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April 29, 2013

The Honorable Carol Liu Chair, Senate Education Committee State Capitol, Room 5097 Sacramento, CA 95814

Re: SB 141 (Correa), as amended April 25, 2013 Scheduled for Hearing in the Senate Education Committee May 1, 2013 Position: Oppose

Dear Senator Liu:

Regretfully, I am writing to inform you that the University of California (UC) opposes SB 141. While UC applauds the author's efforts to help those students who are disadvantaged by their parents' deportation, we believe the bill would have additional unintended consequences.

SB 141 proposes to allow students whose parents have been deported and who lived in California immediately preceding deportation an exemption from paying non-resident tuition. These students must be financially needy US citizens who have attended a secondary school in California for at least three years or more to qualify for the exemption.

The University of California is sympathetic to the plight of those students Senator Correa is attempting to help. Regrettably, UC believes the author's proposal creates inappropriate incentives and would generate an administrative burden for both campus residence deputies and high school administrators who would need to verify enrollment.

The bill could have the unintended consequence of providing an incentive for parents who are in this country legally under a visa to allow their visa to go out of status and then to "voluntarily depart" in order to secure the benefits of California residency for their children (worth nearly \$100,000 over four years at current non-resident tuition rates). UC is already experiencing this problem with some graduate students who arrive with legitimate foreign student visas and then let them lapse in order to qualify for an exemption under AB 540. The bill, as proposed, would extend that incentive to another class of individuals.

Additionally, the process for collecting and verifying the documentation required to establish eligibility would present a substantial workload for UC Residence Deputies and high school administrators who would have to verify enrollment.

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Moreover, we believe a student, as defined by this bill, can already become exempt from non-resident tuition and eligible for Cal Grants under AB 540 if they either pass the California High School Proficiency Examination or the General Education Development (GED) Test. Therefore, for these students, there is an existing process in place for them to receive the benefits that this bill seeks to provide. That simpler process avoids the need to establish financial need, to verify that the student lived in California immediately prior to deportation, and to document the reason why the student's parents left the country.

For these reasons, UC opposes SB 141. We thank you for your continued commitment to higher education and for your consideration of the University's views.

Sincerely,

Adrian Diaz

Legislative Director

State Governmental Relations

cc: Vice Chair and Members, Senate Education Committee

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