

***7th Annual NALEO National Summit  
on the State of Latino Education:  
Update on the DREAM Act***

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# What would the DREAM Act do?

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- Provides a path to citizenship to immigrant students who have grown up in the U.S. and;
- Eliminates a federal provision that discourages states from providing in-state tuition without regard to immigration status.

# To qualify for 6-year conditional status you must have:

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- Come to U.S. under age 16;
- Been in the U.S. for at least 5 yrs. before enactment of the bill (2006);
- Good moral character;
- Graduated from US high school/GED;
- Under age 35 (Senate), 32 (House).

# Within 6-years, you must complete:

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- 2 years of higher education
- 2 years of military service **AND**
- Maintain good moral character

# Numbers Affected

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Migration Policy Institute estimates that:

- 2.1 million youth and young adults could be eligible to apply for legal status;
- 38 percent of potential beneficiaries — 825,000 people — would likely obtain permanent legal status.

# Polling

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- 66% of Americans favor the DREAM Act
- 69% of Americans support in-state tuition provision.

# State Battles

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- Access to Higher Education
  - “Tuition equity” bills
  - Measures that expand access to scholarships or financial aid for students regardless of status.
  - Fought proposals to restrict in-state tuition or to deny enrollment in higher education to undocumented students.
- K-12
  - State legislators in at least 9 states introduced bills that impose barriers to K-12 education including proposals that require schools to verify the immigration status of children or their parents.

# Status

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- 2010 DREAM Vote (55-41)
- Re-introduction
  - Cosponsors
    - 35 (S.952)
    - 53 (H.R. 1842)
- Senate DREAM Act Hearing
- Prosecutorial Discretion/HALT Act

# Tuition Equity Laws: Background

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- ❑ **Provide in-state tuition** rates at colleges or universities to students who attend high school in a state for a certain# of years, graduate, and meet certain other criteria, regardless of their immigration status.
- ❑ Make college more affordable for many U.S. citizens and documented immigrants, as well as for undocumented students who were brought to the U.S. as children and have grown up here. Studies demonstrate a ↓ high school dropout rates, an increase in college enrollment, and other economic and social benefits in states that adopt these policies.
- ❑ Tuition equity laws have withstood every **legal challenge** brought to date, including, most recently, a unanimous California Supreme Court opinion upholding California's law. In June 2011, the U.S. Supreme Court declined to review this decision. This bolstered the confidence of legislators and advocates who pursued similar legislation in other states.

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- Tuition equity bills were introduced in at least **12** states in 2011: Colorado, **Connecticut**, Florida, Iowa, **Maryland**, Massachusetts, Mississippi, Missouri, New Jersey, Oregon, Pennsylvania and Rhode Island.
- Attempts to repeal the **tuition equity** laws, in California, Kansas, Nebraska, Oklahoma, Texas and Utah, were defeated.
- Bills that sought to **deny enrollment** to undocumented students in **Arizona, Georgia, Kentucky, North Carolina, Tennessee**, and **Virginia** were defeated or failed to move in 2011.

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- **Wisconsin** lost its tuition equity law
- **Indiana** denies in-state tuition to students who are not lawfully present, and denied in-state tuition, scholarships, grants, and financial aid to undocumented students
- **Montana** referendum on the November 2012 ballot asking whether “state services,” including enrollment in a public university and financial aid, should be denied to undocumented immigrants.
- **Alabama**’s governor signed an omnibus anti-immigrant bill which denies public post-secondary education to undocumented immigrants as well as many categories of lawfully present immigrants.

