Access to Higher Education for Undocumented Students

Allowing undocumented high school students to be eligible for in-state tuition at public universities and community colleges

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Lack of recognition from the state makes undocumented students ineligible for in-state tuition for attending public higher education institutions. Instead, they are required to pay the much higher out-of-state or international student tuition rate. However, the majority of undocumented high school students come from low-income households and therefore, this increased financial burden makes higher education unattainable for them. The Higher Education Equity Act (H.644), formerly known as the “In-State Tuition Bill,” proposes that undocumented students who meet the bill’s criteria become eligible for in-state tuition and financial assistance.

The Bill

H.644/S.669: An Act relative to equal opportunity for high school graduates in the commonwealth

Elevator Speech

We are taught that hard work leads to opportunity and success. In high school, you push yourself; you make As in your advanced courses, engage in extracurricular activities, and graduate valedictorian of your class. After all of these efforts, what if college is not accessible to you? This is the story of high achieving undocumented students living right here in Massachusetts. Their dreams of attaining higher education are shattered and they are robbed of a bright future for a circumstance they have no control over.

These students were brought to this country at a young age. Their first language is English. They are “American” in every sense, and yet they are not considered residents of Massachusetts. Therefore, they are denied in-state tuition and are not eligible for financial aid. Most are from low-income households, so the high cost of non-resident tuition makes attaining higher education nearly impossible. Not only are we robbing these innocent individuals of the opportunity for social mobility, but also we are hindering their ability to contribute to the Massachusetts economy.

The Higher Education Equity Act provides a simple solution. The bill grants in-state tuition rates to undocumented students and makes these students eligible for financial assistance.
aid. This will ensure that the talents of these students will not go to waste. Only through responsible planning can we ensure that hard-working, high-achieving high school students have the opportunity to continue their dreams in higher education institutions. Will the representative please speak with the chair of the committee to encourage a favorable vote for the Higher Education Equity Act?

■ Excerpt from the Storybook

“This is my home. And all I want to do is go to college and become someone for my community.”

– Yessenia, Class of 2018

“I am Teresa, Yessenia’s aunt. I’m very proud of everything she has accomplished to date. Yessenia is very independent and loves school. She works hard in her classes because her dream is to someday attend college.

Unfortunately, the state does not consider her efforts to become a top student in her class because she’s undocumented. She lacks sleep because she works hard in her AP courses. Her determination comes from being the first in her family to potentially attend college. She also wants to show her little sister that anything is possible with hard work.... I don’t want to see Yessenia work this hard and to one day be told it was all for nothing. Her legal status takes away her value as a human being. And I don’t want her to feel like that.”

■ Op-Ed

Vanessa

Imagine your 16-year-old self dragging your injured body out from underneath a flipped car. The accident wasn’t your fault. The other driver appeared seconds before you even had a moment to think. But reality strikes in unforgiving ways, and no amount of preparation or caution can prepare you for the moment in which your world is flipped upside down.

Like the incident mentioned above, undocumented high school students in today’s society feel alone, with no sense of direction. Often times, immigrant students moved to the states at such a young age that they can barely remember life back in their native countries. By having been part of Massachusetts society for so many years, it’s almost impossible to imagine a life elsewhere.

Just like the car accident, many undocumented students did not understand the implications of their legal status. Therefore, they feel blindsided and cheated when they discover that they cannot enroll into college. Elias was a 16-year-old stuck under a car in the scene of a horrendous accident. After his mother’s death, her request for his legal residency was cancelled. Little did he know, he was now left in the world undocumented, with no other family to turn to.

His dream to attend college became quickly threatened under the inability to afford an out-of-state tuition rate for public colleges and universities in Massachusetts. Recently having lost his mother and forced to find a way out of this tragic incident, Elias sought protection and opportunity. Fortunately, federal policy, the Dreamer’s Act, supported his dream to attend college.

Sadly, however, not all students find a way out. Without legal documentation and proof of residency, undocumented students are not eligible for in-state tuition rates in Massachusetts’ public colleges and universities.

Rodrigo, an aspiring physicist, lies helplessly under a totaled car. Regardless of his academic excellence and recognition, such as valedictorian, he wasn’t able to attend college. Forced to accept his reality, he now works to pay the bills when instead, he could have continued his education and received the expertise necessary to improve our world through science.

The Higher Education Equity Act is like the AAA car insurance company. Aiming to serve and protect its clients, this legislation addresses the financial barrier many undocumented students like Rodrigo face. By granting in-state tuition eligibility and state-funded financial assistance, undocumented students of the Commonwealth are relieved of the out-of-state tuition fees that can be double, even triple, the amount of in-state tuition.

This bill’s passing affects not just the undocumented students we’ve supported throughout their public K-12 education, but also helps improve the future of the Commonwealth by preparing them to become the future doctors, teachers, engineers, etc. Yessenia may have a chance to change her fate. She’s juggled schoolwork with a part-time job. She’s struggled through sleepless nights in order to receive a 4 or higher on her AP exams. Yessenia continues to strive for excellence as she aspires to go to college to later serve the community through a job in the justice system.

