



THEMES in the NEWS

IDEA's weekly commentary on education news

Week of June 6-10, 2011

Good News for California and for *Dream Acts* across the Country

By UCLA IDEA

This week, the U.S. Supreme Court brought closure to a decade-old dispute over extending educational opportunities for undocumented immigrant students. While the court's action is significant, much more will be needed to ensure that all California students can realize the dream of a college education.

In 2001, California made college tuition rates more affordable for undocumented immigrant students to attend California's public community colleges and universities. Under Assembly Bill 540, undocumented immigrant students could pay in-state tuition instead of the much higher out-of-state fees, which currently run about \$23,000 more per year for UCs. To qualify, AB 540 required students to

- Attend a California high school for three or more years;
- Graduate from a California high school or receive the equivalent general education diploma (GED);
- Register or be currently enrolled in a California Community College, California State University, or a University of California;
- Sign a statement with the college or university (NOT with INS) stating that he/she will apply for legal residency as soon as he/she is eligible to do so.

Soon after passage, AB 540 was challenged in court, but in 2006 it was upheld. Further challenges went all the way to the U.S. Supreme Court. This week, the court dismissed the last appeal of AB 540, deferring to the lower court's decision that the law was valid because it offered in-state tuition discounts based on high school attendance, not immigration status.

Unfortunately, even though AB 540 appears secure, serious barriers to undocumented immigrant students remain. Undocumented immigrant students still cannot qualify for financial aid from public sources such as their university, Pell grants, Cal Grants and so forth. Furthermore, undocumented immigrant students cannot legally work or get drivers licenses.

UCLA student Sofia Campos, who came from Peru at age 6, has a hard time paying rising resident tuition—now at \$4,000 a quarter. Her younger siblings are also attending UCs this fall. "We're American in every sense of the word. We got into good schools and we're trying to make it here," she said. Even so, the financial strain on her and her family means Campos must still rely on donations from a student food pantry.

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However, the recent court decision encourages those favoring the proposed California DREAM Act that would allow AB 540 students to access state financial aid. California's legislature has passed the California Dream Act three times in recent years, only to have the bill vetoed in each case by Gov. Schwarzenegger. Assemblyman Cedillo (D-Los Angeles) is more confident this time. The California Dream Act passed the Assembly last week and if it passes the Senate, Gov. Brown's is likely to sign it into law.

Passing the California DREAM Act would be an enormous achievement. But even then, only the federal DREAM Act, which failed to win enough support in December, can offer a path to citizenship for many immigrant students who have known only this country as their home.

This week's decision offers some momentum for the federal law and bolsters other states' efforts. Eventually, only a federal law can assure uniform and universal guarantees of the rights of all the nations' students as well as making it possible for them to contribute fully to society. "My education was a good investment by California taxpayers," said a student who's getting his master's in social work. "I'll be able to put it to use very soon."

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