

**AB 540 is a Change in the Law:
Higher Education Is Now More Affordable For California's Immigrant Students**

Since January 1, 2002, California's Assembly Bill 540 allows students, regardless of their residency status, to pay in-state tuition fees if they wish to attend the state's public community colleges and universities. California's immigrant students are also eligible for this exemption if they meet the law's requirements.

To qualify for exemption from paying out-of-state tuition, a student must:

- Have attended a high school in California for 3 years or more;
- Have graduated from a California high school or received the equivalent of (GED); and
- file an affidavit with the public state college or university stating that he or she will file an application with the Immigration and Naturalization Service (INS) to obtain legal permanent residency as soon as he or she is eligible.

Students who have already applied for legal permanent residency with the INS **may** already be eligible for in-state tuition. Students should speak with a school counselor and/or a immigration attorney for more information.

Cost Difference

AB 540 reduces tuition at colleges and universities for immigrant students who were previously forced to pay out-of-state tuition regardless of their residency in California. The difference between in-state and out-of-state tuition is significant:

California Community Colleges	\$11/unit (in-state)	\$130/unit (out-of-state)
California State University	\$1, 839 (in-state)	\$7, 380 (out-of-state)
University of California	\$3,701 (in-state)	\$14, 244 (out-of-state)

Confidentiality

AB 540 requires that state colleges and universities keep student information confidential. A student's immigration status cannot and will not be reported to the INS.

Financial Aid

AB 540 **DOES NOT** provide financial aid to qualified immigrant students. Students who need financial assistance should ask a school counselor for referrals to scholarships or other types of loans that do not require legal permanent residency or U.S. citizenship. Also check our website, www.maldef.org, for more information.

State Residency

AB 540 **DOES NOT** establish state residency for immigrant students who are now eligible for in-state tuition.

Immigration Concerns

Immigrant students who have questions about legal residency should consult an immigration attorney. Not everyone will be eligible to adjust his or her immigration status. Making false statements about your immigration status creates serious problems. If you have made false statements in the past, consult with an immigration attorney immediately. Contact your local bar association for referrals to licensed immigration attorneys. Beware of immigration fraud and consult at least two immigration attorneys.

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