

Florida's Senate Votes to Let Illegal Immigrants Pay In-State College Tuition

By Miriam Jordan

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Florida's Senate approved in-state tuition for illegal immigrants Thursday, setting the stage for the state to join others that have passed laws making higher education less costly for students without U.S. permanent residency.

The bill is a slightly amended version of one passed by the House on March 20. It is expected to go to Gov. Rick Scott on Friday after returning to the House for final passage.

Florida's passage will bring to 20 the number of states that allow undocumented youth to enroll in public institutions paying the same tuition as legal residents and U.S. citizens in the state. Out-of-state tuition is typically three times higher than in-state fees, preventing many undocumented youngsters from affording college.

"States increasingly recognize that access to higher education yields rewards for the state's economy and future," said Tanya Broder, a senior attorney who oversees state policy on immigrants at the National Immigration Law Center.

Critics say that helping the students displaces Americans and abets unlawful behavior.

With Florida's vote, 75% or more of foreign-born residents of the U.S. will live in a state with a tuition-equity law or policy, according to the center. That figure includes both legal and illegal residents. California, Texas, New Mexico and New Jersey are among states that already allow undocumented immigrants to pay in-state tuition. To qualify, high school graduates usually must meet certain criteria, such as attending high school in the state for a minimum number of years.

In a 26-13 vote, Florida's Senate passed the bill after years of debate among state Republicans over such legislation, which Gov. Scott, a Republican, has supported. Observers say that the growing role of Hispanic voters and organizing by immigrant youth in the state played a role in pushing the bill forward.

Another handful of states, including Massachusetts and Alabama, have confirmed that they allow undocumented youth in their states who qualify for Deferred Action for Childhood Arrivals, or DACA, a federal program launched in 2012 offering a reprieve from deportation, to pay in-state tuition.

This week, Attorney General Mark Herring of Virginia announced that under current state law, DACA recipients there should be eligible for in-state tuition.

Whether a DACA recipient can pay in-state tuition is under litigation in other states, including Georgia and Arizona. On Thursday, Arizona won a court ruling that allows the state to sue a community college that interpreted state law to mean that these students could pay in-state rates.

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