

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE  
ANAHEIM UNION HIGH SCHOOL DISTRICT**

**In Support of SB 1301 (Cedillo)  
The California Dream Act**

**RESOLUTION NO. 2008/09-BOT-01**

August 28, 2008

On the motion of Trustee \_\_\_\_\_, duly seconded and carried, the following resolution was adopted:

**WHEREAS**, we encourage all of our children everyday to pursue academic excellence so that they may achieve their dreams; and

**WHEREAS**, our children are our most valuable resource and their educational achievement benefits them, their families, and our state; and

**WHEREAS**, under federal law public schools must provide access to a public education for all children regardless of their immigration status (*Plyler v. Doe, 1982*); and

**WHEREAS**, under current California statute, students without lawful immigration status—as determined by AB 540 (Firebaugh) in 2001—applying to California public colleges and universities are eligible to receive in-state tuition if they have attended a high school for three or more years, have graduated from a California high school or attained the equivalent, and file an affidavit with the college or university stating that the student has applied for a lawful immigration status or will apply as soon as the student is eligible to do so; and

**WHEREAS**, even with in-state tuition college is still financially unattainable for the majority of these high-achieving low-income students due to their ineligibility for federal and state-based student aid; and

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**WHEREAS**, this barrier to higher education unjustly denies these students the opportunity to reach their full potential after having been encouraged in our public schools to set educational goals and career aspirations; and

**WHEREAS**, SB 1301 (Cedillo) The California Dream Act will assist high achieving California students who have overcome incredible odds to qualify for a university education, but are barred by economic barriers from pursuing the *American Dream*; and

**WHEREAS**, SB 1301 (Cedillo) The California Dream Act allows all students to be eligible to *compete* for institutional aid at all public colleges and universities *to the extent that the federal law allows*,

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees of the Anaheim Union High School District hereby supports the passage of SB 1301 (Cedillo) The California Dream Act and its Assembly-version AB 2083 (Nunez), and strongly urges Governor Schwarzenegger to sign this legislation into law for the benefit of all our children, their dreams, and our great state.

The foregoing resolution was passed and adopted at a regular meeting of the Board of Trustees, on August 28, 2008, by the following votes:

AYES:

NOES:

ABSTAIN:

ABSENT:

STATE OF CALIFORNIA     )  
  )  
  ) SS  
  )  
COUNTY OF ORANGE     )

**RESOLUTION NO. 2008/09-BOT-01**

I, Joseph M. Farley, Superintendent of the Anaheim Union High School District of Orange County, California, and Secretary to the Board of Trustees thereof, hereby certify that the above and foregoing Resolution was duly and regularly adopted by the said Board of Trustees at the regular meeting thereof held on the 28th day of August 2008, and passed by a roll call vote of all members of said Board.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal this 28<sup>th</sup> day of August 2008.

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Joseph M. Farley, Ed.D.  
Superintendent and Secretary to the  
Board of Trustees

AMENDED IN ASSEMBLY AUGUST 22, 2008

AMENDED IN ASSEMBLY AUGUST 7, 2008

AMENDED IN SENATE MAY 6, 2008

**SENATE BILL**

**No. 1301**

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**Introduced by Senator Cedillo**

(Principal coauthors: Assembly Members De Leon and Lieber coauthor:  
*Assembly Member Nunez*)

(Coauthors: Senators Alquist, Calderon, Correa, Ducheny, Kuehl,  
Padilla, Perata, Romero, Steinberg, Vincent, Wiggins, and Yee)

(Coauthors: Assembly Members Arambula, Beall, Brownley, Caballero,  
Coto, *De Leon*, Dymally, Eng, Fuentes, Furutani, Hancock, Jones,  
Leno, *Lieber*, Mendoza, Parra, Soto, and Torrico)

February 20, 2008

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An act to add Section 66021.6 to the Education Code, relating to student financial aid.

LEGISLATIVE COUNSEL'S DIGEST

SB 1301, as amended, Cedillo. Student financial aid: institutional financial aid eligibility.

