January 26, 2010

Senator Greg L. Adams
District 24
State Capitol
P.O. Box 94604
Lincoln, NE 68509-4604

Dear Senator Adams and members of the Education Committee:

We are writing to express our continued support for all Nebraska children who wish to pursue the dream of an affordable postsecondary education in our state. Since 2006, state law has provided the opportunity for some students who are not citizens or legal residents of Nebraska to attend a public college or the university and pay resident tuition rates. In order to qualify for in-state tuition, a student is required to have lived in Nebraska for at least three years, graduated from a Nebraska high school, and signed an affidavit stating he or she will file an application seeking legal status when eligible to do so. Students must also, of course, meet the standard admission requirements established by each postsecondary institution.

A legislative bill introduced this session would repeal this existing law, which was supported by thirty state senators over the governor’s veto. As leaders of Nebraska’s educational community, we urge you not to advance LB 1001 from committee and to keep the dream alive for these students.

Since 1982 federal law has required that our public schools educate children whose parents are not permanent residents. By restricting the opportunity for these same children to have access to an affordable higher education, we would be denying them economic, social and intellectual benefits that will serve both them and our state well in the future. Prior to the passage of LB 239, these students likely would have been classified as international students and required to pay nonresident tuition, which is two to three times the rate paid by resident students. But it is our view that many would not have been in a position to attend college at all absent the in-state tuition policy since undocumented students are ineligible for most federal and state financial aid.

To us, the tuition debate should be about educational and economic opportunity, and what is best for Nebraska. The main purpose of offering resident tuition to undocumented students is to encourage them to go to college. Furthermore, since many of these students drop out of high school when they realize that they will not have the financial means to further their education, offering them the opportunity to attain a more affordable college education may also encourage more of them to perform well and graduate from high school. (The current drop-out rate nationally for undocumented immigrant high school students is estimated at 50 percent.) These objectives are entirely consistent with goals of the Nebraska P-16 Initiative: to improve Nebraska’s high school graduation rate to 90 percent; to improve Nebraska’s college-going rate to the top-10 tier nationally; and to provide affordable access for Nebraska students to attend Nebraska’s postsecondary institutions. At a time when our country and our state are aggressively working to raise the level of educational attainment, repealing a state law that promotes these goals is counterproductive at best.
Public policies such as this open the doors of higher education to those who need it most, and we think we need to create every opportunity we can for a better educated, more productive society in Nebraska. We firmly believe it is in the best interests of the State of Nebraska and these students that they continue to be treated as residents for purposes of postsecondary education.

Sincerely,

Dennis G. Baack  
Executive Director  
Nebraska Community College Association

Roger D. Breed  
Nebraska Commissioner of Education

Michael Dulaney  
Executive Director  
Nebraska Council of School Administrators

John Boniauto  
Executive Director  
Nebraska Association of School Boards

Stan Carpenter  
Chancellor  
Nebraska State College System

Marshall Hill  
Executive Director  
Nebraska Coordinating Commission for Postsecondary Education

cc: Education Committee members