Imagine your 16-year-old self dragging your injured body out from underneath a flipped car. If someone had the ability to help you escape the nightmare of being stuck by another vehicle, would you want them to take action?

Don’t leave our 16 and 17-year-olds, and all other undocumented high school students, lying on the side of the road, wondering if they’ll ever make it out. Call your representatives to stress the economic and societal importance of this bill. Speak with your community members and extend your hand to a teenager in need.

Life can change in the blink of an eye. Be the change you’d want your 16-year-old self to be proud of.
House Ways and Means Script

As members of this committee, it is your hard work and passion that helps shape an economically prosperous state in which the Commonwealth will better serve our children, their children, and generations to come. We believe it is your dedication through this role that serves to provide a stronger state. However, the political divide that dominates our nation today is gradually affecting and threatening all the work you have put into ensuring the integrity of Massachusetts and the individuals who compose it is not compromised through severe budget cuts and lack of educational funding.

The movement of the Higher Education Equity Act, commonly known as the “In-State Tuition Bill” in Massachusetts, encouraged many foundations to research and analyze the political and fiscal implications of the state in comparison to other states across the nation. Because the cost of attending the University of Massachusetts for a Massachusetts resident is $15,345 compared to the $33,492 (out of state and international) tuition rate for a non-resident, numerous economic and financial analysts have performed studies examining the fiscal impact of increased higher education enrollment as a result of H.644/S.669. Since 2006, the Massachusetts Taxpayers Foundation presented a report demonstrating our state’s ability to gain revenue by allowing undocumented students to pay in-state tuition fees. With a projected 500 student enrollment increase per year between 2006 and 2009, it was estimated the state would receive a $2.5 million increase in revenue. The state would incur no additional costs in accommodating the small percentage of entering undocumented students given their revenue increase.

Taking into account the growing population in the Commonwealth from the 2010 Census Bureau report, the Massachusetts Taxpayers Foundation revisited the 2006 report and adjusted the economic outcomes of in-state tuition eligibility. According to the revised report, presented in 2015, Massachusetts will benefit from a $1.8 million to $2.1 million total revenue increase within the first year of this bill’s passage. However, the following years of higher education, primarily at four-year institutions, will receive nearly triple the amount, starting at $6.4 million and potentially $7.4 million, by the fourth year of enrollment. The high cost of out-of-state tuition and lack of eligibility for financial aid effectively prevents the majority of undocumented students from continuing their education. In summary, as the distribution of state net revenues increase higher education accessibility, the financial barriers many undocumented students encounter decreases.

One of the most vocal organizations opposing the Higher Education Equity Act is the Federation for American Immigration Reform (FAIR). FAIR claims the passing of this bill results in the loss of taxpayers’ money due to the allocation of funds towards “illegal aliens” that are attempting to obtain an education through unlawful means. Although the fear of tax dollars being misused is common, the American Immigration Council performed a study which examined undocumented workers’ tax participation. Making up 3.4% of the Massachusetts workforce, undocumented workers contributed $196.9 million in state and local taxes, including: (1) $85.6 million in sales taxes, (2) $44.5 million in personal income taxes, and (3) $66.9 million in property taxes. As the American Immigration Council reported in 2015, the state’s 51,240 foreign-born students contributed $1.9 billion to the Massachusetts economy through tuition and living expenses in the 2013-2014 academic year. Immigrant students also enhanced the state’s talent pool by obtaining master’s and doctoral degrees in the science, technology, engineering, and mathematics (STEM) fields. It is evident through these studies that immigrants are an integral part of Massachusetts society and economic growth. While the loss of taxpayer money is a legitimate concern, the aforementioned sources demonstrate the positive effects of making higher education accessible to all foreign-born students residing in Massachusetts.

Creating access to public colleges and universities for undocumented students will result in a bigger return on investment for the state. Passing this bill will allow all of our community members to reach their potential by becoming our future doctors, teachers, and engineers, increasing the talent pool, and contributing to the economic growth of Massachusetts.

The citizens of the Commonwealth put their trust in the leadership of each of you. We ask that you reflect on your time in school. Reflect on the children that make up your child’s classroom. Imagine what a Massachusetts classroom would look like if we continue to strive for exceptional quality in education at all levels. Consider this bill, H.644/S.669, as an opportunity to increase our economic, political, and social quality of life. Especially in a state like Massachusetts, which prides itself on being ranked as the top state in the nation for education, based on the rankings of “U.S. News & World Report.” The numerical impact of in-state tuition is minimal, therefore further encouraging the return on investment from motivated and high-achieving immigrant youth. The Higher Education Equity Act will increase our talent pool, make us a competitive state, and present some of the most talented, knowledgeable, and hardworking individuals to the nation, just like yourselves.

In conclusion, the reports submitted by the Massachusetts Taxpayers Foundation relied on revenue and enrollment research tracking the success of similar legislation in which undocumented students are eligible for in-state tuition as well as state-funded financial assistance in states across the nation like Texas. Evidently, Massachusetts would
benefit tremendously by making higher education accessible to undocumented students. The Higher Education Equity Act provides a simple solution. It grants in-state tuition rates to undocumented students and makes immigrant youth eligible for financial aid. This will ensure the talents of these students will not go to waste. Only through responsible planning can we ensure that hardworking, high-achieving high school students have the opportunity to continue their dreams in higher education institutions.

