

## Undocumented Students in the West

Viewers tuning into the Republican presidential debate on September 22, 2011, witnessed Texas Governor Rick Perry repeatedly defend his state's policy of offering in-state tuition to some undocumented students against a wave of criticism from the other candidates.<sup>1</sup> The sight of a staunchly conservative governor, a champion of small government, defending a controversial public benefit might have left many people confused, but Perry's stance is really more indicative of the complicated nuances surrounding this politically charged topic. As the debate showed, the issue of whether undocumented students have a right to broad access to higher education cuts across party lines and political ideologies, sometimes in unpredictable, rhetorically charged ways.

Whether immigration, particularly among undocumented Latinos, remains at current levels or starts to rise, the challenge of providing this population with increased opportunities will likely become an increasingly pressing policy issue. Undocumented immigrants are already living in many communities across the country and are most likely here to stay, whether or not immigration reform laws are eventually passed by the federal government. As the number of unauthorized immigrants living in the West has grown over the past 20 years, many policymakers have attempted to deal with the economic, social, and educational impacts undocumented students pose for their states. Others have simply chosen to ignore the issue.

According to the Pew Hispanic Center, Latinos comprised 56 percent of the nation's population growth in the last decade, a number that is expected to climb in the coming years.<sup>2</sup> Of the 50.5 million Latinos currently in the United States, 11.2 million (approximately 22 percent) are estimated to be undocumented/unauthorized immigrants.<sup>3</sup> The Department of Homeland Security defines the unauthorized immigrant population as "all foreign-born non-citizens who are not legal residents."<sup>4</sup>

In the past decade, as the debate over illegal immigration has become increasingly heated, arguments for and against providing financial aid and in-state tuition or even allowing undocumented immigrants to enroll in postsecondary education have become more politically charged. Supporters point out that most undocumented students will remain in

the country regardless of their immigration status and, in the case of those who entered the country as children, punishing them for decisions made by their parents is shortsighted and unfair. Supporters further argue that providing these students with access to higher education benefits states and the nation as a whole through increased earnings and taxes and lower crime and poverty rates. Critics respond that unauthorized immigrants are breaking the law simply by being here and that it is unfair to legal residents to reward illegal behavior in any way. Critics add that providing undocumented students with postsecondary opportunities actually costs taxpayers additional money and takes away resources from native students at already crowded colleges and universities.

Whatever position one takes, the issue of undocumented students will continue to impact the future direction and delivery of higher education, especially in the West, where a large percentage of this population resides. This *Policy Insights* examines the changing student demographics in the West and how the undocumented population may impact higher education in the years to come.

### Characteristics of the Undocumented Population

There is disagreement over the exact size of the undocumented population in the country, but one estimate from the Pew Hispanic Center currently counts 11.2 million undocumented Latino immigrants living in the United States, down slightly from the peak of 12 million in 2007.<sup>5</sup> Another estimate from the Department of Homeland Security (DHS) puts

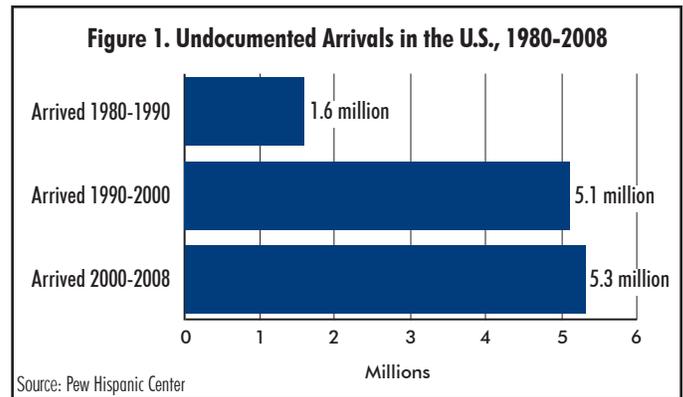
the undocumented population at 10.8 million, down from a peak of 11.8 million in 2007.<sup>6</sup> According to the DHS, Mexico was the leading source of unauthorized immigration, followed by El Salvador, Guatemala, and Honduras.<sup>7</sup> Since it is difficult to track the exact size of a group of people who are here in the country illegally, the figures derived from both Pew and DHS represent the middle point of a range of possible values. The undocumented population could very well be larger or smaller than current estimates indicate.<sup>8</sup>

