



# The Implications of In-State Resident Tuition Policies on Immigrant Health in the U.S.

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## Introduction

Undocumented immigrants face significant health risks, leading to rising concerns about the impacts anti-immigrant policies have on their health and wellbeing. Growing evidence illustrates the serious health consequences of exclusive state policies that restrict immigrant rights (e.g. employment verification systems and drivers' license restrictions). Less is known, however, about the health impacts of welcoming or *inclusive* state immigration policies—or those that extend immigrants' rights and access to social services. Perhaps the most prevalent inclusive state immigration effort is the in-state resident tuition (IRT) policy. Also known as state dream acts, these policies extend in-state resident tuition rates to qualified undocumented immigrant youth and young adults, reducing barriers to educational attainment by lowering the cost of college attendance. Some states go so far as to offer financial aid in addition to the IRT policy, while other states have banned IRT policies altogether.

This brief, based on a recent article in the *Harvard Educational Review* provides an important first look at how inclusive state IRT policies influence the overall health of undocumented high school and college-aged youth. Moreover, the brief examines spillover effects IRT policies have on the health of family members (i.e. citizen siblings & parents) and the broader Latino community. Findings indicate that, in states with an IRT policy, undocumented high school and college-aged immigrants reported improved health. Additionally, the research finds that IRT policies have spillover effects that positively affect the health and wellbeing of citizen siblings, and potentially parents. There is no evidence of spillover effects on the broader Latino community.



## Policy Background: Educational Rights of Undocumented Immigrants<sup>1</sup>

The debate surrounding undocumented immigrants' educational rights stems back decades and has been shaped by federal and state legislation. Below we describe key legislation that has led to the development of IRT- policies as well as the DREAM Act and DACA, both of which are related but distinct from IRT-Policies.

- **1982 & K-12 Education:** The Supreme Court ruled in *Plyler vs. Doe* that school districts did not have the right to deny undocumented immigrants' access to free elementary or secondary public education based on documentation status. Although this ruling protected immigrants' access to elementary and secondary education, it did not extend those protections to post-secondary education.
- **1996 & Higher Education:** The Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) passed a provision that prohibited states from extending in-state resident tuition rates to undocumented immigrant youth and young adults unless *all* U.S. citizens or nationals were given the same benefits.
- **2001 to Present & State IRT-Policies:** Working within the 1996 federal guidelines, Texas was the first state to extend in-state resident tuition benefits to qualified undocumented immigrants who met specific residency requirements. Since then, 16 states and 5 state university systems have adopted a similar IRT-policy—although two states have since rescinded their policy. IRT-policy guidelines generally require that an individual has resided in the state for 1-3 years, graduated from a high-school in that state (or GED-equivalent), and a signed affidavit that they will apply for citizenship when possible.

In addition to the discounted rate, nine states have even extended financial aid or scholarship access to undocumented youth. Backlash to these inclusive policies, however, have led some states to take a reverse step and ban IRT policies altogether. Below is a list of current state IRT-policies.

- *States with IRT-only Policies:* Colorado, Connecticut, Florida, Hawaii, Illinois, Kansas, Maryland, Michigan, Nebraska, New Jersey, New York, Oklahoma, Oregon, Utah, and Rhode Island
  - Wisconsin and Oklahoma rescinded their policy
  - Colorado switched from an IRT-ban (2006-2012) to an IRT-Policy (2013)
- *States with IRT Policies and Access to Financial Aid/Scholarships:* California, Connecticut, Maryland, Minnesota, New Jersey, New Mexico, Oregon, Texas and Washington
- *States with IRT Policy Bans:* Alabama, Arizona, Georgia, Indiana, **Missouri**, and South Carolina<sup>2</sup>
- **2001 & the DREAM Act:** The Development, Relief, and Education for Alien Minors Act (the DREAM Act) has been under consideration by congress since 2001 but has never passed. Though there has been different variants of the DREAM Act, the main goal has been to provide a pathway to citizenship. The policy, however, does not necessarily guarantee equal access to higher education for undocumented immigrants because states would have been given authority to set their own IRT-policy and make residency requirements for purposes of higher education. Newer variants of the legislation provide more specific guidelines for increasing undocumented immigrants' higher educational rights. To date, however, no federal legislation has passed.
- **2012 & Deferred Action for Childhood Arrivals:** The Deferred Action for Childhood Arrivals is an executive order signed by Obama in 2012. This executive order provided deportation relief and work authorization for qualified undocumented immigrants brought to the U.S. as young children. In 2017, the Trump administration rescinded DACA; legal battles, however, persist, making the fate of DACA and DACA-recipients unclear.<sup>3</sup>

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<sup>1</sup> National Conference of State Legislatures. (2014). *In-state tuition and unauthorized immigrant students*. Retrieved from: <http://www.ncsl.org/research/immigration/in-state-tuition-and-unauthorized-immigrants.aspx>.

<sup>2</sup> National Conference of State Legislatures. (2015). *Tuition benefits for immigrants [Fact Sheet]*. Retrieved from: [http://www.ncsl.org/documents/immig/InStateTuition\\_july212015.pdf](http://www.ncsl.org/documents/immig/InStateTuition_july212015.pdf).

