

Undocumented Immigrants in the Community College System: Questions of Access and Tuition

North Carolina Community College System
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EXECUTIVE SUMMARY ¹

How can the North Carolina Community College System uphold its mission of open access with regard to undocumented immigrants?

RECOMMENDATION

To best uphold its mission of open access with regard to undocumented immigrants, the North Carolina Community College System (NCCCS) should implement a combination of short- and long-term options. We recommend that NCCCS publicize alternative credit methods in the short term, and, in the long term, pursue a statewide admission policy (see page 15).

BACKGROUND

Currently, undocumented immigrants in North Carolina have limited access to the community college system. Only 16 of the 58 community colleges have a written policy admitting undocumented immigrants to their credit programs.² Relatively few immigrants capitalize on this opportunity; in the 2005-2006 year, system records show 340 undocumented immigrants enrolled system-wide. Per state and federal law, all undocumented immigrants pay out-of-state tuition, a rate more than six times the in-state tuition rate. Undocumented students are allowed, however, to enroll in continuing education or basic skills programs, at the out-of-state tuition rate, at each of the 58 community colleges. The majority of these undocumented students are Hispanic, reflecting North Carolina's rapidly shifting demographics (see page 1).

Though federal law guarantees public education for all students in grades K-12, regardless of immigration status, higher education remains a privilege. Current North Carolina law allows in-state tuition rates only for those that are "lawfully

¹ *This student paper was prepared in 2007 in partial completion of the requirements for PPS 304, a course in the Masters of Public Policy Program at the Terry Sanford Institute of Public Policy at Duke University. The research, analysis, and policy alternatives and recommendations contained in this paper are the work of the student team who authored the document, and do not represent the official or unofficial views of the Terry Sanford Institute of Public Policy or of Duke University. Without the specific permission of its authors, this paper may not be used or cited for any purpose other than to inform the client organization about the subject matter. The authors relied in many instances on data provided to them by the client and related organizations and make no independent representations as to the accuracy of the data.*

² Please see Appendix J.

admitted” into the United States. The University and Community College system interpret this law differently. Whereas all schools in the University system admit otherwise qualified undocumented students at the out-of-state tuition rate, the North Carolina Community College System allows for discretion at the individual school level. Eleven other states allow undocumented students to enroll in community colleges at the in-state tuition rate; these states remain compliant with federal law by basing eligibility on criteria other than residency (see page 4).

The contentious national debate on immigration serves as the backdrop for discussions regarding undocumented immigrants’ access to higher education. A bill introduced in the 2005 North Carolina General Assembly, HB 1183, designed to allow undocumented students to enroll at the in-state tuition rate, was met with fierce opposition from a variety of stakeholders and died in committee. Attempts by federal legislators to reform immigration will necessarily shape the approach of North Carolina lawmakers and the current statewide political climate (see page 5).

STANDARDS FOR WEIGHING ALTERNATIVES

We recommend that NCCCS pursue strategies that meet the following five criteria (see page 6):

- *Enhance Open Access*
- *Maximize Cost Effectiveness*
- *Maximize Political Feasibility*
- *Respect NCCCS Structure*
- *Maximize Success of Implementation*

We weight the first criterion of enhancing open access as most important in our analysis. With regards to a change in tuition rates, we calculate the costs and benefits to an undocumented student based on prospective changes from out-of-to in-state tuition rates and the projected labor market returns of a community college education. A full description of this methodology can be found on page 13 and in Appendices A-D.

ALTERNATIVES

We list four alternatives that would address the issue of open access in the community college system (see page 7). These include:

- *Statewide Admissions Policy*
- *Publicize College-Credit, Self-Sustaining Classes*
- *Reduce Out-of-State Tuition Rates*

Lobby for New In-State Tuition Bill