As in the nation as a whole, the majority of the West's undocumented population comes from Mexico. The Migration Policy Institute, which studies migration and refugee policies at the local, national, and international level, reports that Mexicans make up 75 percent of the undocumented population in California, Idaho, Nevada, and Oregon and 90 percent in Arizona, Colorado, and New Mexico.<sup>9</sup> Unauthorized immigration into several Western states – including Arizona, Colorado, Nevada, and Utah – has declined over the past three years. In Colorado, for example, the estimated number of undocumented immigrants fell from 240,000 in 2007 to 180,000 in 2010.<sup>10</sup> While this drop can partly be attributed to a weak economy, there are states – most notably Arizona and Colorado – that passed restrictive legislation (discussed below) that may have had an impact on immigration. Another factor in the decline could be an increase in deportations. According to the Pew Hispanic Center, deportation of undocumented immigrants doubled between the 2000 and 2010.<sup>11</sup>

While some Western states lost a portion of their undocumented population, other states saw an increase, particularly Louisiana, Oklahoma, and Texas. Only California ranks ahead of Texas in the size of its undocumented population.<sup>12</sup>

The Migration Policy Institute has observed that the limits on permanent migration from the Western hemisphere imposed by the U.S. government in the 1970s, coupled with the increased demand for low-skilled labor in the 1980s, led to a dramatic increase in the number of undocumented immigrants entering the country between 1980 and 2010.<sup>13</sup> According to Pew, “recent arrivals” – those who entered the country between 2000 and 2008 – comprise 44 percent of the unauthorized immigrant population in the United States. Longer-term residents – those who arrived in the 1990s – comprise 43 percent of all undocumented immigrants, while those who arrived prior to 1990 account for approximately 13 percent (see Figure 1).<sup>14</sup>

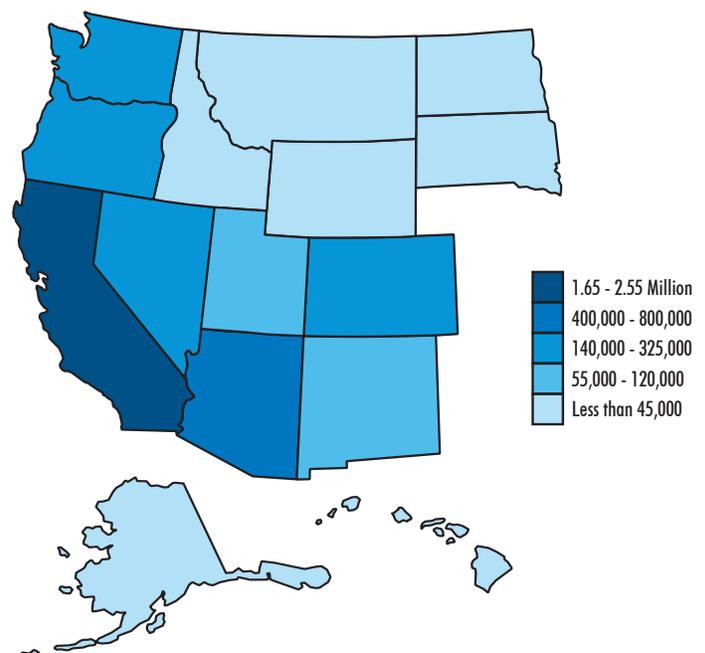
While California currently is home to the highest number of undocumented immigrants in the nation – an estimated 2,550,000 – several other Western states also have large undocumented populations.<sup>15</sup>



Pew estimates the number of unauthorized immigrants living in Arizona to be around 400,000, while Washington has 230,000 and Nevada and Colorado have 190,000 and 180,000, respectively (see Figure 2).<sup>16</sup> Further, the share of unauthorized immigrants compared to the total population is higher in Western states than other regions, reaching proportions of between 6 to 7.2 percent in Arizona, California, and Nevada and 3.8 to 4.6 percent in New Mexico, Oregon, and Utah.<sup>17</sup>

Another aspect to consider when addressing the undocumented population in the West is how many states are “way stations” for immigrants trying to settle more permanently somewhere else, as opposed to final destinations. Many undocumented immigrants simply are passing through Western states making their way to other parts of the country, including Midwest and Eastern destinations like Illinois, New

**Figure 2. Number of Undocumented Immigrants Living in the West**  
Undocumented Population by State, 2010



Source: Pew Hispanic Center

Jersey, and New York. Others choose to settle in border states, like California, Arizona, and Texas, as shown by the large undocumented populations in those states. It is impossible to know exactly how many move from state to state and eventually settle during any given time period, since this is a group that we are currently unable to track.

