

# RESOURCES FOR UNDOCUMENTED STUDENTS



CSU Bakersfield



# Table of Contents

Checklist	1
State Legislation	2
Admissions	3
AB 540/2000/SB 68 Eligibility	4
-Section A	4
-Section B	5
-California Nonresident Tuition Exemption Request	5
-Who Is Not Eligible	5
Financial Aid	6
-Types of Financial Aid	6
-Applying for Financial Aid	7
-Financial Aid FAQ's	8
Resources	10
-Scholarships & Grants	10
-Legal	10
-Campus	10
-Community	11
Frequently Asked Questions (FAQ's)	12
-Enrollment & Employment	12
-Travel	12
-Contact with Immigration Enforcement	14
-Options for Immigration Relief	14
AB 540 & Undocumented Student Equity TaskForce	15



## Checklist

- 1 Apply for admission to CSUB during the priority filing period (October 1 - November 30) ☐
- 2 Check AB 540/2000/SB 68 Eligibility ☐
- 3 Complete California Nonresident Tuition Exemption Request form ☐
- 4 Apply for Financial Aid ☐
- 5 Apply for Scholarships ☐
- 6 Once admitted, meet with Academic Advisor & Register for Classes ☐
- 7 Attend CSU Bakersfield ☐
- 8 Graduate! ☐



# State Legislation



The following Assembly and Senate Bills allow undocumented students to qualify for in-state tuition at the California State University campuses:

**Assembly Bill 540 (AB 540)**, passed in 2001, grants students meeting certain criteria an exemption from paying resident tuition at the CSU.

**Assembly Bill 2000 (AB 2000)** passed in 2014. This is an expansion of AB540. It increases the scope of student eligibility for students who graduated early from a California High School with the equivalent of three or more years of credits. If a student graduates early, they must have attended CA elementary or secondary schools for a cumulative total of 3 or more years. It allows students meeting the criteria to pay in-state tuition, the same as resident students.

**Senate Bill 68 (SB 68)** passed in 2017. This public postsecondary education exemption from nonresident tuition was approved by the governor and filed with the Secretary of State on October 5, 2017. This legislation amended Education Code, section 68130.5, changing the criteria for students eligible for a nonresident tuition exemption, as previously defined in Assembly Bill 540 (2001). Senate Bill 68 expands the requirements of AB 540/ AB 2000 to include attendance at California Community Colleges and attainment of an associate's degree.

**The California Dream Act (Assembly Bills 130 and 131)** were signed into law in 2011. Together these bills compose the California Dream Act and give AB 540 / AB 2000 students the right to apply for state financial aid, including Cal Grant A & B Entitlement awards, Cal Grant C awards, institutional grants and community college fee waivers.





# Admissions

## To apply to CSUB, you should:

1. Apply for admission during the priority filing period (October 1 - November 30) by filling out the CSU application at Cal State Apply - Select California State University, Bakersfield
2. Research how you will pay for college. If you're seeking an AB 540 / AB 2000 / SB 68 exemption you will follow the same admission process as any other student. If you are granted an exemption, you will be charged in-state tuition and fees. For more information, visit <https://www2.calstate.edu/attend/paying-for-college>.

## Things to Consider When Filling Out Your Application to CSU Bakersfield

1. **Social Security number.** The application will ask you to enter your Social Security number (SSN). If you have qualified for Deferred Action for Childhood Arrivals (DACA) and have been issued a SSN, you are NOT required to enter that number on your application.

If you do not have a SSN, you can leave that item blank on the application and the campus you are applying to will assign you a temporary number.

2. **Residency.** Answer all questions about residency (where you live). If you meet AB 540 / AB 2000 / SB 68 guidelines and are being charged nonresident tuition, contact your campus and submit a California Nonresident Tuition Exemption Request form. This form is available in the Admissions & Records office or online at <http://www.csub.edu/admissions/files/CSUAB540.pdf>. In addition, please be prepared to submit official transcripts/records that validate the your school information where you attended.

The request form requires that students without legal immigration status state they have filed or will file an application to legalize their immigration status as soon as they are eligible to do so. You do not need to submit a new request if you are continuously enrolled at the same campus.

