

AB 540 RESOURCE GUIDE

A Guide for Advisors of Undocumented Immigrant Students

California State University, Long Beach

November 2013

Funded by the New Partnership Foundation

INTRODUCTION

Purpose

The Resource Guide is designed to address the most common questions raised in the course of advising unprotected immigrant students. The information contained may not always be conclusive thereby requiring additional consultation with other staff whose names are in this guide.

Disclaimer

The information in this booklet is general in nature and serves as a guide. Some of the campus information is subject to change without notice. Several sections of the Resource Guide have verbatim wording from the campus catalog.

Immigration laws are complex, subject to change, and are broad in their interpretation. This is not an immigration guide. Immigration questions should be referred to immigration experts.

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SECTION ONE: LAWS AND REGULATIONS

State Law: AB 540

On October 12, 2001, Governor Gray Davis signed into law Assembly Bill 540 (Stats. 2001, ch. 814) adding a new section, 68130.5, to the California Education Code. Section 68130.5 created a new exemption from the payment of non-resident tuition for certain non-resident students who have attended high school in California and received a high school diploma or its equivalent.

AB 540 Guidelines & 68130.5 Requirements for Eligibility

- Must have attended a California high school for 3 or more full academic years (between grades 9 through 12, inclusive and does not need to be consecutive years);
- Must have or will graduate from a California high school or have attained a G.E.D.; or received a passing mark on the California High School Proficiency Exam (CHSPE);
- Must register or is currently enrolled at an accredited institution of public higher education in California;
- Must file or will file an affidavit as required by individual institutions, stating that the filer will apply for legal residency as soon as possible;
- Must not hold a valid non-immigrant visa (F, J, H, L, A, E, etc.)

AB 540 Ineligibility

An ineligible student is one who does not meet the AB 540 criterion. In most situations, not having met the three years attendance at a California high school is what prevents a student from qualifying for AB 540. Students can still attend as long as they meet the admissions criteria and are accepted by the college or university, but must pay non-resident fees.

AB 540 Affidavit

The AB 540 Affidavit serves two purposes; one is to verify that the student meets the educational requirements, and the second is to certify the intent to establish legal residency.

The first purpose relates to educational eligibility where students must indicate:

Yes or No I have graduated from a California High School or have attained the equivalent thereof, such as a high school Equivalency Certificate issued by the California State GED Office or a Certificate of Proficiency, resulting from the California High School Proficiency Examination. And,

Yes or No I have attended high school in California for three or more years.

Students must also provide information on all schools attended in grades 9-12 and submit required documentation (high school transcript) as specified by the institution.

The second purpose refers to the eligibility for exemption on non-resident tuition. To exempt a student from paying non-resident tuition the Affidavit must be completed prior to enrollment at an institution. The legal document certifies that the student is in the process of legalizing their residency status or will file for legal residency as soon as eligible.

Non-resident tuition exemptions **ARE** granted for students who indicate on the affidavit (as long as the educational criterion is also met):

I am NOT a nonimmigrant alien (including, but not limited to, a U.S. citizen, permanent resident, or an alien without lawful immigration status).

Non-resident tuition exemptions are **NOT** granted for students who indicate on the affidavit:

I am a nonimmigrant alien {including, but not limited to A FOREIGN STUDENT (F Visa) or exchange visitor (J visa)}.

The information provided is declared under penalty of law of the State of California and the signature verifies that the information is true and accurate. In addition, the California State University, the University of California and the California Community Colleges require documentation of high school attendance and graduation (or its equivalent) in support of the affidavit.

The affidavit is found at <http://www.csulb.edu/depts/enrollment/forms/>. The affidavit and supporting documentation of high school attendance and graduation should be submitted after the admission offer is made to the student and before the student pays tuition and fees.

California Residency and Legal Permanent US Residency Definitions

To establish physical residence in California, a person must possess ability to **legally** establish residency in the state. A US citizen, permanent resident (green card holder), or holders of specialized immigration visas may establish legal state residency. An adult, who is physically present in the state and who, at the same time, intends to make California his or her permanent home may establish legal residence. Steps must be taken at least one year prior to the residence determination date to show intent to make California the permanent home with concurrent relinquishment of the prior legal residence.

Lawful Permanent US Residency is defined as a person who has a “green card” and may legally reside permanently in the United States.

A Lawful Permanent Resident (LPR) may work in the US and may serve in the military, pay taxes, but cannot vote. An LPR may become a US citizen through naturalization.

Unprotected immigrant student is defined as a non-citizen student who came to the United States without any legal immigration documents or someone who entered with a visa and stayed after the time in which they were authorized to be here (Pg. ii, Immigration Law Training Institute Booklet, University of California Riverside, Department of Law & Public Policy).

Immigration Advice

Immigration law is extremely complex and constantly changing, therefore faculty and staff are advised NOT to give “immigration advice” to students, but rather to advise them to seek professional legal assistance from an immigration attorney. Utilizing unauthorized public benefits; such as federal assistance while undocumented can be deemed grounds for automatic deportation the day the individual is able to adjust his immigration status.

Federal Law: FERPA

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education. As a result, universities cannot release the student’s information, including the fact that they are undocumented, except under very specific circumstances, such as a court order. For more information about what can be released about students and the campus policy statement, please see Releasing Student Information on the Enrollment Services website: http://www.csulb.edu/depts/enrollment/student_academic_records/releasing.html.

Tax Reporting – ITIN and Tax Form 1098-T

The Internal Revenue Service (IRS) issues an Individual Tax Payer Identification Number (ITIN) for federal tax purposes only to non-resident aliens. However, the ITIN may also be used for filing California state tax purposes.

AB 540 students are taxed and report the same as US citizens. However, unlike US citizens that report with a social security number (SSN), AB 540 students report using an ITIN. Students that do not have an ITIN should obtain one as soon as they get their first scholarship letter or file income taxes. The form and instructions is available at <http://www.irs.gov/individuals/article/0,,id=96287,00.html> A list of Acceptance Agents for IRS can be found on-line at <http://www.irs.gov/individuals/article/0,,id=96844,00.html>. Students must submit the completed application accompanied by original or certified copies from the issuing agency of the documentary evidence of alien status and identity such as a passport, foreign birth certificate, etc. One piece of documentary evidence should contain photo identification. For questions on how to obtain the ITIN and its use, students are advised to go to the Internal Revenue Service on line at <http://www.irs.gov/individuals/article/0,,id=96287,00.html> .

AB 540 students that receive scholarships are encouraged to file federal and state income taxes. Only the cost of the tuition, fees, books and required equipment for students pursuing a degree are tax exempt. Filing is the student’s responsibility and is the prudent thing to do, so that the student establishes a record as a lawful taxpayer. Normally tax withholding will be not be made at the time the scholarship is given, so the student may reserve funds to pay for the required taxes, which could be in the range as high as 28 percent.

Finally, the scholarship provider will ask the student to complete the W9-s form for the provider’s records. The form does not go to the IRS, but stays with the scholarship provider for their reports. To find the form on the IRS website, type in W-9S or go to <http://www.irs.gov/pub/irs-pdf/fw9s.pdf>.

Compliance with Tax Form 1098-T

Near the end of the calendar year, some students may be contacted by Bursar's Office informing them that the Social Security Number (SSN) or Individual Taxpayer Identification Number (ITIN) on their student account is either missing or invalid. This is done because the Internal Revenue Service (IRS) requires all colleges and universities to request SSNs or ITINs from enrolled students in order to comply with Form 1098-T reporting requirements that pertain to educational tax credits (pursuant to the Taxpayer Relief Act of 1997.)

Students who are not filing for tuition tax credit do not have to complete the Request for Taxpayer Identification Number and Certification, nor provide an ITIN or SSN to the university. Students who are filing for tuition tax credit must follow the instructions to accommodate the Bursar's Office request. Questions may be directed to 562-985-5457.