According to standard definitions used by Pew and other organizations, the Latino population in the United States is typically classified in the following manner: “first generation” refers to those who entered the country illegally; “second generation” means those who were born in the U.S. but have at least one undocumented parent; and “third generation” includes those who were born in the country to U.S.-born parents. According to Pew, approximately one million undocumented, or first-generation, children live in the U.S., while 4.5 million native-born children have at least one undocumented parent.<sup>18</sup> “Children” are defined by Pew as “people under age 18 who are not married.”<sup>19</sup>

An earlier Pew report, from 2009, notes that in five states—Arizona, California, Colorado, Nevada and Texas—at least one in 10 students in kindergarten through 12th grade are second-generation children who have at least one parent who is an unauthorized immigrant.<sup>20</sup> Although native-born children are considered legal U.S. residents under the 14th Amendment to the U.S. Constitution, the immigration status of their parents leads to educational barriers similar to those faced by undocumented children. Many native-born students eligible to participate in higher education choose not to because they fear family members will be deported if they fill out any paperwork that could expose the legal status of their parents, like a Free Application for Student Financial Aid (FAFSA) or a college application. And even if native-born students, as U.S. citizens, are eligible for in-state tuition – unlike their undocumented counterparts in most states – the full costs of attendance, combined with the loss of income as they pursue their studies, could still be prohibitive and keep them from enrolling in higher education.

Despite the challenges, these children – undocumented or native-born – will most likely remain in the country and attend K-12 education, which is legal under the *Plyler v. Doe* Supreme Court decision of 1982 and allows all children to attend public schools regardless of immigration status.<sup>21</sup> A report from the American Association of State Colleges and Universities (AASCU) estimates that every year, approximately 65,000 undocumented students graduate from high school, with only about five to 10 percent continuing on to higher education.<sup>22</sup>

The exact size of the current undocumented postsecondary population is unknown, but the number in most states is considered to be relatively small. A 2003 paper from the Urban Institute estimated that the total number of undocumented immigrants enrolled in public higher education in the United States was between 7,000 and 13,000.<sup>23</sup> A 2006 report released by the state of Texas determined that after passage of legislation in 2001 that allowed unauthorized immigrants to pay in-state tuition, postsecondary access for undocumented students increased dramatically, with enrollment jumping from 393 in 2001 to 3,792 in 2004, or 0.36 percent of the state’s then total postsecondary population of 1,054,586.<sup>24</sup> It should be noted that figure included all students who established residency under the provisions of the 2001 legislation. Most, but not all, of those students were considered to be undocumented.<sup>25</sup>

Educational attainment rates among the undocumented population are low. According to Pew, 47 percent of unauthorized immigrants aged 25-64 have less than a high school education, compared with eight percent of U.S. residents.<sup>26</sup> The Migration Policy Institute reports that Mexicans overall have the lowest levels of educational attainment of any immigrant group, with notable differences in achievement depending on the age of migration to the United States. The same study finds that less than 33 percent of Mexicans who came to the U.S. between the ages of 15 and 21 completed a high school diploma, compared with 40 percent for those entering between ages 5 to 15 and 78 percent for those arriving before the age of five.<sup>27</sup> A 2011 College Board report found that only 19.2 percent of the overall Latino population between the ages of 25 and 34 had completed an associate’s degree or higher, compared with the national average of 41.1 percent.<sup>28</sup>

Undocumented children, or the children of undocumented parents, are also more likely to live in poverty. The Pew Hispanic Center estimates that 34 percent of first-generation children live below the poverty line, as do 26 percent of second-generation children.<sup>29</sup> Undocumented children are ineligible to receive public benefits such as federal health insurance, welfare, or other public support payments; likewise, they’re ineligible for Pell Grants or federal student loans.<sup>30</sup>

