



A QUESTION of FAIRNESS

The Debate over College Funding
for Undocumented Immigrants

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EDUCATION and IMMIGRATION

Introduction

In Tucson, Arizona on May 17, 2010, a group of undocumented students staged a sit-in at the offices of Senator John McCain. Their goal was to persuade him to support the DREAM Act, which was being discussed in Congress. Four of these undocumented students were arrested and turned over to Immigrations and Customs Enforcement (ICE). These students soon faced possible deportation, a risk they knew they were taking (Linkins, 2010).

The United States is a country founded on immigration. From the first immigrant settlement in Jamestown to the waves of Irish and Italian immigrants in the 18th and 19th centuries and through the mass movement of illegal and legal immigration of today, immigration has always brought with it a host of strong emotions, powerful ideals and misconceptions. This issue can become a divisive one. The U.S. is currently facing the politically and socially charged issue of whether or not the government should help fund the college education undocumented students—those who are not citizens of the U.S.—by allowing them access to in-state tuition and other government funding.



Photo by Anthony Sandoval

One of the four students arrested at the sit-in, Mohammed Abdollahi, explains their thinking: “We have decided to peacefully resist to encourage our leaders to pass the DREAM Act and create a new standard for immigration reform based on education, hard work, equality, and fairness” (Linkins, 2010). However, on the other side are those who think undocumented students are the ones who are not being fair to those who are here legally or those who are attempting to gain citizenship legally. They may even find his approach evidence of “the entitlement generation.” The question of giving aid and possible citizenship to undocumented students is a multifaceted problem, with serious ramifications, both for our current generation and for the next generation of children. This book hopes to present the essential information as each side sees them and explain three possible solutions, along with their benefits and potential detriments.

“Immigration has always brought with it a host of strong emotions, powerful ideals and misconceptions.”



Photo by imageevision

Reagan Amnesty

In 1986, President Ronald Reagan signed into law the Immigration Reform and Control Act, also known as the IRCA (“Immigration Reform”). The IRCA had four elements: it required employers’ responsible for their employees’ immigration status, it made it “illegal to knowingly hire or recruit unauthorized immigrants,” it gave amnesty to some illegal immigrants working in agriculture and to those who had been in the U.S. continuously since January 1, 1982 (“Immigration Reform”). Those who supported this bi-partisan bill hoped it would stop the flow of illegal immigrants. Nearly three million illegal immigrants were granted amnesty, yet estimates range anywhere from 10 to 20 million illegal immigrants live in

the United States today (Sorenes, 2011). Some believe the IRCA did not achieve its goal of stopping illegal immigration, because, through various sanctions, it did not fully hold employers accountable in “verify[ing] the legal status of everyone they hired” (Sorenes, 2011). Supporters of IRCA based the provisions on employers’ hiring on the idea that if illegal immigrants were not hired, they would not come. However, it seems that our legal immigration system is not meeting the needs of the labor market by providing work-based visas to legal immigrants. Employers continued to hire illegal immigrants; the labor vacuum is what is driving illegal immigration (Sorenes, 2011).

“Our legal immigration system is not meeting the needs of the labor market.”

Once someone enters the country illegally, society must balance the needs of both the labor market, society, future generations and individuals as it enacts policies and laws to deal with all the ramifications from that choice. One of those ramifications is how to educate the children of illegal immigrants. Some believe that we have a moral obligation to educate everyone, regardless of their legal status. Others feel that these undocumented immigrants have broken the law, and thereby have lost all privileges associated with living as a citizen. Another common line of thought is that the additional costs of these students put too much of a strain on our educational system.

Plyler vs. Doe

The legal tangling over the funding for the education of illegal immigrants began in the 1982 case of *Plyler vs. Doe*. This U.S. Supreme court case ruled that undocumented students could not be denied a free public school education on the basis of the Equal Protection Clause of the Fourteenth Amendment (Galassi, 2003, p. 86). The



Photo by Dallas News

Equal Protection Clause states that “no state shall . . . deny to any person within its jurisdiction the equal protection of the laws” (U.S. Constitution). It was enacted in “an attempt to secure the promise of the United States’ professed commitment to the proposition that ‘all men are created equal’ by empowering the judiciary to enforce that principle against the states” (“Equal Protection”). The case came down to whether or not illegal immigrants were within the jurisdiction of the states. Texas officials contended that they were not, and had attempted to charge illegal immigrants an annual \$1,000 tuition fee per student to compensate for the lost state funding (“Plyler v. Doe”).

However, the U.S. Supreme Court ruled that states could not charge for public education, because illegal immigrants were in the jurisdiction of the states, and thus claiming protection under the Fourteenth Amendment (“Plyler v. Doe,” 1982). The ruling said that not allowing free access to an education “imposes a lifetime hardship on a discrete class of children not accountable for their disabling status, [and that] the stigma of illiteracy will mark them for the rest of their lives” (“Plyler v. Doe,” 1982). The court did

not go as far as establishing education as a “fundamental right” (Drachman, 2006, p. 93). This case continues to have relevance, as it set the precedent for many policies concerning education and undocumented students.

Plyler vs. Doe has created controversy. Some maintain that as non-citizens, illegal immigrants should not have access to the same benefits and protections as citizens, because of the financial hardship it brings on citizens. Legal citizens should not have to shoulder the burden of educating those who are not legally in the country. They believe that the *Plyler vs. Doe* ruling should be over-turned. They feel the reasoning is faulty, because it does not stay true to the original purpose of the Equal Protection Clause, which was to prevent prejudiced treatment of freed slaves. Additionally, the dissenting judges wrote, “By definition, illegal aliens have no right whatever to be here, and the state may reasonably, and constitutionally, elect not to provide them with government services at the expense of those who are lawfully in the state” (Dachman, p. 93). Others see *Plyler vs. Doe* as upholding the ideals of the United States. They would like to see the reasoning that drove the ruling applied to colleges as well. Supporters believe that not having a college education brings a “lifetime hardship” due to the lost income potential. These children are not responsible for their status. Both these reasons are underlying principles in *Plyler vs. Doe*. Supporters see no reason why college should be different than a K-12 education, if students have done the necessary work to qualify for college.

“The U.S. Supreme Court ruled that states could not charge for public education.”

Effects of *Plyler vs. Doe*

- States offer free public education to everyone, regardless of legal status.
- Public schools do not ask for legal status information
- Undocumented immigrants ruled “within the jurisdiction of the states”

The 1996 Laws

The states have used the *Plyler vs. Doe* ruling as precedent to provide a K-12 education to all students, regardless of legal status. At the college level, things get more complicated. In 1996, several acts were passed by Congress that prevent undocumented students from getting in-state tuition at public institutions. The wording in the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, Section 505, specifically forbids it, saying “an alien who is not lawfully present in the United States shall not be eligible on the basis of residence within a State (or a political subdivision) for any postsecondary education benefit unless a citizen or national of the United States is eligible for such a benefit (in no less an amount, duration, and scope) without regard to whether the citizen or national is such a resident” (“Financial Aid,” 2011).

“At the college level, things get more complicated.”

Because of this, the majority of the states, “believing that their policy abides by federal law,” deny in-state tuition to undocumented students (Drachman, 2006, p. 95). Taking a different interpretation, other states cite the arguments made by Professor Michael A. Olivas, who argues that Congress cannot control state benefits for postsecondary education. He believes that the wording in Section 505, hinging on the “unless,” allows states to offer benefits, as long as they are the same that are offered to regular citizens. There is also debate that there is a loophole in Section 505, which allows the States to “circumvent official state residency laws” (Drachman, 2006, p. 96). In order to side-step the requirements, these states--Texas, California, New York, Utah, Illinois, Washington, Nebraska, New Mexico, Maryland (community colleges), Oklahoma, Wisconsin and Kansas--avoid the question of legal status altogether, and instead base eligibility “on attendance at or graduation from an in-state high school and not on state residence” (“Financial Aid,” 2011). Several other states have other policies with differing benefits.

There is a lack of agreement and consistency throughout the states, and this “reflect[s] disagreement over the intent and constitutionality of federal law” (Drachman, 2006, p. 98). Some believe it would be better to get the federal government out of the question and allow the states to decide their own policies, tailoring them to fit the specific demographics and needs of their state. Others feel that it is better handled at the federal level, so that there is a consistent standard across the nation. The question of who should set policy is not an easy one to answer.



Photo by Brain Track

The DREAM Act

The four students who agitated at Senator McCain’s offices supported the DREAM Act. This does not, in fact, refer to a specific piece of legislation, as there have been attempts to pass some form of the bill in 2001, 2007, 2009, 2010 and 2011, all with slight variations. The DREAM Act, which stands for the Development, Relief and Education of Alien Minors Act, is to provide in-state tuition and other government funding to college students who meet certain requirements (“DREAM Act”). Recently, in 2011, California governor, Jerry Brown, signed into law a version of the DREAM Act (McAllister, 2011).



Major Events in Undocumented Education

• 1 9 8 2 •

U .S. Supreme court case rules in the case of *Plyler vs. Doe* that undocumented students could not be denied a free public school education

• 1 9 8 6 •

President Ronald Reagan signed into law the Immigration Reform and Control Act, also known as the IRCA.

• 1 9 9 6 •

Several acts passed by Congress, preventing undocumented students from receiving in-state tuition at public institutions.

1980

1985

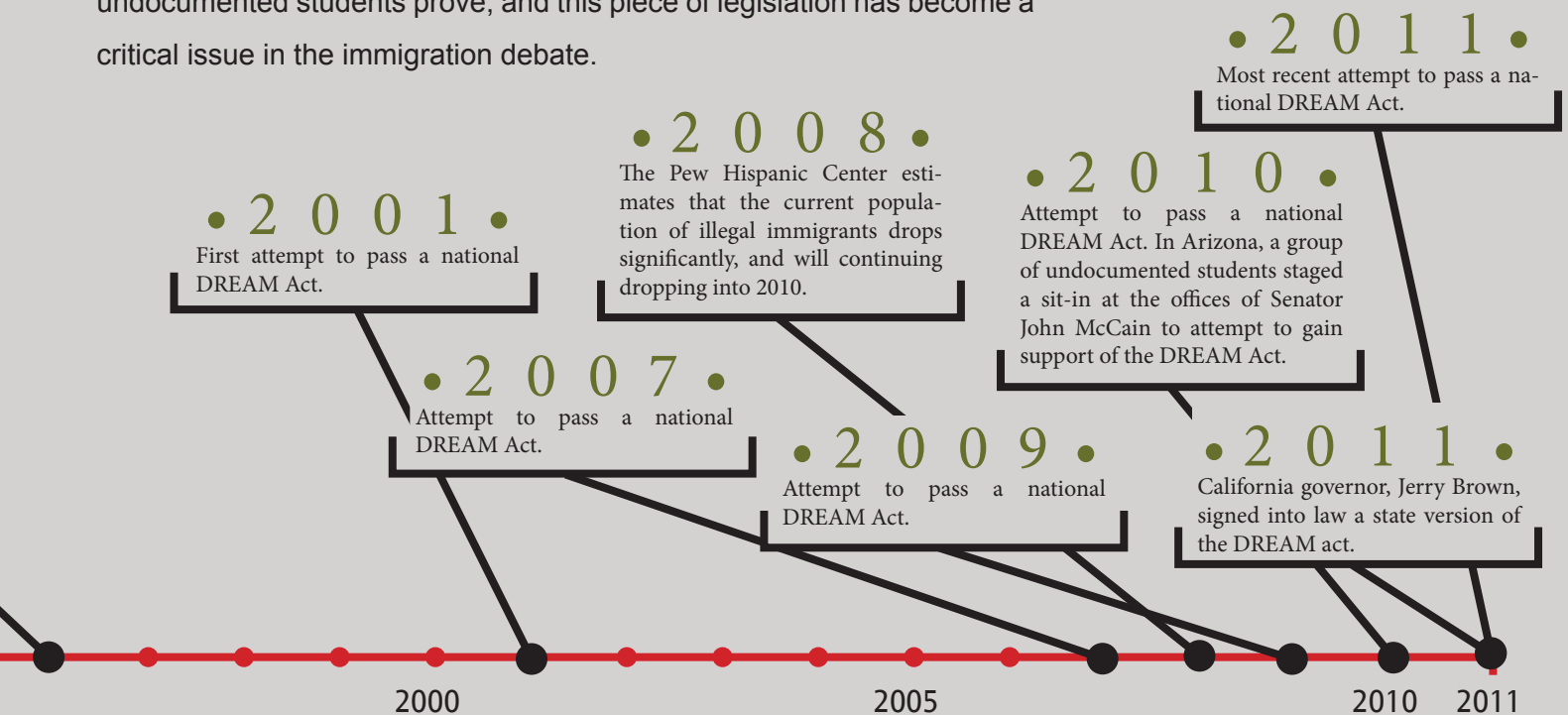
1990

1995

Generally, the requirements of the DREAM Act are that a student:

- Must have entered the United States before the age of 16 (i.e. 15 and younger)
- Must have been present in the United States for at least five (5) consecutive years prior to enactment of the bill (although the time requirement may vary)
- Must have graduated from a United States high school, or have obtained a GED, or have been accepted into an institution of higher education (i.e. college/university)
- Must be between the ages of 12 and 35 at the time of application
- Must have good moral character (“DREAM Act”).