State Law: The California Dream Act of 2011

The California Dream Act of 2011 (AB 130 and AB131) is the name of laws created by two bills authored by Assemblymember Gil Cedillo, passed by the California Legislature and signed into law by the Governor Jerry Brown in 2011. The California Student Aid Commission was directed to develop an application form for AB 540 students to apply for California state financial aid. Completion of this form is required to determine eligibility for state financial aid for AB 540 eligible students. The application is processed by the California Student Aid Commission (CSAC) and sent to the campus Financial Aid Office.

The Dream Application can be found on line at www.csac.ca.gov/. It is NOT an application for Federal financial aid. Undocumented AB 540 must NOT complete the FAFSA (Free Application for Federal Student Aid) because they are not eligible for Federal financial aid. Filing a FAFSA can be considered by Homeland Security's Bureau of Customs and Immigration Services (BCIS) as an application for a public benefit for which an undocumented student is not eligible. Penalties can be severe, including jail and deportation.

Students eligible to file for Federal aid should apply using the FAFSA to maximize their opportunities to receive state and federal student financial aid. The [FAFSA application](#) is on line at www.fafsa.ed.gov/.

Cal Grant Primer

There are two types of grants available as Cal Grants: the entitlement grants and the competitive grants. Each has its own requirements.

Under entitlement grants, eligible student are guaranteed a Cal Grant A if they have at least a 3.0 grade point average and apply by March 2 either of the year they graduate from high school or the following year. The Cal Grant A guarantee provides for tuition and fees at the California State University, the University of California and tuition support at participating independent colleges and universities and career colleges. If a student receives a Cal Grant A but attends a California Community College first, his or her award will be reserved for up to three years until the student transfers to a four year college, if the

student continue to qualify. These students must notify their transfer school that they have a reserved grant. High school seniors and community college transfer students are a targeted group for Cal Grants, however all other undocumented students are encouraged to apply as there are other university support programs for which the students may be eligible.

Cal Grant A and B Competitive Awards are available for students who do not qualify for the entitlement grants. The competitive grants are not guaranteed. Each year 22,500 competitive grants are awarded. . Half of the grants are awarded to eligible students that apply by March 2. The remaining half is set aside for California Community College students who meet the September 2 deadline. For a complete description, go to the www.csac.ca.gov/ page.

There is a third Cal Grant for Technical and Vocational Students. Cal Grant C awards assist with tuition and training costs for occupational, technical, and vocational programs. The award includes funds for books, tools and equipment , tuition and fees if the student will be attending a school other than a California Community College (community colleges don't charge tuition and fees will be waived as a Cal Grant recipient). Funding is available for up to two years, depending on the length of the program. To qualify, one must enroll in an occupational, technical, or vocational program that is at least four months long at a California Community College, an independent college, or a vocational/career school. Even though a GPA is not required to apply for a Cal Grant C, students are still encouraged to submit that information because it can only help their chance of receiving an award.

Part One: AB 130

Signed into law on July 25, 2011, AB 130 became effective January 1, 2012. AB 130 allows AB 540 students to be eligible for colleges and universities privately funded scholarships. AB 130 is the first of the California Dream Act.

At CSULB all privately funded scholarships offered by the university are open to AB 540 students. The only scholarships that are not available to AB 540 students are those where a donor has specified the eligibility requirements.

Part Two: AB 131

AB 131 was signed into law on October 8, 2011, and becomes effective on January 1, 2013. This new law allows students who meet the AB 540 criteria to apply for and receive institutional grants, like the State University Grant, Educational Opportunity Program and Services fee waivers and the University of California Grants. California Community College students can apply for and receive Board of Governors fee waivers. AB 540 eligible students can also apply for and receive state financial aid, including Cal Grants and Chafee Foster Youth Grants for use at eligible public and private institutions.

To qualify for California financial aid through AB 131, AB 540 students must:

- Have attended a California high school for three or more full academic years between grades 9 through 12. They do not need to be consecutive years.

- Have or will graduate from a California high school or have attained a GED; or received a passing mark on the California High School Proficiency Exam (CHSPE);
- Registered or be currently enrolled at an accredited institution of higher education in California.
- Not hold a valid non-immigrant visa (F, J, H, L, A, B, E, etc.);
- Demonstrate financial need and meet all other program requirements.
- In addition, undocumented students must file an affidavit as required by the individual institutions that the filer will apply for legal residency as soon as possible.

Deferred Action for Childhood Arrivals (DACA)

There is a group of AB 540 and other undocumented students who may apply for work authorization, a Social Security card, and a California Driver's License if they have been approved for the presidential executive order called Deferred Action for Childhood Arrivals (DACA). For information on DACA initiated in 2012, by President Barak Obama go to the <http://www.dhs.gov/deferred-action>. DACA is a policy for "Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children".¹ It is intended for individuals "who lack the intent to violate the law". The criteria include:

- Came to the United States under the age of sixteen;
- Has continuously resided in the United States for at least five years preceding June 15, 2012;
- Is currently in school, has graduated from high school, has obtained a general education development certificate, or is an honorably discharged veteran of the Coast Guard or Armed Forces of the United States;
- Has not been convicted of a felony offense, a significant misdemeanor offense, multiple misdemeanor offenses, or otherwise poses a threat to national security or public safety;
- Is not above the age of thirty.

DACA approved students are not able to apply for federal financial aid and may not receive services of federally funded university programs. Other restrictions may apply as the executive order evolves. Advisors should consult with experts when confronted with complex questions that students may present. Some DACA approved students may be eligible to apply for California state aid. A SSN issued to DACA approved students do not need to be reported to the campus unless a student works on campus.

ALERT

Some new students have been ill advised by well-meaning people who do NOT understand the importance of adhering to immigration law as it relates to undocumented students. Even some parents have been mistaken about the meaning of Deferred Action for Childhood Arrivals (DACA) and the issuance of

¹ Memorandum for David V. Aguilar, Acting Commissioner, U.S. Customs and Border Protection, etc. from Janet Napolitano, Secretary of Homeland Security, Subject: Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children, June 15, 2012

Social Security Numbers (SSN).

1. DACA does not change a youth's immigration status. It only defers deportation should a youth be picked up by immigration and/or receives a deportation notice.
2. SSNs issued to DACA approved students are only temporary for the time that DACA is in effect. The SSN does not change a youth's immigration status and is ONLY for employment and for identification purposes upon applying for a California Driver's License.
3. DACA gives youth work authorization. However it is extremely important that a youth NOT seek work with the federal government nor a program that is funded with federal funds.
4. DACA may allow students to seek permission to travel outside the USA, BUT it is NOT guaranteed that an immigration officer will allow the youth to return to the USA. Re-entry is at the discretion of immigration officer at the port of entry. Youth are advised NOT to take the chance of denial at a port of entry.
5. DACA and the SSN do not give a youth permission to apply for any federal benefits, including federal financial aid through the FAFSA application. Application for and use of federal benefits is grounds for deportation. Apply only for California state aid through the California Dream Act of 2011. Several state financial aid programs and many private scholarships are open to AB 540 students. Other undocumented students are encouraged to apply as there are often campus based aid and private scholarships available to them.
6. Students must complete the Dream Application on time. It is vital as state funds are limited. Students who delay will get no state aid.

SECTION TWO: UNIVERSITY POLICIES AND PROCEDURES

Campus Admissions Process

For application procedures, deadlines and general information please refer to the CSULB admission web site at: www.csulb.edu/depts/enrollment/admissions.

Unprotected immigrant students are not legal residents of California.

For first-time freshmen applicants, the in-state admission standards also apply for graduates of California high schools. As a result, unprotected immigrant students applying as first-time freshmen, will be held to the same admissions criteria as California residents from their same high school. This same provision does not apply to transfer students where a higher transfer GPA is required of non-residents.

The admission criteria for teacher credential and Master's programs are the same for resident and non-resident students.

