

State to widen tuition breaks to include immigrants

Young illegal immigrants to qualify for resident tuition once feds halt their deportations

By Maria Sacchetti

Globe Staff / November 18, 2012

Governor Deval Patrick will direct state colleges and universities Monday to allow young illegal immigrants to pay the lower resident rate for tuition and fees as soon as they obtain work permits through a new federal program, a senior administration official said Sunday.

Patrick's declaration ends five months of anxiety for immigrants who cheered President Obama's decision in June to temporarily halt the deportations of immigrants age 30 and under, only to plunge them into limbo in Massachusetts as officials said they were reviewing whether the immigrants were eligible for the lower rates. But the governor's announcement also raised criticism that he is neglecting American citizens struggling to afford college.

The Patrick administration official, who spoke on condition of anonymity because the governor is sending a letter to the Board of Higher Education Monday, said the change takes effect immediately. State officials said students paying nonresident tuition now at one of the 29 state colleges or universities may apply for a refund for this semester, but not for prior semesters.

"That's amazing," said an elated Cairo Mendes of Marlborough, a 19-year-old native of Brazil here since he was 9 who could afford only two classes at Massachusetts Bay Community College this semester because the cost is double the resident rate. "My life is about to get a lot better, just the fact that I can go to college in peace."

Patrick's announcement dramatically slashes the cost of a college education for immigrants who until now had to pay out-of-state rates.

For example, the flagship University of Massachusetts Amherst costs \$26,645 this year for nonresidents, compared with \$13,230 for residents, while Bunker Hill Community College costs \$5,640 this year for residents, compared with \$13,880 for nonresidents. And Framingham State costs \$8,080 for residents this year, compared with \$14,160 for nonresidents.

Patrick's decision comes less than two weeks after a contentious election season, and it is likely to rankle critics in a state where immigration has been a hot political issue. In 2004, the state Legislature passed a bill allowing illegal immigrants to pay in-state tuition, but then-Governor Mitt Romney, this year's Republican presidential nominee who just lost to Obama, vetoed the measure, and subsequent efforts failed.

After Romney's 2004 veto, the Senate passed a measure allowing illegal immigrants to pay in-state tuition rates in 2005, but it failed in the House in early 2006.

The economy soured soon after that, and support for the measure evaporated. Since then, the measure has largely seemed dead.

In an attempt to revive it last year, Patrick showed up unannounced at a State House hearing to urge lawmakers to approve the measure, but it was not passed into law.

On Sunday, the senior administration official said Patrick's letter to the Board of Higher Education reflects his administration's interpretation of the effect of Obama's program on immigrants who had been here illegally.

Education Secretary Paul Reville said Sunday that Obama's program changed illegal immigrants' circumstances enough to clear the way for them to pay resident tuition. Though they are not eligible for green cards, they will be allowed to stay for at least two years and, most importantly, obtain work permits.

He said immigrants with federal work permits have been allowed to pay resident tuition since 2008.

Steve Kropper, cochairman of Massachusetts Citizens for Immigration Reform, which favors tougher limits on immigration, said on Sunday that the governor and the president should focus on US citizens and legal residents who also cannot afford college. He said the governor's action sidestepped the state Legislature.

"I think it's a bad decision. It's bad for the country," Kropper said. "The Democratic Party's position is not thoughtful about our own poor."

Lieutenant Governor Tim Murray is expected to speak about immigration on Monday at the annual Thanksgiving luncheon hosted by the Massachusetts Immigrant and Refugee Advocacy Coalition at the State House, officials said.

President Obama thrilled unauthorized immigrants in June by launching the program, called Deferred Action for Childhood Arrivals, granting immigrants aged 30 and younger two-year reprieves from deportation if they arrived before age 16, had a clean record, and met other requirements. They also must pay a \$465 fee.

But Obama left it up to individual states to decide whether immigrants should get benefits such as resident tuition.

Most states did not allow immigrants to pay resident tuition before the president's decision. However, US education officials have said that students with deferred deportations are not eligible for federal financial aid.

To pay resident tuition in Massachusetts, state officials said, immigrants must meet the same standards as any other student, including fulfilling academic requirements and the minimum length of state residency for that school.

It is unclear how many Massachusetts students will be affected by Patrick's announcement. From 10,000 to 20,000 immigrants in Massachusetts could apply for Obama's deferred action program, according to estimates from the Washington-based Migration Policy Institute, but those numbers have not materialized.

Federal statistics for Massachusetts were unavailable, but as of last week the state had not cracked the top 10 states in the number of applicants, according to US Citizenship and Immigration Services, the Homeland Security agency administering the program. Fewer students from Massachusetts had applied than in Virginia, which ranked 10th with less than 6,000 applications.

Nationwide, more than 300,000 immigrants have applied for the program, much lower than initial government estimates of 800,000 or more. Of these, the government has approved more than 53,000 applications and rejected more than 10,000. Officials said the rest are under review.

More than 80 percent of the deferred-action applicants were from Latin America. Latino voters, both US-born and naturalized citizens, helped catapult Obama to a second term.

Other significant groups applying for deferred action include South Koreans and natives of the Philippines.

<http://www.boston.com/news/local/massachusetts/2012/11/19/state-widen-tuition-breaks-include-immigrants/yr5I7kRaklLsFRnbrRbZxM/story.html>