*The Donahoe Higher Education Act sets forth, among other things, the missions and functions of California's public and independent segments of higher education, and their respective institutions of higher education. Provisions of the act apply to the University of California only to the extent that the Regents of the University of California, by appropriate resolution, act to make a provision applicable.*

*Existing law requires that a person, other than a nonimmigrant alien, as defined, who has attended high school in California for 3 or more years, who has graduated from a California high school or attained*

*the equivalent thereof, who has registered at or attends an accredited institution of higher education in California not earlier than the fall semester or quarter of the 2001–02 academic year, and who, if he or she is an alien without lawful immigration status, has filed a prescribed affidavit, is exempt from paying nonresident tuition at the California Community Colleges and the California State University.*

*This bill would amend the Donahoe Higher Education Act to require the Trustees of the California State University and the Board of Governors of the California Community Colleges, and request the Regents of the University of California, to establish procedures and forms that enable persons who are exempt from paying nonresident tuition under existing law, or who meet equivalent requirements adopted by the regents, to be eligible to receive institutional financial aid awards. The bill would define institutional financial aid as financial assistance offered by a campus of the California Community Colleges, California State University, or University of California, including grant, scholarship, fellowship, work-study, and loan programs. The bill would declare that this provision is a state law within the meaning of a federal statute that permits a state to only provide an alien who is not lawfully present in the United States with eligibility for a state or local public benefit through the enactment of a state law affirmatively providing for that eligibility. This provision would apply to the University of California only if the regents, by appropriate resolution, act to make it applicable.*

~~The Donahoe Higher Education Act sets forth, among other things, the missions and functions of California's public and independent segments of higher education, and their respective institutions of higher education. Provisions of the act apply to the University of California only to the extent that the Regents of the University of California, by appropriate resolution, act to make a provision applicable.~~

~~Existing law requires that a person, other than a nonimmigrant alien, as defined, who has attended high school in California for 3 or more years, who has graduated from a California high school or attained the equivalent thereof, who has registered at or attends an accredited institution of higher education in California not earlier than the fall semester or quarter of the 2001–02 academic year, and who, if he or she is an alien without lawful immigration status, has filed a prescribed affidavit, is exempt from paying nonresident tuition at the California Community Colleges and the California State University. Existing law also requires the waiver of student fees charged by community college~~

districts for students who demonstrate financial need or are otherwise eligible for the waiver. Existing law requires the Board of Governors of the California Community Colleges to allocate to community college districts for determining financial need and delivering student financial aid services an amount based on the amount of fees waived.

This bill would enact the California Dream Act of 2008, which would require the Trustees of the California State University and the Board of Governors of the California Community Colleges, and request the Regents of the University of California, to establish procedures and forms that enable persons who are exempt from paying nonresident tuition under that provision, or who meet equivalent requirements adopted by the regents, to be eligible to receive institutional financial aid awards. The bill would define institutional financial aid as financial assistance offered by a campus of the California Community Colleges, California State University, or University of California, including grant, scholarship, workstudy, and loan programs. The bill would specify that institutional financial aid does not include a board of governors fee waiver. The bill would declare that this provision is a state law within the meaning of a federal statute that permits a state to only provide an alien who is not lawfully present in the United States with eligibility for a state or local public benefit through the enactment of a state law affirmatively providing for that eligibility. This provision would apply to the University of California only if the regents, by appropriate resolution, act to make it applicable.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Section 66021.6 is added to the Education Code,
- 2     to read:
- 3     66021.6. (a) Notwithstanding any other law, the Trustees of
- 4     the California State University and the Board of Governors of the
- 5     California Community Colleges shall, and the Regents of the
- 6     University of California are requested to, establish procedures
- 7     and forms that enable persons who are exempt from paying
- 8     nonresident tuition under Section 68130.5, or who meet equivalent
- 9     requirements adopted by the regents, to be eligible to receive
- 10    institutional financial aid awards. The Legislature finds and

1 declares that this section is a state law within the meaning of  
2 Section 1621(d) of Title 8 of the United States Code.