Agitation for and against the DREAM Act is heated, as the protests by the undocumented students prove, and this piece of legislation has become a critical issue in the immigration debate.

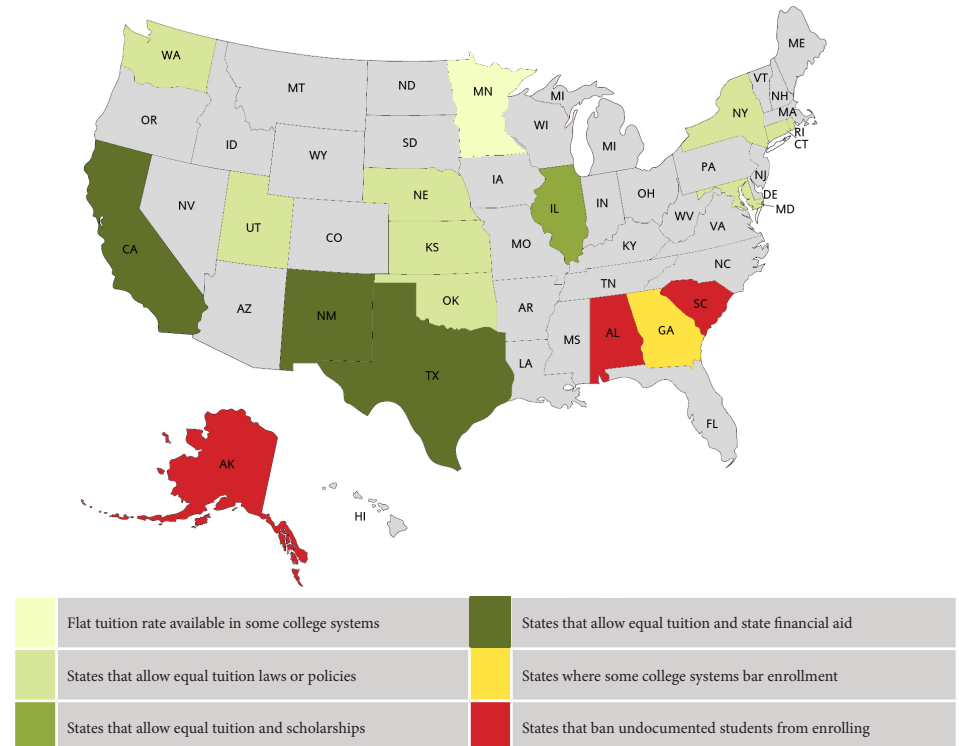


Today

As it stands today, providing government funding and in-state tuition to undocumented students is a patchwork of policies differing from state to state.

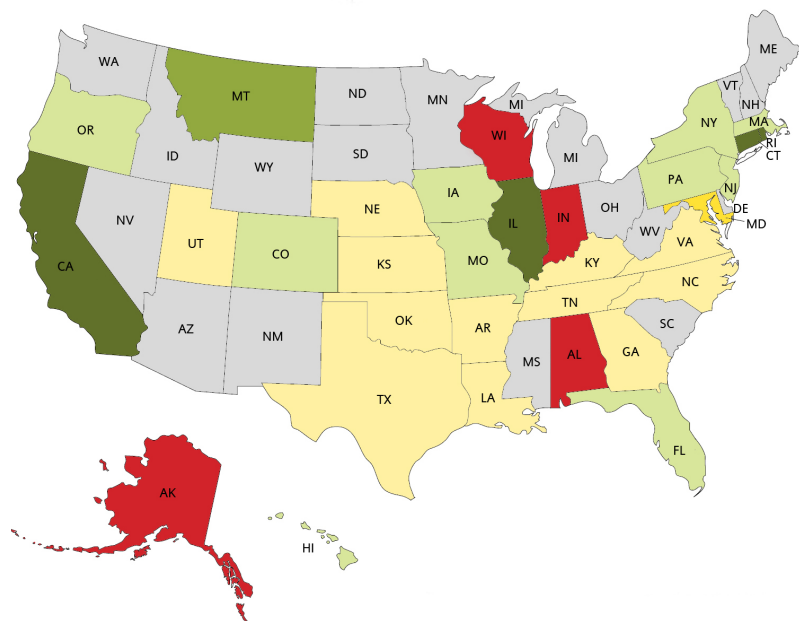
Currently, twelve states offer equal tuition for undocumented students as they do for in-state legal residents: California, Connecticut, Illinois, Kansas, Maryland, Nebraska, New Mexico, New York, Oklahoma, Texas, Utah, and Washington (“State Campaigns,” 2011). In addition, bills have been introduced this year in Colorado, Connecticut, Florida, Iowa, Maryland, Massachusetts, Mississippi, Missouri, New Jersey, Oregon, Pennsylvania and Rhode Island (“State Campaigns,” 2011). Texas and New Mexico give state financial aid and Minnesota has a “flat tuition rate,” or tuition that is the same for everyone, regardless of in-state, out-of-state or

Current State Laws and Policies (October 2011)



(Data from “State Campaigns,” 2011).

Bills to Grant or Restrict Access (October 2011)



Bill introduced to improve access to higher education in 2011	Referendum to voters in 2012 will seek to ban enrollment in higher education
Bills or policies enacted that give more access to higher education in 2011	Bills introduced to restrict access to higher education in 2011
Granted in-state tuition in 2011, now may be rescinded	Bills enacted that restrict access to higher education in 2011

(Data from "State Campaigns," 2011).

legal status at some of its colleges ("State Campaigns," 2011). In Nevada, undocumented students can obtain in-state tuition, but they are barred from state-sponsored scholarships ("Financial Aid," 2011). At the federal level, all undocumented students cannot receive Pell grants, the principle source of college grants. Even within the DREAM Act, participants, even those with conditional or permanent status, are excluded from using Pell grants (Batalova & McHugh, 2010, p. 9).

Among the states, there are ever changing and evolving laws and regulations, many of which are confusing. This presents a significant hurdle to those undocumented students who wish to obtain a college degree.

“ Providing funding is a patchwork of policies differing from state to state. ”



Photo by onlinedegree7

Who Does This Affect?

An estimated 65,000 of the 3.2 million high school graduates each year are undocumented immigrants, around 2% of the population of high school graduates (Bennion, 2009; “College Enrollment,” 2011).

Estimates of how many in the U.S. are likely to benefit from the DREAM Act vary widely. One article, released by the National Immigration Law Center, says that “The Migration Policy Institute (MPI) estimates that the likely total number of students to ever benefit from the DREAM Act is 825,000” (“The DREAM Act: Correcting Myths,” 2010). The Center for Immigration Studies warns that they, using the same report by the Migration Policy Institute, “conservatively estimate that 1.03 million illegal immigrants will eventually enroll in public institutions (state universities or community colleges) . . . That is, they meet the residence and age requirements of the act, have graduated high school, or will do so, and will

come forward” (Camarota, 2010, p. 1).

In looking at the original report, both statements are misleading. MPI carefully builds their numbers, using the best data they have now, taking into account how many are likely to be able to realistically afford college and have the necessary language skills and life-circumstances to take advantage of the program. They concluded there are around 825,000 undocumented immigrants who would actually use the DREAM Act if offered it (Batalova & McHugh, 2010, p. 1). The data the MPI based their conclusions on is from 2006-2008, and does “not take into account departures of immigrants since that time due to deportation or to the effects of the recession” (Batalova & McHugh, 2010, p. 4). Those numbers may be significant. The Pew Hispanic Center estimates that the current population of illegal immigrants started dropping in 2008 with the recession, and then dropped sharply in 2010 (Passel & Cohn, 2010, p. iii).

“There are around 825,000 undocumented students who would actually use the DREAM Act if offered it.”

The information from the National Immigration Law Center does not ac-

TABLE 1. Estimates of Number of Potential DREAM Act Beneficiaries and Number Expected to Use Benefits

	Total Number Eligible	%	Number Expected to Actually Use Benefits	% of Original Total Eligible
Eligible for permanent status				
18-34 with at least an associate’s degree	96,000	4		
35/older with at least an associate’s degree (under retro-active benefits)	18,000	1	113,000	99
Eligible for conditional status				
18-34 with a high school diploma/GED	612,000	28	290,000	47
Eligible in the future if obtain a high school degree				
Children under age 18	934,000	43	400,000	43
Not Eligible for conditional status unless obtain a GED				
18-34 with no high school degree	489,000	23	22,000	5
Total	2,150,000	100	825,000	38

(Data from Batalova & McHugh, 2010)

“Because of the nature of unauthorized immigration, it is difficult to determine just how many are in the country at any time.”

knowledge there may be immigrants in the future who cross the border with their children. They may take advantage of these benefits, even if it is five or six years down the road. Also, every year there is a graduating class with approximately 65,000 undocumented students, some of which will use the DREAM program. Estimating the total number of those “to ever benefit” would be difficult, and it likely to be much more than 825,000. In contrast, the number from The Center for Immigration Studies, 1.03 million who would enroll in college if offered it right now, is grossly overstated, and based on a flawed premise: that the number of immigrants who took advantage of Reagan’s amnesty would be the same as the number who would attend college. The situations are not comparable, considering there are barriers to education that do not exist with an amnesty (Camarota, 2010, p. 3). The 825,000 figure takes into account all participants, even those who have met the two years of college completed criteria and will not be enrolling in college (Batalova & McHugh, 2010, p. 1).

Because of the nature of unauthorized immigration, it is difficult to determine just how many are in the country at any time. Undocumented immigrants naturally do not want to volunteer that they are not legally here. Current estimates range from 11 to 20 million. This is a relatively small percentage of the population, but it is an important issue, as the number is likely to grow in future years.

