



AB 130 – California Dream Act of 2011

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CWA Position – Oppose

Talking Points

1. AB 130 requires California State Universities (CSU) and California community colleges (CCC) to offer tuition assistance and financial aid to illegal aliens. The University of California (UC) system will be included if their regents approve. Fee waiver programs would also be enacted for the community college system.
2. Current law states that an illegal alien who has attended high school in California for three or more years and has graduated from a California high school (or attained its equivalent) is exempt from paying nonresident tuition at California community colleges and the California State Universities. AB 130 changes the high school graduation requirement to graduation from a “California secondary school or the attainment of the equivalent” and reduces the requirement of high school attendance to just one year. Secondary schools include technical and adult schools. Under this bill, more students here illegally will qualify not only for in-state tuition rates, but also for financial aid and fee waivers at public institutions.
3. The Federal Immigration Reform and Immigrant Responsibility Act of 1996 prohibits immigrant students from accessing any postsecondary education benefits, including in-state tuition or public financial aid, unless a United States citizen is eligible for the same benefit. AB 130 seeks to take advantage of a change made to California law (AB 540, Chaptered 2001) allowing high school attendance (under this bill reduced from three years to just one) to take the place of residency for determining in-state tuition. This, in turn, slips persons residing in this country illegally into a federal law loophole.
4. The Assembly Appropriations Committee analysis for last year’s SB 1460 cited:
 - The California Student Aid Commission (CSAC), based on current estimated enrollment of AB 540 students at the UC, CSU, and the CCC, estimates additional annual General Fund costs for Cal Grants of \$38 million.
 - The revenue loss from CCC BOG (California Community College Board of Governors) fee waivers is offset by increased Proposition 98 funding, and is thus a direct state cost. According to the Chancellor's Office of the CCC, there were 34,000 AB 540 students in the system in 2008-09. Assuming these students averaged six credits per semester, total fee revenue would be \$10.6 million. If 45% of those students received fee waivers (the statewide average), the revenue loss (and Proposition 98 cost) would be \$4.8 million.
 - The addition state costs from expanding AB 540 eligibility to include those graduating from technical and adult schools is unknown.
5. In February, 2010, Los Angeles Supervisor Michael Antonovich [cited](#) figures released by the county’s Department of Public Social Services indicating that the cost of illegal immigration to Los Angeles County alone exceeds \$1 billion, *excluding* the cost of education. California families have borne the burden of providing state benefits to people who enter our state illegally for too long. Taxpayers deserve to have their hard-earned funds working to benefit legal citizens of the state.

**CONCERNED WOMEN FOR AMERICA
OF CALIFORNIA**