The law requires that the information you share on the California Nonresident Tuition Exemption Request form be kept confidential. (See California Education Code §68130.5(d): "Student information obtained in the implementation of this section is confidential.") Student information is also protected by the federal Family Educational Rights and Privacy Act (FERPA).

If you have any questions, please contact: the Office of Admissions at [residency@csub.edu](mailto:residency@csub.edu).





# AB 540/2000/SB 68 Eligibility



Certain nonresident students (including U.S. citizens, permanent residents, and undocumented individuals) who have attended, graduated, or achieved the equivalent from a California school may be exempted from paying nonresident tuition. Such students must remain classified as "nonresidents" for residence classification and financial aid eligibility purposes.

Students seeking exemption from nonresident tuition must satisfy attendance requirements and graduation/transfer requirements. Students must also complete and submit the California Nonresident Tuition Exemption Request form, along with supporting documents (i.e., transcripts, proof of attendance) to the campus Admissions and Records Office.

## Section A

A total attendance of – or attainment of credits earned while in California equivalent to – three or more years of full-time attendance or attainment of credits at any of the following:

- i. California high schools.
- ii. California high schools established by the State Board of Education.
- iii. California adult schools established by any of the following entities:
  - A county office of education.
  - A unified school district or high school district.
  - The Department of Corrections and Rehabilitation.
- iv. Campuses of the California Community Colleges\*
- v. A combination of those schools set forth in (i) to (iv), inclusive.

*Please note that only two (2) years of community college attendance can be used to satisfy this requirement. A third year must be taken from attendance at one of the schools listed above (i-iii).*

*\*A year's equivalence at a California Community College is either a minimum of 24 semester units of credit or 36 quarter units. Only two (2) years of full time attendance in credit courses at the California Community Colleges will count towards the three (3) or more years of attendance. Full-time attendance at a California adult school is a minimum of 420 hours of attendance for each school year.*





# AB 540/2000/SB 68 Eligibility

## Section B

Three or more years of full-time high school coursework, and a total of three or more years of attendance in California elementary schools, California secondary schools, or a combination of California elementary and secondary schools.

### Graduation/Transfer Requirement

Students must satisfy the graduation/transfer requirement by fulfilling any of the following:

- A. Graduation from a California high school or attainment of the equivalent thereof; or
- B. Attainment of an associate degree from a campus of the California Community Colleges; or
- C. Fulfillment of the minimum transfer requirements established for the CSU for students transferring from a campus of the California Community Colleges.

### California Nonresident Tuition Exemption Request

Remember: Students will not be considered for this exemption unless the California Nonresident Tuition Exemption Request form is completed and submitted along with supporting documents (i.e., transcripts, proof of attendance at a California school) to the campus Admissions and Records Office.

Additionally, a student who was a lawful non-immigrant individual during his/her high school attendance, but who is no longer a non-immigrant (e.g., a student whose valid non-immigrant visa has expired, but who has not applied for any other non-immigrant status or a student who has applied for permanent residence, asylum, or another immigration classification other than as a non-immigrant), is entitled to this exemption provided s/he has met all other requirements for the exemption.

### Who Is Not Eligible

If you are an undocumented student ineligible for the AB 540 / AB 2000 / SB 68 nonresident tuition exemption, you will also be ineligible for all federal, state and institutional aid. Your financial aid options to pay for college may include securing a private loan and scholarships.

Students who are non-immigrants (other than those with T or U visa status) -- for example, those who hold F (student) visas and B (visitor) visas -- are not eligible for the AB 540 / AB 2000 / SB 68 nonresident exemption for tuition.

DACA-approved students are not able to apply for federal financial aid (FAFSA) and may not receive services of federally funded university programs. Some DACA-approved students may be eligible to apply for California state aid if they qualify for the AB 540 / AB 2000 / SB 68 nonresident tuition exemption.



