Immigrant Access to Higher Education

A state-by-state analysis of how states treat undocumented students who want to go to public colleges.

BY KATE BRICK AND LEANI GARCÍA

s the costs of higher education continue to reach new heights, access to in-state tuition for public universities and colleges is often the determining factor in whether students will be able to continue their education beyond high school. Despite having grown up and been residents of states often longer than the typical residency requirements, undocumented immigrant youth, also known as DREAMers—named after the Senate's DREAM (Development, Relief, and Education for Alien Minors) Act—have historically been excluded from this critical state benefit. But this is changing.

The trend toward restricting admission to public colleges or denying in-state tuition to undocumented immigrants is shifting. Many states have begun to realize that supporting undocumented youth in obtaining an education is not only a humane policy, it's also an investment in the state's human capital and economy.

States are approaching this in diverse ways, with the most progressive states passing laws that guarantee tuition equity and allow for state-funded financial aid and private scholarships. Others only offer tuition equity to students who have received Deferred Action for Childhood Arrivals (DACA) and are therefore in the U.S. legally. On the other end of the spectrum, a minority of states are choosing to explicitly prevent this population from accessing in-state tuition and, in the most extreme cases, from enrolling in public colleges at all (Georgia and Montana).

For sources visit:

www.americasquarterly.org/dreamers-access-higher-education



CALIFORNIA

The California DREAM Act, signed in 2011, gives eligible undocumented students access to in-state tuition, state financial aid, and universities' privately funded scholarships (unless the donor has specified eligibility requirements). This is no small matter. To attend UCLA, for example, California residents pay \$12,862 in annual tuition and fees. Out-of-staters pay \$35,740.

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In 2013, Colorado repealed a 2006 bill banning undocumented students from receiving in-state tuition when Governor John Hickenlooper signed Senate Bill 33, also known as the ASSET bill, into law. The bill had previously failed to pass six times.

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In June 2013, the Arizona attorney general sued the Maricopa County Community College District Board. The lawsuit, State of Arizona v. Maricopa County Community College District Board, attempts to block the country's largest community college system from providing in-state tuition to DACA recipients. According to the state, the college system's policy of accepting employment authorization documents issued under DACA violates Arizona's Proposition 300, passed by voters in 2006 to deny students without lawful immigration status in-state tuition. The lawsuit remains pending and the district's 10 community colleges will continue their policy absent a court order finding that it violates the law.



tuition violated the Equal Protection Clause of the 14th Amendment. However, as of 2013, Governor Beebe has stated he is no longer opposed to in-

state tuition for undocumented students.

pay more than three times

what state residents pay-

in tuition and fees.

\$34,860 a year versus \$9,816