



RFK Community Schools Immigrant Family Legal Clinic



What Are A.B. 540 and the California Dream Act – And Can They Help Me?

IFLC Contact Information

This form is for informational purposes only and not for the purpose of providing legal advice. If you have questions about your situation, please talk to your college counselor, or come see the Immigrant Family Legal Clinic.

We are located across from the Welcome Center. Please drop in (when school is open) or contact us to make an appointment.

Our email address is iflc@law.ucla.edu.

Our phone number is (310) 794-6871

Our online form is [HERE](#).

A.B. 540

A.B. 540 is a California law that allows certain students, including students without legal immigration status, to pay in-state tuition and fees for California public universities and colleges.

Do I qualify?

You may qualify for A.B. 540 if you attended a California high school for three full-time years and have graduated or will graduate from a California high school. You can also qualify for in-state tuition through S.B. 68 later on if you decide to attend a California Community College and then transfer to a four-year institution.

To receive an out-of-state tuition exemption through A.B. 540, you must sign a request verifying that you meet the requirements listed above, and if you are undocumented (including if you have received DACA or TPS), you must sign an affidavit verifying that you will adjust your immigration status as soon as a pathway becomes available to you.

Do I need DACA to qualify for A.B. 540?

No, if you do not have DACA you may still be eligible for A.B. 540 if you meet the requirements listed above. A.B. 540 is a California state law that is not impacted by whether or not the DACA program is continued.

What if I hold a valid visa?

Students with valid visas are generally not eligible for A.B. 540 status. That means that if your visa is current and your stay in the United States has not expired, you may not qualify for the tuition exemption. However, if you entered the United States on a valid visa, but your stay has since expired, you may still be eligible (see below).

You may still qualify for A.B. 540 if you have a T or U visa. If you have one of these visas, you should speak with your college counselor, or come see the Immigrant Family Legal Clinic.

What if I have a visa but it's expired? Can I qualify for A.B. 540?

If you used a visa to enter the United States but your stay has since expired, you may still qualify for A.B. 540 if you meet the high school attendance requirements. Come meet with the Immigrant Family Legal Clinic if you think this may apply to you.

Does A.B. 540 qualify me for any federal financial aid?

No, A.B. 540 only qualifies you to receive in-state tuition at California public colleges and universities. If you are undocumented, you do not qualify for federal financial aid or loan programs.

Does A.B. 540 qualify me for any other state financial aid or loan programs?

Yes, if you meet the requirements for A.B. 540, you also qualify for state financial aid and loans under the California Dream Act.

Can I use A.B. 540 to qualify for in-state tuition for graduate or professional school?

Yes. If you meet the requirements of A.B. 540 and are accepted into a graduate or professional program at a California public university, you qualify for the out-of-state tuition exemption.

Can colleges or universities give the information I submit in my A.B. 540 application to immigration?

Generally, colleges and universities may not disclose this information. Under California law and federal privacy law, the information you provide in your application and in the affidavit must remain confidential. That means the schools cannot turn your information over to U.S. Citizenship and Immigration Services (USCIS) or Immigration and Customs Enforcement (ICE), unless law enforcement officials have strong evidence that you committed a crime and present a court order to the university that requires it to turn over information.

How do I apply for A.B. 540?

If you are accepted to a public California university, your university will ask you to complete a form and provide proof that you completed the high school attendance requirement. If you are

undocumented, you will also need to sign an affidavit indicating that you will apply for permanent residence in the United States as soon as a pathway becomes available.

Each University of California campus has their own A.B. 540 form. To see an example of an A.B. 540 declaration, speak to your college counselor, or come see the Immigrant Legal Family Clinic.

California Dream Act

The California Dream Act allows students who qualify for the A.B. 540 to receive state financial aid, including grants and loans, from California public and private colleges.

1. What aid can I receive under the California Dream Act?

The California Dream Act covers California Community College Board of Governor's (Bog) fee waivers, Cal Grants, Middle Class Scholarships at University of California or California State University campuses, Chaffee Grants for foster youth, among other state financial aid.

2. How do I apply?

Complete the [California Dream Act application](#). You should apply by March 2 to qualify for Cal Grants.

3. Do I need to qualify for A.B. 540 to receive aid under the California Dream Act?

Yes, you must meet the qualifications for A.B. 540 to receive California Dream Act aid. However, even if you do not have A.B. 540, you are still eligible for a number of private scholarships. The Mexican American Legal Defense Fund (MALDEF) provides an excellent [Scholarship Resource Guide](#) for undocumented college students and prospective college students.

4. Do I need DACA to receive aid under the California Dream Act?

No. You do not need to be a DACA recipient to qualify for aid. The California Dream Act is unrelated to the federal Deferred Action for Childhood Arrivals program. If you do not have DACA, you may still meet the qualifications for the California Dream Act.

5. Will the information I provide about myself and my family members be protected?

Yes. Both state and federal privacy law protects the privacy of student records. The California Student Aid Commission, which administers aid under the California Dream Act, has never shared information about students' immigration status. The Commission has strict security and confidentiality policies and procedures in place to protect student information. This means that unless law enforcement has strong evidence that you have committed a crime and present the

Commission or your school with a court order, the Commission and universities must keep your information safe.

6. What if my family doesn't file taxes? Can I still qualify for financial aid?

You might. You may still qualify for financial aid after going through an "income verification" process in the spring. This process asks for more financial documents from your family to ensure you receive the proper amount of financial aid. Please come see us if you think this applies to you, or if you think you might have any other problems presenting your parents' tax information for financial aid purposes.