The Economics

The economic costs associated with educating illegal immigrants are hard to determine. To take an extremely wide view: do illegal immigrants take out as much overall as they put in into the economy? This isn’t easy to determine. According to one calculation, from the nonpartisan Congressional Budget Office, “the tax revenues that un-

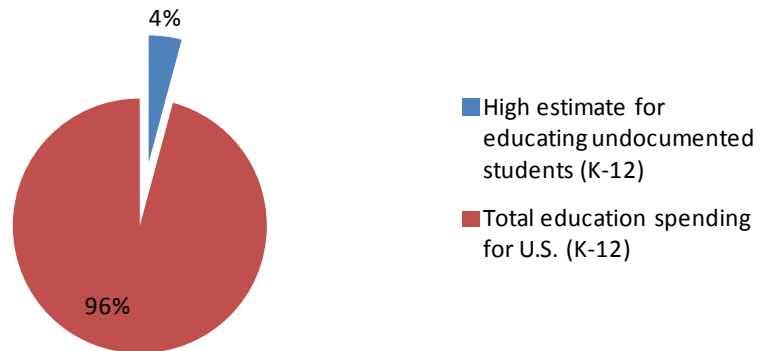
authorized immigrants generate for state and local governments do not offset the total cost of services provided to those immigrants, although the impact is most likely modest” (“The Impact,” 2007, p. 3). This calculation did not take into account the overall economic costs and benefits, only government revenues and expenses. Most estimates find that, in sum, the costs of undocumented immigrants to the U.S. economy are equal or perhaps even surpassed by the benefits (“Economic Impact”). Some feel this economic debate is so rigorous because “the costs of illegal immigration are not often borne by the people and institutions benefiting from illegal immigration” (“Economic Impact”).

Whether there is a slight deficit, neutral or slight benefit economically from illegal immigration, there is no denying that educating illegal immigrants in the here and now is expensive. Many children of illegal immigrants do not speak English fluently, and several studies indicate that educating ESL students costs 20-40% more than those who are fluent (“The Impact,” 2007, p. 2). To get an accurate picture of just how much it costs in K-12 to educate illegal immigrants is impossible, since schools do not ask about legal status. The best guess is that there are 1.8 million illegal immigrant children under the age of 18 (“The Impact,” 2007, p. 6). The average cost



Photo by myseveralworlds.com

U.S. Spending on Education K-12 ('08/'09)



per student in 2008/2009 school year was \$10,499 (“Public Education,” 2011, p. 8). If we assume that each and every illegal student needs ESL services, and that those services will cost 40% more, at the top of the 20-40% range, then the cost per year for the entire United States is \$26.5 billion per year. The total spending on K-12 public education in 2008 to 2009 was \$605 billion, making the cost to educate undocumented primary school students about 4% of the overall budget (again, on the high end of a very rough estimate) (“Public Education,” 2011, p. xii).

“Some states bear a heavier burden than others.”

Educating these students is not a large percentage of the overall budget, but some states bear a heavier burden than others, considering their larger unauthorized immigrant populations. Especially in those states, those who do not support educating undocumented children believe the money spent educating immigrant children could be used to cover shortfalls in stretched budgets. Spending more money on college education would be unthinkable. Others see that we have invested in these children already, and we should continue to show our commitment to them by offering them the same services that everyone has access to. They believe that doing so would pay off in the long run.

What Our Decision Means

In-state tuition and government aid for unauthorized immigrants is an issue that has gained national attention, because of the high stakes that many have in its outcome. It will affect the students who receive the aid for the rest of their lives. Others feel that it is a misuse of funds that are needed for more important purposes. Of the costs to taxpayers from illegal immigration, education makes up the majority (“The Impact,” 2007).

There are impassioned pleas from both sides of the issue. Audra Strickland, a Republican Assemblywoman, says, “Before we consider cuts to education and lay off teachers, before we consider cuts to children in foster care, before we jeopardize public safety by releasing 22,000 prisoners, before we increase tuition for lawful students, before we adopt the Democrat’s multi-billion dollar plan to in-

“ We should stand firm against state taxpayer-funded benefits for illegal immigrants. ”



Photo by conservativenewjersey.com

“Undocumented children . . . have high aspirations, yet live on the margins.”

crease taxes, we should stand firm against state taxpayer-funded benefits for illegal immigrants. It is time to end the Democrat’s ruse and put Californians first” (Strickland, 2008). It’s clear that she strongly believes that benefits to illegal immigrants should be stopped. From the other side of the debate, Professor Roberto Gonzalez from the University of Washington says, “The experiences of undocumented children [are that] ... they are honor roll students, athletes, class presidents, valedictorians, and aspiring teachers, engineers, and doctors. ...They have high aspirations, yet live on the margins” (Gonzalez, 2011). Those who support aid believe that the U.S. is “creating a disenfranchised group of young people cut off from the very mechanisms that would allow them to contribute to our economy and society” (Gonzalez, 2011). The stakes are obviously high and the consequences could impact many lives.



Photo by philippelazaro

Part 2

EXPLORING three SOLUTIONS

The US is clearly facing an enormous problem as it decides the best course of action to take regarding undocumented immigrants and the financial obligations of college. This book outlines three possible approaches, summarized in the box below.

Three Possible Solutions

Solution #1: The government could give no aid and ban undocumented students from attending college, with the goal of deportation.

Solution #2: The government would give no aid, but allow college attendance; private funding, such as scholarships could be organized and/or encouraged. Work permits may also be offered.

Solution #3: Give in-state tuition and governmental aid, passing laws such as the DREAM act, which allow aid and provide a path to citizenship.

SOLUTION # 1

Students Are Solely Responsible

Potential solution #1: Give no aid and ban undocumented students from attending college, with the goal of deportation.

As with each of the solutions, the idea that undocumented students should not be allowed to attend college and should be deported is extremely controversial. Proponents say that these students are a drain on the system and take funds and seats away from legal students. Opponents to this solution say that it is harsh and that it is unfair to deny students who, through no fault of their own, are in the U.S. and simply want the same opportunities as everyone else.



Photo by kevinzim

Those who are against providing in-state tuition to undocumented immigrants say that it is unfair to those who are in the U.S. legally. Phil Paule,

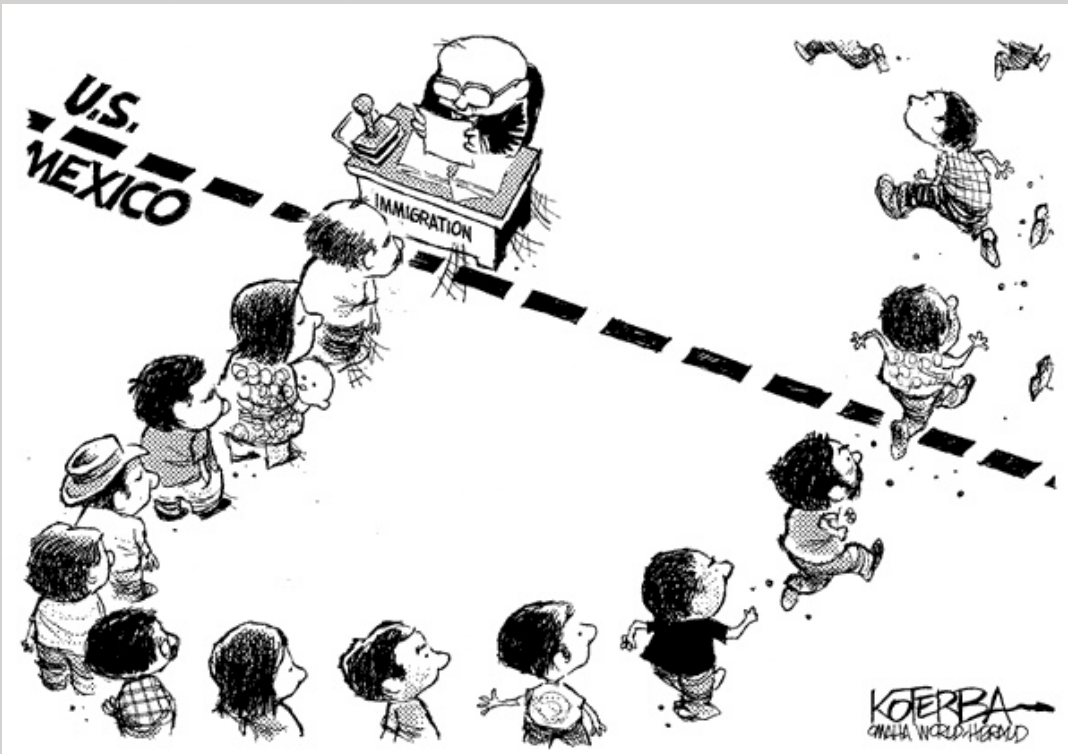


Photo by immigrationheadlines.com

a District Director for Congressman Darrell Issa (R-Vista), says, “The DREAM Act is not about who is allowed to get an education but rather it creates a special class of students -- in this case students in this country illegally -- who are having their education funded at the expense of the taxpayers of California” (McAllister, 2011). They believe it puts undocumented students above legal citizens and allows them to skip to the front of the line, ahead of those trying to become citizens through legal channels.

Tim Donnely (R-Hesperia) agrees that the California passing of the DREAM Act is unfair, saying, “It is absolutely, fundamentally wrong and unfair and it is an insult to people who have worked and played by the rules, including those who have come to this country legally” (Jones, 2011). States that allow in-state tuition benefits for illegal

“It is an insult to people who have worked and played by the rules.”

immigrants are now facing pressure to rescind them. A group of students in California is suing the state, alleging that the California DREAM Act violates the 1996 federal laws. They say that if illegal immigrants are awarded in-state tuition, that they, as those paying the out-of-state rates, should be reimbursed (Ramirez, 2008).

There are also many people who feel that the U.S. should be deporting all illegal immigrants. They feel that illegal immigrants have broken the law



Photo by theinductive.com

and should be punished, not be given any benefits or rewarded for their criminal behavior. Many feel protective of the unique culture of the United States and do not want it to change with a large influx of immigrants from other countries. They feel our first priority should be to do what Reagan failed to do and secure our borders, not spend money educating those who should be deported. They also believe that when the states pass laws granting in-state tuition that they are violating the Supremacy Clause of the U.S. Constitution, which gives Congress full power over laws concerning immigration (Drachman, 2006, p. 95).

Yeh Ling-Ling, a legal immigrant herself, is very concerned with the cost

of educating illegal immigrants. She believes that we cannot afford even the smallest costs associated with educating citizens from other countries. The California DREAM act is expected to cost taxpayers \$14 million, about 1% of the \$1.4 billion allotted for education funding (Jones, 2011). She says, “Billions of bonds in recent years have been passed to fund our schools. Is borrowing into the future a responsible solution?” (Ling-Ling, 2007). She argues against the idea that we should continue investing in the children of illegal immigrants, saying, “The hard truth is that most illegal workers, due to their low-incomes, do not pay enough taxes to offset the cost of educating their children in American public grade schools. This cost can exceed \$9,500 per child per year if the student receives the so-called bilingual education, not to mention the costs of other social services” (Ling-Ling, 2007).

Parents and students are also concerned with over-crowding of colleges, and that illegal immigrants will take seats away from legal citizens. Joe Guzzardi, an outspoken opponent, says, “The DREAM Act . . . takes college opportunities away from Americans (the freshman classes can only accommodate so many students before all the seats are taken)” (Guzzardi, 2011). DREAM Act supporters point out that this is only true for “top tier universities” (“Myths and Facts,” 2009). Otherwise, in order to maximize tuition revenues, community colleges and universities “accept as many qualified applicants as they can in order to increase tuition revenues and, if public, state allocation of funds” (“Myths and Facts,” 2009). Right now, most colleges have the capacity, but this could become a concern in the future if qualified applicants truly outpace supply.

To address deportation from a practical standpoint, the deportation of millions of people is cost prohibitive. If mass deportation could be successfully accomplished, it could cost an estimated \$285 billion in just the next five years, according to The Center for American Progress (Sanchez,

“Is borrowing into the future a responsible solution?”

“[Supporters] feel they are protecting the financial future of our country.”

