
SENATE COMMITTEE ON EDUCATION

Senator Sasha Renée Pérez, Chair

2025 - 2026 Regular

Bill No:	AB 695	Hearing Date:	July 16, 2025
Author:	Fong		
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Urgency:	Yes	Fiscal:	Yes
Consultant:	Olgalilia Ramirez		

Subject: California Community Colleges Access and Continuity for Deported Students Act.

SUMMARY

This bill, an urgency measure, provides an exemption from nonresident tuition for community college students who were deported on or after January 1, 2025, and later reenroll in either an online or in-person community college program if the student was previously enrolled and was not paying nonresident tuition at the time of their departure. Additionally, the bill requires the student to provide an attestation with information on the conditions of their departure.

BACKGROUND

- 1) Establishes the California Community College (CCC), a postsecondary education system in this state, under the administration of the Board of Governors (BOG); and, specifies that the CCC consists of community college districts (CCDs). (Education Code (EC) § 70900)
- 2) Requires the CCC BOG to provide leadership and direction in the continuing development of the CCC as an integral and effective element in the structure of public higher education in the state. The work of the BOG must at all times be directed to maintaining and continuing, to the maximum degree permissible, local authority and control in the administration of the CCC. (EC § 70901)
- 3) Establishes that CCDs are under the control of a board of trustees, known as the local governing board, who has the authority to establish, maintain, operate, and govern one or more community colleges, within its district as specified. Permits districts to establish policies for and the approval of courses of instruction and educational programs. (EC § 70902)
- 4) Exempts specified California nonresidents from paying nonresident tuition at the University of California (UC), the California State University (CSU), and the CCC, also known as the AB 540 nonresident tuition waiver, if they meet all of the following:
 - a) Attended or attained credits at a California high school, an adult school, a CCC campus, or a combination of these entities, for the equivalent of three or more years; or completed 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 such elementary and secondary schools;

- b) Graduated from a California high school or attained an equivalent degree; attained a CCC associate degree; or fulfilled the minimum transfer requirements from a CCC campus to a UC or CSU campus;
 - c) Registered or attended an accredited California higher education institution beginning after fall of the 2001-02 academic year; and,
 - d) If a person without lawful immigration status has filed an affidavit stating that the student has filed an application to legalize his or her immigration status or will file such an application as soon as he or she is eligible to do so. (EC § 68130.5)
- 5) Requires the CSU Trustees and the CCC BOG, and requests the UC Regents, to establish procedures and forms that enable AB 540 students to apply for, and participate in, all student aid programs administered by these segments to the full extent permitted by federal law. (EC § 66021.6)
- 6) Establishes the California DREAM Act to provide state financial aid, including the Cal Grant Program and the CCC California College Promise Grant (formerly known as the BOG Fee Waiver), and institutional financial aid to students who qualify for the aforementioned exemption, as enumerated in (4)(a-d) inclusive, from non-resident tuition. (EC § 69508.5)
- 7) Authorizes California community college districts to admit nonresident students and generally requires them to pay a nonresident tuition fee with certain exceptions. Current law allows districts to grant full or partial exemptions from this fee for certain categories of students. Specifically, districts may exempt nonresidents who enroll in six or fewer units, provided the exemption is applied broadly and not individually. They may also exempt individual nonresidents who are both citizens and residents of foreign countries and demonstrate financial need, though no more than 10 percent of foreign nonresident students in a district may receive this exemption. Certain other categories of students must be fully exempted from the fee, as specified. (EC § 76140 (a)(1)(2))

ANALYSIS

This bill:

- 1) Exempts a deported student from paying nonresident tuition if the student meets all of the following requirements:
 - a) The student was enrolled in a CC and not paying nonresident tuition at the time of departure.
 - b) The student provides an attestation to all of the following:
 - i) The student no longer resides in the United States.

- ii) The date the student departed the United States.
 - iii) The reason the student departed the United States.
 - c) The student reenrolls in an online education program offered by a California community college no later than three years from the date the student departed the United States.
- 2) Exempts a deported student who meets the requirements in the bill from nonresident tuition for the duration of the student's enrollment in an online education program.
- 3) Exempts a student from paying nonresident tuition until completion of any of the following:
- a) An associate degree for transfer.
 - b) An associate arts degree.
 - c) A certificate of completion.
 - d) A certificate of achievement.
 - e) A certificate of competency in a recognized career field by articulating with college-level coursework.
 - f) Courses required for transfer to a four-year degree program.
- 4) A deported student who legally reenters the United States and resumes in-person education at a CCC shall be eligible for both of the following:
- a) Retaining residency status for nonresident tuition and fee purposes, provided the student was previously classified as a resident and met the definition of deported student at the time of departure.
 - b) Being exempt from nonresident tuition and eligible for financial aid upon reenrollment.
- 5) Defines, for the purposes of this bill, all of the following terms:
- a) "Deported student" means a student who departed the United States on or after January 1, 2025, was enrolled in a California community college at the time of departure or detention, and the departure occurred for any of the following reasons:
 - i) Due to immigration enforcement actions by the United States Department of Homeland Security.
 - ii) Voluntarily due to the threat of immigration enforcement by the

United States Department of Homeland Security.

