

**REFERENDUM AGAINST AN ACT PASSED BY THE LEGISLATURE
 REFERENDUM TO OVERTURN RESTRICTIONS ON FINANCIAL AID
 FOR CERTAIN UNLAWFULLY PRESENT ALIEN STUDENTS AT PUBLIC
 COLLEGES AND UNIVERSITIES**

The Attorney General of California has prepared the following circulating title and summary of the chief purpose and points of the proposed measure:

(11-0050) REFERENDUM TO OVERTURN STATE FINANCIAL AID FOR UNDOCUMENTED STUDENTS. If signed by the required number of registered voters and filed with the Secretary of State, this petition will place on the statewide ballot a challenge to a state law previously approved by the Legislature and Governor. The law must then be approved by a majority of voters at the next statewide election to go into effect. The law would allow students who are undocumented immigrants and attended a California high school for three or more years, and graduated, to receive state financial aid to attend California universities and community colleges.

NOTICE TO THE PUBLIC: THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR A VOLUNTEER. YOU HAVE THE RIGHT TO ASK.

5 EASY STEPS. Follow instructions carefully or signatures will not be valid.

All signers of this petition must be registered to vote in _____ County.

SAMPLE	Print Your Name: <u>JOHN DOE</u> Residence Address ONLY: <u>123 ANY STREET</u> Signature As Registered To Vote: <u>John Doe</u> City: <u>ANYTOWN</u> Zip: <u>90000</u>	This column for official use only
1.	Print Your Name: _____ Residence Address ONLY: _____ Signature As Registered To Vote: _____ City: _____ Zip: _____	
2.	Print Your Name: _____ Residence Address ONLY: _____ Signature As Registered To Vote: _____ City: _____ Zip: _____	
3.	Print Your Name: _____ Residence Address ONLY: _____ Signature As Registered To Vote: _____ City: _____ Zip: _____	
4.	Print Your Name: _____ Residence Address ONLY: _____ Signature As Registered To Vote: _____ City: _____ Zip: _____	
5.	Print Your Name: _____ Residence Address ONLY: _____ Signature As Registered To Vote: _____ City: _____ Zip: _____	
6.	Print Your Name: _____ Residence Address ONLY: _____ Signature As Registered To Vote: _____ City: _____ Zip: _____	
7.	Print Your Name: _____ Residence Address ONLY: _____ Signature As Registered To Vote: _____ City: _____ Zip: _____	

- 1**
Fill in County name here.
- 2**
Each Person must print their own name, sign and fill in residential address (no PO Boxes.)
- 3**
Have other family and friends, employees and customers who are registered voters in the same county sign today. (All lines need not be completed for petition to be valid. Fill in as many as possible today.)

DECLARATION OF CIRCULATOR *(To be completed in your own hand after the above signatures have been obtained.)*

I, _____, am a voter or am qualified to register to vote in the State of California.
(print name)

My residence address is _____ I circulated
(address, city, state, zip)

this section of the petition and witnessed each of the appended signatures being written. Each signature on this petition is, to the best of my information and belief, the genuine signature of the person whose name it purports to be. All signatures on this document were obtained between the dates of _____ and _____.
(month, day, year) (month, day, year)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on _____, _____, at _____.
(month, day) (year) (place of signing, City or County)

MUST BE SIGNED HERE ALSO

Complete signature indicating full name of circulator (May be repeat of name on petition)

- 4**
Fill in all additional information in yellow shaded area. *(Execution date must be when you have completed getting signatures.)*
- URGENT!**
You must sign a second time here as circulator. All signatures are invalid if you fail to sign as a circulator.
- 5**

REFERENDUM AGAINST AN ACT PASSED BY THE LEGISLATURE

The Attorney General of California has prepared the following circulating title and summary of the chief purpose and points of the proposed measure:

(11-0050) REFERENDUM TO OVERTURN STATE FINANCIAL AID FOR UNDOCUMENTED STUDENTS. If signed by the required number of registered voters and filed with the Secretary of State, this petition will place on the statewide ballot a challenge to a state law previously approved by the Legislature and Governor. The law must then be approved by a majority of voters at the next statewide election to go into effect. The law would allow students who are undocumented immigrants and attended a California high school for three or more years, and graduated, to receive state financial aid to attend California universities and community colleges.

