November 4, 2019

Hello All,

Below you will find updates and information on the following topics: I. Gift and Endowment Support for Non-AB540 Undocumented Students; II. Cal Grant B Service Incentive Grants; III. DACA at the U.S. Supreme Court; IV. Public Charge; and V. New California Anti-Courthouse Arrest Law.

I. Gift and Endowment Support for Non-AB540 Undocumented Students

*Senate Bill 77* (Section 66021.9. (a)) was signed into law on July 1, 2019, establishing that "[t]he University of California may provide a scholarship as established by the university or a campus of the university, derived from nonstate funds received for that purpose, to any of its enrolled students who meet the eligibility requirements for that scholarship." In this context, "nonstate funds received for that purpose” means gifts and endowments received for the purpose of awarding scholarships.

Please note that it is likely that much of UC's gift and endowment funding may already be committed for 2019-20. Further, each campus awards their funds differently, particularly the endowed funds; so while UC can now award funding to students, there may be other factors related to eligibility.

Please see attached document for guidance on how UC can extend non-State financial aid to undocumented students who do not qualify for AB540 Nonresident Supplemental Tuition (NRST) exemptions.

II. Cal Grant B Service Incentive Grants

*Senate Bill 77* (Article 5.5) was signed into law on July 1, 2019, establishing a Service Incentive Grant program for Cal Grant B recipients. To receive a grant under the program, a student must perform at least 100 hours per quarter or 150 hours per semester of community or volunteer service. The community or volunteer service shall be performed through organizations meeting certain requirements laid out in the bill, including non-profits such as the University of California. This could supplement income in the event students are unable to work. Undocumented Student Programs/Centers may want to discuss how to implement this within UC.
III. DACA at the U.S. Supreme Court (SCOTUS)

SCOTUS will hear arguments on the lawfulness of DACA's termination on November 12, 2019. We encourage DACA recipients whose DACAs expire within the next 6 months to renew now. For individuals whose DACAs expire within the next 6-12 months, we encourage those individuals to speak with an attorney and to prepare to renew ASAP. Please see attached infographic for distribution.

IV. Public Charge

“Public charge” is a ground of inadmissibility that could prevent an individual from receiving a greencard or visa to the U.S. The Department of Homeland Security (DHS) has published a harsh new version of the public charge rule, however multiple courts have prevented the rule from going into effect. It is important to note that individuals applying at U.S. consulates abroad are subject to different rules from those applying within the U.S. For California-specific fact sheets on "public charge" in 22 languages, click here.

V. New California Anti-Courthouse Arrest Law

Assembly Bill 668 was signed into law by Gov. Newsom on Oct 12, 2019, barring civil arrests “in a courthouse” in the absence of a judicial warrant. “A person who is arrested or detained in violation of this act may, like any other person unlawfully arrested or detained, seek a writ of habeas corpus” (this writ secures the person's release unless lawful grounds are shown for their detention). The new law does not appear to cover arrests of people picked up by ICE outside court buildings on their way to/from court.

As always, please do not hesitate to reach out with any questions.

Thank you,
The UC Immigrant Legal Services Center team