

Tuition Equity for Students Granted Deferred Action

What is Tuition Equity?

Virginia students who have been granted Deferred Action by the U.S. Department of Homeland Security through the Deferred Action for Childhood Arrivals (DACA) program are currently charged the out-of-state tuition rate at Virginia Public Colleges and Universities.

Tuition Equity creates access to in-state tuition for these documented Virginia students who meet strict requirements, including attending a Virginia public or private high school for three years and showing three years of Virginia income taxes.

What is Deferred Action for Childhood Arrivals?

Undocumented youth who currently reside in the United States may be eligible for deferred action if they meet certain criteria. Deferred action protects the youth from being placed in removal proceedings and from being deported. Additionally, other benefits include:

- Provides a work permit that allows these individuals to be gainfully employed.
- Allows these individuals to obtain a social security card.
- Can be renewed after two years.
- Can obtain a driver's license in the Commonwealth of Virginia.

How many Virginians are eligible?

The Migration Policy Institute estimates that in Virginia, there are approximately 30,000 undocumented immigrant young adults and children who currently are, or in the future will be, eligible for deferred action under DACA. This number is limited because children must have been 16 years old and in the country before 2007 to qualify. As of September 2013, USCIS reports that 9,029 individuals have applied for DACA from Virginia, of which 7,083 were approved. Currently only 5-10% of undocumented youth pursue higher education compared to 75% of their classmates.

How many states currently have Tuition Equity?

Seventeen states currently have provisions allowing for in-state tuition rates for undocumented students. Fourteen states—California, Colorado, Connecticut, Illinois, **Kansas**, Maryland, Minnesota, **Nebraska**, New Jersey, New Mexico, New York, Oregon, **Texas**, **Utah**, and Washington— extend in-state tuition rates to undocumented students through state legislation.

Two states—**Oklahoma** and Rhode Island— allow in-state tuition rates to undocumented students through Board of Regents decisions.

How much will this cost Virginia?

According to the fiscal impact statement for this legislation from the 2013 Virginia General Assembly Session, "little or no fiscal impact is anticipated." States that have passed Tuition Equity laws did not experience a large influx of new immigrant students who displaced native-born students nor did they experience added financial burdens to their education systems. Moreover, since colleges have a set number of students that they can accept the overall figures will essentially remain the same. In fact, these measures tend to slightly increase school revenues by bringing in tuition from students who otherwise would not be in college.