2010). Furthermore, it could decrease the U.S. Gross Domestic product by 1.46%, accounting for a \$2.6 trillion total lost in GDP in the next ten years (Sanchez, 2010). Deportation of students could also potentially separate families. Ann Brewer says, an outspoken activist for the education of undocumented students from Utah, says, “They [undocumented students] want to be contributing members of our society, but our laws do not allow them to do that. To inflict upon them the trauma of deportation, relocation once again, separation from family members, etc, for an action over which they had no control, seems very wrong to me.” Deportation is a delicate issue, and we must consider monetary costs and the separation of families. But, on the other side, deporting people who are truly harmful, such as those who have committed felonies or gang members, can benefit everyone.

Some worry that the DREAM Act would allow criminals and other undesirable people to gain legal status, even with the clause that beneficiaries must be “of good moral character.”

Another argument that many use against prohibiting in-state tuition for undocumented students is that it punishes children for their parents’ ac-



Photo by Michael Schwartz

tions. This was one of the key reasons in the Plyler vs. Doe ruling. Many of these students have lived in the U.S. since they can remember and did not break the law voluntarily. Ann Brewer says, “These students did not come to the U.S. of their own choosing, and have been raised with American values, friends, and dreams like any other young American.” Those who oppose giving undocumented students education say that parents should be held responsible for their actions, and that it is not up to the American public to be responsible for the actions of irresponsible parents. Children sometimes must suffer because of the poor actions of their parents, and society cannot fix all ills.

This approach comes down to holding the individual families strictly responsible. It does not allow any tolerance for breaching the law. Those who favor this option feel they are protecting the financial future of our country, the rule of law, and reserving our resources for our citizens.

SOLUTION # 1

<p>Pros:</p> <ul style="list-style-type: none">• Less educational costs• Holds individuals responsible for their actions• Reserves resources for legal citizens only• Can be seen as part of an over-all larger plan to stop illegal immigration• Feel it is fair to legal citizens• Strictly upholds the law	<p>Cons:</p> <ul style="list-style-type: none">• Potentially separates families• Cost of deportation• Can be seen as punishing children for something that isn't their fault• May miss out on economic benefits that these students could offer
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SOLUTION # 2

Improve the Status Quo

Potential solution #2: Give no aid, but allow college attendance. Private funding, such as scholarships could be organized and/or encouraged. Work permits could be provided and students may seek other avenues such as donations, stipends and fundraisers.

This solution is currently the closest to the system that the U.S. is employing right now. It is legal for undocumented students to attend college in

“It is legal for undocumented students to attend college in the United States.”

the United States, although many undocumented students may be under the impression that it is not (“Advising Undocumented Students,” 2011). Students do not currently need to “prove citizenship in order to enter U.S. institutions of higher education” and “there is no federal or state law that prohibits the admission of undocumented immigrants to U.S. colleges and universities, public or private” (“Advising Undocumented Students,” 2011). University policies on admitting undocumented students vary, and some students find it difficult to find a university who will admit them, because of their illegal status (“Advising Undocumented Students,” 2011). Without more work to raise

awareness, many undocumented students who could attend college will not have the opportunity, simply because they do not know it is available to them. Some oppose non-citizens attending U.S. colleges under any circumstances, and see it as taking seats away from citizens, although it can be difficult to determine how extensive this is or might be in the future.

Currently, the majority of undocumented students are believed to enroll in community colleges with open enrollment (Gonzales & Kohli, p. 1).

Although this is currently closest to the status quo, those who support



Photo by iStock

denying financial aid and deportation may feel that the current situation leaves the door open for more illegal immigration. Those who support more aid for undocumented students feel that this solution does not go far enough in equalizing the situation. Solution number two is likely to leave everyone unsatisfied.

A college education is useless without some type of work permit program or a path to citizenship. It can be nearly impossible for an illegal immigrant to become a naturalized citizen, and solution two does little to address this. Some states have recently passed guest worker programs, but for solution two to work on a nation-wide basis, most states would have to implement some type of program.

There are advantages to this system. Ann Brewer points out that this solution does not hurt taxpayers, saying, "Taxpayers do not lose from this,

as these students contribute to higher ed by paying tuition (either through scholarships or out of pocket). . . . I think private scholarships should be encouraged. In fact, I have helped form a non-profit for that purpose.” This solution would also not require any new legislation.

While it is difficult for undocumented students to obtain student loans, because of the required legal documents, there are other avenues of raising funds available to undocumented students. Scholarships are one option and they are offered by many organizations, including government, businesses, and nonprofit organizations. Scholarships can be awarded for academics, hobbies, talents, organization affiliations and career aspirations.

The downside to scholarships for undocumented students is that there are a limited number available, and so they become very competitive (Koebnick, 2009). Many scholarships for migrant workers or that are open to non-U.S. citizens later ask for Social Security numbers (Koebnick, 2009). One activist, Israel Cortez, believes that scholarship funding should be more readily available, saying, “This has become such an issue that I have started my own foundation called the ‘Israel Cortez Educational and

Types of Funding Available

- Scholarships through private organizations, such as businesses and nonprofit organizations.
 - Some students maybe be able to work while they go through school; some may be able to start the legalization process through an employer
 - Work-study programs
 - Privately funded stipends
 - Donations from family and friends
-

Emergency Fund' all funded completely from donations. It is hosted by the Harvest of Hope Foundation" (Cortez, 2007). There are some schol-



Photo by identitytheft.info

arships lists that do not ask for Social Security numbers, including www.maldef.org, www.salef.org, www.usc.edu/chepa, and www.fastweb.com ("The College," 2007, p. 10).

For solution two to work, private funding would have to be expanded significantly to meet needs. However, it might prove to be a good middle ground. Encouraging more founding of and donation to scholarship funds could be a way to cut the costs to the general public, which can be one of the main concerns of those against in-state tuition and government funding.

Some students may be able to work while they go through school; some can start the legalization process through "employer sponsorship under rigorous requirements" ("The College," 2007). This will apply to only a limited number of

“Private funding would have to be expanded significantly to meet needs.”

students, but it does offer not only a way to fund college, but a path to citizenship. Work-study programs can aid college students by “provid[ing] them employment opportunities on or off campus” (“The College,” 2007). Not only does this help subsidize school costs, but can also give students experience in their chosen fields.

Another type of funding which undocumented students may qualify for is privately funded stipends, such as researching with faculty members for which students are sometimes paid a stipend (“The College,” 2007). If this is funded through a source that is tax-exempt, undocumented students may qualify for this type of program. But, if it comes “directly from a public college or university’s funds, undocumented . . . students are not eligible”



Photo by iStock

(“The College,” 2007). These types of funding may still be controversial, since they could be going to citizens instead of unauthorized immigrants. Some may feel these funds were not intended for use by non-citizens, and therefore shouldn’t be consumed by them.

One last way that students can fund their college degree is to ask for donations. Many individuals, such as former teachers or other community members, may be willing to support students in large or small ways. For

example, car washes, food sales, book sales, graduation sales or attending comedy shops (when a group gets paid to go to a taping of a show) can all be sources of funding. Students can get creative.

This solution may not be that different from what we have now, but with a little more awareness and some campaigning on the behalf of undocumented students, lives could be changed. Privately funded scholarships and other sources of non-government funding will lead to much less controversy than government funds. Work permits are still contested, but with the labor demand in the market, it's likely that more and more states will adopt some sort of program.

“Non-government funding will lead to much less controversy than government funds.”

S O L U T I O N # 2	
<p>Pros:</p> <ul style="list-style-type: none">• Rewards effort and good grades• No new legislation needs to be passed• Less controversy than other solutions• No taxpayer costs	<p>Cons:</p> <ul style="list-style-type: none">• Confusing and difficult to find funding• Not enough resources for the need• Little awareness of the resources out there• Neither “side” of the debate is likely to be satisfied

SOLUTION # 3

Pass the DREAM Act

Potential solution #3: Give in-state tuition and governmental aid, passing laws such as the DREAM Act.

Without some type of funding, many undocumented students can not afford college. According to the Immigration Policy Center, “almost 40% of undocumented students families’ live below the federal poverty line, compared to 17% percent for native-born families” (Jones, 2011). Many believe that private funding does not go far enough and that there are just not enough private funds to make college feasible for undocumented students. Furthermore, without a path to citizenship, a college education does little to provide a better life, because they cannot legally work in the United States. Passing legislation like the DREAM Act makes college more affordable and provides a path for citizenship for those who

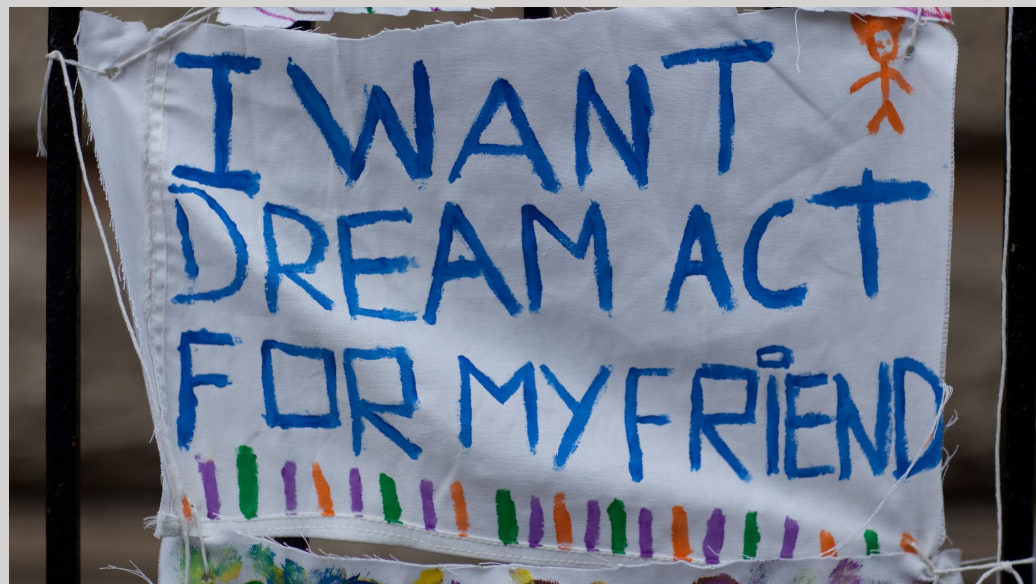


Photo by pamhle



Photo by eichelberger_greg

Supporters cite that these students were brought to the United States when they were minors and had no control over the situation and compare the reasoning for Plyler vs. Doe to college aid. They believe that in order to uphold the ideal that “all men are created equal,” we need to extend the same opportunities to everyone within the jurisdiction of the United States. Those who oppose it believe that undocumented immigrants, as non-citizens, are not under the same protections and are not within the jurisdiction of the United States.

Proponents of the DREAM Act advocate the idea that educational benefits should be based on merit, not legal status. According to the Act, immigrant students are obligated to meet the same requirements as everyone else, and they can only receive aid “after all other legal residents have applied” (Jones, 2011). Grades and scores on the ACT and

“ 40% of undocumented students’ families live below the federal poverty line.”

SAT must meet the same standard that all other students must meet.

“They were brought into the country as children without any choice in the matter.”

Because so many of these students are poor, they are effectively barred from attending college without the benefits of in-state tuition or the help of other government aid (Drachman, 2006, p. 92). Consider the difference in cost in several California schools. At the University of California, the average in-state tuition for a full-time undergraduate is \$9,285, compared to \$32,002 for out-of-state (“What Is AB540?” 2010). Similarly, at the California Community Colleges, the in-state fee is \$480 as opposed to the non-resident fee of \$3,360 (“What Is AB540?” 2010).