Exemption of Non Resident Tuition

If the applicant meets the AB 540 criteria outlined above based on the affidavit and required supporting documentation, non-resident fees will be waived. The student will still be responsible for the payment of the State University Fee and other mandatory campus fees required of all students. These fees must be paid by the required deadlines to avoid cancellation of classes. Information on fees is available online at:

<http://www.csulb.edu/depts/enrollment/registration/>.

Students who submit an affidavit will be notified via email once their affidavit has been approved. For first-time freshman applicants, this process may take some time as an affidavit cannot be approved until the *final* high school transcript has been received and verified. For further information about exemptions call (562) 985-7333 or send an email to es-residency@csulb.edu.

Changes to Immigration and Residency Status

If a student's immigration status changes (i.e. they are now a permanent resident and have been issued a green card), the student must notify the University. The student must go to the General Information window on the first floor of Brotman Hall with their green card.

Note: Students who become permanent residents still fall under AB 540 until they meet the criteria to reclassify their residency status (usually after being a permanent resident for 1 year). For all criteria: <http://www.csulb.edu/depts/enrollment/admissions/residency.html>.

Once a student qualifies as a resident, they can file a Residence Reclassification Request. Instructions and the form can be found at:

http://www.csulb.edu/depts/enrollment/forms/reidence_inst.html.

Please see the [University Catalog](#) to learn more about the determination of resident status. You may also contact the Residence Specialist at (562) 985-7333 or es-residency@csulb.edu.

CSULB Campus Identification Number and Identification Card

When students apply to the University, a 9-digit campus ID number is assigned and will be used throughout the student's career at CSULB rather than a Social Security Number or other personal identifier. Students who are offered admission and choose to enroll will be granted a CSULB ID card reflecting this number.

The Campus ID cards are issued at SOAR (Student Orientation, Advising and Registration) for undergraduates or at the Campus ID Center located by the University Bookstore near Lot 5. The card is used throughout the campus as proof of identification and to obtain services. When obtaining the card, students should bring a picture ID. High school IDs are accepted.

Grievances/Complaints

CSULB has a formal standardized process to address student grievances that are caused by the action of faculty, administrators, or staff that result in an unauthorized or unjustified action that adversely affect the status, rights, or privileges of a student. Further, the purpose is to establish due process and safeguards that will be followed by the university in the adjudication of grievances. For information, refer to the CSULB website:

http://www.csulb.edu/divisions/aa/grad_undergrad/senate/documents/policy/1995/21/.

SECTION THREE: UNIVERSITY PROGRAMS AND SERVICES

Financial Assistance

Installment Plans

Partial payments are accepted only with an approved installment agreement. A non-refundable administrative fee and a down payment are required to sign up for Installment Plans. Inquire at Cashier's Office, BH 148.

Eligibility Requirements

- You do not have a past due balance for a prior term.
- You are admitted for the term.
- You are not awarded Financial Aid for the term.
- You have not already paid your Registration Fees / Non-Resident Fees for the term.

Installment payments are accepted only with an APPROVED installment agreement. A non-refundable administrative fee is charged to sign up for Installment Plans. The Installment Plan is normally paid in three or four installments over three months.

Failure to complete the payment schedule does not result in disenrollment in the current semester, however students will be charged an additional fee and will not be able to enroll for the next semester until the balance is paid in full.

The Office of Financial Aid

The office provides financial and advisory assistance to enable students to pursue a quality education. It administers funds that are awarded to students who demonstrate a need to cover educational expenses. Most funds administered by the Financial Aid Office are made available by the Federal and State governments, and by private sources, and require proof of US citizenship or legal residency. This information is verified with the Federal government to ensure proper use of Federal and State funds. Unprotected immigrant students are not currently eligible for any federal aid and must not file the Free Application for Federal Student Aid (FASFA). *However, AB 540 students are now eligible for State aid. Effective January 1, 2012, AB 130 was passed into law making State administered scholarships available to AB 540 students. On January 1, 2013, AB 540 students became eligible to apply for State financial aid through the California Student Aid Commission (CSAC). Information and the application are found at http://www.csac.ca.gov/dream_act.asp.*

Students that are in the process of becoming legal citizens may be eligible for Federal funds depending on their status. If a student has filed a US residency application, he or she will receive an I-797 Notice of Action letter from the Bureau of Citizenship and Immigration Services (BCIS). At this point, the student can begin the financial aid application process. Students become eligible for financial aid upon receipt of notification that their status has changed to one of the following:

1. A US permanent resident (I-551)
2. A conditional permanent resident (I-55C)
3. A holder of an Arrival-Departure Record (I-94) indicating a refugee, asylum granted, or parolee.

Students are eligible to receive financial aid retroactively for an entire aid year as long as US residency status is established within that aid year. The obtaining of one of these statutes would also allow the student to establish California Residency for tuition purposes. However, residency for tuition purposes cannot be applied retroactively.

Scholarships for AB 540 Students

AB 540 students can apply for any scholarship that does not require U.S. citizenship and/or state residency.

On-campus Scholarship Information

The Center for Scholarship Information, located in the University Student Union 238, provides: advising on the scholarship application process; access to a scholarship database containing information for on and off-campus scholarships; proofing of scholarship applications, personal statements and essays; access to the Internet and a typewriter. The Center also administers several scholarship programs and generates funds for scholarships. For more information, see their website at: www.csulb.edu/scholarships or call (562) 985-2549. Students may also visit the Financial Aid Office regarding scholarships at BH 101, (562) 985-8403:

Off-Campus Scholarship Websites

<http://www.cofem.org/>
<http://www.latinocollegedollars.org/>
<http://www.maldef.org/pdf/Scholarships.pdf>
<http://www.salef.org/>
<http://www.heef.org/>
<http://www.usc.edu/student-affairs/MAAA-Web/>
<http://www.migrant.net>
<http://www.chicanalatina.org>
<http://www.maga.org>
<http://www.ccnma.org>
<http://www.nahj.org>
<http://www.lambdathetanu.org>
<http://www.usc.edu/student-affairs/>
<http://www.cawg.org>
<http://automotivehalloffame.org>
<http://www.csac.ca.gov>
<http://www.ctc.ca.gov>
<http://www.calteach.com>
[https://www.acs-education.com.](https://www.acs-education.com)

Academic Advising

Overview of Academic Advising Services

CSULB is committed to help students succeed regardless of residency status and almost all services are available to AB 540 and other undocumented students. However, some campus services are legislated to require using citizenship, legal residency and/or state residency and income guidelines as a requirement and can only serve eligible students who meet program criterion.

The University's undergraduate academic advising services and academic departments are responsible for providing academic direction for new and continuing students. In addition, academic departments provide academic advising for graduate students. AB 540 and other undocumented students are eligible for these services.

For more information about these services refer to the CSULB catalog or visit the website: www.csulb.edu/divisions/aa/catalog/20082009/academic_services/advisement_centers.html

Academic Advising

The University Center for Undergraduate Academic Advising Center is located in the Horn Center, Room 103. The Center provides services to the general University undergraduate student population including both traditional and non-traditional students. For hours and appointments, call (562) 985-4837. AB 540 and other undocumented students are eligible for these services.

Department Advising for Majors

Information regarding major options can be obtained by visiting the Career Center and meeting with a Career Counselor. Specific requirements about a major should be obtained by contacting the academic department and requesting to meet with the undergraduate or graduate advisor. AB 540 and other undocumented students are eligible for these services.

Academic Support Programs

College Assistance Migrant Program (CAMP)

The CAMP office is located at Liberal Arts 3 Room 202 and is open from 8:00 a.m. to 6:00 p.m., Monday through Thursday and 8:00 a.m. to 12:00 p.m. on Fridays. The telephone number is (562) 985-2006 or FAX (562) 985-2003. The CAMP is designed to serve students who themselves or whose parents are migrant or seasonal farm workers. Work may include production, transportation, packaging or canning of crops, dairy products, poultry, livestock, cultivation or harvesting of trees (nurseries), or fish farming. The goal of CAMP is to provide outreach and recruitment services to eligible students by assisting them in completing their admissions and financial aid applications. Also offered are parent workshops on motivating their children to enroll in and graduate from college. AB 540 and other undocumented students are not eligible for these services.

