

**DACA, CALIFORNIA DREAM ACT,  
AB 540, AND DREAM ACT**

# COMPARISON CHART



**FOR UNDOCUMENTED, AB 540, AND DACA STUDENTS**

|                                 | Deferred Action for Childhood Arrivals (DACA)   | California Dream Act   | AB 540 (California)   | DREAM Act   |
|---------------------------------|---|--|---|---|
| Current status of law or policy | Federal DHS policy (not law) announced by the Obama Administration  | California state law   | California state law  | Proposed federal law  |
| Date of enactment               | June 15, 2012   | 2011   | 2001  | Not yet passed  |
| Description                     | 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 California Dream Act of 2011 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 community college fee waivers (AB 131). | Allows eligible students to pay in-state tuition at: <ul style="list-style-type: none"> <li>• California Community Colleges;</li> <li>• California State Universities (CSUs);</li> <li>• Universities of California (UCs).</li> </ul>   | 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  |
| Requirements                    | <ul style="list-style-type: none"> <li>• Under 31 as of 6/15/12</li> <li>• Entered the US before the age of 16.</li> <li>• Continuous residence in the US from 6/15/07 through 6/15/12.</li> <li>• Physical presence in the US on 6/15/12.</li> <li>• Entry without inspection or lawful immigration status expired as of 6/15/12.</li> <li>• 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.</li> <li>• 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.</li> </ul> | Same as AB 540. For Cal Grant, student must also meet other Cal Grant eligibility criteria.  | <ul style="list-style-type: none"> <li>• Attended a California high school for a minimum of three years.</li> <li>• Graduated from a California high school or attained the equivalent (GED or California High School Proficiency exam).</li> <li>• Student who is without lawful immigration status must file an affidavit with the college or university stating that he or she has filed an application to legalize his or her immigration status, or will file an application as soon as he or she is eligible to do so.</li> </ul> | The requirements have changed with each introduction of the bill. Basic requirements are: <ul style="list-style-type: none"> <li>• Entered the US at the age of 15 or younger;</li> <li>• Present in the US for 5 years</li> <li>• Graduated from high school or obtained a GED;</li> <li>• Under the age of 30 (or 35) at the time of the bill.</li> </ul> |

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|              | Deferred Action for Childhood Arrivals (DACA)  | California Dream Act  | AB 540 (California)   | DREAM Act  |
|--------------|--|---|---|--|
| How to Apply | <p>Submit to USCIS:</p> <ul style="list-style-type: none"> <li>Completed Forms I-821D, I-765, and I-765WS;</li> <li>Supporting documents demonstrating you meet each of the eligibility requirements;</li> <li>Two identical passport-style photographs;</li> <li>Fee payment of \$495;</li> <li>G-1145 (optional).</li> </ul> | <p>Complete &amp; submit the 2012-13 California Dream Act Application</p> <p><i>Starting Jan. 2013, the 2013-14 California Dream Act Application becomes available for AB 131 institutional grants, community college fee waivers, and Cal Grants for the 2013-14 school year.</i></p>  | <ul style="list-style-type: none"> <li>Fill out a "California Nonresident Tuition Exemption Request."</li> <li>Submit proof of high school attendance and graduation (or its equivalent).</li> <li>Turn in form and documents to the Admissions Office or Office of the Registrar at your college or university.</li> </ul> | <p>The DREAM Act has not passed, thus, no one can apply for it.</p>  |
| Benefits     | <ul style="list-style-type: none"> <li>Protection from removal (deportation) for 2 years.</li> <li>Work authorization document.</li> <li>Social security number.</li> </ul>  | <ul style="list-style-type: none"> <li>AB 130 allows students who meet AB 540 criteria to apply for and receive private scholarships for public colleges and universities.</li> <li>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.</li> </ul> | <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> |
| Bars         | <p>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 &amp; criminal offenses.</p>                            |
| Risks        | <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>   |

Immigrant Legal Resource Center | [www.ilrc.org](http://www.ilrc.org)



## Monarch Centers



### ABOUT MONARCH CENTERS

Cuesta College's Monarch Centers offer a designated location for students to gather, feel safe, and supported.

#### LOCATIONS:

SLO Campus:  
Building 3300, Room 3315A

NC Campus:  
Building N1000, Room N1123

PHONE:  
(805) 546-3109

### QUESTIONS?

Feel free to come by the Centers, call the numbers to the left, or email Estella at [evazquez@cuesta.edu](mailto:evazquez@cuesta.edu).

Visit [www.cuesta.edu](http://www.cuesta.edu) and search for the Monarch Centers.

Look for this icon for more information/publications from the Monarch Centers!

