



CLIENT NEWS BRIEF

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GOVERNOR SIGNS INTO LAW THE CALIFORNIA DREAM ACT ALLOWING NONIMMIGRANT ALIENS ACCESS TO PRIVATE SCHOLARSHIPS AT PUBLIC COLLEGES AND UNIVERSITIES

On July 25, 2011, Governor Jerry Brown signed into law Assembly Bill (AB) 130, also known as the California Dream Act. Beginning January 1, 2012, California will allow nonimmigrant aliens attending the state's community colleges, the California State University, or the University of California to be eligible for privately funded scholarships.

Under existing Education Code section 68130.5, a nonimmigrant alien student is exempt from paying non-resident tuition if he or she:

- (1) Has attended a high school in California for 3 or more years;
- (2) Has graduated from a California high school or its equivalent;
- (3) Is registered or enrolled at a California accredited institution of higher education;
and
- (4) Has filed an affidavit with the institution stating that he or she has filed an application to legalize his or her immigration status.

AB 130 creates a new provision in the Education Code, section 66021.7, which provides that a student who is exempt from paying nonresident tuition under Education Code section 68130.5 is now also eligible to receive a scholarship derived from nonstate, private funds. At this time, the state legislature has not approved AB 131, a companion bill that would expand eligibility for public financial aid to nonimmigrant aliens. AB 131 was approved by the Assembly in June and placed on the Senate fiscal committee's suspense file, and the full Senate has not yet voted on AB 131.

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If you have any questions regarding the California Dream Act, or for other higher education issues, please contact one of our [eight offices](#) located statewide or consult our [website](#).

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