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SJR-9 20th anniversary of the nonresident tuition exemption: American Families Plan: immigration reform. (2021-2022)

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Senate Joint Resolution No. 9

CHAPTER 156

Relative to the nonresident tuition exemption and undocumented students.

[Filed with Secretary of State August 30, 2022.]

LEGISLATIVE COUNSEL'S DIGEST

SJR 9, Limón. 20th anniversary of the nonresident tuition exemption: American Families Plan: immigration reform.

This measure would recognize October 12, 2021, as the 20th anniversary of the enactment of the exemption from nonresident tuition for qualified students during the 2001–02 Regular Session. The measure would also call on the United States Congress to pass the American Families Plan and provide financial resources for undocumented students through the budget reconciliation process, and to adopt comprehensive immigration reform.

Fiscal Committee: no

WHEREAS, Over 2,000,000 undocumented immigrants of all nationalities and backgrounds call California home, including over 183,000 Deferred Action for Childhood Arrivals recipients; and

WHEREAS, Undocumented pupils who have lived in the United States for five years or more graduate from high school every year; and

WHEREAS, Many undocumented pupils who arrive in the United States before 14 years of age desire to go on to college; and

WHEREAS, California has uplifted and empowered undocumented immigrants to seek a better life by providing pathways to public services and extending protections through sanctuary laws; and

WHEREAS, Undocumented immigrants have historically faced racism, poverty, and other barriers that restrict access to higher education and that limit their ability to work, contribute to California's economy, and provide for their families; and

WHEREAS, Nonresident tuition is cost prohibitive to undocumented students who already experience barriers to employment and lack of access to federal financial aid; and

WHEREAS, The passage of Assembly Bill 540 of the 2001–02 Regular Session (AB 540), authored by the late Assembly Member Marco Antonio Firebaugh and signed into law by former Governor Gray Davis on October 12, 2001, declared that long-term California residents, regardless of their citizenship status, would pay in-state fees at California public colleges and universities; and

WHEREAS, AB 540 established the right of undocumented students to seek a college degree, and the bill substantially increased their educational and economic opportunities to achieve their highest potential; and

WHEREAS, It is estimated between 75,000 and 156,000 undocumented students attend campuses of the California Community Colleges, 10,063 undocumented students attend campuses of the California State University, and over 4,000 undocumented students attend campuses of the University of California; and

WHEREAS, Approximately 62,000 students attending campuses of the California Community Colleges benefit from that exemption from nonresident tuition today; and

WHEREAS, That exemption from nonresident tuition expanded opportunities for a college education and reduced opportunity gaps for undocumented students by removing the burden of out-of-state tuition; and

WHEREAS, Without AB 540, and other subsequent college affordability measures like the California Dream Act, undocumented students would pay thousands of dollars in tuition and fees each year as nonresidents or international students; and

WHEREAS, California's higher education systems are committed to serving all students, regardless of their immigration status, and providing them with the supports, resources, and opportunities to pursue their educational goals; and

WHEREAS, The Budget Act of 2021 expands on the successful Dreamer Resource Liaison program by doubling the amount of funding, ensuring that the California Community Colleges, California State University, and University of California have the capacity and resources to support undocumented students; and

WHEREAS, The federal American Families Plan proposes a pathway to citizenship for undocumented students and expands access to federal financial aid, which will enable more undocumented students to pay for college, complete their studies, and contribute to the economy; and

WHEREAS, The passage of the federal American Families Plan will ensure a stable and welcoming future for undocumented students by allowing them to achieve their higher education goals and become fully participating members of their communities; and

WHEREAS, California's public higher education systems continue to combat persisting inequalities among this underserved population, develop pathways that foster access, equity, and inclusion, and advocate fiercely for the necessary policies and resources; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the Legislature of the State of California hereby recognizes October 12, 2021, as the 20-year anniversary of the enactment of the exemption from nonresident tuition during the 2001–02 Regular Session; and be it further

Resolved, That the Legislature urges all residents of the state to celebrate the significance of that enactment in enabling more undocumented students to pursue a college education; and be it further

Resolved, That the Legislature calls on the United States Congress to pass the American Families Plan and provide financial resources for undocumented students through the budget reconciliation process, and to adopt comprehensive immigration reform; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and the Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, to each Senator and Representative from California in the United States Congress, and to the author for appropriate distribution.