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**SR-84** (2017-2018)

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ENROLLED FEBRUARY 27, 2018

PASSED IN SENATE FEBRUARY 26, 2018

CALIFORNIA LEGISLATURE— 2017–2018 REGULAR SESSION

## SENATE RESOLUTION

**NO. 84**

Introduced by Senators De León, Atkins, Dodd, Glazer, Leyva, Pan, Skinner, and Wiener

February 16, 2018

Relative to California Dream Act of 2011

## LEGISLATIVE COUNSEL'S DIGEST

SR 84, De León.

WHEREAS, California was among the first states in the nation to recognize the contributions that undocumented college students make to our state by passing legislation in 2001 (AB 540, Chapter 814 of the Statutes of 2001) that enabled certain undocumented students to pay in-state tuition rates at our public universities and colleges; and

WHEREAS, California expanded this commitment by enacting the California Dream Act of 2011, which allowed students eligible for in-state tuition under Assembly Bill 540 to apply for both institutional financial aid as well as state-based financial aid, in particular the Cal Grant Program; and

WHEREAS, In order to qualify for state financial aid under the California Dream Act of 2011 and recent amendments made by Senate Bill 68 (Lara, Chapter 496 of the Statutes of 2017), an individual must have completed at least three years of elementary, secondary, or community college education in California, must have received a high school diploma or its equivalent from a California school, and must be actively working towards legalization of his or her immigration status; and

WHEREAS, Since the California Dream Act of 2011 took effect in 2013, over 27,000 qualified California students, referred to as “Dreamers,” have been provided with \$269 million in state grant aid under this program, enabling them to afford a quality higher education and contribute further to our society; and

WHEREAS, The federal Deferred Action for Childhood Arrivals (DACA) program, enacted by President Obama in 2012, has allowed over 230,000 undocumented residents of California who entered the country as minors to apply to receive legal work permits and live without fear of persecution or deportation; and

WHEREAS, In order to qualify for DACA status, an individual must have been brought to the United States before his or her 16th birthday, must not have been convicted of a felony, significant misdemeanor, or three other misdemeanors, or otherwise be determined to pose a threat to national security, and must meet other requirements; and

WHEREAS, In September 2017, President Trump chose not to renew the DACA program, thus putting millions of hard-working young Americans who were brought to this country as children in danger of deportation, unless the Congress and the President can enact the protections of the DACA program into federal law; and

WHEREAS, It is important to note the distinctions between the California Dream Act and DACA to remind students that the California Dream Act is a state-based program, and that students do not need to have protected status under DACA to attend college, or receive state financial aid, in California; and

WHEREAS, In addition to the decision not to renew the DACA program, the Trump Administration's general rhetoric and actions regarding immigration have led to a climate of fear and uncertainty among millions of immigrants in the United States; and

WHEREAS, Anecdotal evidence from high school counselors, college financial aid officers, and the California Student Aid Commission indicates that many "Dreamers" and potential "Dreamers" are reluctant to fill out the California Dream Act Application for state financial aid, believing that providing their personal information to the government may put them at increased risk of deportation or persecution; and

WHEREAS, The Legislature, the Governor, the Attorney General, and all of the state's public institutions of education, including the California Student Aid Commission, the State Department of Education, the University of California, the California State University, and the Chancellor's Office of the California Community Colleges, have all pledged to do everything within the power of the law to protect "Dreamers" and DACA residents from deportation and discrimination; and

WHEREAS, The State of California is better served when all of our best and brightest students seek a higher education, rather than remaining in the shadows; now, therefore, be it

Resolved by the Senate of the State of California, That California residents eligible for in-state tuition and financial aid under the California Dream Act of 2011 are strongly encouraged to fill out the California Dream Act Application and continue the process of applying for college, in order to realize their full potential as productive, educated residents of our great state; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the author for appropriate distribution.