Those who support the DREAM Act also see it as coming with many economic benefits. Because these students would be more educated, they would reduce the amount of welfare they might need in the future. Education makes a huge difference in potential future earnings, bringing in more tax dollars overall. In a report done by University of California at Berkeley Graduate School of Public Policy,



Photo by Todd Gipstein

not educating undocumented children “will result in permanently lower life-time earnings which will significantly diminish the future contributions



Photo by Executive MBA Programs

of these workers to total state income and sales tax revenues” (Scalise, 1996). Steven Raphael, a labor economist, has also looked into the effects of not educating children. He said, “We looked at what would happen if we had halted the educational attainments of these. We looked at the difference in their projected lifetime earnings and estimated approximately how much tax revenue would be lost” (Scalise, 1996). They found that around 50% of all money spent on educating immigrant children (including the money spent on K-12 education) could be replaced by future tax contributions, but “only if children were offered an education” (Scalise, 1996). Other estimates put this return on investment much higher, even exceeding the amount taxpayers put in.

Steven Camarota, one critic of the DREAM Act, notes that it only obligates students to attend two years of college, not necessarily earning a degree. Having only some college is related to only “modest income gains” (Clark, 2010). If those who use the DREAM Act do not finish their degrees, the potential benefits could be significantly decreased, without decreasing many of the costs associated with it.



Photo by Antonio Villaraigosa

Opponents say that illegal immigrants are a drain on the system and use up public benefits that are intended for legal citizens. However, undocumented immigrants often do not have access to public benefits and even legal immigrants cannot use government aid until after they have been in the U.S. for five years (Nowrasteh, 2011). This claim is borne out in the numbers put out by the Congressional Budget Office, which shows that most states show a slight overall deficit from the effects of illegal immigrants on public budgets ("The Impact," 2007). Of course, giving them access to in-state tuition would be providing them with the same benefits as citizens, but the education they receive could help offset this deficit. Solution 3 supporters believe that these students are here for the long term, and they consider that the children of these undocumented students will be automatically be legal citizens if they are born on U.S. soil. Giving their parents an education can help these future citizens improve their overall situation and pull them out of poverty.

Americans are worried with public assistance. According to one report, "In poll after poll, Americans are concerned about government costs as-

sociated from immigrants collecting public assistance. The government should allay those fears by building a wall around the welfare state, not around the country” (Nowrasteh, 2011). Many feel the first step to building this wall is making welfare unnecessary through education. Opponents point out that once immigrants are legal, they will greatly increase the amount of public assistance they can collect. While there could be an increase, those who support this approach point out that the DREAM Act is not an unconditional or large, overall amnesty. Those who use it most likely will not need public assistance once they have been educated and are in the workforce.

Proponents believe that education is good in its own right and brings inherent benefits, and as such, we should offer it to everyone. John Levin believes that “educated people have the ability to contribute. Lower crime, fewer unemployed and a healthier population are all associated with higher education” (McAllister, 2011). Ann Brewer says, “The best solution in my view is to pass a law like the DREAM Act and give these students a chance to prove themselves worthy of citizenship. It seems the most fair, ethical thing to do. . . . Aside from fairness, allowing them to work would be a benefit to the public all the way around, adding skilled, educated people to the workforce who pay into our tax system.”

“Not educating undocumented children will result in permanently lower life-time earnings.”

While there is no doubt that the DREAM Act will be an upfront expense to taxpayers, supporters believe it may not cost as much as some may fear. Accurate numbers are nearly impossible to determine, but the Congressional Budget Office determined that if the national DREAM Act was passed in 2010 that revenues would increase by \$2.3 billion over

ten years because of the rise of the number of authorized workers. They also found that the deficit would decrease by \$1.4 billion over the same time period. However, the deficit would increase by between \$5 billion and \$20 billion between 2021 and 2061 (“Congressional Budget,” 2010). The Congressional Budget Office did not take into account the overall tax contributions these students could potentially make. In 2010, a UCLA North American Integration and Development Center study projected that DREAM Act beneficiaries would earn between \$1.4 trillion and \$3.6 trillion in a 40 year period, probably providing significant tax revenue (“The DREAM Act: Creating,” 2011).

When states have passed laws given in-state tuition to undocumented students, they have not experienced wide-spread ill-effects or “a large influx of new immigrant students [into college programs] that displaces native-born students” (“The DREAM Act: Creating,” 2011). Some oppo-

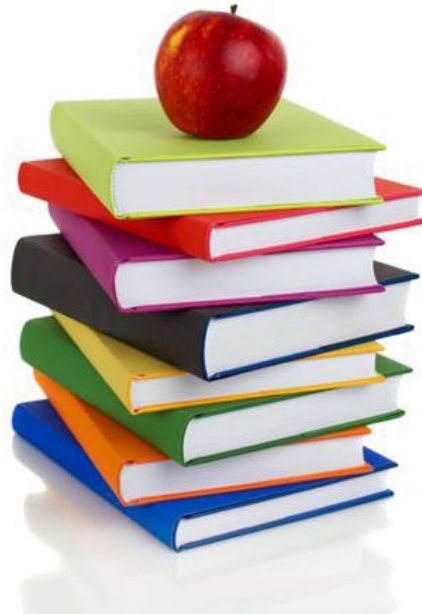


Photo by iStock

nents of in-state tuition benefits cite lost revenues for colleges, calculating that if undocumented students take the place of out-of-state students, there would be X amount of revenue is lost. However, it does not follow every undocumented student would be replaced by an out-of-state stu-

dent, since many factors determine enrollment. States that have allowed undocumented students in-state tuition have seen a bump in enrollment, particularly in community colleges with open enrollment, and so have seen growth in school revenues as “students who would not normally attend college start to pay tuition” (“The DREAM Act: Creating,” 2011)

Opponents of the DREAM Act point out that it has the potential to exploit the poor, because undocumented students may feel unduly pressured to join the military or face deportation or other undesirable consequences, making it a military recruitment tool.

It may take years for the economic benefits of the DREAM Act to arrive, and the U.S. is facing a budget crisis. Many feel that we cannot afford to take care of our own, and that we should not be exacerbating our own problems by extending benefits to those who are not in our country legally. Yeh Ling-Ling writes in an opinion piece, “Allowing illegal immigrant students to pay in-state college tuition and gain residency would only encourage more illegal immigrants in the United States” (Ling-Ling, 2007). Many who oppose the DREAM act feel it will encourage illegal immigration and that it is unfair to native citizens and legal immigrants who are required to pay full tuition at state universities and colleges. People who oppose this solution also feel that it gives illegal immigrants amnesty and opens the door for massive fraud.

Those who support the DREAM Act feel that people come to the U.S. because of the job market. They believe that because it is the job market that drives immigration, these educational benefits are unlikely to increase illegal immigration. They also believe that it is fair, because, although these students are not documented, they have still been living in their respective states for a required amount of time. If the goal of in-state tuition is to reward state residents for paying taxes, such as sales taxes and property taxes, then these students’ parents have usually paid them. Ann

“It seems the most fair, ethical thing to do.”



Photo by Anuska Sampedroa

Brewer says, “Allowing in-state tuition is fair, as the families have been paying Utah property and sales tax for at least three years, like any other resident.” In-state tuition is also rewarded in the hopes that the student will stay and continue to live and work in the state, which these students are as likely to do as any other student, when given the chance.

Supporters of solution #3 do not feel that national borders define our obligations to one another. They wish to provide benefits to as many people as possible and wish to prioritize educational benefits over other types of spending.

“Supporters do not feel that national borders define our obligations to one another.”

S O L U T I O N # 3

Pros:

- Makes college affordable
- May pay off big economically in the long run; breaks the poverty cycle
- Rewards effort and good grades; only the “best of the best” qualify
- Supporter say it avoids punishing children who are not responsible for their status
- Provides skilled future tax-payers

Cons:

- May be consider a form of “amnesty” by some
- Could be expensive the short term
- Feels unfair to those who have played by the rules
- Students are not required to finish college
- Can be used as a military recruitment tool
- Opponents fear there will be massive fraud

MOVING FORWARD

Undocumented immigrants come to the U.S. looking for work. Often, they are legal immigrants whose legal means of being in the United States have expired, and whose legal options have run out. Immigrants want a better life for themselves and their families. However, the effects their presence has isn't limited only to them. Mass immigration has effects throughout society. Everyone in a society is linked, and we work together for the common good, paying into the system so that we can get something out. We all have a stake in figuring out if undocumented immigrants have earned the benefits that we enjoy as citizens. Illegal immigrants affect all levels of society. Whether those effects are good or ill are difficult to determine.

Educating college age undocumented immigrants may benefit them and could have a myriad of positive benefits on society. However, the cost could be high. How we decide to educate them and where the fund are going to come from will also have an effect on all of us. We need to discuss the ramifications of each choice, and work together to find ways that will help all of us achieve a better society for all.



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ORGANIZATIONS & WEBSITES



usimmigrationsupport.org



fairus.org



steinreport.com



ccir.net



[immigrationpolicy.org/
just-facts/dream-act](http://immigrationpolicy.org/just-facts/dream-act)



dreamact.info



dreamact.com



dreamactivist.org



txdreamactalliance.com



Photo by Pueblo Youth Project



A QUESTION of FAIRNESS

Appendix

The Debate over College Funding
for Undocumented Immigrants

BIOGRAPHIES

Mylynda LeGrande



Mylinda LeGrande is an online BYU-I University Senior Student in the General Studies Degree from West Jordan, UT. She has been employed as a substitute teacher at Jordan School District for four years. Her interests include writing, running, spending time outdoors and taking care of her home and family.

Kara Henry



Kara Henry will be graduating from BYU-I in December of 2011 with a Bachelor's in University Studies with minors in English and Communications. Since a young age, she has been passionate about various social issues, and she enjoys friendly debates and reading social issue blogs. In her free time, she runs her own crafting blog, and knits, sews and generally tries to decorate her house faster than her four children can destroy it.

Curtis Spear



Curtis Spear is a BYU-Idaho student with an estimated graduation date for fall of 2013. He is currently a Communication Major, emphasizing in Public Relations, with a Web Technology/media Marketing minor. Curtis loves to have a good time, work hard and participate in many activities. Curtis is passionate about his life, his faith and the things he does to serve others. He loves to make people laugh and help them enjoy their life as much as he loves his.

SELECTION of ISSUE

Mylynda Legrande

At first our team was split on various issues. The males on our team were interested in gun control and the females were split on other issues. The topic of undocumented students receiving federal aid seemed to be in a neutral problem for all our team members. As a group we were finally able to agree on this topic after much debate. Primary, our team selected this issue because it is a social problem at the forefront of our American society at this time. As students, we currently are interested in this topic that may affect both our finances and peers in the education sector. Financing education can be one of the biggest hurdles in obtaining a college education and knowing how tax dollars should be spent is a concern that needs to be addressed.

Kara Henry

Our team chose this issue because it was one we could all agree on. It seemed we all had strong and varied opinions on the issue, and we felt it was relevant and current. I personally have several family members who could be affected by this issue, although they are only distantly related. I don't think my situation is unique; with so many immigrants in the country right now, it's very common for people to know someone personally whom this affects.

Curtis Spear

We chose this issue and topic because after a few different ideas, this seemed to have the best options that could be agreed on by all team members. Immigration is a constant issue, and they many ideas and problems that come through what is considered right or wrong pertaining to immigration and the laws is constantly being debated.



Photo by quilietti.com

TEAM member TASKS

Mylynda Legrande

I contributed ideas about what the main ideas of this social problem included. I conducted an interview with an expert in this field as well as researched solutions to the problem. I was an active member on the various discussion boards and provided feedback on team members projects and assignments. In addition, I completed the “Yes” side of a Jing Presentation on whether undocumented students should receive federal financial aid and communicated effectively with team members including problem solving and maintaining neutrality.

