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News

Success Obscured by Controversy

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Since 2001, and starting with Texas, ten states have passed laws allowing undocumented students to qualify for lower in-state tuition rates. These statutes continue to be controversial (California's is **currently being challenged** in the courts; Oklahoma's **was repealed**) and legal scholars have written extensively about **whether or not they conflict with federal law**. Stella M. Flores, meanwhile, has focused on another question – whether or not they work.

Flores, an assistant professor of public policy and higher education at Vanderbilt University, finds that they do. In two forthcoming studies, she finds, first, that foreign-born, noncitizen Latinos are 1.54 times more likely to enroll in college if they live in a state with an in-state tuition policy, compared to similar students who don't. Also she finds that, at least in the case of the University of Texas at Austin, undocumented students are as likely to persist in college as their Latino peers with U.S. citizenship.

"We're now at a time when we're asking, do they enroll, and the research shows, yes, they are enrolling. And do they persist? And in this particular case, yes they are persisting," Flores says. "So what's next? Are they completing? Well, that's the next question to answer. The larger question is what do we do with this educated human capital, this motivated capital." (That's a question some propose answering on the federal level with the DREAM Act, which would provide a route to permanent residency for undocumented students who complete at least two years of college or military service. The bill has stalled in Congress since it was first introduced in 2001; the College Board **released a report advocating for its passage** Tuesday.)

The federal DREAM Act may not have passed, but many now use the term to describe state-level, resident tuition policies, Flores writes. Flores' study on enrollment, "State Dream Acts: The Effect of In-State Resident Tuition Policies on the College Enrollment of Undocumented Latino Students in the United States," is forthcoming in *The Review of Higher Education*.

It addresses the research question: "Did the introduction of in-state resident tuition benefits to undocumented students in Texas, California, Utah, New York, Washington, Oklahoma, Illinois, Kansas and New Mexico have an impact on their college participation rates, compared to similar students living in U.S. states without an in-state resident tuition policy?" (For those of you counting states, yes, that's nine; the tenth with an in-state tuition law, Nebraska, was not included in the sample. Nebraska's law was passed most recently, in 2006, and, Flores writes, "I am limited to data that do not extend far enough to measure this state's enrollment trends.")

Flores' dataset is a subset of the Current Population Survey, sponsored by the U.S. Census Bureau and the U.S. Bureau of Labor Statistics, for the years 1998 to 2005. The analysis compares college enrollment of foreign-born, non-citizen Latinos (an imperfect proxy for the undocumented, necessitated by limitations in government survey data, Flores writes), with that of several control groups. "Despite variation in immigration rates, history, and incorporation of Latino immigrant students into each respective state's school system, the data in this analysis indicate that the policies significantly increased the college-enrollment rates of Latino foreign-born non-citizens, a large percentage of whom are undocumented. Foreign-born non-citizen Latinos are indeed more likely to enroll in college after the implementation of the tuition policies than their counterparts in states without the tuition benefit," Flores writes.

The second study, finding equal rates of persistence at UT Austin, and co-authored with Catherine L. Horn, at the University of Houston, is forthcoming in *The Journal of College Student Retention*. "One interesting tension in this policy story is that the incentive for undocumented students to enroll and persist in college has often been characterized as an irrational investment given current limitations to apply those benefits of an earned college education to the formal U.S. labor market as a result of unresolved citizenship status," the authors write. "A major drawback of the in-state resident tuition legislation is that it only guarantees a tuition discount, as students with undocumented status do not qualify for any federal aid. Moreover, even if these students do graduate from college, they

are not permitted to work in the U.S. without legal authorization.”

— Elizabeth Redden

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