To the Honorable Secretary of State of California:

We, the undersigned, registered, qualified voters of California, residents of the County (or City and County) indicated on the signature page herein, hereby propose a referendum to the electors to approve or reject the act of 2011, to amend Section 68130.7 of, and to add Sections 66021.6, 69508.5, and 76300.5 to the Education Code, passed by the Legislature and approved by the Governor, and petition the Secretary of State to submit the same to the voters of California for their adoption or rejection at the next succeeding general election or at any special statewide election held prior to that general election or otherwise provided by law. The full title and text of the act are set forth as follows:

An act to amend Section 68130.7 of, and to add Sections 66021.6, 69508.5, and 76300.5 to, the Education Code, relating to student financial aid.

SECTION 1. Section 66021.6 is added to the Education Code, to read:

66021.6. (a) Notwithstanding any other law, and except as provided for in subdivision (b), the Trustees of the California State University and the Board of Governors of the California Community Colleges shall, and the Regents of the University of California are requested to, establish procedures and forms that enable persons who are exempt from paying nonresident tuition under Section 68130.5, or who meet equivalent requirements adopted by the regents, to apply for, and participate in, all student aid programs administered by these segments to the full extent permitted by federal law. The Legislature finds and declares that this section is a state law within the meaning of Section 1621(d) of Title 8 of the United States Code.

(b) The number of financial aid awards received by California resident students from financial aid programs administered by the segments shall not be diminished as a result of the application of subdivision (a). The University of California is requested to comply with this subdivision.

(c) This section shall become operative on January 1, 2013.

SEC. 2. Section 68130.7 of the Education Code is amended to read:

68130.7. If a state court finds that Section 66021.6, 66021.7, or 68130.5, or any similar provision adopted by the Regents of the University of California, is unlawful, the court may order, as equitable relief, that the administering entity that is the subject of the lawsuit terminate any waiver awarded under that statute or provision, but no money damages, tuition refund or waiver, or other retroactive relief, may be awarded. In any action in which the court finds that Section 66021.6, 66021.7, or 68130.5, or any similar provision adopted by the Regents of the University of California, is unlawful, the California Community Colleges, the California State University, and the University of California are immune from the imposition of any award of money damages, tuition refund or waiver, or other retroactive relief.

SEC. 3. Section 69508.5 is added to the Education Code, to read:

69508.5. (a) Notwithstanding any other law, and except as provided for in subdivision (c), a student who meets the requirements of subdivision (a) of Section 68130.5, or who meets equivalent requirements adopted by the Regents of the University of California, is eligible to apply for, and participate in, any student financial aid program administered by the State of California to the full extent permitted by federal law. The Legislature finds and declares that this section is a state law within the meaning of subsection (d) of Section 1621 of Title 8 of the United States Code.

(b) Notwithstanding any other law, the Student Aid Commission shall establish procedures and forms that enable students who are exempt from paying nonresident tuition under Section 68130.5, or who meet equivalent requirements adopted by the regents, to apply for, and participate in, all student financial aid programs administered by the State of California to the full extent permitted by federal law.

(c) A student who is exempt from paying nonresident tuition under Section 68130.5 shall not be eligible for Competitive Cal Grant A and B Awards unless funding remains available after all California students not exempt pursuant to Section 68130.5 have received Competitive Cal Grant A and B Awards that they are eligible for.

(d) This section shall become operative on January 1, 2013.

SEC. 4. Section 76300.5 is added to the Education Code, to read:

76300.5. (a) A district shall waive the fees of a student who is exempt from paying nonresident tuition under Section 68130.5, and who otherwise qualifies for a waiver under Section 76300, under regulations and procedures adopted by the board of governors. The Legislature finds and declares that this section is a state law within the meaning of Section 1621(d) of Title 8 of the United States Code.

(b) This section shall become operative on January 1, 2013.

SEC. 5. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.