Career Development Center

The Career Development Center is located in Brotman Hall, Room 250. For information, call (562) 985-4151, log onto www.careers.csulb.edu, or stop by the office. The Career Development Center provides resources and strategies for choosing a college major, developing career plans, finding internships and full-time jobs and making successful career transitions. Career decision-making facilitates a student's definition of his/her personal career goals and objectives based on an understanding of one's self and the world of work. The Center provides students with the most current career data and information delivery systems. AB 540 and other undocumented students are eligible for these services.

Career Planning, Selecting a Major, and Job Search

Career counselors assist students in exploring career and academic major options and in developing effective job seeking skills through one-to-one counseling and workshops. Counselors also provide assistance with résumé writing, interviewing techniques, job search techniques and other facets of the job search process including such topics as networking, accepting or rejecting a job offer, and negotiating a salary. AB 540 and other undocumented students are eligible for these services.

Internship Program

The Internship Program offers students paid and volunteer internship experience in business, industry, government and the non-profit sector. This practical and professional work experience is directly related to a student's academic major or career goal. Students may alternate full-time work periods with full-time academic periods or they may work part-time while simultaneously attending the University. Upper-division Internship courses are available for up to six units of elective academic credit. Students who are undocumented cannot pursue careers that require background checks or require licensure in order to practice. Therefore, depending on the major, alternative placements should be considered. Contact the Career Development Center Internship Coordinator at (562) 985-4151 for more information. Check with the Internship Coordinator regarding residency criteria, as U.S. or legal residency is required for most internship, but not all.

Campus Employment

U.S. citizenship, legal residency or an approved DACA and social security number are required for on-campus employment and off-campus employment referrals; therefore, campus employment is not available to many AB 540 students and all other undocumented students.

Counseling and Psychological Services

Counseling and Psychological Services (CAPS) offers an array of services to help students achieve a satisfactory and meaningful academic experience. CAPS is located in Brotman Hall 226. The telephone number is (562) 985-4001. The CAPS web address is: www.csulb.edu/caps.

Staff members of CAPS are trained at the doctoral level in counseling or clinical psychology and student development services delivery. Staff members are skilled in assisting students to translate their individual personal development, career development, and previous educational experience into optimal academic achievement and collegiate life experience. AB 540 and other undocumented students are eligible for these services.

Educational Opportunity Program (EOP)

The Educational Opportunity Program (EOP) is a state funded program that has developed special services to help students overcome the obstacles that may prevent them from furthering their education and reaching their potential. Students who are interested in being considered for EOP must declare their intentions on the University application at the time they apply to the University. Check with EOP regarding program participation. AB 540 students are eligible for these services.

Learning Assistance Center

Located in the Horn Center, Room 104, the Learning Assistance Center is an all-university

academic support service that helps students identify and develop effective learning approaches for their courses. The LAC offers the following services:

1. Learning Skills
2. Supplemental Instruction
3. Tutorial Services
4. ESL Support Services

AB 540 and other undocumented students are eligible for these services

MEP (MESA Engineering Program)

The MEP office is located in Engineering 2, Room 300. For information, call MEP at (562) 985-8014. The MESA (Mathematics, Engineering, Science, Achievement, and Tutoring) Engineering Program (MEP) provides academic advisement for general education and upper-division interdisciplinary course requirements to low-income and educationally disadvantaged students in all of the engineering disciplines: Aerospace, Chemical, Civil, Computer Engineering and Computer Science, Electrical, Engineering Technology, and Mechanical Engineering. The MEP staff work with engineering department advisors to provide current information on engineering course requirements and changes. AB 540 and other undocumented students are eligible for these services.

Multicultural Center

The Multicultural Center is located in Faculty Office Building 3 (FO3), Room 03 and is open from 9:00-5:00, Monday through Friday. For more information, the Center's website is www.csulb.edu/centers/mcc or call (562) 985-8150. The center invites input to be sent to mcc@csulb.edu.

The mission of the Multicultural Center is to contribute to the creation of a campus environment which respects and supports cultural, ethnic, and racial diversity. The center is an educational resource center, which serves as a vehicle for the expression of the needs and concerns of CSULB's increasing diverse campus community. AB 540 and other undocumented students are eligible for these services.

Partners for Success - Faculty Mentoring Students Program

The Partners for Success Office is located in the University Student Union (USU-209). The telephone number is (562) 985-7562. Interested students may apply at www.csulb.edu/partners.

For a variety of reasons, many first-generation students—students with parents who do not possess a baccalaureate degree—find it challenging to complete their college education. In an effort to retain and graduate these students, a program co-sponsored by Academic Affairs and the Division of Student Services is offered to pair students with faculty members who serve in the capacity of mentors. A mentor, in this case, is an experienced professor who acts as a friendly advisor, helping students become comfortable and successful in the university environment. AB 540 and other undocumented students are eligible for these services.

SOAR (Student Orientation, Advising and Registration)

Orientation is required of all new freshmen and transfer students. The Student

Orientation, Advising, and Registration (SOAR) is the program in which new students meet this requirement. The program affords students an opportunity to receive initial academic advising concerning general education and major requirements, assistance with course selection, and the ability to register for classes, as well as an orientation to student services and campus resources. The workshops take place in early January for spring admits and throughout the summer months for fall admits. There is also a two-day overnight SOAR program for freshmen students admitted for fall that would like a more extensive orientation experience.

Information about the SOAR program is mailed to newly admitted students and may also be obtained by visiting the department's website (www.csulb.edu/soar). There is a fee associated with the program. Participants receive a University Catalog, Schedule of Classes, academic planner, a one-day workshop, parking permit, and lunch. AB 540 and other undocumented students are eligible for these services.

Student Support Services

The Student Support Services Program (SSSP) is a *federally funded* program designed to assist students in achieving their maximum potential in higher education. Students are referred to SSSP by faculty, staff, and students of CSULB. Interested students apply directly to the program for participation. In addition to an academic need, one of the following must apply for a student to be eligible for SSSP services: low income and first generation college students; physically disabled and/or learning disabled; low income only; first generation only. AB 540 and other undocumented students are not eligible for these services because the program is federally funded.

STARS (Student Transition and Retention Services)

The STARS office is located in the Foundation Building (Suite160) and the telephone number is (562) 985-5515. Information may also be obtained on the department's website at www.csulb.edu/soar.

The educational experience presents new students with many challenges and pressures. The department of Student Transition and Retention Services directs its efforts toward the orientation, advising, and registration of students and the promotion of their persistence in college through graduation. Special efforts are directed toward advisor training, orientation and advising workshops, as well as research with regard to issues affecting student retention. AB 540 and other undocumented students are eligible for these services.

Testing and Evaluation Office

The Office of Testing and Evaluation Services provides information regarding admissions, placement, and certification examinations. The office is located in Brotman Hall 216. For information, phone (562) 985-4007, FAX (562) 985-2415, or visit the Testing Office website at www.csulb.edu/testing.

Test programs currently offered include the SAT and Achievement Tests, ACT, EPT/ELM, WPE, PRAXIS, the Nelson-Denny Reading Test, and the Chemistry IIIA test. Information pertaining to the tests mentioned above and the MCAT, LSAT, CSET, CBEST, GRE, RICA, and TOEFL exams can be obtained by visiting the Testing Office website referenced above.

AB 540 and other undocumented students are encouraged to telephone the office to make an appointment to see Tracy Woodard, Test Officer to get their identification issues handled in private prior to the test date. The test officer will review the student's ID, the passport, or official consulate identification and then sign the admission letter as an indication that the ID that the student brings with him or her to the test site has been pre-approved. The Testing Office often uses test proctors who may be unfamiliar with ID issues faced by undocumented students, so getting ID pre-approval will circumvent potential issues at the test site. AB 540 and other undocumented students are eligible for these services.