# Financial Aid



Students with an affidavit on file with CSUB may be eligible for state and institutional financial aid. Students should apply for financial aid annually to determine their eligibility for the following programs:

## TYPES OF FINANCIAL AID

### Cal Grant A and B

- helps pay tuition and some fees at four-year California colleges.
- has a March 2 deadline to apply using the Free Application for Federal Student Aid (FAFSA) or the California Dream Act Application (CADAA). See below for more information on “Applying for Financial Aid.”
- award amounts vary by type of Cal Grant and type of college — up to \$7,142 for undergraduates in 2016-17 at a California State University campus.
- has a GPA requirement. Students who are applying using a high school GPA, must have at least a 2.0 GPA. Students applying for a transfer entitlement Cal Grant must have a 2.4 GPA from their community college and must meet other eligibility criteria. Students are not eligible for the competitive Cal Grant program.
- requires that the student's course of study leads directly to an associate or bachelor's degree, or qualifies for transfer from a community college to a bachelor's degree program.
- There are additional eligibility criteria related to income, academic progress, selective service, etc. For more information visit the California Student Aid Commission (<https://www.csac.ca.gov/>).

### Chafee Grant

If you are or were in foster care between the ages of 16 and 18 as a dependent or ward of the court and have financial need, you may qualify for up to a \$5,000 Chafee Grant per year for career and technical training or college. For more information visit the California Chafee Grant for Foster Youth (<https://chafee.csac.ca.gov/>).

### Middle Class Scholarship

Provides undergraduate students, including students pursuing a teaching credential, with family incomes and assets up to \$156,000 a scholarship to attend California State University (CSU) campuses. For more information visit the California Student Aid Commission (<https://www.csac.ca.gov/middle-class-scholarship>).

### State University Grant (SUG)

Provides a need-based grant to help pay for the CSU Tuition Fee for eligible undergraduate and graduate students who are California residents or are otherwise determined as eligible. Systemwide, the priority is to award a SUG at least equal to the amount of the CSU Tuition Fee (in 2016-17 that was \$5,472 for undergraduates, \$6,348 for teaching credential and \$6,738 for graduate students).





# Financial Aid

## Educational Opportunity Program (EOP) Grant

Provides assistance to economically and educationally disadvantaged undergraduates. Recipients must be California residents who are admitted to a CSU campus through the Educational Opportunity Program. EOP students may receive a grant, based on need, of up to \$2,000 per year. Funding for this grant is very limited.

## Scholarships

All eligible students may apply for scholarships administered by a CSU campus. Scholarships are free money that the student does not have to re-pay. Students may be required to meet certain academic and enrollment criteria. Students are encouraged to check their CSU campus website for more information on applying for a campus scholarship. Students interested in applying for scholarships not administered by their CSU campus should look at databases provided by their local high schools, local libraries, or campus Dream Centers.

### APPLYING FOR FINANCIAL AID

1. Students who meet the nonresident tuition exemption requirements may be eligible for state and institutional financial aid.  
Submit the CSU application for admission.
2. Students without lawful immigration status and students with a U-Visa or DACA status should file a California Dream Act Application (CADAA). The CADAA is available as early as October. Some state and institutional financial aid requires you to apply before the March 2 California priority filing deadline. The application is available until June 30, but eligibility for some programs may be limited after March 2, due to limited funding. The CADAA may be completed here: <https://www.csac.ca.gov/california-dream-act>.

Students who are U.S. Citizens or eligible non-citizens and are AB540 eligible should apply for financial aid using the Free Application for Federal Student Aid (FAFSA). The FAFSA is available as early as October 1. Some state and institutional financial aid requires the student apply before the March 2 California priority filing deadline. The application is available until June 30, but eligibility for some programs may be limited after March 2, due to limited funding. To access the application, please visit: <https://studentaid.ed.gov/sa/fafsa>

Please note: All male students under the age of 26 are required to confirm that they registered for the Selective Service to receive financial aid. If the student has a valid Social Security number, the student may register online. Students without a Social Security number may register in person at any U.S. Post Office. The CSU campus may request proof of selective service registration prior to awarding or disbursing financial aid.