Will you continue the legacy of Massachusetts and provide the Commonwealth with a policy that will not only increase the quality of our schools but also the quality of our society? Educate your constituents about the short-term and long-term advantages of this legislation. It is essential that through your support, we gain the momentum necessary to schedule a hearing and bring this bill to the floor.

■ Letter to the Legislator

You have openly expressed how your role as a father of five makes the topic of education personal for you. Therefore, we hope that you are devoted to eliminating barriers to higher education for all students in your district and in Massachusetts as a whole. As current university students, we share your passion for education, and we are seeking your support for an important bill that affects our peers and us. The Higher Education Equity Act (Bill H.644) strives to address the huge financial barriers to higher education for undocumented students.

In today’s world, higher education is critical to personal and professional success, as well as upward mobility. You expressed this sentiment during your campaign run in 2011, when you stated, “the next generation to have every opportunity possible, and that begins with the best education...” However, currently higher education is unattainable for thousands of undocumented high school graduates in Massachusetts, because they are forced to pay out-of-state tuition rates at public colleges and universities. Furthermore, they are barred from state financial aid.

The Higher Education Equity Act would allow students who have attended a Massachusetts high school for three years and have graduated or received the equivalent of a diploma to pay the same in-state tuition rates at public universities as their peers and to benefit from state financial aid. Students who are not legal permanent residents must sign an affidavit stating that they have filed an application to become a legal permanent resident or will file an application as soon as they are eligible.

Most undocumented students were brought here at a very young age, so they have lived in our communities most of their lives, and they intend to stay here. These students could be our future doctors, teachers and engineers. Representative Lawn, think about the students who learned alongside your children. Don’t you think they are as equally deserving to seek higher education? Denying these students the opportunity to attend college shrinks our talent pool and undercuts our future economic advantage. Therefore, this bill has the support of businesses because they understand that more educational opportunities would automatically result in the expansion of the talent pool.

We ask that you speak with your colleagues and members of the Joint Committee on Higher Education, and stress the importance of this bill for ensuring that undocumented students have access to educational opportunities. This will guarantee that these students will make valuable contributions to their communities and strengthen the local economy. We hope you play an integral part in the passage of this bill. We would greatly appreciate your support.

■ Excerpts from Campaign Journals

Vanessa

Today’s meeting was difficult because I did not expect it to be so short. Representative Aaron Vega’s legal aide, Patricia Duffy, was eager to hear about Marian’s and my background and involvement regarding the bill. I, however, was prepared to answer difficult questions and persuade legislators to reconsider the bill. Duffy’s immediate validation for our work and full support for this bill took me by surprise. The challenging portion of this meeting was finding something deeper to connect on. One of our goals for each meeting is to make a personal connection with the representatives and their aides to make Marian and I memorable. Having a conversation in which Marian and I defended the bill as Duffy nodded in agreement was not as impactful as we had hoped.

Fortunately, we did our research. I learned that Representative Vega was a film major in college and worked as a freelance video editor for some time before commencing his position in the State House. Marian mentioned our upcoming media advocacy project and ran some ideas by Duffy. She, once again eager to support our endeavors, offered to connect us directly with Vega to discuss our ideas in further detail. Having made a connection with both, Duffy and Vega, about something they are both passionate about helped us make that personal connection we were seeking.

While the meeting did not go in the direction we hoped for, it allowed us to further exercise our improvisation and interpersonal skills. Vega was so excited about the media project that he offered his expertise and filmmaking advice to help us produce an effective concept that could relate to the general public as well as Massachusetts representatives.
Marian

Vanessa and I began our advocacy journey at the State House with a meeting on Friday, March 3rd with Jordan Neerhof, the legislative aide of Representative Denise Provost. Representative Provost is the House sponsor of the Higher Education Equity Act. Early on we reached out to Jordan expressing our passion for the bill, and he was very enthusiastic about meeting with us. This same enthusiasm was present when we met him. Jordan had worked on this bill when it was introduced before so he has been great resource for us. I wanted to learn the reasons why the legislation has not passed prior times in order for us to take a different approach this time around. According to Jordan, one of the biggest challenges for representatives is worrying about how to sell the legislation to their constituents. Their constituents are already having a hard time putting their children through college so they want to hear how their representatives are working on making college more affordable for their children.

Jordan provided us with strong arguments, and strategies on how to counter opposing arguments. He suggested that we promote stories of successful cases from other states, and bringing personal narratives to the representatives and senators and to the hearings to testify would evoke emotion and be powerful. We have been able to utilize these strategies. In addition, according to Jordan, there is a lag time after the hearing and before voting, which is one of the most crucial times because representatives and senators need to constantly be reminded and pushed to vote for the legislation from their constituents.

Update

The bill was scheduled for a hearing in the Joint Committee on Higher Education on June 15, 2017.

For more information

View the Bill:
malegislature.gov/Bills/190/S669

Massachusetts Immigrant and Refugee Advocacy (MIRA) Coalition:
miracoalition.org