Kara Henry

I was the editor for this project. I helped keep track of what everyone was doing, with significant help with other team members I did quite a lot of research, in order to help out the team. I did the graphic design on the project, found the photos, and spent time building my own template in InDesign for the project. All the graphs and tables in the book were created by me. I also took the research and did the rough draft writing, so that there would be continuity in the writing. Then, the rest of the team helped edit what I wrote.

Curtis Spear

I was one of the writers and researchers for the issue book. We broke it up and my focus was on the background, scope, nature and ramifications of the issue of illegal immigrants and the idea of funding their education. A lot of reading and research was required to find the correct information that would best describe the situation and issue we focused on.



Photo by inknouveau.com

PERSONAL REFLECTIONS

Mylanda Legrande

I learned that making an advocacy booklet as a team is very difficult. It would be more effective to make the whole booklet as an individual because you could have the vision of what the book should contain, its message and design all unified unadulterated. As a team, you are expected to work together to bring together the parts, but I have found that one or two people on the team carry the brunt of the work. There will always be those team members whom are weak and not willing to carry their part of the load.

I learned about the issue that often times, there is always more to an issue that first meets the eye. Before this assignment I was ready to say I opposed undocumented students being able to receive federal aid for college. Doing this assignment has opened my eyes to a more compassionate solution to the problem of educating undocumented students. Through my findings and research, I have concluded that students are here through no decision of their own and that there are benefits in educating them and doing the right thing.

Kara Henry

This was a difficult project in many ways. I had a lot of strong emotions tied to the subject, and it was very difficult to sift through all the numbers associated with educating undocumented students. It seemed to me

that every sourced claimed a different number and it was hard to know which numbers to trust. I started out not very sympathetic to people who did not want to educate these students, for whom I have a lot of compassion, but I can see why they may have concerns about the finances now. However, I still feel that it's the ethically right thing to do, no matter how much it costs, and even the large numbers put it at a small percentage of the overall education budget. I found it hard to be neutral, but I think I managed it ok. I enjoyed working on parts of the project, and I feel so much more informed. I also feel like I'm much better able to determine which sources to trust, and which sources are biased. Even the sources which I agree with, I can see the biases within them now, and at least realize that I'm biased!

Curtis Spear

When we first chose this topic I was a little skeptical about it. I did not have a good understanding or knowledge of this topic or issue, so I thought it would be interesting but frustrating. But after doing research and really learning about this idea topic and idea, it was pretty interesting. We took the chance to look at both sides and really see the pros and cons of the idea of illegal immigrants receiving educational funds while living in America. I enjoyed learning more about the Dream Act, and also about those who believe no education funding should be allowed. My initial choice would not allow the illegal immigrants the chance to gain grants or help with their education. I still do not personally think it is fair, but my ideas and understanding have changed in the fact that I believe that those who do want to support them can, and those who do not want to do not have to. I think that the Dream Act provides that perfect opportunity. Those who want to help can, and donate, while those against do not have to. I do like that within the Dream Act, there are requirements in order to be eligible for the funding. It will be very interesting to see if this act will pass in the future and how it will change the dynamics of illegal immigration in the United States.

STRATEGIC RESEARCH

Mylinda Legrande

J. L. Frum. "Postsecondary Educational Access for Undocumented Students." c2007- The Pennsylvania State. 2010. www.Universitiesiteseerx.ist.psu.edu/viewdoc/download.

Problem is: Funding undocumented students may seem to be not worth the cost.

Solution is: Although the cost to educate undocumented students is 6.5 million which amount may double the rate of Hispanics earning a degree, more than 13 billion in public revenue will be recovered.

- Funds will be recouped over time for what was invested
- Taxes will be one source of funds.
- Social Security and Medicare contributions will be another source of funds.
- Less welfare will not have to be paid for by educated immigrants.
- It will take only 13-15 years to recoup costs.

Kathleen Scalise. "Denying education to undocumented immigrants doesn't pay off in tax dollars, according to new UC Berkeley report." May, 1996. <http://berkeley.edu/news/media/releases/96legacy/immigrant.html>

What I Learned: Education makes a difference for earnings in immigra-

tion children.

- The two researchers used a simple economic model to reach their conclusion based on the fact that modest differences in education can make substantial differences in earnings for immigrant children -- as much as 7 to 16 percent for each extra year in school.
- They analyzed census data for all immigrant noncitizen children who arrived in California after 1982, a population comprised of 57 percent Latino and 32 percent Asian immigrants. They found approximately 50 percent of all funds spent annually on educating immigrant children would be offset by future tax contributions, but only if children were offered an education.
- “Failing to educate undocumented children will result in permanently lower life-time earnings which will significantly diminish the future contributions of these workers to total state income and sales tax revenues,”
- The study “counters the argument that Proposition 187 will lead to a substantial windfall for the state.”
- If you’re looking for education to totally offset itself in tax revenue, you’re not going to find that for non-immigrant children or any other children in the state. There are other reasons why you want to educate people.” These include the fiscal impact of increased incarceration and law enforcement expenditures due to youth denied schooling and the need for a well-educated work force to attract employers to the state and maintain job growth.

Alex Nawrasteh. “Immigration: The DREAM Act Is Not A Nightmare.” June 28, 2011. <http://www.forbes.com/2011/06/28/dream-act-immigration.html>. <http://berkeley.edu/news/media/releases/96legacy/immigrant.html>.

What I Learned: The Dream Act has been shown to help immigrants succeed as citizens in the United States.

- “Most undocumented immigrants eligible for residency under the DREAM Act fit a specific profile: They were brought into the country as

children without any choice in the matter, speak English, are law-abiding, and are ambitious enough to join the military and enroll in college to gain permanent residency.”

- The DREAM Act would allow some undocumented immigrants to gain conditional legal status if they were brought into the country when under the age of 16, lived continuously in the U.S. for at least five years, are of “good moral character,” have not committed an otherwise deportable offense, and received the equivalent of a high school degree or acceptance to college.
- The Act should put more restrictions on immigrants receiving welfare benefits. Currently, undocumented immigrants are largely excluded from public benefits, and lawful immigrants cannot receive government aid for the first five years of their residency.
- It should also restrict federal education aid. Section 10 of the DREAM Act allows those formerly undocumented immigrants who are admitted to permanent residency the opportunity to apply for federal Pell grants and supplemental education support grants.
- So that begs the question, why is it so imperative to remove welfare benefits from a group that rarely takes advantage of them? The answer is public perception. In poll after poll, Americans are concerned about government costs associated from immigrants collecting public assistance. The government should allay those fears by building a wall around the welfare state, not around the country.

Professor Roberto Gonzalez, University of Washington, “We Cannot Afford Not to Pass the DREAM Act: A Plea from Immigration Scholars. Huffington post. 2011.

What I Learned: We Cannot Afford Not to Pass the DREAM Act

- “[t]he experiences of undocumented children [are that] ...they are honor roll students, athletes, class presidents, valedictorians, and aspiring teachers, engineers, and doctors. ..They have high aspirations, yet live on the margins. “
- After decades of research it is clear that, by punishing the children

of undocumented immigrants, this country is creating a disenfranchised group of young people cut off from the very mechanisms that would allow them to contribute to our economy and society. Policies currently in place have presumed that making life harder would make immigrants go home;

- Over these last weeks and months we have seen our own students -- those who are in our classrooms -- struggle to meet school expenses, graduate from our universities, and then face uncertain futures and the constant risk of deportation. But we have also witnessed their incredible capacity to thrive despite debilitating circumstances.
- Is it fair to sentence these youth to lives in the shadows for having been brought to the U.S. as babies by their parents? We think America is better than this. We can fix this upside-down moral universe by making a down payment on immigration reform, and passing the Dream Act.
- It is an important step in fixing America's broken immigration system, and it should be passed. U.S. raised children, like Gaby Pacheco, who benefit from the Dream Act will see their hard work rewarded and, in turn, will contribute even more to the U.S., through higher earnings and taxes paid. And they will be our future teachers, community leaders, and professionals.

UCLA for Labor Research and Education. "Undocumented Students: Unfulfilled dreams." February, 2007 <http://www.labor.ucla.edu/publications/reports/Undocumented-Students.pdf>.

What I Learned: Immigration reform will not only change undocumented students lives but lead them to be able to be a good future contributors to American Society.

Testimony given by several undocumented students shows that:

- Students are facing hope for the future. "Hope dreams and plans must be realized. There is no other option. I will be co-author. The Dream Act has to pass- there are no other options." Assembly Member Eng
- Students are facing despair for the future.
- Students are facing frustration for the future. "Immigration Reform cannot be a discussion about building a wall. It cannot be punitive.

Immigration reform is near and legalization is on the horizon.” Senator Cedilo

- Students are facing expectation for the future. “This hearing is one of the most powerful presentations I have heard about the Dream Act. It has inspired when I hear the students because what they say take so much courage.” Josh Berstein, National Immigration Law Center
- They have a strong backing for the Dream Act by state and federal leaders.

www.dreamact.info/advocacy/organizations

What I Learned: There are several states listed around the country who are advocates to get involved with and possibly find someone to interview at one of these locations.

- Most DREAM Act candidates who are eligible for 245(i) are usually eligible because their Parents have pending or past denied immigrant applications. Neither will end a person’s eligibility for 245i. This benefit for most DREAM Act candidates is typically called ‘Derivative Grandfathering under 245i. A DREAM Act candidate who has Derivative Grandfathering benefits who is an overstay can file any immigrant application, whether it be employment based or family based and have their adjustment application adjudicated here in the United States. Typically, USCIS will require proof that you’re 245i eligible should you attempt to use the benefit and this can usually be proven by showcasing your name on an immigrant application that has been filed with USCIS before April 30th, 2001 and a payment of a \$1000 fee.
- The University of Utah is one place where there is an organization near me as well as Dream Act-Utah, By Abaddon - 606 AP, Contact brewerfam@gmail.com (Annie Brewer)
 - o Location: Salk Lake City, UT
- Bay Area Dream Act Coalition contact <https://www.facebook.com/groups/130452910302835>
- Dream Act for AZ- Our mission is to raise awareness of the DREAM act by holding different events in Arizona, and also to support

students and their families by having a place to talk with others that are going through the same struggles. Location: 1554 W. Van Buren, Phoenix, AZ, 85007, United States

- o Phone:602-790-5394
- o Phone:602-692-7122
- To get involved in immigration reform first contact your state representative, next, research his positions on it and share your findings on this website.

Barbara Efrain. "California Dreamin': Financial Aid to Illegal Immigrants." 11/01/2011. <http://www.humanevents.com/article.php?id=47122>

What I Learned: The new law gives illegal immigrant students "on the path to citizenship" access to the state's public financial aid and goes into effect Jan. 1, 2013.