# Financial Aid



3. Cal Grant GPA, March 2 deadline. Students should confirm that their California community college or California high school has submitted their GPA for verification to the California Student Aid Commission prior to the March 2 deadline. The GPA is required for Cal Grant consideration. If the student's high school or community college does not submit the GPA electronically to the California Student Aid Commission, the student should download the Cal Grant GPA Verification Form (<https://www.csac.ca.gov/pod/cal-grant-gpa-information>) and have the school submit it to the California Student Aid Commission.
4. Students who have applied for financial aid using the CADAA and have been admitted to a CSU campus may now file the Nonresident Tuition Exemption Request ([CSU California Nonresident Tuition Exemption from](#)) with the CSU campus to determine whether they meet the AB 540 / AB 2000 / SB 68 criteria. The request requires students without lawful immigration status to affirm that they will file an application to legalize their immigration status as soon as they are eligible to do so.
5. It is important that the student refers to their admitted student packet for all deadlines that students must meet to maintain their admission status, and for helpful information that is meant to assist the student through the admission process.
6. All students should check their CSU campus email, or student portal, early and often. CSU campuses may request additional information from a student that applies for financial aid using the FAFSA or CADAA. Students should respond promptly to all requests for information to prevent delays in processing their financial aid.

## FINANCIAL AID FAQ'S

I don't have a social security number?

Undocumented students without a Social Security Number (SSN) should apply for financial aid using the California Dream Application.

What is Deferred Action for Childhood Arrival (DACA)?

Individuals who came to the United States as children and meet the Federal guidelines below may request consideration of deferred action for childhood arrivals (DACA) for a period of two years, subject to renewal for a period of two years, and may be eligible for employment authorization.

1. Were under the age of 31 as of June 15, 2012;
2. Came to the United States before reaching your 16th birthday;
3. Have continuously resided in the United States since June 15, 2007, up to the present time;
4. Were physically present in the United States on June 15, 2012, and at the time of making your request for consideration of deferred action with USCIS;
5. Had no lawful status on June 15, 2012, meaning that:
6. You never had a lawful immigration status on or before June 15, 2012, or
7. Any lawful immigration status or parole that you obtained prior to June 15, 2012, had expired as of June 15, 2012;
8. Are currently in school, have graduated or obtained a certificate of completion from high school, have obtained a General Educational Development (GED) certificate, or are an honorably discharged veteran of the Coast Guard or Armed Forces of the United States; and



# Financial Aid

Students without lawful immigration status and students with U-Visa or DACA status should apply for financial aid using the California Dream Application. Please note that having DACA does not guarantee financial aid. You must also qualify for the AB 540 nonresident tuition exemption.

I am a T-Visa or a U-Visa holder. Can I apply?

**T-Visa Holders**

T-Visa Holders should apply for financial aid using the Free Application for Federal Student Aid (FAFSA)

**U-Visa Holders:**

Should apply for financial aid using the California Dream Application

Can a Permanent resident apply for AB 540?

**AB 540 for Citizens/Permanent Residents:**

Yes, if you are a U.S Citizen/Permanent Resident and meet the eligibility criteria to apply for a Non-Resident Tuition Exemption (AB 540), please follow these steps to assure that your enrollment process goes smoothly.

1. Make sure you turn in the AB 540 Affidavit along with your official High School Transcript PRIOR to the first day of school. If you do not submit the form prior to the stated deadline, you will be charged Non-Resident Fees, and will be expected to pay the full amount. Once you have been approved for AB 540 status, you will receive a letter or email from the university. Please do not wait until the last minute!
2. For financial aid purposes, please make sure you fill out a Free Application for Federal Student Aid (FAFSA) by the priority deadline of March 2. If you have been selected for income verification, it will be listed on your student portal "To Do List." Please turn in any documents requested as soon as possible in order to receive a financial aid award. Please contact the AB 540 coordinators to ensure State or institutional Financial Aid (if eligible) is reflected on your award.

**Additional Important Information:**

- If you are a U.S. citizen who is under 19, your residency status for tuition purposes is determined by your parent's residency status. If your parents are undocumented you may be charged non-resident tuition. You may qualify for in-state tuition if you qualify for an AB 540 non-resident tuition exemption. Please review the AB 540 for Citizens/Permanent Residents section (read above for more information).
- You must have an AB540 affidavit on file with your college/university to begin the review of financial aid eligibility
- You must apply for financial aid every year
- The California Priority filing deadline for financial aid is March 2nd





# Resources

## SCHOLARSHIPS & GRANTS

### Immigrants Rising:

A list of scholarships for immigrant students, including the New American Scholars Program, which offers financial awards for low-income immigrant students in the Bay Area.

