



AB 130 (CEDILLO): STUDENT FINANCIAL AID: ELIGIBILITY: CALIFORNIA DREAM ACT OF 2011

**AS AMENDED: MAY 2, 2011
MAY 2011**

Introduction

The following is an analysis of SB 130 (Cedillo), also known as the California Dream Act of 2011. This piece of legislation is intended to make non-state financial aid accessible to students who qualify for the AB 540 non-resident tuition fee waiver. AB 540 students are typically those who (1) do not have legal immigration status and thus cannot establish state residency, or (2) are United States citizens but are residents of another state.

Bill Summary

SB 130 would allow a student to who is eligible for the non-resident tuition waiver created by AB 540 (Firebaugh), to also become eligible for scholarship funds derived from non-state funds that are received by the University of California system (UC), California State University system (CSU), and California Community College system (CCC) for the purpose of scholarships.

Committee Analysis

This bill states, "It is the intent of the Legislature that all students who are exempt from non-resident tuition pursuant to Section 68130.5 of the Education Code (AB 540 students), and that are deemed to be in financial need shall be eligible for all financial aid."

Students **MUST** meet all of the following criteria to become eligible as an AB 540 student:

1. Attend a California high school for three or more years.
2. Graduate from a California high school or attained an equivalent degree.
3. Register or attend an accredited California education institution beginning after fall of the 2001-2002 academic year.
4. If an alien without lawful immigration status, have filed an affidavit stating that the student has filed an application to legalize his or her immigration status or will file such an application as soon as he or she is eligible to do so.

According to the UC, CSU, and CCC systems, in 2009-10, enrollment of AB 540 students was: 1,941 at UC (of these 32% were undocumented immigrants); 3,633 at CSU; and 36,203 at CCC. The CSU and CCC systems do not identify the immigration status of AB 540 students but believe that undocumented students make up a larger proportion of students at their institutions than at the UC system. AB 130 would make financial aid more accessible to these students.

Fiscal Analysis

The State Assembly floor analysis states that this bill has zero direct state costs, but could result in a reallocation of any available scholarship monies at public universities.

Legislative History

- Introduced in the State Assembly on January 11, 2011.
- Passed the Assembly Committee on Higher Education (6-3) on March 15, 2011.
- Passed the Assembly Committee on Appropriations (12-3) on April 13, 2011.
- Passed the Assembly Floor (51-22) on May 5, 2011.
- **Status:** In the Senate Committee on Education, hearing June 8, 2011.