- Upon the passage of the first half of the Dream Act in July of this year, California Assemblyman Jeff Miller (R-Corona) expressed his disillusionment with Governor Brown, "This legislation, in no uncertain terms, subsidizes higher education for illegal immigrants.
- AB 131 would give students already sheltered by AB 540 the opportunity to apply for and receive financial aid from the state of California. Illegal students will now be granted access to Cal Grants, among other state aid programs, in order to pay their tuition costs.
- Illegal students are already subsidized under AB 540, a law that makes them eligible for in-state tuition, thus paying about two and a half times less than what an out-of-state student would otherwise pay. (The University of California website shows tuition for residents is \$13,200 and out-of-state students pay \$36,078, that's an additional \$22,878.)
- <http://www.labor.ucla.edu/publications/reports/Undocumented-Students.pdf>. 2007
- August 2011. "State Campaigns on Education for Immigrant Students Gain Momentum in 2011. www.NILc.org. (Sarah Gonzolas, "Who Decides Which Undocumented Students Can Stay, Who Must Go." <http://stateimpact.npr.org/florida/who-decides-which-undocumented-students-can-stay-who-must-go/>)

Curtis Spear

Statistics:

- In California, the \$7.7 billion spent annually educating the children of illegal immigrants - nearly 13% of the overall 2004/5 education budget (http://www.usillegalaliens.com/impacts_of_illegal_immigration_education.html)
- In Texas, the \$3.9 billion spent annually educating the children of illegal immigrants could: cover more than the \$2.3 billion shortfall identified by the Texas Federation for Teachers for such things as textbooks and pension contributions. (http://www.usillegalaliens.com/impacts_of_illegal_immigration_education.html)
- The direct cost of educating the children of illegal aliens is somewhere between \$29 and \$35 BILLION dollars a year. You can add in another billion or two for the costs of supplemental feeding programs and other welfare benefits administered through the schools but which are off the “education costs” in the school budgets. (http://www.usillegalaliens.com/impacts_of_illegal_immigration_education.html)
- In the 2004/5 school year, Texas had about 690,000 ESL students. Nationally, there are an estimated 5.1 million ESL students speaking 145 languages. 80% of ESL students speak Spanish. If 90% of the ESL students are children of illegal aliens then the education costs for children of illegal aliens is about \$34.5 billion per year. (http://www.usillegalaliens.com/impacts_of_illegal_immigration_education.html)

Ramifications:

Illegal immigrants have received aid for schooling, differs state to state.

- California, Illinois, Kansas, Nebraska, New Mexico, New York, Oklahoma, Texas, Utah, Washington, Nevada(state scholarships), Texas(state scholarships). (<http://collegegenie.com/minority-scholarships/scholarships-illegal-immigrants>)
- Plyler vs. Doe case, 1982- struck down a state statute denying funding for education to illegal immigrants and simultaneously struck

down a municipal school district's attempt to charge illegal immigrants an annual \$1,000 tuition fee for each illegal immigrant student to compensate for the lost state funding

- Texas officials had argued that illegal immigrants were not “within the jurisdiction” of the state and could thus not claim protections under the Fourteenth Amendment.

US citizens feel that illegal immigrant educational benefits increase costs

- Undocumented immigrants contribute both benefits and costs to the U.S. economy.
- Republican Assemblywoman Audra Strickland says, “Before we consider cuts to education and lay off teachers, before we consider cuts to children in foster care, before we jeopardize public safety by releasing 22,000 prisoners, before we increase tuition for lawful students, before we adopt the Democrat’s multi-billion dollar plan to increase taxes, we should stand firm against state taxpayer-funded benefits for illegal immigrants. It is time to end the Democrat’s ruse and put Californians first.”
- California’s nearly 3 million illegal immigrants cost taxpayers nearly \$9 billion each year, according to a new report released last week by the Federation for American Immigration Reform, a Washington, D.C.-based group that promotes stricter immigration policies.
- Educating the children of illegal immigrants is the largest cost, estimated at \$7.7 billion each year, according to the report.

The Dream Act, potential to help illegal immigrants

The purpose of the Development, Relief and Education of Alien Minors Act, also called the DREAM Act, is to help those individuals who meet certain requirements, have an opportunity to enlist in the military or go to college and have a path to citizenship which they otherwise would not have without this legislation.

- **REQUIREMENTS:**
Must have entered the United States before the age of 16 (i.e. 15 and younger)

Must have been present in the United States for at least five (5) consecutive years prior to enactment of the bill

Must have graduated from a United States high school, or have obtained a GED, or have been accepted into an institution of higher education (i.e. college/university)

Must be between the ages of 12 and 35 at the time of application

Must have good moral character

- Criticism: Opponents of the DREAM Act argue that it encourages and rewards illegal immigration. Other stands include viewing it as importing poverty and cheap labor, being a military recruitment tool, having economic and social burdens (subsidies from state and federal taxes, degradation of the public school system and neighborhoods), and as being unfair to American-born and legal immigrant parents and children who must pay full tuition at state universities and colleges.

Kara Henry

David Bennion, “Undocumented Youths Organize to Pass DREAM Act,” Legal Intelligencer, August 31, 2009, Web. Accessed November 15, 2011.

What you learned about problem/possible solution: The DREAM act would provide a path to citizenship and decreased cost for college.

- “65,000 illegal immigrants graduate from high school each year”
- “To qualify for the DREAM act, students must: Have been brought to the United States before age 16.
 - o Have lived in the United States for at least five years.
 - o Be a person of good moral character (having not committed any serious crimes).
 - o Have been admitted to college or earned a high school diploma or GED [general education development degree].
 - o Serve two years in the military or complete two years of college.”
- “Often cannot find employment because of their unauthorized status.”
- “Many colleges and universities will not permit them to enroll.”
- “In most states, they will pay prohibitively expensive out-of-state tuition rates, regardless of how long they have lived in the state.”
- “Many of them were brought to the United States as young children and have lived in America for most of their lives.”

Yeh Ling-Ling, “The Dream for Some, a Nightmare for the Rest,” Daily Californian, October 19, 2007.

What you learned about problem/possible solution: Dream act should not pass, because it puts a burden on the US and could alter US culture/political climate forever.

- “Allowing illegal immigrant students to pay in-state college tuition and gain residency would only encourage more illegal immigrants in the United States.”
- “Proponents of the DREAM Act argue that parents of illegal students have paid taxes and that the United States should invest in them. The hard truth is that most illegal workers, due to their low-incomes, do not pay enough taxes to offset the cost of educating their children in American public grade schools. This cost can exceed \$9,500 per child per year if the student receives the so-called bilingual education, not to mention the costs of other social services.”
- “Billions of bonds in recent years have been passed to fund our schools. Is borrowing into the future a responsible solution?”
- “But the impact of exploding immigration-driven population growth is more than fiscal. If we grant amnesty to millions of illegal stu-

dents, once naturalized, they could petition for their parents and siblings to immigrate to the United States. In addition, they will have children born here. Those newcomers will consume energy and water, like all other residents, thus exacerbating our energy and water shortages.”

- “We cannot ignore the political impact of the DREAM Act. Many Hispanic activists pushing for amnesty have publicly stated: “Today, we march. Tomorrow, we vote.” During last year’s massive demonstrations across the United States, many protestors were waving Mexican flags and pressuring the United States with demands identical to Mexico’s. Considering that in recent years, our national elections were very close, it is unlikely that our immigration laws will be seriously enforced in the future if millions of newly naturalized citizens promoting open borders are able to vote in our future elections. Should we allow migration to strongly influence our elections and policies?”

“Economic Impact of Illegal Immigrants in the United States.” Wikipedia.com. Wikipedia.com, n.d. Web. Accessed November 15, 2011 from http://en.wikipedia.org/wiki/Economic_impact_of_illegal_immigrants_in_the_United_States.

What you learned about problem/possible solution: This becomes a question of economics: do immigrants put an overall net positive into the economy, and would educating improve that net positive?

- “At the most basic level, undocumented immigrants purchase goods and services and contribute labor and tax dollars while requiring services such as healthcare, education and law enforcement. The participation of undocumented immigrants in the U.S. economy also has more complex systemic impacts. For example, their participation can depress both wages for lower-skilled native U.S. workers and prices for all consumers buying U.S. goods and services. The evidence suggests that the overall costs imposed on the U.S. economy by undocumented immigrants are equivalent to or outweighed by the benefits. However, this issue remains contentious in part because the costs of illegal immigration are not often borne by the people and institutions benefiting from illegal immigration.”

- “Most arguments against illegal immigration begin with the premise that the undocumented don’t pay income taxes, and that they therefore take more in services than they contribute. However, IRS estimates that about 6 million unauthorized immigrants file individual income tax returns each year.[16] Research reviewed by the nonpartisan Congressional Budget Office indicates that between 50 percent and 75 percent of unauthorized immigrants pay federal, state, and local taxes.[16] Illegal immigrants are estimated to pay in about \$7 billion per year into Social

Security.

- The Internal Revenue Service issues an Individual Taxpayer Identification Number (ITIN) regardless of immigration status because both resident and nonresident aliens may have Federal tax return and payment responsibilities under the Internal Revenue Code. Federal tax law prohibits the IRS from sharing data with other government agencies including the INS. In 2006 1.4 million people used ITIN when filing taxes, of which more than half were illegal immigrants.”

- “During 2007, the nonpartisan Congressional Budget Office reviewed 29 reports published over 15 years on the impact of unauthorized immigrants on the budgets of state and local governments. While cautioning that the reports are not a suitable basis for developing an aggregate national effect across all states, they concluded that:[16]

- o State and local governments incur costs for providing services to unauthorized immigrants and have limited options for avoiding or minimizing those costs;

- o The amount that state and local governments spend on services for unauthorized immigrants represents a small percentage of the total amount spent by those governments to provide such services to residents in their jurisdictions;

- o The tax revenues that unauthorized immigrants generate for state and local governments do not offset the total cost of services provided to those immigrants, although the impact is most likely modest; and

- o Federal aid programs offer resources to state and local governments that provide services to unauthorized immigrants, but those funds do not fully cover the costs incurred by those governments.

- Professor of Law Francine Lipman [33] writes that the belief that illegal migrants are exploiting the US economy and that they cost more in services than they contribute to the economy is “undeniably false”. Lipman asserts that “undocumented immigrants actually contribute more to public coffers in taxes than they cost in social services” and “contribute to the U.S. economy through their investments and consumption of goods and services; filling of millions of essential worker positions resulting in subsidiary job creation, increased productivity and lower costs of goods and services; and unrequited contributions to Social Security, Medicare and unemployment insurance programs.”

- “About three-quarters (76%) of the nation’s unauthorized immigrants are Latino. The majority of undocumented immigrants (59%) are from Mexico. Significant regional sources of unauthorized immigrants include Asia (11%), Central America (11%), South America (7%), the Caribbean (4%) and the Middle East (less than 2%). Undocumented immigrants constitute 4% of the nation’s population. Approximately two-thirds have been in the U.S. for 10 years or fewer.”

- “Ernesto Zedillo, former President of Mexico and current Direc-

tor of the Yale Center for the Study of Globalization, argues that the US economy has a crucial need for migrant workers, and that the current debate must acknowledge this rather than just focus on enforcement.[6] Peter Andreas, Professor of Political Science and International Studies at Brown University, asserts that illegal immigration is spurred on by periods of high demand for labor.[7] According to analyses by Zedillo and Andreas, greater demand for low-wage labor leads to higher illegal immigration. The numbers seem to support this analysis. Standard & Poor's estimated in April 2006 that, at that time, the U.S. was home to 11 million undocumented immigrants. The Pew Hispanic Center estimated that the population of undocumented immigrants grew from 1990 to a high of 11.9 million in 2006, then dropped during the following recession. The change was noticeable by 2008, and was sharply down by 2010. In 2007, a decade-long trend reversed and the overall number of undocumented immigrants fell below the number of legal permanent resident immigrants.”

“What are the Economic Benefits of the DREAM Act?” immigrationpolicy.org. May 18, 2011. American Immigration Council. Accessed Nov. 15, 2011 from <http://www.immigrationpolicy.org/just-facts/dream-act>.

What you learned about problem/possible solution: The DREAM act could have long-term positive economic benefits.

