

EXECUTIVE SUMMARY

“Education is the civil rights issue of this century.”

—U.S. Senator John McCain’s acceptance speech at the 2008 Republican National Convention on September 4, 2008.

“And when our children do succeed - when we have a graduating class like this one where every single student has been accepted to college, we need to make sure that every single student can afford to go.”

—U.S. Senator Barack Obama, remarks at the Mapleton Expeditionary School of the Arts in Thornton, Colorado on May 28, 2008.

Each year, a unique class of 65,000 students graduates from American high schools with little or no hope of attending college or receiving any formal postsecondary academic or vocational training. It is not a lack of academic or extracurricular qualifications that makes postsecondary education unattainable for this group. Many are honors students, class leaders and even valedictorians. Others are active in athletics, play in the high school band or participate in an after-school club.

There is only one characteristic that separates this group of students from other high school graduates, making them ten times less likely to attend college than their peers. All are undocumented students from immigrant families who cannot afford to pay nonresident or “out-of-state” tuition and fees. Although many grew up in the United States and were legally educated in the nation’s public K-12 education system, their educational aspirations, their hopes and dreams, and their desire to contribute to Colorado and this country, often come to a forced end after high school graduation.

This report examines a bipartisan legislative proposal – tuition equity – that seeks to improve educational opportunities for qualified, but undocumented, high school graduates. Intended as a resource for lawmakers, educators and advocates, the report examines the context of the issue, analyzes federal and state tuition equity laws, summarizes arguments for and against the proposal, and provides Colorado-specific information, including a recommendation for action.

We find that three key factors make postsecondary education for undocumented students a critical issue for Colorado:

1. Colorado’s economic growth and competitiveness require a highly educated workforce.

States with a large population of college-educated residents enjoy improved workforce flexibility and higher productivity and attract high-growth industries, such as biomedical, software and “green economy” companies. Colorado lawmakers have explicitly targeted these sectors and industries as part of the state’s economic development strategy. To successfully compete in a global knowledge-based economy, Colorado must invest in the postsecondary education of its residents.

Although Colorado touts one of the nation’s most educated workforces, it ranks among the least successful states in sending its own students to college, particularly students from low-income families. Reliant for decades on imported human capital from other states, Colorado has not adequately prepared or equipped its student population for a global economy. High dropout rates and low college access rates exist statewide. The current course is unsustainable and undermines Colorado’s future economic competitiveness. Investment in our high school graduates’ postsecondary education is an urgent priority that calls for bold and immediate action.



2. Denying postsecondary access to Colorado's growing undocumented student population means failing to capitalize on our state's investment in their K-12 education.

Approximately 250,000 of the nation's undocumented immigrants live and work in Colorado. By federal law, undocumented children can attend public K-12 schools and Colorado invests as much as \$175 million each year in their education. But after high school, these students are left on their own, as if their future prospects are no longer of any significance or as if they should disappear into the shadows of society. Although no law prohibits public colleges and universities from admitting undocumented students, federal and state laws effectively prevent Colorado's public postsecondary institutions from charging

undocumented students an in-state rate for tuition and fees, even if they otherwise meet residency criteria. Laws also prohibit these students from receiving federal and state financial aid.

The cumulative effect is to make a public postsecondary education prohibitively expensive for Colorado's undocumented, and primarily low-income, high school graduates. Out-of-state tuition costs at Colorado public institutions range between 97 percent to 559 percent higher than in-state tuition at four-year institutions, and between 114 percent to 544 percent higher at two-year institutions. An estimated five percent of undocumented high school graduates attend college, compared to 67 percent of their peers. In the end, Colorado invests heavily in the K-12 education of undocumented students, but effectively denies them an opportunity to further their education beyond high school. As a result, many students drop out of high school because they see no hope of furthering their education.

Unless Colorado provides equal access to postsecondary education opportunity to its growing K-12 undocumented population, it will undermine any efforts to reduce high school dropout rates and improve college access. Failure to improve its education system will ultimately put Colorado at a competitive disadvantage with other states.

3. Colorado will help itself by helping qualified undocumented students access postsecondary education.

Higher education is both a private and a public good. Better educational opportunities for Colorado's undocumented students will benefit individual residents and the state. For immigrant families, college can improve their earnings and career potential. More than half of Colorado's undocumented children live below the federal poverty level and the average income of an undocumented family is \$27,400. Higher education can increase income and enhance job security.

For Colorado, improvements in undocumented students' educational attainment can lower unemployment, stimulate spending, increase tax receipts, boost productivity and generate economic development. Postsecondary education can also improve health, reduce crime, enhance civic engagement, decrease use of public assistance and services, enhance parental involvement in education, and provide additional tuition revenue for public colleges and universities. Numerous studies have shown that students who feel there is hope for a college education and are optimistic about the future stay in school and are involved in fewer crimes than those who have given up. Tuition equity is a win-win for both the individual and society.

Tuition equity is a policy that provides access to public colleges and universities for undocumented Colorado high school graduates. Essentially, tuition equity legislation would allow Colorado's public colleges and universities to classify and treat equally all of the state's qualified high school graduates regardless of legal or economic status. It is not a handout. Tuition equity simply guarantees equal access

to in-state tuition rates and state financial aid for qualified students admitted to a public postsecondary institution. It would ban postsecondary education benefits discrimination against Colorado high school graduates. As a result, Colorado high school graduates who have strong ties to the state and are admitted to a public college or university would be eligible to pay the in-state tuition and fees rate and apply for state-funded grants and scholarships.

Nationally, tuition equity has garnered bipartisan support and gained strong momentum:

- In Congress, Senator Orrin Hatch (R-UT) first proposed a national tuition equity bill in 2001. Since then, it has been re-introduced in both the Senate (“DREAM Act”) and the House (“the American Dream Act”) numerous times and has attracted bipartisan support. **The 2007 Senate DREAM Act, sponsored by Sen. Richard Durbin (D-IL), has 26 co-sponsors, including Senators McCain and Obama.** The House version, sponsored by Rep. Howard Berman (D-CA), has 86 co-sponsors.
- In state legislatures, tuition equity has had even more success. Since 2001, 30 states have considered tuition equity bills. **Ten states—California, Illinois, Kansas, Nebraska, New Mexico, New York, Oklahoma, Texas, Utah and Washington—have enacted tuition equity legislation, including six that surround Colorado. Among them, three states—Oklahoma, New Mexico and Texas—also provided access to state financial aid.**

Tuition equity legislation has gained support from both Republicans and Democrats because the issue is about education, not immigration. States are leaders in this challenge. Many – including some of the most politically conservative states in the nation – have invested in their high school graduates’ educational hopes and aspirations regardless of their legal status. Lawmakers in these states understand that college access and success are the keys to strong economies and healthy communities, yielding substantial private and public economic and social benefits. States cannot afford to wait for the federal government to take action. Tuition equity is a pragmatic approach that treats fairly students who have been raised and educated in this country, their home.

Our recommendation is that Colorado lawmakers should:

1. Prohibit public postsecondary education benefits discrimination against Colorado high school graduates based on legal status; and
2. Modify our state’s public benefit ban (House Bill 06s-1023) and provide an exception for postsecondary education benefits.

With these simple changes, Colorado can provide hope for a postsecondary education to each and every member of the next high school graduating class and invest in its most precious resource, its future leaders.

Sincerely,



Spiros Protosaltis, Ph.D.
President



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