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STUDENTS

Colleges in Missouri Navigate an Uncertain Landscape for Undocumented Students

By Kate Stoltzfus | NOVEMBER 18, 2015



Jeff Roberson, AP Images

Gov. Jay Nixon of Missouri vetoed legislation barring undocumented students from receiving state scholarships, calling it "a harsh measure imposed on children who have done nothing wrong," but the legislature overrode him.

Areli Muñoz-Reyes always hoped to heal people.

Ms. Reyes, a first-year student at St. Louis Community College-Forest Park, was excited to start nursing classes this fall. But after state legislators in Missouri enacted laws this year to prevent undocumented college students like her from using state scholarship money and getting lower in-state tuition rates, Ms. Reyes now pays double what many of her middle- and high-school classmates do for a higher education. Those immigrant students around the state face similar financial constraints.

Tensions over tuition benefits for students like Ms. Reyes — who was brought to the United States illegally as a child — have flared in many states, but the political climate around immigration is especially tense in Missouri. In September the legislature passed a bill that limited eligibility for the state's A+ scholarship program to U.S. citizens, and the yearly budget bill includes language that bars students with undocumented immigration status from paying lower in-state tuition rates. Public colleges must now charge such students the highest rate of tuition, a price tag shared with their out-of-state peers at some colleges and international students at others.

Gov. Jay Nixon, a Democrat, vetoed the scholarship bill, calling it "a harsh measure imposed on children who have done nothing wrong," but the legislature, with a Republican majority, overrode him.

Lawmakers in Missouri are "going against the national trend, which is moving towards allowing immigrants greater access to higher education," said Nicholas D. Espíritu, a staff attorney at the National Immigration Law Center.

The state's total immigrant population is growing, said Vanessa N. Crawford Aragón, executive director of Missouri Immigrant and Refugee Advocates, but that growth has slowed in the past few years, and the undocumented population is fairly small compared with other states. (Missouri has roughly 65,000 such immigrants, according to data from the American Immigration Council.) The small number of such college students, in addition to reflecting population size, could be related to "policies that have kept those students out of schools," said Ms. Crawford Aragón.

In the midst of the political battle, the state's public colleges have wrestled with questions of how to accommodate the students while dealing with pressure to obey orders from the legislature, which controls their financing. With the academic year well underway, colleges are looking at alternative sources of

money and support for their students. Many of them still feel called to help one of the state's most vulnerable populations — even as their options for doing so may be limited.

The Wrong Way and the Right Way

Last month the American Civil Liberties Union of Missouri filed three lawsuits, each on behalf of one student, against the University of Missouri Board of Curators, St. Louis Community College, and Metropolitan Community College, in Kansas City, accusing the institutions of improperly inflating tuition rates. Jeffrey A. Mittman, the group's executive director, asserts that the ban on offering the students in-state tuition rates is not binding because the language is in the preamble — not the main body — of the budget law. Governor Nixon has echoed that argument. Many people in higher education think students like Ms. Reyes should be "treated as part of the Missouri family," Mr. Mittman said, but colleges are unnecessarily charging higher rates to follow the legislature's instructions.

In the past, the legislature "indirectly sent signals to colleges and universities" about how to charge tuition, said Faith Sandler, executive director of the Scholarship Foundation of St. Louis, which offers direct assistance to students, including more than 50 children of illegal immigrants. The previous year's budget law prevented students who lacked "lawful presence" from receiving in-state tuition, but students in the United States illegally were granted temporary legal status in 2012, under an Obama-administration program known as Deferred Action for Childhood Arrivals. The previous language left "more room for interpretation on the part of the institutions," Ms. Sandler said. This year's language made clear that the students, regardless of their lawful presence, should not be charged the lower rates available to Missouri citizens.

Jeffrey L. Pittman, chancellor of St. Louis Community College, said this year's law gave colleges clear instructions. Public institutions are following them, he said,

and are not charging new rates by choice. The state has been "pivoting back and forth in regards to what's allowed and what's not" for such students' access to the A+ scholarship money, he said. Students like Ms. Reyes were eligible for the money until this academic year, and because the legislature overrode the governor's veto after the academic year was underway, those who qualified will receive funds until the semester's end. But the preamble of the budget law maintains "that we charge the international rate," Mr. Pittman said.

In 2014, St. Louis Community College considered offering undocumented students in the St. Louis area its district rate, which is lower than the price for in-state and out-of-state students. Its Board of Trustees never approved the idea, but such proposals "generated discomfort" for Rep. Scott M. Fitzpatrick, a Republican who is vice chairman of the Select Committee on Budget, which approved the budget bill and its tuition guidelines. There is "nothing ambiguous" about the law's language, Mr. Fitzpatrick said. Offering such students the same benefits that U.S. citizens receive sends "a message that it's more attractive to come here the wrong way than it is the right way," he said.

A Guessing Game

Even with the new restrictions in place, college officials are looking for ways to ease the burden on students. Colleges "respect lawmakers and want to follow the direction set for us, but at the same time are trying to find ways to keep college affordable to students living in our state," said Mr. Pittman.

Some colleges are trying to lower such students' tuition bills with private dollars, often giving first priority to current students. Private funds at the University of Missouri at St. Louis lowered the price of tuition and fees to the in-state rate of \$10,065 for its five returning undocumented students. Bob Samples, associate vice chancellor for university communications, said the 20 newly admitted such

students would have paid the \$25,512 out-of-state price tag, the highest rate at the university. None of them chose to attend, apparently because of the price, Mr. Samples said

St. Louis Community College, where Ms. Reyes is enrolled, has \$250,000 in private-scholarship money for that purpose.

Ms. Reyes, who arrived in St. Louis from Mexico at age 9, does worry about not having enough money even with her A+ funds this semester. She manages a frozen-yogurt shop to help pay for classes and reapplies for outside scholarships annually, turning how she will pay for future courses into a guessing game. But her mind is on completing a degree, she said.

College counselors and staff members are also teaming up with outside organizations that offer "holistic support" colleges often can't, said Katharine J. Gin, co-founder and executive director of Educators for Fair Consideration, an advocacy group that helps undocumented students pursue higher education and careers. Administrators try to find "individual pathways while not speaking up against the whole system," she said.

Sandra M. Knight, a professor of counseling at St. Louis Community College, has mentored Ms. Reyes and dozens of other students. In each case, she may be one of the only adults on the campus who knows their immigrant status is not documented. "Many constantly come and visit" to "share the stress" of their status, such as financial burdens, taking multiple jobs to pay for tuition, and the difficulties of what is often a private identity, Ms. Knight said. "These kids have been successful mostly on their own, with a little support from people like me."

Unless the pending lawsuit over the tuition policy succeeds and forces change, colleges will continue to work within the law's parameters to serve immigrant students who now face more-expensive college bills. And Ms. Reyes wants to work

through local advocacy to "show how the law affects real humans — to put a face on that law," she said. "It's not just my story. It's every other DACA student that's going through this."



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