- “The DREAM Act would give beneficiaries access to greater educational opportunities and better jobs, which in turn means more taxable income: A 2010 study by the UCLA North American Integration and Development Center estimates that the total earnings of DREAM Act beneficiaries over the course of their working lives would be between \$1.4 trillion and \$3.6 trillion.”
- “The DREAM Act would allow legalized immigrants to invest in the U.S. economy: Dr. Raul Hinojosa-Ojeda of the University of California, Los Angeles, and others have studied the impact of legalization and found important long-term improvements among previously undocumented immigrants. Specifically, removing the uncertainty of undocumented status allows legalized immigrants to earn higher wages and move into higher-paying occupations, and also encourages them to invest more in their own education, open bank accounts, buy homes, and start businesses.”
- “The DREAM Act would save taxpayers money: A RAND study from 1999 shows that raising the college graduation rate of Hispanics to that of non-Hispanic whites would increase spending on public education by 10 percent nationwide, but the costs would be more than offset by savings in public health and benefits, as well as increased tax revenues resulting from higher incomes. For example, a 30-year-old Mexican immigrant

woman with a college degree will pay \$5,300 more in taxes and use \$3,900 less in government expenses each year compared to a high-school dropout with similar characteristics.”

- “The DREAM Act would likely reduce the drop-out rate for immigrant students by creating a strong incentive for undocumented students to remain in school until graduation. Currently, most undocumented children are forced to work illegally in the cash economy as domestic servants, day laborers, and sweatshop factory workers. The DREAM Act would make these children lawfully eligible to work, and help fill positions like teachers, nurses, and service employees—positions that have long been in demand in the United States.”

- “The DREAM Act keeps talented students in the United States: Letting the talent of DREAM Act students go to waste “imposes economic and emotional costs on undocumented students and on U.S. society as a whole.” The DREAM Act would also stop brain drain by allowing our most talented students to remain in the country. Currently, only 5-10 percent of undocumented high-school graduates go to college.”

- “The 11 states which, since 2001, have passed laws allowing undocumented students to qualify for in-state tuition have not experienced a large influx of new immigrant students that displaces native-born students. These states (Texas, California, Utah, Washington, New York, Wisconsin, Illinois, Kansas, Maryland, New Mexico, and Nebraska) are home to about half of the nation’s undocumented immigrants. The measures actually tend to increase school revenues as students who would not normally attend college start to pay tuition.”

McAllister, Toni. “Effort to Repeal Dream Act Begins Locally.” Murrieta. patch.com. Nov. 7, 2011. Murrieta Patch. Web. Accessed Nov. 15, 2011 from <http://murrieta.patch.com/articles/effort-to-repeal-dream-act-begins-locally>.

What you learned about problem/possible solution: The California DREAM Act is contested and there are many different opinions on it.

- “The California Dream Act, brought forward by Gil Cedillo (D-Los Angeles), was introduced as two bills this year: AB 130 was signed by Gov. Jerry Brown on July 25; it allows undocumented students to apply for non-state-funded scholarships. AB 131, which was signed by the governor on Oct. 9, allows undocumented students to apply for public financial aid to attend California public colleges and universities.”

- In order to qualify for the scholarships and aid, students must attend a California high school for a minimum of three years and they must graduate in California. They also have to show they are in the process of applying to legalize their immigration status, as well as demonstrate finan-

cial need and meet academic standards.

- “But Paule, who currently serves as District Director for Congressman Darrell Issa (R-Vista), said he will work hard to repeal the law.
- “The Dream Act is not about who is allowed to get an education but rather it creates a special class of students -- in this case students in this country illegally -- who are having their education funded at the expense of the taxpayers of California,” he states on his website. “The sad truth is that most illegal persons that California taxpayers will educate will never be able to obtain a job in California due to the E-Verify program.” Cedillo contends that repealing the Dream Act would hurt California in the long run.
- “Our economy is in need of an educated workforce and the bill will help us achieve that,” he said in an Oct. 24 written response to Donnelly’s repeal efforts. “... the California Dream Act that puts us on a path toward economic stability by investing in our youth.”
- “They are the cream of the crop,” Terrazas said of the undocumented students who make it to a higher-learning institution. “They got the good grades, they took the SATs, and they got accepted into college.”
- “John Levin, professor of higher education at UC Riverside, supports the Dream Act, but says it doesn’t go far enough. Students who apply for aid through the Act are identified as undocumented and therefore subject to deportation, which Levin criticizes. He’s also concerned that community colleges will see a greater burden placed on them as a result of the new law. State funding for community colleges is in the neighborhood of \$5,000 to \$6,000 per student, compared to about \$12,000 per CSU student and \$20,000 per UC student, Levin said.”
- “Currently, the UC and CSU systems have a combined total of approximately 700,000 students, whereas community colleges are at around 1.6 million total students, Levin said.”
- While he points out flaws, Levin said the Dream Act is ultimately about creating a better society. “Educated people have the ability to contribute,” he explained. Lower crime, a larger tax base, fewer unemployed and a healthier population are all associated with higher education, he said.’

Other parts that I researched:

In Tucson, Arizona on May 17, 2010, a group of undocumented students staged a sit-in at the offices of Senator John McCain. Their goal was to persuade him to support the DREAM Act being discussed in Congress. Four of these undocumented students were arrested and turned over to Immigrations and Customs Enforcement (ICE). These students soon faced possible deportation, a risk they knew they were taking (Linkins, 2010).

One of the four students arrested at the sit-in, Mohammed Abdollahi, explains their thinking: “We have decided to peacefully resist to encourage our leaders to pass the DREAM Act and create a new standard for immigration reform based on education, hard work, equality, and fairness” (Linkins, 2010).

Additionally, the dissenting judges wrote, “By definition, illegal aliens have no right whatever to be here, and the state may reasonably, and constitutionally, elect not to provide them with government services at the expense of those who are lawfully in the state” (Dachman, p. 93).

However, in 1996, several acts were passed by Congress that prevent undocumented students from getting in-state tuition at public institutions although the law does leave some loopholes, which some states have since used (Drachman, 2006, p. 92).

Because of the 1996 laws, the majority of the states, “believing that their policy abides by federal law,” deny in-state tuition to undocumented students (Drachman, 2006, p. 95). Taking a different interpretation, other states cite the arguments made by Professor Michael A. Olivas, who argues that because of a case called *Toll vs. Moreno* in 1982, Congress cannot control state benefits for postsecondary education, and that furthermore, there is a loophole in Section 505 which allows the States to “circumvent official state residency laws” (Drachman, 2006, p. 96).

There is a lack of agreement and consistency throughout the states, and this “reflect[s] disagreement over the intent and constitutionality of federal law” (Drachman, 2006, p. 98).

Recently, in 2011, California governor, Jerry Brown, signed into law a version of the DREAM act (McAllister, 2011).

An estimated 65,000 of the 3.2 million high school graduates each year are undocumented immigrants, around 2% of the population of high school graduates (Bennion, 2009; College, 2011).

One article, released by the National Immigration Law Center, says that “The Migration Policy Institute (MPI) estimates that the likely total number of students to ever benefit from the DREAM Act is 825,000” (The DREAM Act: Correcting Myths and Misconceptions).

The Center for Immigration Studies warns that they, using the same report by the Migration Policy Institute, “conservatively estimate that 1.03 million illegal immigrants will eventually enroll in public institutions (state universities or community colleges) . . . That is, they meet the

residence and age requirements of the act, have graduated high school, or will do so, and will come forward” (Camarota, 2010, p. 1).

MPI carefully builds their numbers, using the best data they have now, taking into account how many are likely to be able to realistically afford college and have the necessary language skills and life-circumstances to take advantage of the program, and concluded at right now, there are around 825,000 undocumented immigrants who would actually use the DREAM act if offered it (Batalova & McHugh, 2010, p. 1).

The data the MPI based their conclusions on is from 2006-2008, and does “not take into account departures of immigrants since that time due to deportation or to the effects of the recession”; in fact, the Pew Hispanic Center estimates that the current population of illegal immigrants started dropping in 2008 with the recession, and then dropped sharply in 2010 (Batalova & McHugh, 2010, p. 4; Pew Hispanic Center report <http://pe-whispanic.org/files/reports/126.pdf>).

The information from the National Immigration Law Center does acknowledge there may be immigrants in the future who cross the border with their children, and may take advantage of these benefits, even if it is five or six years down the road.

However, the number of 1.03 million is grossly overstated, based on flawed premise, mainly that the number of immigrants who took advantage of Reagan’s amnesty would be the same as the number who would attend college--the situations are not comparable, considering the barriers to education that do not exist with an amnesty (Camarota, 2010, p. 3).

The the 825,000 figure takes into account all of those, even those who have met the two years of college completed criteria and will not be enrolling in college (Batalova & McHugh, 2010, p. 1).

According to one calculation, done by the the nonpartisan Congressional Budget Office, found that “the tax revenues that unauthorized immigrants generate for state and local governments do not offset the total cost of services provided to those immigrants, although the impact is most likely modest”; however, this calculation did not take into account the overall economic costs and benefits, and most estimates find that “the overall costs imposed on the U.S. economy by undocumented immigrants are equivalent to or outweighed by the benefits” (Congressional Budget Office, 2007; Economic impact).

One conclusion is that the economic debate is so rigorous because “the

costs of illegal immigration are not often borne by the people and institutions benefiting from illegal immigration” (Economic impact).

However, whether there is a slight deficit, neutral or slight benefit economically from illegal immigration, there is no denying that educating illegal immigrants in the here and now is expensive. Many children of illegal immigrants do not speak English fluently, and several studies indicate that educating ESL students costs 20-40% more than those who are fluent (Congressional Budget Office, 2007, p. 2).

To get an accurate picture of just how much it costs in K-12 to educate illegal immigrants is impossible, since schools do not ask about legal status. However, the best guess is that there are 1.8 million illegal immigrant children under the age of 18 (Congressional Budget Office, 2007, p. 6).

The cost per student in 2008/2009 school year was on average \$10,499 (<http://www2.census.gov/govs/school/09f33pub.pdf>, 2011, p. 8).

If we assume that each and every illegal student needs ESL services, and that those services will cost 40% more, at the top of the 20-40% range, then the cost per year for the entire United States is \$26.5 billion per year.

The total spending on K-12 public education in 2008 to 2009 was \$605 billion, making the cost to educate undocumented primary school students about 4% of the overall budget (again, on the high end of a very rough estimate) (<http://www2.census.gov/govs/school/09f33pub.pdf>, 2011, p. xii).

Of the costs to taxpayers from illegal immigration, education makes up the majority (Congressional Budget Office, 2007).

Tim Donnelly (R-Hesperia) agrees that the California passing of the DREAM act is unfair, saying, “It is absolutely, fundamentally wrong and unfair and it is an insult to people who have worked and played by the rules, including those who have come to this country legally” (Jones, 2011).

The California DREAM act is expected to cost taxpayers \$14 million, about 1% of the \$1.4 billion allotted for funding (Jones, 2011).

States who have allowed in-state tuition benefits for illegal immigrants are now facing pressure to rescind them. A group of students in California are suing the state, alleging that the California DREAM act violates the 1996 federal laws, and that if illegal immigrants are awarded in-state tuition,

that they, as those paying the out-of-state rates, should be reimbursed (Ramirez, 2008).

The majority of undocumented students are believed to enroll in community colleges with open enrollment (Gonzales & Kohli, p. 1).

Without some type of funding, many undocumented students could not afford college, because, according to the Immigration Policy Center, “almost 40% of undocumented students families’ live below the federal poverty line, compared to 17% percent for native-born families” (Jones, 2011).

According to the act, immigrant students are obligated to meet the same requirements as everyone else, and they can only receive aid “after all other legal residents have applied” (<http://m.ibtimes.com/dream-act-california-jerry-brown-taxes-taxpayers-what-is-it-calif-gov-governor-illegal-immigrant-ali-227792.html>).

This claim is borne out in the numbers put out by the Congressional Budget Office, which shows that most states show a slight overall deficit from the effects of illegal immigrants on public budgets (Congressional, 2007). John Levin believes that “educated people have the ability to contribute. Lower crime, fewer unemployed and a healthier population are all associated with higher education” (McAllister, 2011).