3 (b) For purposes of this section, "institutional financial aid"  
4 means financial assistance offered by a campus of the California  
5 Community Colleges, California State University, or University  
6 of California, including grant, scholarship, fellowship, work-study,  
7 and loan programs.

8 ~~SECTION 1. This act shall be known and may be cited as the~~  
9 ~~California Dream Act of 2008.~~

10 ~~SEC. 2. Section 66021.6 is added to the Education Code, to~~  
11 ~~read:~~

12 ~~66021.6. (a) Notwithstanding any other law, the Trustees of~~  
13 ~~the California State University and the Board of Governors of the~~  
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15 ~~University of California are requested to, establish procedures and~~  
16 ~~forms that enable persons who are exempt from paying nonresident~~  
17 ~~tuition under Section 68130.5, or who meet equivalent requirements~~  
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20 ~~section is a state law within the meaning of Section 1621(d) of~~  
21 ~~Title 8 of the United States Code.~~

22 ~~(b) For purposes of this section, "institutional financial aid"~~  
23 ~~means financial assistance offered by a campus of the California~~  
24 ~~Community Colleges, California State University, or University~~  
25 ~~of California, including grant, scholarship, workstudy, and loan~~  
26 ~~programs. For the purposes of this section, "institutional financial~~  
27 ~~aid" does not include a board of governors fee waiver specified in~~  
28 ~~Section 76300.~~

AMENDED IN ASSEMBLY MAY 23, 2008

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 2083

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**Introduced by Assembly Member Nunez**  
(*Coauthors: Assembly Members Arambula, Beall, Berg, Caballero, Dymally, Eng, Hancock, Hayashi, Huffman, Ma, Mullin, Salas, and Soto*)

February 19, 2008

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An act to add Section 66021.6 to the Education Code, relating to student financial aid.

LEGISLATIVE COUNSEL'S DIGEST

AB 2083, as amended, Nunez. Student financial aid: institutional financial aid eligibility.

The Donahoe Higher Education Act sets forth, among other things, the missions and functions of California's public and independent segments of higher education, and their respective institutions of higher education. Provisions of the act apply to the University of California only to the extent that the Regents of the University of California, by appropriate resolution, act to make a provision applicable.

Existing law requires that a person, other than a nonimmigrant alien, as defined, who has attended high school in California for 3 or more years, who has graduated from a California high school or attained the equivalent thereof, who has registered at or attends an accredited institution of higher education in California not earlier than the fall semester or quarter of the 2001–02 academic year, and who, if he or she is an alien without lawful immigration status, has filed a prescribed affidavit, is exempt from paying nonresident tuition at the California Community Colleges and the California State University.



This bill would amend the Donahoe Higher Education Act to require the Trustees of the California State University and the Board of Governors of the California Community Colleges, and request the Regents of the University of California, to establish procedures and forms that enable persons who are exempt from paying nonresident tuition under this provision, or who meet equivalent requirements adopted by the regents, to be eligible to receive institutional financial aid awards. The bill would define institutional financial aid as financial assistance offered by a campus of the California Community Colleges, California State University, or University of California, including grant, scholarship, *fellowship*, work-study, and loan programs. The bill would declare that this provision is a state law within the meaning of a federal statute that permits a state to only provide an alien who is not lawfully present in the United States with eligibility for a state or local public benefit through the enactment of a state law affirmatively providing for that eligibility. This provision would apply to the University of California only if the regents, by appropriate resolution, act to make it applicable.

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11 section is a state law within the meaning of Section 1621(d) of  
12 Title 8 of the United States Code.  
13 (b) For purposes of this section, "institutional financial aid"  
14 means financial assistance offered by a campus of the California  
15 Community Colleges, California State University, or University

- 1 of California, including grant, scholarship, *fellowship*, work-study,
- 2 and loan programs.