It is for these reasons that many state policymakers have attempted to provide increased postsecondary opportunities to undocumented students. The economic benefits of creating a highly skilled workforce, lowering unemployment, and boosting tax revenue are the primary arguments supporters make for attempting to extend benefits to first- or

second-generation Latino students. According to the College Board, people with college degrees earn more money, have fewer health problems, are more civically engaged, and less likely to engage in criminal activity. The College Board further notes that state governments also enjoy increased tax revenues and lower spending on public support programs as a result of a highly college-educated population. The average college graduate, for example, pays over 80 percent more in taxes each year than a high school graduate.<sup>31</sup> Providing access to postsecondary education could conceivably allow first- and second-generation Latino students to become productive workers and citizens, thereby encouraging economic growth and improving the quality of life for all state residents.

Despite the perceived benefits of integrating undocumented students into higher education and the states in which they live, there is still an argument against rewarding those who break the law. Many state policymakers see the extension of postsecondary benefits to undocumented students as undermining the nation's immigration system and encouraging more illegal behavior. They also see undocumented students or their families as a drain on public funds. Perhaps this is the one of the reasons that, after several years of extending benefits like in-state tuition to undocumented students, many states have more recently sought to restrict those same benefits.

## The Policy Landscape

Complicating matters for states attempting to deal with the undocumented student population is the lack of federal direction regarding the issue of illegal immigration. One of the most debated aspects of federal immigration policy, the Development, Relief, and Education for Alien Minors (DREAM) Act, first introduced by U.S. Senators Orrin Hatch (R-UT) and Richard Durbin (D-IL) in 2001, would provide a path to citizenship for undocumented students who successfully complete college degrees and includes increased access to higher education.<sup>32</sup> After failing to pass that year, the bill has been reintroduced several times, most recently in 2009, but has never made it through Congress.<sup>33</sup> With no movement on the federal policy front, it has been left up to states to decide whether or not to extend postsecondary benefits to undocumented students.

One strategy designed to help the unauthorized immigrant population that has already been adopted by several states is granting in-state tuition to undocumented students. To date, 13 states, five of them in the West – California, New Mexico, Texas,

Utah, and Washington – have passed legislation allowing undocumented immigrants to pay in-state tuition at public colleges and universities, making postsecondary education a more affordable option for this traditionally low-income group.<sup>34</sup> California and Texas were the first states to extend in-state tuition benefits in 2001, followed by New York and Utah in 2002.<sup>35</sup> Not every undocumented student is eligible for these benefits. In states that have passed in-state tuition laws, undocumented students are typically required to attend a state high school from anywhere from two to four years, earn a high school diploma, and file some kind of affidavit stating intent to become a permanent U.S. citizen.

A more recent trend, however, has seen numerous states either prohibit or attempt to restrict undocumented students from eligibility for in-state tuition. Four states, including Arizona and Colorado, have already passed legislation banning undocumented immigrants from eligibility for in-state tuition; and during the 2011 legislative session, 15 states considered legislation that would have prohibited in-state tuition for this population.<sup>36</sup> Though none of those measures passed, the current political climate in many states has allowed some policymakers to question the merits of awarding of postsecondary benefits to undocumented immigrants. Additionally, some of the recently passed state legislation bans not only in-state tuition but access to state financial assistance as well.

Colorado, for example, originally restricted the ability of undocumented students to receive state subsidies for higher education through legislation passed in 2006. Part of the law included a requirement that students applying for state-funded benefits like financial aid, tuition-savings plans, or in-state tuition must provide proof that they are lawfully present in the United States.<sup>37</sup> In 2008 the Colorado General Assembly passed additional legislation specifically barring undocumented immigrants from eligibility for in-state tuition.<sup>38</sup>

Arizona also banned in-state tuition and financial aid assistance for undocumented students in 2006. Unlike Colorado, where the bans were legislatively mandated, Arizona voters passed the restrictions through a ballot initiative, Proposition 300, which was later signed into law by the governor.<sup>39</sup> It is interesting to contrast the way these laws were enacted, since it highlights how both state legislators and the general public are paying close attention to the issue of illegal immigration and the future of undocumented students in the states.