Tests not offered at CSULB may have other identification requirements.

Women's Resource Center

The Women's Resource Center is open 9:00 a.m. to 5:00 p.m. Monday through Friday and two evenings until 6:30 p.m. Its services are free and available to women and men, campus and community. The WRC is located in Liberal Arts 3-105. For further information, call (562) 985-8687/8576.

The mission of the Women's Resource Center (WRC) is to facilitate the educational, professional and personal growth of women on campus. The WRC houses a library of material on women's issues, offers women's support groups, and peer counseling. It provides referrals to campus and community services, scholarship information, and is a clearinghouse of current events of interest to women.

The WRC also provides a comfortable lounge where students can study, chat with friends, or hold meetings. AB 540 and other undocumented students are eligible for these services.

Student Life and Resources

FUEL (Future Underrepresented Educated Leaders)

FUEL is a support group for underrepresented and undocumented students. The advisor for the group is Gloria Inzunza-Franco. She may be contacted at 562-985-5128.

College Student Organizations

Academic departments have student departmental associations comprised of students in that discipline. In addition, there are other academically related organizations and discipline-based honorary societies.

Representatives from departmental associations work together on a college student council in each of the seven colleges. The organizations promote interaction between faculty and students by sponsoring speakers, seminars, social gatherings and other activities related to their disciplines. Students also have the opportunity to provide input regarding their educational experiences to their faculty and departmental chairs, as well as to their deans via the departmental associations and student councils, respectively. Student Life and Development staff members play a key role in coordinating major events such as Engineering Day, Health and Human Services Career Month, the Awareness Festival, College of the Arts Week, and the Nobel Laureate Lecture. AB 540 and other undocumented students are eligible for these services.

Student-Run Resource Centers

There are five student-run resource centers on campus. These venues are for affiliated student organizations to conduct program planning, peer mentoring, officer meetings, and post information regarding scholarships, service and internship opportunities. AB 540 and other undocumented students are eligible for these services.

American Indian Student Study Center, FO4-282, (562) 985-4963

Asian Pacific Student Resource Center, FO4-277, (562) 985-4530

African Student Resource Center, FO4-274, (562) 985-4502

Raza Resource Center, FO4-263, (562) 985-5223

Lesbian/Gay/Bisexual/Transgender Resource Center (LGBTRC), FO4-165, (562) 985-4966 (general information) or e-mail lgbtrc@csulb.edu

Campus Safety

Campus Police

California State University, Long Beach University Police, obtains its powers to arrest from the California Penal Code and the California Education Code.

Emergencies on Campus

The on-campus emergency phone number is 9-1-1. The non-emergency phone number is (562) 985-4101. Any problems concerning behavior of members of the campus community, thefts, vandalism, fire, and all related matters should immediately be brought to the attention of the University Police.

Procedures for Reporting Crimes on Campus

Whenever students or employees become victims of a crime while on the campus of CSULB, or whenever they have witnessed a crime or feel that there is a possibility that a crime is about to occur, they should notify University Police as soon as possible. There are numerous emergency phones located throughout the campus, including the parking lots and in all elevators, which are direct lines to the University Police dispatcher. Individuals may also contact the mobile police units that patrol the campus on a 24-hour schedule. Parking enforcement officers also patrol the parking lots and have direct radio contact with the police dispatcher and mobile police units. The University Police office is located at the far east end of campus, between parking lot 11 and parking lot 9 on Palo Verde Avenue. The Department is open 24 hours a day.

SECTION FOUR: COMMUNITY SUPPORT

Asian American Legal Defense and Education Fund (AALDEF)

Founded in 1974, the Asian American Legal Defense and Education Fund (AALDEF) is a national organization that protects and promotes the civil rights of Asian Americans. By combining litigation, advocacy, education, and organizing, AALDEF works with Asian American communities across the country to secure human rights for all.

<https://www.aaldef.org/>

Asian Pacific American Legal Center of Southern California (APALC)

APALC is the nation's largest legal organization serving the Asian and Pacific Islander (API) communities. Founded in 1983, APALC advocates for civil rights, provides legal services and education, and builds coalitions to positively influence and impact APIs and to create a more equitable and harmonious society. <http://www.apalc.org/>

Coalition for Humane Immigrant Rights of Los Angeles (CHIRLA)

CHIRLA was formed in 1986 to advance the human and civil rights of immigrants and refugees in Los Angeles; promote harmonious multi-ethnic and multi-racial human relations; and through coalition-building, advocacy, community education and organizing, empower immigrants and their allies to build a more just society. <http://www.chirla.org/>

Mexican American Legal Defense and Education Fund (MALDEF)

MALDEF was founded in 1968 in San Antonio, Texas, the Mexican American Legal Defense and Educational Fund (MALDEF) is the leading nonprofit Latino litigation, advocacy and educational outreach institution in the United States. MALDEF's mission is to foster sound public policies, laws and programs to safeguard the civil rights of the 45 million Latinos living in the United States and to empower the Latino community to fully participate in our society. <http://maldef.org/>

National Immigration Law Center (NILC)

Since 1979, the National Immigration Law Center (NILC) has been dedicated to protecting and promoting the rights of low income immigrants and their family members. In the past 20 years, NILC has earned a national reputation as a leading expert on immigration, public benefits, and employment laws affecting immigrants and refugees. Its extensive knowledge of the complex interplay between immigrants' legal status and their rights under U.S. laws is an essential resource for legal aid programs, community groups, and social service agencies across the country. <http://www.nilc.org/>

National Legal Sanctuary for Community Advancement (NLSCA)

Founded in 2004, NLSCA's mission is to ensure human rights and dignity of Middle Eastern, Muslim, and South Asian peoples. It advocates for legal defense of civil rights, responsible media coverage and depiction; proactive collaboration with governmental and nongovernmental institutions; and fostering education and community outreach.

<http://nl sca.com/index.htm>

Salvadoran American Leadership and Educational Fund (SALEF)

SALEF was founded in 1995 in Los Angeles by a group of Salvadoran and Salvadoran American activists. SALEF's mission is to advocate for the educational advancement, civic participation, leadership and economic prosperity of Salvadoran and other Latino communities in the U.S.; and to advance democracy and social justice in the U.S. and El Salvador. <http://www.salef.org/>

SECTION FIVE: FAQ (FREQUENTLY ASKED QUESTIONS)

Admissions

1. *What are the requirements to go to college as an undocumented student?*

Unprotected immigrant students applying as first-time freshmen will be held to the same admissions criteria as California residents from their same high school. This same provision does not apply to transfer students where a higher transfer GPA is required of non-residents. The admission criteria for teacher credential and Master's programs are the same for resident and non-resident students. There are some exceptions - undocumented students are not eligible to apply to a major that requires licensure.

The Admissions Office will request documents in support of the admission application when needed. Which transcripts are required and at what point in the application process varies.

Qualifying for Exemption from Out-of-State Tuition

2. *How do I change my status to AB 540? Do I need to provide an official transcript?*

Students must submit the Student Affidavit for Exemption of Non Resident Tuition (affidavit) and high school transcript to Enrollment Services to be considered for the non-resident fee waiver after the student is admitted. If the student meets the AB 540 criteria, the residency officer will adjust the status and waive the non-resident tuition fee.

Students who submit an affidavit will be notified via email once their affidavit has been approved. For first-time freshman applicants, this process may take some time as an affidavit cannot be approved until the *final* high school transcript has been received and verified. For further information about exemptions call (562) 985-7333 or send an email to es-residency@csulb.edu.