<https://immigrantsrising.org/resources/>

### TheDream.US

This national scholarship award provides up to \$25,000 for tuition and fees for a bachelor's degree.

<https://www.thedream.us>

### Mexican American Legal Defense and Educational Fund (MALDEF)

The (MALDEF) has also compiled a comprehensive list of additional organizations that provide scholarships (PDF). It is organized by major, school, gender and location.

[https://www.maldef.org/assets/pdf/FINAL\\_2018-2019\\_MALDEF\\_Scholarship\\_List\\_102717.pdf](https://www.maldef.org/assets/pdf/FINAL_2018-2019_MALDEF_Scholarship_List_102717.pdf)

### Salvadoran American Leadership and Educational Fund (SALEF)

SALEF's Fulfilling Our Dreams Scholarship Fund is making higher education a reality for Central American and Latino students, including AB 540 students, with over 1,000 scholarships provided since 1998.

<https://www.salef.org/>

## LEGAL

### DACA Legal Services Application & USCIS Filing Fee Assistance

The California Department of Social Services (CDSS) funds qualified non-profits to provide free legal services for low-income individuals. The organizations provide DACA renewal assistance. Assistance with USCIS DACA renewal filing fees may also be available. Services are not guaranteed. You must contact the organization directly to inquire about service availability.

<https://www2.calstate.edu/attend/student-services/resources-for-undocumented-students/Documents/daca-application-assistance-providers.pdf>

### CDSS Immigration Services Funding Contractor Referral List

The California Department of Social Services (CDSS) funds the qualified non-profits provided in this list to provide immigration legal services free of charge in the following categories: (1) Application Assistance-Deferred Action for Childhood Arrivals (DACA); (2) Application Assistance -Other Immigration Remedies; (3) Application Assistance -Naturalization; (4) Legal Training and Technical Assistance; and (5) Education and Outreach.

<https://www2.calstate.edu/attend/student-services/resources-for-undocumented-students/Documents/ContractorReferralListFY1617.pdf>

## CAMPUS

### CSUB Resources for Undocumented Students Website

<http://www.csub.edu/compliance/AB-540CSUBResourceGuide/index.html>

### Walter Stiern Library (located on the North Side of campus)

Computer and printing access to anyone who comes in the building with a photo ID (any kind of ID, including High School ID or employer ID would be suitable), in addition to in-building access to our books and online databases.

<https://library.csub.edu/>



# Resources

## Guardian Scholars Program

The CSUB Guardian Scholars Program supports current and former foster youth who are college bound by providing access, maintaining a support network that promotes student academic success, and connecting students with their potential to become successful and productive world citizens.

<http://www.csub.edu/gsp/>

## Student Health Services

CSUB's Student Health Services helps promote a healthy campus community by providing quality, caring, cost-effective healthcare and health promotion services.

<http://www.csub.edu/healthcenter/>

## Counseling Center

The Counseling Center provides counseling and consultation services to undergraduate and graduate students who are enrolled in the university.

<http://www.csub.edu/counselingcenter/>

## Educational Opportunity Program (EOP)

EOP provides ACCESS to the University through outreach and special admissions for qualified students. ADVOCACY for underrepresented and disadvantaged populations. TRANSITIONAL EXPERIENCE such as Summer Bridge and Guardian Scholars. SUPPORT SERVICES including advising, independent living, summer tutoring in math and English, and our computer lab. EOP GRANTS through the Office of Financial Aid and Scholarships for students with a low estimated family contribution.