What is of perhaps more interest, however, is that

practically any legislative effort to either extend or restrict these benefits to undocumented students has failed in recent years. Despite a large number of immigration-related bills considered across the country during the 2010 and 2011 legislative sessions – including bills in California and Washington that sought to repeal the in-state benefits originally approved in 2001 and 2003, respectively – few of the proposed measures passed (see Figure 3).<sup>40</sup>

<b>Figure 3. Legislation Affecting Undocumented Students in the Western States</b>		
	Considered Bill	Considered Ballot Initiative
Award In-state Tuition	Arizona (2003) California (2006, 2007) Colorado (2003) Hawaii (2003) <b>New Mexico (2005, 2007)</b> Oregon (2005) Utah (2002, 2007) Washington (2003)	California (2001)*
Deny In-state Tuition	Arizona (2004, 2007) California (2007) Colorado (2004, 2006) Utah (2006, 2007)	Arizona (2006)
Award Financial Aid (in addition to In-state Tuition)	California (2007) New Mexico (2007)	
Prohibit Enrollment	Arizona (2011)	

\* Bold indicates passage of legislation/initiative.

Policymakers now have an opportunity to shape the debate in the coming years and move the topic beyond its current focus on providing in-state benefits to undocumented Latino students. Supporters of extending postsecondary benefits to unauthorized immigrants currently face an uphill battle because of poor fiscal conditions contributing to tight state budgets and the emotional nature of the issue. But it is important for policymakers on both sides to consider some of the implications surrounding the issue of undocumented students.

### Implications for Higher Education in the West

The high number of undocumented students who remain in the West and the probable influx of new immigrants once the economy rebounds mean that the issue of undocumented students will remain a controversial topic, particularly in light of policies

in some states that attempt to limit not just in-state tuition benefits but access to higher education for all unauthorized immigrants.

In 2008 South Carolina moved beyond the in-state tuition debate and prohibited undocumented students from enrolling in public postsecondary institutions, even if they paid out-of-state tuition rates and received no financial assistance. Alabama passed a similar law in 2011.<sup>41</sup> Opponents of illegal immigration in Arizona also attempted, but failed, to prohibit undocumented immigrants from enrolling in college.<sup>42</sup> This approach follows recent policy trends of attempting to restrict benefits to unauthorized immigrants, and it is likely that many states will try to enact similar legislation. Whatever side of the debate one takes, there are some key implications for policymakers to consider as they grapple with the impact of the undocumented student population on higher education.

One of the more notable trends in higher education in the West is the emergence and growth of Hispanic-Serving Institutions (HSIs). HSIs are defined as institutions that have 25 percent or more full-time Hispanic student enrollment. According to Excelencia in Education, there were 293 HSIs located in 17 states and Puerto Rico in 2009-2010 – up from 236 in 2003-04; 54 percent of Latino undergraduates were enrolled at an HSI.<sup>43</sup> The majority of these institutions are located in California, New Mexico, and Texas, but HSIs are also becoming more prevalent in places like Washington.<sup>44</sup> As another Excelencia report notes, an additional 204 institutions have been identified as “emerging HSIs”: these have yet to meet the HSI enrollment threshold of 25 percent but are expected to do so within the next few years.<sup>45</sup>

Because of the recent surge in Latino college enrollment – Pew reports a 24 percent rise between 2009 and 2010 – HSIs are bound to play an increasingly important role in the postsecondary landscape.<sup>46</sup> If the undocumented population is someday allowed greater access to higher education, their importance will surely increase. Because of the growing size and influence of HSIs, particularly in the West, they should be a part any policy strategy for how to best integrate and serve those undocumented Latino students who wish to attend college. In particular, they can be a vital resource in ensuring that the undocumented students they serve are not only able to enroll, but also succeed and obtain their educational goals and become productive contributors to a state’s economic and civic life.

The growth of the undocumented student community coincides with increased demand for postsecondary education among all groups, largely driven by the ongoing economic downturn in most states.