Even though transfer students normally do not need to provide high school transcripts for admissions determination, all students applying for the AB 540 non-resident fee waiver must provide an official high school transcript with their affidavit for AB 540 eligibility. A copy of the affidavit is available on line: <http://www.csulb.edu/depts/enrollment/forms/>

AB 540 Guidelines & 68130.5 Requirements for Eligibility

- Must have attended a California High School for 3 or more full academic years (between grades 9 through 12, inclusive and does not need to be consecutive years);
- Must have or will graduate from a California High School or have attained a G.E.D.; or received a passing mark on the California High School Proficiency Exam (CHSPE);
- Must register or be currently enrolled at an accredited institution of public higher education in California;
- Must file or will file an affidavit as required by individual institutions, stating that the filer will apply for legal residency as soon as possible.
- Must not hold a valid non-immigrant visa (F, J, H, L, A, E, etc.)

3. *If I have less than three years of high school and have graduated from a California high school, do I qualify for in-state tuition?*

Students with less than three years of high school attendance in California are not eligible for AB 540. However, if the student meets the first-time freshman or transfer admissions requirements, the student

may still be eligible to attend the university, but will have to pay the non-resident tuition. Non-resident tuition is charged to all U.S. non-California residents and foreign students. Tuition is charged per unit, in addition to applicable State University and Other Mandatory Fees.

http://www.csulb.edu/depts/enrollment/registration/fees_basics.html

(Tuition is subject to change by State Legislative action without notice.)

4. *What if I attended adult school? Did not graduate from high school, but I qualify as an upper division transfer?*

If a student meets the transfer admissions requirements, he/she will be admitted to the university, but will be charged out-of-state fees if the student does not qualify for AB 540 because he/she did not graduate from a California high school and/or attended adult school. AB 540 law stipulates the three years of high school attendance and graduation. Although a GED or a high school diploma can be obtained from an Adult School, the rate of completion is often done at an accelerated pace that does not permit sufficient accrual of classroom time in order to make-up three years of instruction.

5. *I was an AB 540 student at my community college. How can I become an AB 540 student at CSULB?*

The student needs to complete the California Nonresident Tuition Exemption at CSULB. However, as long as the student is continuously enrolled at CSULB, he/she will only need to complete the form once.

6. *Do I need a SSN? What do I put down on my application if I do not have an SSN?*

NO, students are not required to have or use a Social Security number when applying to CSULB. If the student does not have a SSN, he or she should leave the field on the application blank. If there is any doubt, students should contact any individual listed in the Faculty and Staff Resource List in this document.

7. *What if I have used a false SSN in the past? What happens if I stated before that I was a citizen and I now want to be an AB 540 student?*

Students are advised to always provide true and accurate information to the University because the consequences of providing invalid information can be severe. If supplying a false SSN did not result in the receipt of benefits or services for which the student was not eligible, correction can be easily done at CSULB by requesting the SSN be deleted from the CSULB record. If benefits or services were received as a result of providing false information, the situation is obviously much more complex. According to the CSULB catalog and section 41301 of Title 5 of the California Code of Regulations, incorrect classification resulting from false or concealed facts is subject to disciplinary action including paying owed non-resident tuition. Before taking action, identify and consult with a staff and/or faculty member who works with undocumented students. If possible, also consult with an attorney.

8. *What will show up in my transcript if I wrote on my community college application that I am a resident?*

CSULB does not use the information on the transcripts to determine California residency nor is it responsible for reporting discrepancies to other institutions. Students must provide complete and accurate information on the Admission Application, and other required documents for an accurate determination of residency.

9. *Is graduate admission different at CSULB if I want to use AB 540?*

NO, AB 540 criterion is the same for both graduate and undergraduate students. If a student continues at CSULB, he will not have to resubmit high school transcripts or redo the affidavit.

10. *Should I apply for the President's Scholars if I am a valedictorian?*

YES, as a valedictorian, undocumented students are encouraged to apply.

11. *Can I get into a doctoral or professional programs elsewhere using AB 540?*

YES, you can get into masters and doctoral programs at a public California university as long as you meet the admissions criteria. Programs that give preference to state residents are not accessible to AB 540 and other undocumented students.

Paying for College

12. *My admissions letter requires a deposit with my admissions acceptance. Do I have to pay?*

YES, freshman and transfer students are required to pay a non-refundable enrollment deposit with the admission acceptance. The enrollment deposit is required in order to reserve a space in class. The admission acceptance and deposit for the fall term must be received by May 1st for freshmen, and June 1st for transfer students. The deposit will offset a portion of the State University Fee (SUF) for the first semester. Since AB 540 and other undocumented students do not receive state or federal financial aid, they must pay the deposit to reserve a place in the class unless they have proof of receiving a scholarship or other third party support that will cover their SUF.

13. *Can I receive in-state aid?*

Yes, AB 540 college students are eligible apply for *state* financial aid. A student who regularizes his status through the BCIS (Bureau of Citizenship and Immigration Services) may be eligible for Federal aid and should inquire with the Office of Financial Aid.

14. *Is there an installment plan to pay my tuition? What if I do not have the funds and I need to drop out to work?*

YES, CSULB offers an installment plan to pay for tuition. For more details about the installment plan, check with the office of Student Account Services.

15. *I paid out-of-state tuition before I knew about AB 540. May I get a refund?*

Refund regulations have a set calendar and conditions. Normally a student must inform the university prior to the first day of instruction in order to qualify for the waiver for that term.

16. *May I work on campus? Am I eligible for a paid internship or unpaid internship?*

If the student has received his or her work authorization and a SSN through DACA, the student may work on campus. Most students who work on campus are hired as "student assistants" and are paid through public funds, which require residency and a valid social security number. Undocumented students without DACA are not eligible to work for pay that is funded by public funds. Non-DACA approved undocumented students are not eligible for paid internships, but may participate in unpaid internships. Contact the Career Development Center to learn about potential

internship opportunities. Students should also contact the Center for Community Engagement about community based unpaid internships and service learning opportunities.

17. *The scholarship application states that an SSN is required. Should I bother to apply?*

Many scholarship program administrators assume that everyone has an SSN; therefore, it may be worthwhile to inquire if there is a residency or citizenship requirement. If there is not, then inquire about the use of the ITIN (Individual Taxpayer Identification Number) number in lieu of the SSN. Students are encouraged to inquire whether the program has private dollars that may be awarded as scholarships or stipends.

Students without access to state financial aid should consider applying for private scholarship. Students are encouraged to apply for private aid because staying in school even part-time and maintaining consecutive enrollment is a strong indicator of progress to graduation. Information on scholarships is available at the Office of Financial Aid and the Associated Students' Center for Scholarship Information located in the University Student Union 238. The phone number is (562) 985-2549. Almost all university-sponsored scholarships do not require an SSN. Applicants must have an ITIN.

There are websites with scholarship information such as the Tomas Rivera Center interactive website called "College Dollars at <http://www.latinocollegedollars.org/>; the MALDEF – Scholarship Information at <http://maldef.org/>.

18. *At SOAR (Orientation) I was told that I have to pay out-of-state tuition, but I have been in California since I was a child. What can I do?*

Inquire whether the student graduated from a California High School and attended the high school for three years. If this is so, then tell the student how to apply for the California Nonresident Tuition Exemption. The form can be found by going to: <http://www.csulb.edu/depts/enrollment/forms/>. The student should return the completed form (affidavit) and high school transcript, if the individual is a transfer student, to Enrollment Services. If the student is a freshman, the high school transcript will already be in Enrollment Services, however consideration is possible only when the final transcript showing graduation is submitted.

19. *Where can I get advice about applying for scholarships?*

Students should be encouraged to go to the Center for Scholarship Information, located in the University Student Union, room 238. The center staff offers individualized assistance to students. Students should be encouraged to apply for scholarships in lieu of working, as the time invested in writing an application can return many times over in scholarship funds. Students without a social security number can use the ITIN- Individual Taxpayer Identification Number. Most applications will not ask for immigration status, but many ask for a social security number or US citizenship. Students should inquire of the funder if an ITIN will be an acceptable substitute and if citizenship is an absolute requirement. At times the citizenship requirement may be waived.