<https://www.csub.edu/eop/>

## Equity, Inclusion, and Compliance

<http://www.csub.edu/compliance/index.html>

## Admissions & Records

<http://www.csub.edu/admissions/>

## Office of Student Rights and Responsibilities

<http://www.csub.edu/osrr/index.html>

## Associated Students, Inc. (Student Government)

<http://www.csub.edu/asi/>

## Financial Aid & Scholarships

<http://www.csub.edu/Finaid/>

## CSUB Tutoring Program

[http://www.csub.edu/admissionsandaid/student\\_support\\_programs/tutoring/](http://www.csub.edu/admissionsandaid/student_support_programs/tutoring/)

## CSU Chancellor's Office - Resources for Undocumented Students

<https://www2.calstate.edu/attend/student-services/resources-for-undocumented-students>

## COMMUNITY

### Youth2Leaders Education Fund

Youth 2 Leaders Education Foundation is a non-profit organization dedicated to ensuring that the next generation of Kern County students has the opportunity to go to college. Their ultimate goal is to increase the number of Kern County youth that attain a higher education at the community college or university of their choice.

<https://www.y2lef.org/about-us#about-y2l>



# Frequently Asked Questions



## ENROLLMENT & EMPLOYMENT

Will my enrollment at the university, tuition or financial aid be impacted if the DACA program ends?

No. CSU enrollment and tuition policies are not based on DACA status and will not be impacted if DACA is repealed. Likewise, state funding available under the California Dream Act is not based on DACA status and will not change.

What is the CSU's Policy with regards to federal immigration enforcement agents on our campuses?

CSU Policy directs, unless contravened by California Government Code or required by law, that:

- The CSU will not enter into agreements with state or local law enforcement agencies, Homeland Security or any other federal department for the enforcement of federal immigration law;
- Our university police departments will not honor immigration hold requests; and
- Our university police do not contact, detain, question or arrest individuals solely on the basis of being - or suspected of being - a person that lacks documentation.

Is the AB540 information I provide confidential?

Yes. The Family Educational Rights and Privacy Act (FERPA) is a Federal law that protects the privacy of student education records. your privacy is important and the information you provide is confidential. The records you disclose in your Dream Application and Affidavit are for university purposes only.

Do I need a Social Security Number to apply to CSUB?

No, students are not required to have or use a Social Security number when applying to CSUB. If the student does not have a SSN, the student should leave the field on the application blank.

## TRAVEL

I am a current DACA recipient and I am studying abroad. Will I be allowed re-entry if DACA is repealed?

If DACA is repealed while you are abroad, it is very likely that you will not be permitted to re-enter the U.S. upon return, with or without Advance Parole. DACA recipients have been repeatedly advised not to leave the country under the current administration.

If you currently are abroad or have questions, you are encouraged to contact legal counsel.

What is important to know when considering travel within the U.S.?

While flying, you could be asked by airport security to provide proof of your immigration status. Airports are "ports of entry" into the U.S. There are Customs and Border Protection (CBP) officers at airports, and constitutional protections are limited at ports of entry. U.S. domestic flight security is governed by the Transportation Security Administration ("TSA"), which is part of the Department of Homeland Security.



# Frequently Asked Questions

You must show valid identification at the airport checkpoint in order to travel (<https://www.tsa.gov/travel/security-screening/identification>).

If you currently have DACA and it has not expired nor the program repealed, you should be able to travel within the U.S. via plane or other forms of transportation. You may be stopped and asked about your immigration status. You may be asked questions about your immigration status if you use a document that shows your country of citizenship (such as a non-U.S. passport or Employment Authorization Document, "EAD" card).

An AB 60 license is not accepted as identification for federal purposes, including as identification for air travel ([https://www.ilrc.org/sites/default/files/resources/ab\\_60\\_4\\_27\\_15.pdf](https://www.ilrc.org/sites/default/files/resources/ab_60_4_27_15.pdf)).

If you are traveling by air or land within 100 miles of any U.S. border, CBP officers have certain additional powers and can operate immigration checkpoints. Please also see the American Civil Liberties Union's (ACLU) fact sheet on risks present within the "100-mile border zone." (<https://www.aclu.org/other/constitution-100-mile-border-zone?redirect=constitution-100-mile-border-zone>)

What are CBP (Customs and Border Protection) checkpoints and what happens if I encounter one?