Enrollments at public two- and four-year institutions are increasing at the same time that states are cutting their higher education budgets and institutions are raising tuition. Because of the financial constraints states continue to face, there is some question about whether or not states currently have the resources to serve undocumented students. However, as AASCU points out, “in-state tuition is not free tuition.”<sup>47</sup> It is possible that policy measures like providing in-state benefits might not be the financial burden they are thought to be for states, since tuition revenues would increase if undocumented students were offered the ability to attend college.<sup>48</sup> A 2006 study of the Texas law that allowed noncitizens to pay in-state tuition found that the legislation increased the probability of undocumented students enrolling in public colleges, thereby creating the possibility of more tuition revenue.<sup>49</sup>

There is also debate surrounding the cost of educating versus not educating the undocumented population. A 2007 report from the National Conference for State Legislatures summarized state studies on the fiscal impact of immigrants, both legal and unauthorized. While the methodologies and the findings of the studies varied widely – with some finding the cost of providing public services, including education, offset by increased tax revenues and others finding the opposite – the majority of studies ultimately concluded that the overall fiscal impact of undocumented immigrants on state economies was positive.<sup>50</sup> For example, relying on figures from Pew and the former U.S. Immigration and Naturalization Service (INS), a 2006 report conducted by New Mexico determined that even with K-12 education costs, the state gained anywhere from \$1.25 to \$1.814 million in taxes from unauthorized immigrants.<sup>51</sup> Conversely, without accounting for the revenues generated by unauthorized immigrants, a 2007 report conducted by Utah using population estimates formulated by a researcher for the Pew Hispanic Center found that the state incurred \$54.9 million to \$85.4 million in costs at the local and state levels to educate undocumented K-12 students.<sup>52</sup> Because of the significant methodological differences, the two studies can in no way be compared, but the differences are illustrative of the uncertainty regarding the true financial implications of educating undocumented students.

While some of these state studies provide a starting point for further analysis and discussion of the overall costs of the undocumented population, very few factored in the costs – or potential benefits – of providing undocumented students with access to postsecondary education. The 2006 Texas study

mentioned earlier is one notable exception. More research is required in this area to truly understand the impact of this population on higher education in the states.

As noted, the current political climate in many states has led to the proposal of policies that seek to restrict rather than extend postsecondary benefits to undocumented immigrants. This is understandable given the difficult economic times and impassioned nature of the immigration debate. But if undocumented students are allowed to enroll in and attend higher education, there is some evidence to suggest a positive economic and social impact, both for them and for the states where they reside. The economic and social benefits – both public and private – of earning a postsecondary degree highlighted by the College Board, and described above, provide one argument in favor of increasing access to higher education for the undocumented population.

Because Latinos comprise by far the largest percentage of the unauthorized population in the United States – 76 percent – they were the primary focus of this brief. Even though other groups comprise a far lower percentage of the undocumented population, they too will have an impact on higher education in the coming years.<sup>53</sup> Research into the implications of the educational aspirations of the undocumented Asian population, currently at 11 percent of the total U.S. population, should also be of interest to policymakers. Undocumented immigrants entering the United States from non-Latino nations, while not large in number, make up another group that requires further investigation to fully understand their impact on higher education in the West.

## Conclusion

The debate over illegal immigration to the United States has become more impassioned at the same time federal and state policy efforts to address the issue have largely stalled. Some might see the issue of providing postsecondary benefits to undocumented students in the West as a one that pits Democrats against Republicans or liberals against conservatives, but the reality is much more complicated. In 2007 when Republican President George W. Bush was pushing comprehensive immigration reform that included some postsecondary benefits for unauthorized immigrants, 15 Democratic senators helped to kill the bill in Congress. Conservative talk show host Rush Limbaugh, the AFL-CIO, and the American Civil Liberties Union, not generally considered a bastion of conservative thought, opposed the legislation.<sup>54</sup>

The failure of bipartisan immigration reform in 2007 is an illustration of the difficulty policymakers face as they attempt to move the undocumented debate forward. In the absence of clear federal direction on the issue, states are left to chart their own course and determine whether to provide or prohibit undocumented access to higher education. Perhaps the greatest challenge is getting policymakers on both sides of the issue to cut through the rhetoric and seriously consider the issue of undocumented students in a more thoughtful way.

Part of the confusion and apathy regarding this issue is attributable to the lack of good data detailing the actual benefits and costs of the undocumented population on state economies and systems of education. Until more concrete evidence becomes available, it will remain debatable whether access to better employment as a result of a college degree would allow undocumented immigrants to generate more tax revenue than they currently do. It will also remain debatable whether providing postsecondary access to a relatively small number of students would actually cost states a significant amount of money. In order to cut through the rhetoric and move beyond the politicization of this topic, more research needs to be conducted to determine the true impact of undocumented students on higher education in the West.