Academic Eligibility

20. *Are there majors that are not available to me because of my status?*

Yes, students who are undocumented cannot pursue careers that require background checks or require licensure in order to practice. Therefore, alternative majors and depending on the major, alternative field placements should be considered.

21. *Will my status limit my participation in field and research projects? Should I travel to conferences with campus programs? Will the campus cover me?*

If the field or research project is conducted on campus or within close proximity of the university, it should not be a problem. However, if the field or research project is contingent on having to present work at a student/professional conference then it may pose a problem. Any long distance travel that involves air or ground transportation without a valid ID involves an element of risk, thus it is advisable that undocumented students consider the risks and benefits of such activities. Students should consult with a parent or guardian. Importantly, not all activities requiring travel are obligatory, thus in some cases speaking to the instructor will result in alternative means to fulfill the course requirements. Students may also want to discuss internship alternatives with the Career Development Center staff. Undocumented students who have been awarded DACA are advised that overseas travel is restricted and should not be taken without prior authorization by BCIS rules. Even after authorization there is an element of risk. Should any rules be violated, even if it is not in the student's control, the student may not be allowed to return to the United States.

Students on a campus approved, supervised, and funded activity are generally covered for travel liability. Campus travel must be under the supervision of a campus faculty, staff member, or Associated Students, Inc. (ASI) staff member. Travel by individual or group volition is not covered by the university or the ASI. In general, students are individually responsible for any personal injury or damage.

22. *What if my major requires that I be finger printed? Can I pursue a credential or nursing program?*

Students who will require a commercial or professional license provided by a local, state or federal government agency in order to engage in an occupation for which the CSU trains them must meet the immigration requirements of the Personal Responsibility and Work Opportunity Reconciliation Act to achieve licensure. These academic programs, such as nursing and credentials will demand finger printing, a background check and a valid social security number. Students may want to discuss potential alternatives with staff at the Academic Advising Center staff or Credentials Office in the College of Education.

23. *I did everything right to be eligible for college. I did not know I was undocumented. Why even bother?*

It is not uncommon for students to experience periods of sadness and depression after they learn that they are undocumented and to learn that even after getting a degree they may be unable to pursue their career choice upon graduation. Enrolled students experiencing emotional distress may be referred to the Counseling and Psychological Services. For most students, reminding them that immigration reform is a cyclical process and that at some point there may be comprehensive immigration reform, including the passage of the Federal DREAM Act (*Development, Relief, Education for Alien Minors Act*), may be motivating. They may need an affirmation that a college degree and staying out of trouble will give them a head start on the path to residency and the right to work at some future point. Often students need to be reminded that an earned degree is theirs forever, and no one can take that away. Students can also be advised to stay in school to earn a Masters and Doctorate until their status is regularized.

Student Services

24. *Am I eligible for University programs and services?*

YES, undocumented students are eligible to receive services from almost all University programs. However, there are some restrictions for programs requiring United States or California residency as part

of their eligibility. At CSULB undocumented students are not eligible for Federal funded programs such as TRIO, Upward Bound, and the College Assistance Migrant Program.

25. *What can I do when I take the WPE and ELM if I do not have ID?*

Undocumented students who do not have any of the five acceptable identifications (CA driver's license, CA ID card, USA passport, USA military ID or USA naturalization paper) should be encouraged to call Tracy Woodard, Test Officer in Testing and Evaluation Services, 562-985-8383 for an appointment to see the Test Officer prior to the test date. The Test Officer will review the student's ID and sign the test site admission letter indicating that the student's ID has been pre-approved. The Testing and Evaluation Services often uses student test proctors who may be unfamiliar with ID issues faced by undocumented students, so getting an ID pre-approval will circumvent potential issues at the site. Test not offered at CSULB may have other identification requirements. Questions may be directed to the Testing and Evaluation Services.

26. *Should I reveal my status to my faculty advisor? Others?*

It is always advisable to use caution in disclosing. In most cases, this will be a personal decision. Generally, people will only reveal personal and private information to their closest friends and confidants. Most faculty and staff have genuine concern and interest in a student's well-being. The individuals listed in the Faculty and Staff Resource List may be individuals with whom students may want to consult.

27. *What happens if I drive to school and University Police stop me?*

Driving a vehicle without a license is unlawful and can result in a traffic citation, forfeiture of the vehicle and fines. Police will ask for a Driver's License and any other identification on the driver. If the individual has no license, then the name and date of birth is taken and run through the police computer to check the driver's records. Campus police will issue a ticket and the disposition of the vehicle will depend on circumstances. If the vehicle is legally parked or can be driven away by an unimpaired, licensed driver, it will not be towed. If this cannot be done, it will be towed and impounded. Vehicles with expired registrations are automatically impounded. University Police are not required to report the citation to the Bureau of Citizenship and Immigration Services. However, the citation will be reported to the City of Long Beach and a court appearance will be required.

There are instances when campus Police will ask for SSN number. A SSN is requested any time someone is involved in a situation that requires the use of standardized police forms. The forms are used to confirm identity when there is a traffic accident, when someone is a suspect in a criminal case, or when field interviews are conducted, such as when a suspicious person is reported on campus and the police interview the suspicious person. The field interview form asks for name, race, sex, driver's license and SSN. While the campus Police do not enforce federal immigration laws on campus, if a citation is issued, it is reported to the City of Long Beach and all persons, including students have to go to court. It is prudent to consider the potential that a district attorney could conceivably involve Immigration and Customs Enforcement.

28. *What happens if I get sick on campus? May I use the health center?*

YES, paying the mandatory Health Fee at registration entitles students to receive medical services at the Student Health Center regardless of residency status.

29. *What is the point of finishing school if I can't get a job in my chosen profession?*

It is not unusual to feel a sense of hopelessness about the many obstacles that challenge undocumented college students. The major challenge is often financial, compounded by the difficulty of meeting family responsibilities as the student comes of age. Students must stay focused on the dream of obtaining a degree. The likelihood of obtaining residency is optimized if an individual is a college graduate. Being an educated professional demonstrates that one will be an asset to the USA and will place them in a better position to help their families.

30. *Where can I go to find informed advisors about my status?*

A number of on-campus offices have individuals who are informed about the barriers encountered by undocumented students. See the Faculty and Staff Resource List of the individuals to contact for advice. Many of the individuals have gone through an AB 540 Ally training program, thus are informed about AB 540 and issues that undocumented students face.

31. *I think one of my professors is biased against the undocumented and I am afraid he will discover that I am an AB 540 student. What can I do?*

Students in these situations normally assume a low profile. It is prudent to advise the student that FERPA, the Family Educational Rights and Privacy Act protect his or her privacy and restricts the release of certain personal information, including the AB 540 Affidavit. Students should report alleged bias to the Ombuds Office and/or the Office of Equity and Diversity.

32. *My employer has received a “no-match” SSN from the government. Should I quit?*

Because work authorization is such a complicated legal issue, university personnel are advised not to give legal or immigration advice to students. Students may be advised to seek legal counsel when faced with legal questions about the use of social security numbers.

33. *Can you help me find an immigration attorney?*

Unless you personally know of a systematic and confidential attorney referral service, you may want to suggest that the student call one or more of the local immigration advocacy groups to get a referral. These include CHIRLA, AALDEF, MALDEF, and others listed in Section Four – Community Support of the AB 540 Resource Guide for Advisors of Undocumented Students.

34. *Can I work after I graduate?*

Normally the answer is NO, unless the student has been successfully through the DACA process. In order to legally work, the student needs to have work authorization, which only the Federal government can award to them either through DACA or once they are on the path to regularize their immigration status. Students can be advised to pursue a graduate degree, utilizing AB 540.

