

SENATE THIRD READING

SB 307 (Cervantes)

As Amended June 26, 2025

Majority vote

SUMMARY

Requires the Trustees of the California State University (CSU), and requests the Regents of the University of California (UC), to take a number of actions and adopt a systemwide policy aimed at maintaining the enrollment, financial aid, and academic resources for undocumented students who are unable to attend their courses by the final drop date due to immigration enforcement activity.

Major Provisions

- 1) Requires the CSU Trustees, and requests the UC Regents, to do all of the following:
 - a) If an undocumented student is subject to immigration enforcement activity, ensure that the undocumented student's inability to satisfy the student's academic requirements at the institution due to immigration enforcement activity does not affect the student's qualification for the exemption from paying nonresident tuition;
 - b) Ensure that staff and the designated Dreamer Resource Liaison at the institution assist undocumented students in accessing all financial aid and academic resources available to undocumented students; and,
 - c) Adopt a systemwide policy addressing course grades, administrative withdrawal, and re-enrollment for undocumented students who are unable to attend their courses by the final drop date due to immigration enforcement activity. Specifies that this policy must include a timeframe during which a student withdrawn for non-attendance is re-enrolled and retains the same academic status that they held before their withdrawal, upon submitting written confirmation of their intent to return.
- 2) Defines, for the purposes of its provisions, "institution" to mean a campus of the CSU or UC.

COMMENTS

Undocumented Students and Deferred Action for Childhood Arrivals (DACA). There are an estimated 408,000 undocumented students enrolled in colleges and universities across the United States.¹ 182,000 of these students are students with DACA or who are eligible for DACA.

The DACA process is a federal process that, since 2012, defers removal action of an individual for a specified number of years; and it allows eligible individuals to have work authorization.

In California alone, there are an estimated 87,000 undocumented university students.² Many of California's undocumented students have DACA, though the numbers of DACA recipients in California's postsecondary institutions of higher learning have been decreasing in recent years, as

¹ American Immigration Council and Presidents' Alliance on Higher Education and Immigration, "Undocumented Students in U.S. Higher Education" (Jun. 2024).

² *Ibid.*

the time-based requirements for DACA mean that fewer and fewer incoming undocumented college students are eligible for DACA, and ongoing lawsuits around DACA have prevented the federal government from approving new applications since July 16, 2021.

With the lawsuits against DACA continuing to progress amid an administration that appears non-supportive to the program, the future of DACA remains uncertain. In the event that DACA ends, DACA recipients will lose their protections from deportation and once again, be at risk of deportation like all undocumented individuals. Furthermore, on January 17, 2025, the Fifth Circuit Court of Appeals issued a decision to *Texas v. United States*, No. 23-40653 finding major parts of the DACA rule as unlawful.

The court also limited the impact of its ruling by indicating that current DACA recipients across the U.S. can still renew their DACA while the case continues to make its way through the courts. The court limited its decision to the State of Texas, and sent the case back to the district court with an instruction to sever the forbearance from the deportation provision from the work authorization. That is to say, no more work permits would be granted, only protection from deportation. The mandate effectuating this ruling was issued on March 11, 2025, and defendants, defendant-intervenors, and plaintiffs had time to request a review by the U.S. Supreme Court (SCOTUS).

At the time of this analysis, there is no legal limitation on the processing of pending or first-time DACA requests in all 50 states, including Texas. The deadline for requesting review by SCOTUS was May 19, 2025; none of the parties filed a request. The case has now moved to the implementation phase and the Fifth Circuit Court of Appeals Judge will determine how best to implement the appeals court's decision that would result in Texas DACA recipients no longer receiving work authorization. According to the Mexican American Legal Defense and Education Fund (MALDEF), the process is expected to take some time, and, for now, all current DACA recipients, including in Texas, receive, including on renewal, full DACA protection and work authorization.

According to the Author

According to the author, "in California, a significant number of undocumented college students face formidable obstacles due to their ineligibility for DACA [Deferred Action for Childhood Arrivals], creating a complex web of challenges for both the students themselves and the institutions they attend. These challenges encompass not only employment and access to financial aid but also the constant threat of deportation, which looms over their educational aspirations."

The author states that, "SB 307 seeks to empower our universities to implement comprehensive support systems for undocumented students, ensuring they receive not only legal assistance but also proactive measures that prioritize their educational journey. This legislation encourages institutions to develop tailored strategies and policies that facilitate the continuation of higher education for these students, safeguarding against potential disruptions. In an environment where the current federal administration has committed to mass deportations, undocumented students face an urgent threat to their stability and safety."

Lastly, the author contends that, "while all undocumented individuals are at risk, those without DACA face an even greater vulnerability. Therefore, it is imperative that we take definitive and preemptive actions to shield undocumented students from the fluctuating immigration policies that may jeopardize their academic pursuits and the relentless efforts they have invested in their

education. By fostering a supportive and secure educational environment, we can help ensure that these students can thrive and achieve their dreams despite the challenges they encounter."

Arguments in Support

According to the California Undocumented Higher Education Coalition (CUHEC), "the detainment or deportation of students themselves or family members can have a significant impact on student academic progress. If a student is deported themselves, for example, a student would be unable to attend their academic courses, and as such, experience a change in their academic standing and, subsequently, financial aid eligibility, especially as it pertains to maintaining eligibility for in-state tuition."

Further, CUHEC states that, "SB 307 addresses these concerns by strengthening system policies at the CSU and the UC to ensure that undocumented students within these systems can maintain both academic progress and financial aid access, regardless of actions undertaken by immigration authorities on these students. In light of mounting pressures and anti-immigrant sentiment from the federal government, this bill gives California the opportunity to reaffirm its support for and solidarity with undocumented students."

Arguments in Opposition

None on file.

FISCAL COMMENTS

According to the Assembly Committee on Appropriations, there are no state costs.

VOTES

SENATE FLOOR: 30-3-7

YES: Allen, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Cortese, Durazo, Gonzalez, Grayson, Laird, Limón, McGuire, McNerney, Menjivar, Niello, Ochoa Bogh, Padilla, Pérez, Richardson, Rubio, Smallwood-Cuevas, Stern, Umberg, Wahab, Weber Pierson, Wiener

NO: Alvarado-Gil, Choi, Strickland

ABS, ABST OR NV: Dahle, Grove, Hurtado, Jones, Reyes, Seyarto, Valladares

ASM HIGHER EDUCATION: 7-2-1

YES: Fong, Boerner, Jackson, Muratsuchi, Patel, Celeste Rodriguez, Sharp-Collins

NO: Jeff Gonzalez, Tangipa

ABS, ABST OR NV: DeMaio

ASM JUDICIARY: 9-2-1

YES: Kalra, Bauer-Kahan, Bryan, Connolly, Harabedian, Pacheco, Papan, Stefani, Zbur

NO: Dixon, Sanchez

ABS, ABST OR NV: Macedo

ASM APPROPRIATIONS: 9-4-2

YES: Wicks, Calderon, Caloza, Elhawary, Fong, Mark González, Hart, Pacheco, Solache

NO: Sanchez, Dixon, Ta, Tangipa

ABS, ABST OR NV: Arambula, Pellerin

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