
SENATE COMMITTEE ON APPROPRIATIONS

Senator Anna Caballero, Chair
2025 - 2026 Regular Session

AB 695 (Fong) - California Community Colleges Access and Continuity for Deported Students Act

Version: July 17, 2025

Urgency: Yes

Hearing Date: August 25, 2025

Policy Vote: ED. 6 - 1

Mandate: Yes

Consultant: Lenin Del Castillo

Bill Summary: This bill, an urgency measure, exempts community college students who were deported and later reenroll in either an online or in-person community college program from nonresident tuition if the student was previously enrolled and was not paying nonresident tuition at the time of their departure.

Fiscal Impact: The Chancellor's office estimates one-time Proposition 98 General Fund costs of between \$13,000 and \$22,000 per district, or \$936,000 to \$1.6 million statewide for all 72 community college districts, to update policies and practices regarding eligibility for nonresident tuition exemptions. The districts would also need to adopt procedures for verifying student attestations, however they are already required to implement practices to ensure students retain eligibility for nonresident tuition exemptions in the event of detainment, deportation, or inability to attend. Therefore, these policy updates are likely to be minor and absorbable within existing workload.

Background: Existing law exempts specified California nonresidents from paying nonresident tuition at the University of California (UC), the California State University (CSU), and the California Community Colleges (CCCs), also known as the AB 540 nonresident tuition waiver, if they meet all of the following:

1. 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;
2. 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;
3. Registered or attended an accredited California higher education institution beginning after fall of the 2001-02 academic year; and,
4. 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.

Existing law 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.

Existing law 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.

Proposed Law: This bill exempts a deported student from paying nonresident tuition if the student meets all of the following requirements:

1. The student was enrolled in a community college and not paying nonresident tuition at the time of departure. The community college at which the student seeks to enroll shall verify these requirements are met.
2. The student provides an attestation to all of the following: the student no longer resides in the United States, the date the student departed the United States, the reason the student departed the United States, and the name of the college at which the student was enrolled before departing the United States.
3. 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.

This bill 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. Further, it exempts a student from paying nonresident tuition until completion of any of the following: an associate degree for transfer, an associate arts degree, a certificate of completion, a certificate of achievement, a certificate of competency in a recognized career field by articulating with college-level coursework, and courses required for transfer to a four-year degree program.

This bill provides if and when a deported student resumes in-person education at a community college, the student shall be eligible for the following: retaining residency status for the purpose of determining tuition and fees, provided the student was previously classified as a resident and met the definition of deported student at the time of departure; being exempt from nonresident tuition, provided the student was previously eligible for an exemption; and applying for financial aid upon reenrollment.

This bill defines a "deported student" as 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:

1. Due to immigration enforcement actions by the United States Department of Homeland Security.
2. Voluntarily due to the threat of immigration enforcement by the United States Department of Homeland Security.
3. Due to being denied reentry to the United States after voluntarily departing with the intention of making a brief trip abroad.

Staff Comments: Nonresident students at a community college are charged significantly higher tuition rates than the amount charged for residents of the state. For the 2024-25 school year, California residents paid \$46 per unit at a community college, while nonresidents paid on average \$346 per unit. However, existing law exempts specified California nonresidents from paying the higher tuition if certain conditions are met. This bill extends the exemption from paying nonresident tuition upon reenrolling to a community college 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 and 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. 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."

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