Changes to Immigration and Residency Status

35. *What do I do if my immigration status has changed and I receive a green card? A DACA approved SSN card?*

If a student's immigration status changes (i.e. they are now a permanent resident and have been issued a green card), the student must notify the University. The student must go to the General Information window on the first floor of Brotman Hall with their green card. Students who become permanent residents still fall under AB 540 until they meet the criteria to reclassify their residency status (usually after being a permanent resident for 1 year). For all criteria:

<http://www.csulb.edu/depts/enrollment/admissions/residency.html>. AB 540 students awarded a SSN because of DACA do not need to notify University Enrollment Services.

36. How do I change my residency status?

Once a student qualifies as a resident, they can file a Residence Reclassification Request. Instructions and the form can be found at: http://www.csulb.edu/depts/enrollment/forms/reidence_inst.html.

Please see the [University Catalog](#) to learn more about the determination of resident status. You may also contact the Residence Specialist at (562) 985-7333 or es-residency@csulb.edu.

AB 540 ALLIES AND CONTACTS BY DEPARTMENTS

The current list of AB 540 Allies and Contacts by Departments is listed on the University web at <http://www.csulb.edu/president/government-community/ab540/index.html>. Individuals that have completed the CSULB Ally Training Project are denoted with a * after their last name. Other individuals listed are also contacts that students may find as informed about in the issues faced by AB 540 and other undocumented students.

An * indicates the contact has complete the AB 540 Ally Training Session. Two ** indicates the contact has completed the AB 540 Champion Training Session.

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CURRENT IMMIGRATION LAW AND PROPOSED LEGISLATION

The current national immigration laws and regulations have their foundation in the Federal Illegal Immigration Reform and Responsibility Act of 1996. It is in this context that AB 540 is best understood as California's effort to address the needs of unprotected students who wish to continue their education. Federal and state laws are the context for several university policies, some which are described in this guide.

The Illegal Immigration Reform and Responsibility Act 1996, also known as Public Law 104-208, and the Welfare Reform Act includes provisions to eliminate eligibility for Federal and State public benefits for certain categories of lawful immigrants as well as benefits for all undocumented immigrants. The law prohibits:

- ❖ Undocumented student from accessing postsecondary education benefits unless a US citizen or national is eligible for the same benefit.
- ❖ Undocumented students barred from obtaining in-state fees or direct student aid.
- ❖ Students who will require a commercial or professional license provided by a local, state, or federal government agency in order to engage in an occupation for which the CSU trains them must meet the immigration requirements of the Personal Responsibility and Work Opportunity Reconciliation Act to achieve licensure.

The proposed state and federal legislation listed below have been pending for several years and will likely continue to be reintroduced. AB 540 students may be familiar with these and may seek information about the legislation. These include the US DREAM Act and the California DREAM Act. Students can be referred to <http://www.nilc.org/>.

State Legislation

The California Dream Act of 2011 (AB 130 and AB 131 (Cedillo) is a state law that allows U.S. citizen and undocumented "AB 540" students to apply and compete for financial aid at California public colleges and universities without the use of the Federal Application for Student Aid (FAFSA).

On October 3, 2013, the Governor approved AB 69 which allows undocumented individuals to apply for a California Driver's License or Identification Card and other provisions. The Department of Motor Vehicles has until January 1, 2015, or sooner to begin to issue licenses.

On October 5, 2013, the Governor signed AB 35 which allows Deferred Action awardees who were lawfully employed to be eligible for unemployment compensation, among other provisions, including allowing only US Board of Immigration Appeals approved providers of consultation, legal advice, associated with a person's application for deferred action (DACA) to legally charge for the service.

Under separate legislation it has also been proposed a number of times to amend AB 540 to broaden the scope of covered students:

- ❖ AB 540 Clean-Up Language amendment will delete the term high school and substitute the term secondary school for the eligibility of exemption from out of state tuition rates. This will allow students who finish at continuation or adult schools to be eligible for exemption from out of state tuition rates.

Federal Legislation

The Development, Relief, and Education for Alien Minors Act (DREAM Act) is bipartisan legislation sponsored in the United States Congress that addresses the situation faced by young people who were brought to the U.S. years ago as undocumented immigrant children but who have since grown up here, stayed in school, and kept out of trouble.

Under the DREAM Act:

- ❖ High school graduates would be permitted to apply for up to 6 years of legal residence conditional status.
- ❖ During the 6-year period, the student would be required to graduate from a 2-year college, complete at least 2 years towards a 4-year degree, or serve in the U.S. military for at least 2 years.
- ❖ Permanent residence would be granted at the end of the 6-year period if the student has met these requirements and has continued to maintain good moral character.
- ❖ Federal provision that discourages states from providing in-state tuition to undocumented immigrant student residents would be eliminated, thus restoring full authority to the states to determine state college and university fees.

Dream Act Criteria

- ❖ To qualify for the DREAM Act, a student must have been brought to the U.S. more than 5 years ago when he or she was 15 years old or younger and must be able to demonstrate good moral character.

Deferred Action for Childhood Arrivals

On June 15, 2012, the Secretary of Homeland Security Janet Napolitano and President Barack Obama announced “that certain young people who were brought to the United States as young children, do not present a risk to national security or public safety, and meet several key criteria, will be considered for relief from removal from the country, or from entering into removal proceedings. Those who demonstrate that they meet the criteria will be eligible to receive deferred action for a period of two years, subject to renewal, and will be eligible to apply for work authorization.”²

The press release further stated that while this guidance would take effect immediately, “USCIS and ICE expect to begin implementation of the application process within sixty days.” Additional information is available at the USCIS’s website at www.uscis.gov or ICE’s website at www.ice.gov. An ICE hotline is also available at 1-888-351-4024 and at the USCIS hotline at 1-800-375-5283.

Students who seek advice about applying should be told that they need to educate themselves about the eligibility criteria, gather the needed documentation and speak with a bona fide immigration expert or attorney and their parents and family members. Discretion is vital as Deferred Action is not a guarantee that individuals will be granted work authorization nor allowed to stay in the USA.

² Press Release, US Department of Homeland Security Press Office, Secretary Napolitano Announces Deferred Action Process for Young People Who are Low Enforcement Priorities, June 15, 2012

ACKNOWLEDGEMENTS

On October 12, 2001, Governor Gray Davis signed into law Assembly Bill 540 (Stats. 2001, ch. 814) adding a new section, 68130.5, to the California Education Code. The bill's author was Assemblyman Marco Firebaugh. State Senator Gil Cedillo is the author of the California Dream Act of 2012.

This Resource Guide would not have been possible without AB 540 and other undocumented students who came forth in the AB 540 Support Group to express their experiences as college students in 2006-07. The questions are the result of actual situations encountered by AB 540 students and other unprotected immigrant students. At Long Beach State, many of the advisors of AB 540 students are self-appointed. Their contribution and encouragement for the development of the Resource Guide was vital. Particular individuals to be commended for their contribution to the Resource Guide include Vivian Barrera, Dr. Simon Kim, and Tom Enders.

The Resource Guide was inspired by the March 16, 2007, faculty and staff development conference, Improving Immigrant Student Success, developed by the University Office of Government and Community Relations and supported by the Title 5, Hispanic Serving Institution program, *Mi Casa: Mi Universidad*. The writing of the Resource Guide was a collaborative effort by Irma Archuleta and Dr. Elena Macías. The Office of the President and the Division of Student Services funded the first printing. The Marguerite Casey Foundation sponsored subsequent versions of the Resource Guide, that has become the foundation document for faculty and staff who attend the AB 540 Ally Training Project at CSULB. Continued updates of the Resource Guide are a collaborative effort lead by Dr. Elena Macías and funded by the New Partnership Foundation..

We are grateful to the New Partnership Foundation and its founder, Dr. Douglas X. Patiño, who continuously sponsors the AB 540 Ally Training Project and encourages our continued engagement with unprotected students.

An on-line version of the Resource Guide is available at <http://www.csulb.edu/ogcr/>

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