CBP is responsible for securing the U.S. border. In order to do so, CBP patrols the border and nearby areas and conducts checkpoints. These activities typically take place within 100 miles of the U.S. border. Checkpoints can be permanent structures or temporary tactical posts([https://help.cbp.gov/app/answers/detail/a\\_id/1084/~/legal-authority-for-the-border-patrol](https://help.cbp.gov/app/answers/detail/a_id/1084/~/legal-authority-for-the-border-patrol)). When they are operational, generally there will be a stop sign for each lane where a CBP officer will either wave you through (allow you to pass) or ask you questions. The officers are authorized to ask whether you have lawful immigration status, and they are authorized to verify your status. CBP agents can conduct a search of persons and/or vehicles at a checkpoint if they have "probable cause" from their observations, canine sniffs, record checks, or other lawful means, but motorists are not required to consent to a search (<https://www.aclusandiego.org/wp-content/uploads/2014/11/KYR-2-pg-flyer-final.pdf>).

If you have DACA, you can bring a copy of your EAD and your approval notices just in case you are asked questions.

If the officers are unable to verify lawful immigration status, they can take the motorist(s) to the secondary inspection area. If the officers are still unable to verify lawful immigration status, they could either issue a Notice to Appear asking the motorist to go to Immigration Court or let the motorist go. These procedures vary and may change frequently under the current presidential administration.



# Frequently Asked Questions



Fleeing from checkpoints is a felony and motorists should never lie to an officer. For example, misrepresentation or false claim of U.S. citizenship can have an adverse consequence at a later time if motorists want to petition for permanent residency.

For more information, please see ACLU-Border Litigation Project's Checkpoint FAQ (<https://www.aclusandiego.org/wp-content/uploads/2014/11/Border-Patrol-Checkpoint-FAQs.pdf>).

## CONTACT WITH IMMIGRATION ENFORCEMENT

The U.S. Constitution guarantees rights to all people in the U.S., regardless of citizenship status, which includes the right to be free from unlawful searches and seizures. In practical terms, that means that during a police or immigration officer encounter:

- You have the right to remain silent.
- Stay calm and be polite. Do not lie about your citizenship status or provide fake documents.
- You do not have to sign anything. If you sign, you may be giving up your opportunity to stay in the U.S.
- If immigration comes to your home, you do not have to open your door unless an officer has certain kinds of warrants. Ask the officer to slip the warrant under the door or hold it up to a window so you can inspect it. For more information about the warrant authority of ICE and CBP, please visit: <https://www2.calstate.edu/attend/student-services/resources-for-undocumented-students/Documents/Undocumented-FAQs.pdf>
- If you are taken into immigration custody, you have the right to a lawyer. However, please note that the government does not have to provide one for you. For available legal services, click [here](#)<sup>11</sup>.
- Additionally, if you are in immigration custody, you have the right to contact your consulate.

You can carry the Immigrant Legal Resource Center's "red card" with you to read your rights in case of contact with ICE (<https://www.ilrc.org/red-cards>). To read more about your rights, please see the National Immigration Law Center's resources (<https://www.nilc.org/issues/immigration-enforcement/everyone-has-certain-basic-rights/>).

## OPTIONS FOR IMMIGRATION RELIEF

I am planning to marry my U.S. Citizen or Lawful Permanent Resident partner – how does that affect my status?

You may be able to adjust your status, but it depends on your specific situation. It is very important that your marriage is a "real" or "bona fide" marriage, which means that your marriage cannot be fraudulent.

Is there any way I can legalize my status besides marrying a U.S. Citizen or Lawful Permanent Resident?

- You might be eligible for some form of immigration depending on your individual circumstances. Aside from marriage to someone with lawful status, other options include:
- Family-based petitions
- U Nonimmigrant Visa – for victims of serious crimes
- T Nonimmigrant Visa – for victims of severe forms of human trafficking
- Special Immigrant Juvenile Status – for youth under 21 who have been abused, abandoned, or neglected
- Violence Against Women's Act ("VAWA") – for victims of abuse by a U.S. Citizen or Lawful Permanent Resident
- Asylum/Convention Against Torture – for those who fear return to their home country.



# AB 540 & Undocumented Student Equity TaskForce

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## Notes







## Notes

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.



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