

Posted over the McClatchy wire. Ran in *Kansas City Star*, *Denver Post*, *Bradenton (Florida) Herald*, *Anchorage Daily News*, and other local papers around the country. Below is as ran on February 24 in the *Denver Post*.

States Lead the Way on Immigration Reform

By David Dyssegaard Kallick and Tanya Broder

While President Obama pushed Congress to pass comprehensive immigration reform in his State of the Union address, many states are already paving the way toward a more sensible set of policies.

Nowhere is this clearer than in offering equal access to higher education, regardless of immigration status.

Twelve states have laws allowing students who meet specific requirements, regardless of their status, to pay in-state tuition rates at public post-secondary institutions: California, Connecticut, Illinois, Kansas, Maryland, Nebraska, New Mexico, New York, Oklahoma, Texas, Utah and Washington.

Rhode Island's Board of Governors for Higher Education adopted a policy permitting eligible students to pay in-state tuition rates, regardless of their status. Minnesota offers a "flat" tuition rate to students, regardless of their status. Three states — California, Texas and New Mexico — allow qualified students, regardless of immigration status, to get financial aid or scholarships, and another, Illinois, established a private fund to raise money to aid undocumented students.

Last week, the University of Hawaii regents approved a plan to offer in-state tuition to students who meet certain criteria, regardless of their status.

New York may soon join this group. Assembly Democrats in Albany support the tuition assistance bill, while Senate Republicans seem to be wavering in their opposition. So far, Gov. Andrew Cuomo has been sitting on the fence. A vibrant coalition of students and educators have high hopes, however, that Cuomo will demonstrate the kind of leadership he exercised in passing laws on gun control and gay marriage. At least a dozen other states are likely to consider bills to improve access to education for immigrants — measures that are gaining bipartisan support.

Colorado's tuition equity bill is well on its way to becoming law this year. In a state where immigration at times has been a toxic issue, the politics shifted dramatically after last year's election. Republicans lost their majority in the state House, while Democrats held theirs in the Senate, in no small part due to political participation among Latinos, who were repelled by the anti-immigrant rhetoric of Republican politicians.

Colorado Gov. John Hickenlooper, a Democrat, has expressed support for the measure, and in the post-election context, one Republican already has already voted for the bill.

The moral case is clear. These “DREAMers” have lived in the United States since they were children. So many are outspoken, smart, and passionate. Many first discovered that they did not have a Social Security number or a lawful status when they applied to college.

The economic argument is even clearer. Higher levels of educational attainment mean greater productivity for workers, and a state with better-educated workers provides a more attractive climate for business. A college degree translates into increased incomes for individuals and stronger tax revenues. In New York, the Fiscal Policy Institute estimated that the typical graduate of a two-year college earns \$10,000 more than a high school graduate, and pays \$1,000 a year more in state and local taxes. That’s a very good return on the state’s investment — and the returns look even better for four-year degrees.

These farsighted state policies on immigration won’t substitute for comprehensive reform at the federal level, but they help point the way.

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