

1 [Urging the California State Legislature to Pass the California Dream Act]

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3 **Resolution urging the California State Legislature to pass AB 130 and AB 131**
4 **(collectively, the California Dream Act), to provide equal access to financial aid**
5 **programs for California students attending the state’s public colleges and universities,**
6 **regardless of a student’s immigration status.**

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8 WHEREAS, The City and County of San Francisco is a City of Refuge with diverse and
9 vibrant immigrant communities; and,

10 WHEREAS, Undocumented immigrant students do not choose to be undocumented,
11 but do choose to invest their time and energy in education, and our society has long rewarded
12 hard work and sacrifice; and,

13 WHEREAS, Educators` at the City College of San Francisco and at San Francisco
14 State University believe that the biggest barrier to a higher education for undocumented
15 students is the cost of attendance; and,

16 WHEREAS, Many undocumented students already qualify for in-state tuition through
17 AB 540, which has stringent requirements that the student both (1) attend a California high
18 school for three years (2) graduate from a California high school or obtain the equivalent
19 degree; and,

20 WHEREAS, The California Supreme Court upheld in-state tuition breaks for
21 undocumented students against constitutional and federal preemption challenges in its
22 November 15, 2010 ruling in *Martinez v. Regents of University of California*; and,

23 WHEREAS, The states of New Mexico and Texas already provide financial aid to
24 students, regardless of their immigration status; and,

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1 WHEREAS, Lack of access to state financial aid resources has helped to perpetuate
2 an underclass in California of undocumented students for whom higher education has proven
3 to be prohibitively expensive and ultimately inaccessible; and,

4 WHEREAS, AB 130 would make AB 540 students attending community or technical
5 colleges eligible for existing fee waivers from the privately funded Board of Governors Fee
6 Waiver (BOGW) Program; and,

7 WHEREAS, AB 130 would make education at the City College of San Francisco and at
8 community and technical institutions of higher learning statewide more accessible to AB 540
9 students; and,

10 WHEREAS, AB 131 would further remove financial barriers to higher education by
11 making AB 540 students eligible for Cal Grants; and,

12 WHEREAS, AB 131 would allow AB 540 students access to financial aid in order to
13 attend California's premier State Universities and the University of California system; and,

14 WHEREAS, There are an estimated 500 students at the City College of San Francisco
15 who would immediately benefit from the passage of AB 130 and AB 131; and,

16 WHEREAS, During his campaign for Governor, Governor Jerry Brown promised to
17 sign the California Dream Act; now, therefore, be it

18 RESOLVED, That the City and County of San Francisco urges the California State
19 Legislature to pass AB 130, which will make existing AB 540 students eligible for the Board of
20 Governors Fee Waiver (BOGW) Program, which will in turn lower a tremendous barrier to
21 higher education faced by AB 540 students working towards a community college degree;
22 and be it

23 FURTHER RESOLVED, That the City and County of San Francisco urges the
24 California State Legislature to pass AB 131, which will make existing AB 540 students eligible
25 for Cal Grants, which, in conjunction with AB 130, will provide the same access to financial

1 aid programs for California students attending the state's public colleges and universities,
2 regardless of a student's immigration status; and be it

3 FURTHER RESOLVED, That the Board of Supervisors directs the Clerk of the Board
4 to send a copy of this resolution to Governor Jerry Brown, Lieutenant Governor Gavin
5 Newson, Speaker of the California State Assembly John A. Pérez, Democratic Caucus Chair
6 Jerry Hill, Assembly Member Gil Cedillo, Minority Floor Leader Martin Garrick, and the San
7 Francisco state legislative delegation.

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