

approved by acclamation 5/10/05

AR: 6
Title: Resolution on the University of Texas Support of the DREAM and Student Adjustment Acts
Stage: PASSED - 05/09/2005
Owner: Mario Sanchez
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001| **Whereas** [1]The U.S. Supreme Court ruled in 1982 (Plyler v. Doe, 457 U.S. 202) that
002| all children, regardless of immigration status, are entitled to attend elementary
003| and secondary school for free, but higher education is largely a state matter. [1]
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005| **Whereas** [2]In 2001, Texas became the first state to pass a law allowing documented
006| and undocumented immigrant students who graduated from a state high school to pay
007| resident tuition at public universities. [2]
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009| **Whereas** [3]Eight more states have passed similar laws, and bills are before
010| legislatures in several other states. [3]
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012| **Whereas** [4]The DREAM (Development, Relief and Education for Alien Minors) Act is
013| expected to be re-introduced this year in the U.S. Senate by Senators Orrin Hatch
014| (R-UT) and Richard Durbin (D-IL). The Student Adjustment Act is the U.S. House
015| version of the DREAM Act, and it is expected to be sponsored by U.S.
016| Representative Chris Cannon (R-UT). [4] [5]
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018| **Whereas** [5]There are 6,500 students in Texas and 65,000 students nation-wide who
019| would be impacted by the DREAM Act and Student Adjustment Acts. [6] [7]
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021| **Whereas** [6]There are 80 documented and undocumented students graduating from the
022| University of Texas at Austin this semester and over 280 documented and
023| undocumented students currently attending the University of Texas at Austin that
024| qualify under HB 1403. [6]
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026| **Whereas** [7]In the coming month the first group of University of Texas students who
027| benefited from the Texas bill are preparing to graduate, but these students will
028| remain largely unemployed due to their immigration status.
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030| **Whereas** [8]There is a substantial undocumented student population in Texas and the
031| rest of the United States; it is "advantageous" for the state of Texas and the
032| rest of the nation to keep a strong well qualified work force. The investments
033| made now into these students' college education would be repaid by their higher
034| tax contributions after they have entered the workforce. [8] [9] [10] [11]
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036| **Whereas** [9]Denying these hard working students the opportunity to enter the
037| American work force sends all immigrant students a contradictory message about the
038| importance of graduating from high school and results in a waste of human
039| potential and of an investment the states have already made into their K-12 and
040| college educations. [12] [13]
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042| **Whereas** [10]That a copy of this resolution will be sent to all Texas and U.S.
043| Senators and Representatives, Texas Governor Rick Perry, President Larry Faulkner,
044| Utah Senator Orrin Hatch, Illinois Senator Richard Durbin, and Utah Representative
045| Chris Cannon.

046|
 047| **Therefore Be It Resolved** The University of Texas at Austin Student Government
 048| feels that it is important for the state of Texas to continue encouraging
 049| students, regardless of immigration status, to strive to gain a higher education.
 050| Just as Texas led the nation in giving immigrant students the opportunity to
 051| attend institutes of higher learning, Texans should once again lead the nation and
 052| give immigrant students the opportunity to enter the American workforce.
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 054| **Be It Further Resolved** That the University of Texas at Austin Student Government
 055| encourages all Texas and U.S. Senators and Representatives to fully support both
 056| the DREAM and Student Adjustment Acts.
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 058| **Be It Further Resolved** The University of Texas Student Government will show
 059| further support for the DREAM and Student Adjustment Acts by signing up on the
 060| national list of supporters.
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Footnotes

- (1) Plyler v. Doe, 457 U.S. 202 (1982 - <http://caselaw.lp.findlaw.com/scripts/getcase.pl?navby=search&court=US&case=/us/457/202.html>)
- (2) HB 1403 - Rick Noriega (D-Houston) - <http://www.capitol.state.tx.us/tlo/77R/billtext/HB01403F.HTM>
- (3) States that passed laws after Texas are: California, Kansas, Michigan, New Mexico, New York, Oklahoma, Utah and Washington. States with current laws under consideration are: Florida, Massachusetts, Minnesota, Nebraska, North Carolina, and Oregon
- (4) S 1545 IS - Orrin Hatch (R-UT) - <http://thomas.loc.gov/cgi-bin/bdquery/z?d108:s.01545>
- (5) HR 1684 - Chris Cannon (R-UT) - <http://thomas.loc.gov/cgi-bin/bdquery/z?d108:h.r.01684>
- (6) University of Texas at Austin, International Office, "International Students Qualifying as Residents Based on Sec. 2 HB 1403"
- (7) The Urban Institute, Population Studies Center, "Further Demographic Information Relating to the DREAM Act" http://www.nilc.org/immlawpolicy/DREAM/DREAM_Demographics.pdf
- (8) Hispanics in the State of Texas: Trends from the 2000 Census - www.utsa.edu/cpi/HRCPublications/HispanicsInTheStateOfTexas.pdf
- (9) Texas State 2004-2009 University Plan - <http://www.txstate.edu/effective/UnivPlan04-09-Enviro.htm>
- (10) RAND Corporation, "Closing the Education Gap: Benefits and Costs", The Public Benefits of Education
- (11) National Academy of Sciences, Panel on the Demographic and Economic Impacts of Immigration, "Economic and Fiscal Impact of Immigration"
- (12) The Heritage Foundation - <http://www.heritage.org/Research/Education/wm478.cfm#q1>
- (13) College Board - <http://www.collegeboard.com/article/0,3868,6-29-0-4494,00.html>

Comments

I. Categories of Immigrant Students

Documented students are defined as students with visas or students who have made an application for permanent residency. Most students here on a visa are classified as non-residents for tuition purposes. Under the rules of the Higher Education Board, those who are holding H1-B visas, and their dependents on H-4s, are eligible to receive in-state tuition. Students who have made an application for permanent residency, are students whose parents are either citizens, residents or in the process of legalizing their status and can therefore petition their children under what the INS calls "family reunification". Under the rules of the Higher Education Board, those who have filed a Petition for Alien Relative are eligible to receive in-state tuition.

Undocumented students are defined as students who entered the U.S. with their parents when they were very young or later on in their lives but possess no documents. Other cases include those who entered legally but then failed to leave the country when their visas expired. Under HB 1403 some of these students are eligible to receive in-state tuition.

II. History of the DREAM/Student Adjustment Act

The DREAM and Student Adjustment Acts were both introduced in 2003 and were voted on favorably by the Judiciary Committees, but failed to come up for vote. Both acts are expected to be introduced this year by Senators Hatch and Durbin and Representative Cannon.

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