- iii) Due to being denied reentry to the United States after voluntarily departing with the intention of making a brief trip abroad.
- 6) “Online education program” means a distance learning program offered by a CCC, including, but not limited to, career development and college preparation courses offered pursuant to Section 84760.5, that allows students to complete coursework remotely.
- 7) Makes numerous legislative findings and declarations about the impact deportation has on CCC students and the need to support the continuity of their education.
- 8) Includes an urgency clause, based on the need to ensure that CCC students who are deported, leave the state due to fear of deportation, or were denied reentry to the state are able to continue their education.

STAFF COMMENTS

- 1) **Need for the bill.** According to the author, “Across the country, students are facing immigration enforcement actions that may force them to leave the United States involuntarily and abruptly. Deportation not only impacts these individuals, it impacts the economic and social progress of the state. By enabling students to continue their education through a CA Community College online program, students will be able to maintain academic progress and be able to contribute to the state’s economy if they are able to return to the United States.”
- 2) **Who is eligible?** This bill extends the exemption from paying nonresident tuition upon reenrolling to a CCC student who departed the country on or after January 1, 2025, due to immigration enforcement activity. To qualify for the exemption, the student must have been paying resident tuition at the time of their departure from the country. The bill applies to students who reenroll within three years of their departure in online distance learning programs and to students who reenroll in-person (the three-year window does not apply to in-person reenrollment). The exemption is valid until completion of their program. A student must self-attest to confirm their deportation status with the college. This bill seems to align with existing efforts that support students in continuing their education with minimal disruption after being impacted by immigration enforcement activity.
- 3) **Nonresident vs. resident tuition.** Persons deemed nonresidents of California for purposes of paying tuition at a CCC are charged significantly higher tuition rates than the amount charged for resident tuition. In 2024, at CCCs, California residents pay \$46 per unit, while nonresidents pay on average \$346 per unit. In-state tuition classification represents a significant postsecondary education benefit. The nonresident tuition exemption provided to CCC students in this bill is one they were already receiving before leaving the country. It allows the student to retain that benefit to enable them to finish their program—remotely or in-person.

- 4) **International education offerings.** Committee staff understands that community colleges do offer online program to students outside of the country including through international education opportunities programs. Presumably, these students pay the nonresident rate.
- 5) **Parallel reenrollment policies for deported students.** Current law already mandates CCC, CSU, and UC to assist students facing detention, deportation, or inability to fulfill academic requirements as a result of immigration actions. Institutions must make reasonable efforts to help these students retain their benefits, including an exemption from paying nonresident tuition, and allow them to reenroll when they return. Additionally, existing law deems a K-12 student that meets residency requirements for school attendance in a school district if they are a student whose parents were deported against their will. This bill narrowly focuses on preserving residency status for tuition purposes. One key difference between this bill and the parallel reenrollment policies is the inclusion of online education programs.
- 6) **Amendments.**
 - a) This bill establishes eligibility criteria based on a student's prior enrollment in community college and their nonresident tuition exemption status. However, it does not explicitly require the verification of that status. As such, ***committee staff recommends that the bill be amended to:***
 - *Require that the California community college at which the student is seeking to reenroll to verify the student's prior enrollment and exemption from nonresident tuition.*
 - *Require that the student provide, within the required attestation, the name of the California community college at which the student was enrolled prior to the student departing the United States.*
 - b) **Committee staff further recommends that the bill be amended to** clarify the provisions related to resuming in-person education and to ensure that colleges are not placed in a position to determine what constitutes legal reentry, a responsibility for which they may not have to necessary qualifications. As follows:
 - EC § 76151. (d) *If and when a deported student is able to reenroll and resume in-person education at a California community college, the student shall be eligible for all of the following: A-deported student who legally reenters the United States and resumes in-person education at a California community college shall be eligible for both of the following:*
 - (1) *Retaining residency status for the purposes of determining tuition and fees for nonresident tuition and fee purposes, provided the student was previously classified as a resident and met the requirements under subdivision (a) at the time of departure.*

- (2) Being exempt from nonresident tuition *provided the student previously qualified for an exemption from nonresident tuition and met the requirements under subdivision (a) at the time of departure.* ~~and eligible for financial aid upon reenrollment.~~
 - (3) *Applying* for financial aid upon reenrollment.
- c) **The author wishes that the bill be amended to clarify the definition of online education program.”**
- “Online education program” means a distance education learning program offered by a California community college, including, but not limited to, career development and college preparation courses offered pursuant to Section 84760.5, that allows students to complete coursework remotely.

SUPPORT

California Association for Bilingual Education
 California Community College Independents
 California Community Colleges Chancellor's Office
 California Faculty Association
 California School Employees Association
 California Teachers Association
 California Undocumented Higher Education Coalition
 Citrus College
 Contra Costa Community College District
 County of Los Angeles Board of Supervisors
 EdTrust-West
 Faculty Association of California's Community Colleges
 Foothill-De Anza Community College District
 Hispanas Organized for Political Equality
 Kern Community College District
 Long Beach Community College District
 Los Angeles Community College District Academic Senate
 Los Angeles Unified School District
 Loyola Marymount University - the Center for Equity for English Learners
 Mt. San Antonio College
 North Orange County Community College District
 Orange County Board of Supervisors - Supervisor Vicente Sarmiento
 San Bernardino Community College District
 San Diego Community College District
 San Jose-Evergreen Community College District
 Southwestern Community College District
 State Center Community College District
 University of California
 Victor Valley Community College District

OPPOSITION

None received

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