# Financial Aid: the Next Frontier

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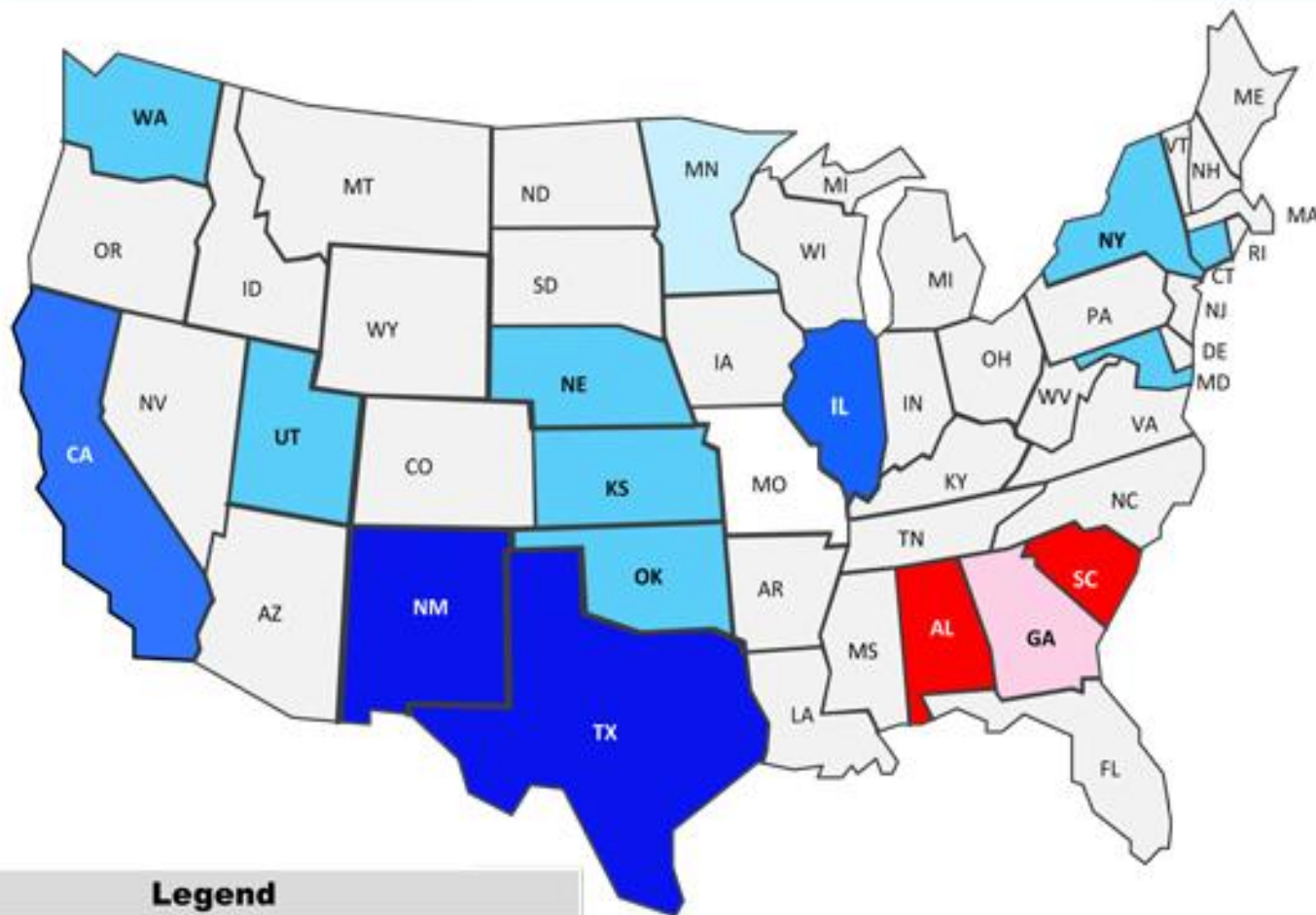
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- **California's** governor signed California DREAM part I (AB 130), providing access to scholarships derived from private sources donated to public colleges/universities, for students who are eligible to pay in-state tuition rates. California DREAM part II (AB 131), which would make these students eligible for state financial aid and fee waivers, is currently waiting for Governor Jerry Brown's signature.







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- On August 1, 2011, Governor Pat Quinn of **Illinois** signed a bill establishing a DREAM fund commission that will provide privately funded scholarships to children of immigrants, make a College Savings Pool and prepaid tuition available to persons with individual taxpayer identification numbers (ITINs), and ensure that professional development for school counselors addressed the needs of and opportunities for children of immigrants.

# Current State Laws & Policies on Access to Higher Education for Immigrants | August 2011



## Legend

	States with Tuition Equity Laws
	"Flat tuition rate" available in some college systems
	States with Tuition Equity Laws and Scholarships
	States with Tuition Equity Laws and State Financial Aid
	States that ban enrollment to undocumented students
	States where some college systems deny enrollment