## Endnotes

- <sup>1</sup> Robin Abcarian, "GOP Debate: Under Fire, Rick Perry Defends Immigration Stance," *Los Angeles Times*, September 22, 2011, accessed 29 September 2011 at <<http://articles.latimes.com/2011/sep/22/news/la-pn-debate-immigration-20110922>>
- <sup>2</sup> D'Vera Cohn, Mark Hugo Lopez, and Jeffrey S. Passel, *Census 2010: 50 Million Latinos* (Washington, D.C.: Pew Hispanic Center, 2011), 1.
- <sup>3</sup> Jeffrey S. Passel and D'Vera Cohn, *Unauthorized Immigrant Population: National and State Trends, 2010* (Washington, D.C.: Pew Hispanic Center, 2011), 1.
- <sup>4</sup> Michael Hoefer, Nancy Rytina, and Bryan C. Baker, *Estimates of the Unauthorized Immigrant Population Residing in the United States: January 2010* (Washington, D.C.: Office of Immigration Statistics, Department of Homeland Security, 2011), 4.
- <sup>5</sup> Passel and Cohn, *Unauthorized Immigrant Population*, 1.
- <sup>6</sup> Hoefer, Rytina, and Baker, *Estimates of the Unauthorized Immigrant Population*, 1.
- <sup>7</sup> *Ibid.*, 4.
- <sup>8</sup> Both Pew and DHS derive their estimates by subtracting the total foreign-born population in a given year from the legally resident population during the same time period. There are other sources that place the number of undocumented immigrants residing in the United States as higher than reported by Pew or the DHS. The Federation for American Immigration Reform (FAIR), considered to be an anti-illegal immigration organization, placed the number of undocumented immigrants at 13 million in 2007.
- <sup>9</sup> Kate Brick and Marc R. Rosenblum, *US Immigration Policy and Mexican/Central American Migration Flows: Then and Now* (Washington, D.C.: Migration Policy Institute, 2011), 17.
- <sup>10</sup> Passel and Cohn, *Unauthorized Immigrant Population: National and State Trends, 2010*, 14.
- <sup>11</sup> *Ibid.*, 10.
- <sup>12</sup> *Ibid.*, 2.
- <sup>13</sup> Kate Brick, A.E. Challinor, and Marc R. Rosenblum, *Mexican and Central American Immigrants in the United States* (Washington, D.C.: Migration Policy Institute, 2011), 4.
- <sup>14</sup> Jeffrey S. Passel and D'Vera Cohn, *Trends in Unauthorized Immigration: Undocumented Inflow Now Trails Legal Inflow* (Washington, D.C.: Pew Hispanic Center, 2009), 3.
- <sup>15</sup> Passel and Cohn, *Unauthorized Immigrant Population*, 15.
- <sup>16</sup> *Ibid.*, 23.
- <sup>17</sup> *Ibid.*, 29.
- <sup>18</sup> *Ibid.*, 13.
- <sup>19</sup> *Ibid.*, 5.
- <sup>20</sup> Jeffrey S. Passel and D'Vera Cohn, *A Portrait of Unauthorized Immigrants in the United States* (Washington, D.C.: Pew Hispanic Center, 2009), 9.
- <sup>21</sup> *Plyler v. Doe*, 457 U.S. 202 (1982)
- <sup>22</sup> Arlene Russell, *State Policies Regarding Undocumented College Students: A Narrative of Unresolved Issues, Ongoing Debate and Missed Opportunities* (Washington, D.C.: American Association of State Colleges and Universities, 2011), 2.
- <sup>23</sup> Jeffrey S. Passel, *Further Demographic Information Relating to the DREAM Act* (Washington, D.C.: The Urban Institute, 2003) 2.
- <sup>24</sup> Carol Keeton Strayhorn, *Undocumented Students in Texas: A Financial Analysis of the Impact to the State Budget and Economy* (Austin, TX: Office of the Comptroller) 5.
- <sup>25</sup> *Ibid.*
- <sup>26</sup> Passel and Cohn, *A Portrait of Unauthorized Immigrants*, iv.

<sup>27</sup> Brick, Challinor, and Rosenblum, *Mexican and Central American Immigrants*, 7.

<sup>28</sup> John Michael Lee, Jr., Frances Contreras, Keon McGuire, and Adriana Flores, *The College Completion Agenda 2011 Progress Report: Latino Edition* (Washington, D.C.: The College Board, 2011) 18.

