



Raised in New Jersey, but charged out-of-state tuition

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By Anastasia Mann/Star-Ledger guest columnist

Mary and Maria were best friends. They went through grade school, middle school and high school together. Both applied to Rutgers and got in. But while Mary's yearly tuition bill came in at \$11,886, Maria's ran to about double that — \$22,796.

This was not a fluke or a clerical error. Mary was born in the United States; Maria was brought here as an infant. She is "out of status" or "undocumented." Some would say "illegal." Even though the girls had been next-door neighbors since they were babies, one is being charged the in-state tuition rate; the other gets charged the higher, out-of-state rate.

At issue is a policy in effect in New Jersey: No matter how long a young person has lived in the state, how much academic promise they show, or how "American" they feel, if a high school graduate is undocumented, she can be charged out-of-state rates at public colleges and universities.

Geography means everything in this situation. If these two girls lived in Illinois, New York, Texas, Wisconsin, Utah or any one of the 11 states that have enacted laws allowing undocumented students to pay in-state tuition rates at state colleges and universities, there simply would not be any issue.

As I argue in a new study by New Jersey Policy Perspective, funded by the Sandra Starr Foundation, New Jersey residents are ill served by current state policy. Two bills (S1036 and A990) would bring New Jersey into alignment with the other states that support undocumented students' access to college. The legislation would affect somewhere between 1,500 and 2,000 students each year by allowing all of those who have graduated with good grades, demonstrated good character, and attended at least three years of high school in New Jersey to pay the same tuition as other state residents.

Brought to the United States as children by parents seeking a better life, undocumented children attend public K-to-12 schools for free, as mandated by a 1982 Supreme Court decision. New Jersey schools spend an average of more than \$14,000 per year per student, exceeding all but two other states. Many undocumented students thrive, rising to the top of their classes. Yet when faced with state colleges' nonresident tuition rates, currently among the highest in the nation, some have had to abandon their college dreams.

High tuition is a general problem that has little to do with immigrants. In 1990, New Jersey subsidized almost half the cost of public higher education. Today, that share is closer to one-fifth. The result is that tuition strains the budgets of many middle-class families to the breaking point. Yet for undocumented families that tend to earn about 40 percent less than the average, the situation is even more serious. Combined with a ban on federal student aid, the impact of the higher tuition rates is chilling. Nationally, only about 5 percent to 10 percent of undocumented high school graduates attend college, compared to approximately 75 percent of their classmates.

Critics insist that undocumented students do not deserve resident-tuition rates. Some worry that they will displace legal immigrants and citizens. In New Jersey, where seats at four-year colleges are scarce, this is a legitimate concern. But studies from Texas, New Mexico and other states that have instituted the tuition policy show that almost all undocumented students enter community colleges, where capacity is not a problem. For the state with the highest net out-migration of college students in the nation, the change would bring a net gain in students and tuition revenue.

Others claim that undocumented immigrants do not pay taxes and therefore do not merit the subsidy. This is far from the whole truth. Just like other New Jersey residents, undocumented residents pay property taxes, either as homeowners or in rent. They pay sales tax on purchases. Many have payroll taxes deducted from their weekly earnings. A growing number also pay income taxes.

Until now, Gov.-elect Chris Christie has backed away from in-state tuition, citing the state's fiscal woes. In fact, any short-term costs associated with extending resident tuition in New Jersey would easily be recouped in the additional tax revenues college graduates would pay during their first year out of school.

How we resolve this debate will send a message about what matters to the people of New Jersey. Fairness, equal opportunity and hard work have long been central features of the American dream. Even in hard times, New Jersey — home to generations of the foreign born — can hold them high.

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