<sup>3</sup> American Immigration Council. (2017). *The Dream Act, DACA, and other policies designed to protect Dreamers [Fact Sheet]*. Retrieved from: <https://www.americanimmigrationcouncil.org/research/dream-act-daca-and-other-policies-designed-protect-dreamers>

In terms of educational rights, DACA is important because many states, boards of regents, and individual colleges extended the in-state resident tuition rates to undocumented immigrants who received DACA-status and who meet specific residency requirements. Furthermore, by extending work permits, DACA ensured that undocumented immigrants could use their higher-educational credentials in the workforce. IRT-policies only extend educational rights, not work rights.

## **About the Study**

*Research Objective:* Examine how the adoption of IRT-related policies (i.e. IRT-policies, Financial aid policies, and IRT-bans) influence the self-rated health of undocumented immigrant high school and college-aged youth and whether IRT-related policies have spillover effects on the self-rated health of undocumented immigrants' family members and the broader Latino community.

*Data:* This study used data from the National Health Interview Survey (NHIS) from the National Center for Health Statistics (NCHS) from 1998 to 2014. The NHIS, a comprehensive source of United States population health information, gathers a broad range of health and healthcare utilization data from approximately 40,000 households per year.

*Samples:* Because of data restrictions on legal status information, this study uses Mexican non-citizens as a proxy for undocumented immigrants. This study focused on three main samples: 1) Mexican non-citizen youth (age 14-17) and young adults (age 18-26) who are the targeted age of IRT policies; 2) family members (parents and citizen siblings) of these youth and young adults; and 3) the broader Latina/o community defined as all citizen, non-mixed status Latina/o families with youth/young adults of similar target age.

*Outcome:* The outcome of interest in this study is self-rated fair/poor health, measured by a 5-point Likert scale of health. Self-rated health is a widely used, powerful, and reliable predictor of physical and emotional health across gender, age, and racial/ethnic groups.

*Methods:* The study utilized a difference-in-difference model, frequently deployed in policy impact assessments, to examine how IRT-related policies influence self-reports of fair/poor health for the following:

- 1) Direct effects: High-school and college-aged Mexican non-citizens
- 2) Spillover effects: Parents, citizen siblings, and the broader Latina/o community

The analysis compares results of the selected samples both pre-post policy adoption and to a Non-Hispanic white comparison group.

## **Key Findings**

*Direct Effects of IRT Policies:* High school and college-aged Mexican non-citizens experienced a respective 3 and 1.5 percentage point decrease in fair/poor self-rated health in states with IRT- policies.

*Spillover Effects of IRT Policies:* Citizen siblings in states with IRT-only policies reported a 3-percentage point decrease in fair/poor self-rated health post-policy adoption. Parent results were weaker: They experienced decreases in fair/poor self-rated health, but the results were not statistically significant. No spillover effects for the broader Latina/o community were found.

*State Financial Aid Policies & IRT Bans:* Evidence on these IRT-related policies were limited by small sample sizes and the relative recent adoption of these policies. Nonetheless, the preliminary results provided suggest that simply offering in-state tuition may fail to address the high financial and emotional costs of attending college, and that IRT-bans may worsen health, particularly for the family members of undocumented immigrant youth and young adults.

## What this Means for Missouri

*Missouri's Undocumented Population:* Missouri has a growing undocumented immigrant population that contributes substantially to the state's economy. Immigrants make up 4% of the Missouri population, of which nearly one if four is undocumented. In total, there are an estimated 55,000 undocumented immigrants living in Missouri, many of whom are high school and college-aged. In fact, approximately 6,000 undocumented immigrants are eligible for DACA, which targets undocumented immigrant youth/young adults.<sup>4</sup>

*Missouri's 2015 IRT-Ban:* Recently, Missouri adopted an IRT-ban, restricting immigrants' educational rights. In 2015, the Missouri legislature passed House Bill 3, which withholds funds from universities that offer in-state resident tuition to students with unlawful immigration status, as well as DACA recipients. Additionally, the bill prohibits scholarships and financial aid disbursement to these students. Prior to the IRT-ban, state universities could extend in-state resident tuition to DACA recipients. This bill directly affected universities in Missouri, specifically the University of Missouri system, which previously had extended IRT to DACA recipients.

*Negative Implications for Missouri:* Evidence from this research and the broader literature on IRT policies suggests that Missouri's undocumented youth and their family members will be less educated and face greater health problems as a result of Missouri's IRT-ban. Additionally, Missouri will suffer financial repercussions. Undocumented immigrants paid an estimated \$48.9 million in Missouri state and local taxes in 2014;<sup>5</sup> given the substantial evidence that illustrates the positive correlation between lifetime earnings and years of education, providing in-state resident tuition to undocumented youths may allow these immigrant youth to improve their economic outcomes and financial contribution to Missouri.

### **About the Policy Brief Authors**

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### **Study Citation**

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<sup>4</sup> *American Immigration Council.* (2017). *Immigrants in Missouri [Fact Sheet]*. Retrieved from: [https://www.americanimmigrationcouncil.org/sites/default/files/research/immigrants\\_in\\_missouri.pdf](https://www.americanimmigrationcouncil.org/sites/default/files/research/immigrants_in_missouri.pdf).

<sup>5</sup> *Ibid.*