<sup>29</sup> Richard Fry and Jeffrey S. Passel, *Latino Children: A Majority Are U.S.-Born Offspring of Immigrants* (Washington, D.C.: Pew Hispanic Center, 2009), i.

<sup>30</sup> *Ibid.*, 2.

<sup>31</sup> Sandy Baum, Jennifer Ma, and Kathleen Payea, *Education Pays 2010: The Benefits of Higher Education for Individuals and Society* (Washington, D.C.: The College Board, 2011), 10.

<sup>32</sup> S.729, 111th Congress (2009), accessed 7 October 2011 at < [www.gpo.gov/fdsys/pkg/BILLS-111s729is/pdf/BILLS-111s729is.pdf](http://www.gpo.gov/fdsys/pkg/BILLS-111s729is/pdf/BILLS-111s729is.pdf)>. According to the most recent version of the DREAM Act, which was introduced and killed in 2009, undocumented immigrants must have entered the U.S. before the age of 16 and have been present for at least five years before enactment of the legislation; graduated from a U.S. high school, obtained a GED, been accepted into a postsecondary institution, or served two years in the U.S. military; be between the ages of 12 and 35, and have "good moral character."

<sup>33</sup> Jeanne Batalova and Margie McHugh, *DREAM vs. Reality: An Analysis of Potential DREAM Act Beneficiaries* (Washington, D.C.: Migration Policy Institute, 2010), 1.

<sup>34</sup> National Conference of State Legislatures, *Undocumented Student Tuition: State Action* (Denver, CO: National Conference of State Legislatures, 2011), 1.

<sup>35</sup> *Ibid.*

<sup>36</sup> *Ibid.*

<sup>37</sup> COLO. REV. STAT. § 24-76.5-101.

<sup>38</sup> National Conference of State Legislatures, *Undocumented Student Tuition*, 1.

<sup>39</sup> ARIZ. REV. STAT. § 15-1803.

<sup>40</sup> National Conference of State Legislatures, *Undocumented Student Tuition*, 2.

<sup>41</sup> *Ibid.*, 1.

<sup>42</sup> Russell, *State Policies Regarding Undocumented College Students*, 7.

<sup>43</sup> Excelencia in Education, "Hispanic Serving Institutions (HSIs) Fact Sheet: 2009-10" (Washington, D.C.: Excelencia in Education, 2011)

<sup>44</sup> *Ibid.*

<sup>45</sup> Excelencia in Education, "Emerging Hispanic Serving Institutions (HSIs): 2009-10" (Washington, D.C.: Excelencia in Education, 2011)

<sup>46</sup> Richard Fry, *Hispanic College Enrollment Spikes, Narrowing Gaps with Other Groups* (Washington, D.C.: Pew Hispanic Center, 2011) 3.

<sup>47</sup> Russell, *State Policies Regarding Undocumented College Students*, 4.

<sup>48</sup> *Ibid.*

<sup>49</sup> Lisa M. Dickson and Matea Pender, *Do In-State Tuition Benefits Affect the Enrollment of Non-Citizens? Evidence from Universities in Texas* (Baltimore, MD: UMBC Department of Economics, 2010), 21.

<sup>50</sup> National Conference of State Legislatures, *A Summary of State Studies on Fiscal Impacts of Immigrants* (Denver, CO: National Conference of State Legislatures, 2011)

<sup>51</sup> New Mexico Fiscal Policy Project, *Undocumented Immigrants in New Mexico: State Tax Contributions and Fiscal Concerns* (Albuquerque, NM: New Mexico Voices for Children, 2006) 5.

<sup>52</sup> Utah Legislative Auditor General, *A Review of the Education of Undocumented Children* (Salt Lake City, Utah: Utah Legislative Auditor General, 2007), 1.

<sup>53</sup> Passel and Cohn, *A Portrait of Unauthorized Immigrants*, i.

<sup>54</sup> Jonathan Weisman, "Immigration Bill Dies in Senate," *The Washington Post*, June 29, 2007, accessed 4 October 2011 at < [www.washingtonpost.com/wp-dyn/content/article/2007/06/28/AR2007062800963.html](http://www.washingtonpost.com/wp-dyn/content/article/2007/06/28/AR2007062800963.html)>

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