

FAQ: How to Access Financial Aid for Undocumented Students and Families

[10.000 Degrees](http://10000degrees.org) is a non-profit organization dedicated “To help students from low-income backgrounds get to and *through* college in order to positively impact their communities and the world.” For more information about our work in California and in our seven Bay Area service regions, contact: Sbeydeh Viveros-Walton, Director of Government & Community Relations at sbeydeh.walton@10000degrees.org

NOTICE:

"Immigration law can change quickly and we do our best to keep resources and information up-to-date. If you have specific questions about your eligibility or about how it can impact your immigration status, please contact your financial aid counselor in your higher education institution and/or consult with an immigration attorney." Content Updated: DATE

What is the CA Dream Act & AB540?

Assembly Bill 540 was signed into law in October 2001 and allows eligible undocumented, legal permanent resident and U.S. citizen students to pay in-state tuition at public colleges and universities.

In order to qualify, you must meet ALL of the following requirements:

1. Attend a California high school for 3 or more years;
2. Graduate from a California high school or receive the equivalent, such as a GED; and
3. Submit an affidavit to the California public college or university you are attending or plan to attend.

In 2017, SB68 helped expand AB540 to enable students to count Community College and Adult School towards AB540 Eligibility. [You can read about SB68 here.](#)

The California Dream Act allows undocumented and nonresident students (U.S. Citizens and eligible non-citizens) who qualify for a non-resident exemption under Assembly Bill 540 (AB 540) to receive certain types of financial aid such as: private scholarships funded through public universities, state administered financial aid, university grants, community college fee waivers, and Cal Grants. In addition, the California Dream Act, allows eligible students to pay in-state tuition at any public college in California.

Who qualifies AB540?

Check out [CSAC's website](#) for specific information on AB540 eligibility.

The California Student Aid Commission hosts “[Cash for College](#)” workshops throughout California where they help all students and families afford college.

Am I eligible to apply for financial aid & what type?

See the Federal Student Aid [eligibility webpage](#) for details. If you are a non-US citizen, you may still qualify for financial aid through the Department of Education.

Luckily, California has resources for students to pay for college tuition and fees, regardless of status.

It is always a good idea to check with your college and career counselor (if you're in high school) or with your financial aid advisor if you are already enrolled in a higher education institution. Check and see if your school has a Dream Student Center, like [Santa Rosa Junior College](#), ask for help -counselors are here to help you.

Check out [Immigrants Rising's "Ca Dream Act Checklist"](#) to help you figure out the steps you need to complete to take advantage of CA student aid funding.

I'm not eligible for any financial aid available through CA Dream Act or AB540. Where can I turn?

California Dream Act & Financial Aid

On July 25th, 2011, Governor Jerry Brown signed AB130 into law allowing AB540 students to receive aid from private sources through California colleges and universities. Subsequently, some colleges created special scholarships for this group of students.

On October 8, 2011, Governor Brown signed AB131 into law allowing AB540 students to receive financial aid from state sources that are not in conflict with federal law. As of January 1, 2013, AB540 students are eligible to apply for Cal Grant awards and for grants and scholarships awarded by California public colleges and universities.

If you qualify for AB540, you could be eligible for the following types of aid:

- AB130 – Privately funded UC scholarships (beginning January 2012)
- AB130 – Other UC scholarships and grants (beginning January 2013)
- AB131 – Cal Grants (beginning Fall 2013)

There are private scholarships available to undocumented students who don't qualify for financial aid.

For private scholarships make sure to research local scholarship opportunities like [10,000 Degrees](#) for students in Marin, Sonoma and San Francisco Counties. Also: [DREAMer's Roadmap](#); [Immigrants Rising](#)

Is my financial information safe?

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.

FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

For detailed information about FERPA visit the [US Department of Education website](#).

If I apply for financial aid, will the public charge rule apply and limit my pathway to residency or citizenship?

If you have questions about your specific legal status and your path to citizenship or residency, contact an immigration attorney who can assist you and your family. Below is general information about public charge.

On August 14, 2019, the Department of Homeland Security (DHS) published a final rule related to public charge in the Federal Register. According to DHS, the rule will not take effect until October 15, 2019. Additionally, many organizations have indicated they will file lawsuits challenging the legality of the rule. Thus, even after publication, legal challenges could delay implementation.

Here are a few important points regarding the public charge rule:

- The new rule interprets a provision of the Immigration and Nationality Act (INA) pertaining to inadmissibility. The inadmissibility ground at issue says a person is inadmissible if they are likely to become a public charge. INA § 212(a)(4). This law only applies to individuals seeking admission into the United States or applying for adjustment of status. This provision of the law does not apply to all immigrants.
- Public charge and this rule do not apply in the naturalization process, through which lawful permanent residents apply to become U.S. citizens.

The rule does not include Pell Grants and other forms of educational assistance among the types of benefits that immigrants will be penalized for receiving. But higher education groups [previously expressed concern](#) that confusion over the question of what benefits would and would not count against them would discourage some immigrant students from applying for Pell or other federal financial aid.

I'm unsure if my parents file taxes, what should I do if I need to submit income verification documents?

We always advise to submit tax returns but if your family is unable or does not submit tax returns, you can contact your college or university advisor to check what documents can be submitted in lieu of tax returns. Examples include a letter from their employer, recent pay stub or their latest W-2 (if they received one).

I've received my financial aid package and I need to verify my in-state eligibility. How can I get assistance?

Reach out to your Undocu-Ally center in your school or contact your admissions office for assistance.

Do I need to register for selective services and not affect my financial aid eligibility?

Yes you need to register but mail the registration directly listed on the form.

What if my parents reside outside the country?

You still have to submit income verification documents from their country of residence. You can also submit a letter if you are unable to submit income verification but always work directly with your college admissions and financial aid office for individualized assistance.

What if my documented status changes while I'm in college?

Case by case basis, but there is a form to do a status change. Check to see if you're eligible for FAFSA. As soon as your status changes, work with financial aid office in your school to see if you're eligible for the current academic year. G55 form from CA Student Aid Commission.

Do I qualify for student loans if I'm undocumented?

Undocumented students are not eligible for federal subsidized/unsubsidized loans. However, some California higher education institutions offer CA Dream Act loans with comparable interest rates and some colleges offer work study on a case by case basis. Visit your financial aid office for individualized advising.

Can I finance through private loans?

Check with your preferred financial institutions for options but beware of high interest rates, early pay off fees, and other red flags.

Resource List

We have compiled a list of organizations that assist students and their families navigate college affordability. This list is not comprehensive and we encourage students and families to reach out to local resources available.

*[California Student Aid Commission](#)

*[University of California](#) (Undocumented Student Resources)

*[California State University](#) (Undocumented Student Resources)

*[California Community Colleges](#)

*[Federal Student Aid](#) (Part of the US Department of Education)

*California Attorney General Xavier Becerra [Office of Immigrant Assistance](#).

*[Community College Consortium for Immigrant Education](#)

*[United We Dream](#)

*[Immigrants Rising](#)

*[Immigrant Legal Resource Center](#)