

DACA, California Dream Act, AB 540, and DREAM Act



	Deferred Action for Childhood Arrivals (DACA)	California Dream Act	AB 540 (California)	DREAM Act
Current status of law or policy	Executive order announced by former President Obama	California state law	California state law	Proposed federal law
Date of enactment	June 15, 2012	2011	October 12, 2001	Not yet passed
Description	Department of Homeland Security (DHS) program that will defer the removal of certain eligible undocumented youths and allow them to apply for work authorization if they are granted DACA.	The CA Dream Act consists of two Assembly Bills, AB 130 and AB 131. Together, these bills allow undocumented students to apply for and receive private scholarships (AB 130) and state financial aid, university grants, and BOG fee waivers (AB 131).	Allows eligible students to pay instate tuition at: - California Community Colleges - California State Universities (CSUs) - Universities of California (UCs)	Proposed law would legalize the status of undocumented youth. The DREAM Act stands for the Development Relief and Education of Alien Minors Act. The bill was first introduced in 2001 and it has been reintroduced several times, but failed to pass.
Requirements	<ol style="list-style-type: none"> Under 31 as of 6/15/12 Came to the US before reaching your 16th birthday Have continuously resided in the US since 6/15/07 up to the present time Physical presence in the US on 6/15/12 and at the time making your request for deferred action with USCIS Had no lawful status on 6/15/12 In school, graduated or obtained a certificate of completion from high school, obtained a GED certificate, or are an honorably discharged veteran of the Armed Forces/Coast Guard Have not been convicted of a felony, significant misdemeanor, three or more other misdemeanors, and do not pose a threat to national security or public safety. 	<p>Same as AB 540.</p> <p>For Cal Grant, student must meet Cal Grant eligibility criteria.</p>	<ol style="list-style-type: none"> Satisfaction of either of the following: A) High school attendance in CA for 3 or more years. B) Credits earned in CA from a CA high school equivalent to 3 or more years of full-time high school coursework and a total of 3 or more years of attendance in CA elementary schools, CA secondary schools, or a combination of those schools. Graduated or will graduate from a CA high school or attainment of GED, HiSET, or a TASC Will register or enroll in an accredited CA college If applicable, complete an affidavit to legalize immigration status as soon as you are eligible Do not hold a valid non-immigrant visa (F, J, H, L, A, B, C, D, E, etc.)* <p>*With the exemption of a Temporary Protected Status (TPS) or hold a U Visa</p>	<p>The requirements have changed with each introduction of the bill. Basic requirements are:</p> <ul style="list-style-type: none"> - entered the US at the age of 15 or younger, - present in the US for 5 years - graduated from high school or obtained a GED, - under the age of 30 (or 35) at the time of the bill.



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<p>How to apply</p> 	<p>Submit to USCIS:</p> <ul style="list-style-type: none"> - Completed Forms I-821D, I-765, and I-765WS - Supporting documents demonstrating you meet each of the eligibility requirements - Two identical passport-style photographs - Fee payment of \$495 	<p>Complete & submit the CA Dream Act Application</p> <p>Starting Jan. 2013, the 2013-14 CA Dream Act Application becomes available for AB 131 institutional grants, community college fee waivers, and Cal Grants.</p>	<ul style="list-style-type: none"> - Fill out a AB 540 And AB 2000 California Nonresident Tuition Exemption form. - Submit proof of high school attendance and graduation (transcripts) - Turn form and documents to the Admissions Office 	<p>The DREAM Act has not passed, thus, no one can apply for it.</p> <p>Don't confuse the California Dream Act with the Federal DREAM Act, which would create a pathway to citizenship and it is not yet a law.</p>
<p>Benefits</p>	<ul style="list-style-type: none"> - Protection from removal (deportation) for 2 years - work authorization - Social security number 	<p>AB 130 allows students who meet AB 540 criteria to apply for and receive private scholarships for public colleges and universities.</p> <p>AB 131 allows students who meet AB 540 criteria to apply for and receive state funded financial aid such as institutional grants, community college fee waivers, Cal Grant and Chafee Grant.</p>	<p>Allows eligible students to pay instate tuition at all public colleges and universities in California.</p> 	<p>Proposed benefits have included lawful conditional residency that may lead to lawful permanent residency and citizenship.</p>
<p>Legal terms</p>	<p>Have not been Convicted of a felony, significant misdemeanor, three or more other misdemeanors, and do not otherwise pose a threat to national security or public safety.</p>	<p>None</p>	<p>None</p>	<p>Varies by bill, generally includes certain grounds of inadmissibility & criminal offenses</p>
<p>Risks</p>	<p>Temporary program that may be terminated at any time</p>	<p>No known risks</p>	<p>No known risks</p>	<p>N/A</p>