UNDERSTAND THE DIFFERENCES: IN-STATE TUITION VS. CA DREAM ACT VS. DACA

STATE OF CALIFORNIA JURISDICTION

In-State Tuition

Law: AB 540, as amended by SB 68 and other laws

What It Does:
• SB 68 expands AB 540 & AB 2000 to exempt more students from out-of-state tuition fees
• Makes students eligible to apply for financial aid under the CA Dream Act

What It Does Not Do: Does not change their state residency status.

Who Can Apply:
• Undocumented & DACAmented individuals, T and U visa holders, US citizens, & lawfully present immigrants that meet eligibility criteria.
• NOTE: Students with non-immigrant status (other than T or U visas) are not eligible under this pathway.

Eligibility Requirements:
• Student must complete both A & B
  ◦ Part A: Attend three years full-time or the equivalent credits at a CA High School, Adult School, Community College (credit or noncredit), or any combination of the above
  ◦ Part B: Graduate from a CA high school; obtain a certificate of completion, GED, Hi-Set or TASC in CA; or attain an Associate’s degree from a CCC or fulfill minimum transfer requirements for UC or CSU

CA Dream Act (Financial Aid)

Law: AB 130, AB 131

What It Does:
• AB 130: Opens certain scholarships administered by public institutions to AB 540/ SB 68 students
• AB 131: Opens state-funded grants (including Cal grants, State grants, UC Grants & the CA College Promise Grant) and state programs (EOP & EOPS) to AB 540/SB 68 students

What It Does Not Do:
• Does not include eligibility for federal grants or funds
• Should not be confused with the federal Dream Act

Who Can Apply:
• AB 540/SB 68 eligible individuals who are undocumented, DACAmented individuals, T and U Visa holders, U.S. citizens, and lawfully present immigrants who meet eligibility criteria.
• NOTE: Students with non-immigrant status (other than T or U visas) are not eligible under this pathway

Eligibility Requirements:
• For AB 130s student must meet:
  ◦ AB 540/SB 68 eligibility
  ◦ Individual scholarship requirements
• For AB 130s student must meet:
  ◦ AB 540/SB 68 eligibility
  ◦ Priority filing deadline income guidelines
  ◦ GPA & other Cal grant eligibility
  ◦ Program requirements for EOP or EOP&S
Deferred Action for Childhood Arrivals (DACA)

Law: Executive Memorandum

What It Does:

• Allows individuals to receive:
  ◦ Employment authorization card and valid Social Security Number
  ◦ Temporary Relief from Deportation/Removal

What It Does Not Do:

• Does not provide a path to lawful permanent residence, or citizenship
• Does not give eligibility for federal financial aid awarded through FAFSA

Who Can Apply:

• Currently, only individuals who had DACA in the past may submit a DACA renewal application.
• NOTE: People should speak with a legal services provider if they have questions about their specific situation.

Eligibility Requirements:

• For DACA eligibility, please go to ilrc.org/daca or uscis.gov
• For more information about renewing your DACA, use our Steps to Renew DACA flyer at immigrantsrising.org/renewdaca
• For DACA updates, go to immigrantsrising.org/daca

Immigrants Rising helps you make decisions based on your potential, not your perceived limits. Visit our website so you can see what’s possible: immigrantsrising.org. For inquiries regarding this resource, please contact Nancy Jodaitis, Director of Higher Education, at nancy@immigrantsrising.org.