who are not in high school and attending community colleges must pay out-of-state tuition of \$7,465 compared to in-state of \$1,400.
- In 2006-07 there were 112 undocumented degree-seeking students in community colleges out of a total of 297,000.

## **Supports of Undocumented Students in North Carolina:**

- Education helps immigrants become more productive members of the community. Immigrants who are more educated depend less on government social services, saving tax payers money in the end.
- Many of these children did not make the choice to come to the United States and may have lived here the majority of their lives. Their opportunities should not be limited because of their parents' choice to bring them here.
- Undocumented students must compete for their spot in a university, just like all other students.
- Undocumented students would increase diversity at colleges and universities.