

Missouri Immigrant and Refugee Advocates
Access to Higher Education for Immigrant Students in Missouri
(Support SB133; Oppose HB390)

- **Federal law does NOT prohibit postsecondary educational institutions from admitting undocumented immigrant students.**

While states are not required to accept undocumented students for postsecondary education as they are for K-12, they are certainly not prohibited from doing so. Federal law only addresses postsecondary educational *benefits*, a term that has been conclusively interpreted in federal courts to mean payments or transfers (such as financial aid and loans) to households or individuals. States around the country recognize this, and nine have passed legislation specifically extending in-state tuition benefits regardless of citizenship status. In fact, with HB390, Missouri would be the first state to bar undocumented students from enrolling in postsecondary institutions (though some may have already been denied entrance based on last year's HB1549).

- **Encouraging educational attainment for all Missouri children is good education and economic policy.**

More students enrolling in our colleges and universities mean more tuition payments, more diverse educational experiences on campus, and a climate of pursuit of higher education in our K-12 schools. Missouri will need a highly-educated and diverse future workforce to compete in the 21st Century economy, and encouraging Missouri students to continue their educations is an effective and efficient way to accomplish this goal.

- **Barring immigrant students from colleges and universities creates a poor educational climate for all Missouri students.**

Cash-strapped universities should not have to spend precious resources to invest in personnel and technology necessary to verify individuals' immigration statuses. That money is much better spent on education. We cannot afford to have significant parts of our student bodies around the state who know that higher education is not an option for them and, therefore, give up on K-12 academic excellence.

- **Kicking kids out of school is not the way to address challenges created by our nation's broken immigration system.**

Obviously, we need comprehensive immigration reform to address the brokenness of our immigration laws. Punishing hard-working, bright students by taking away their chance to attain higher education is not only ineffective in pursuit of this end—it is cruel, shortsighted, and foolish. Not even the federal government believes in penalizing undocumented immigrant children – they are not subject to the same punishments as adults because they are here for reasons beyond their control. Even in states that have passed some of the most

vicious anti-immigrant legislation, legislators have specifically avoided this type of law because it is so extreme.

- **Immigrant students deserve a chance to pursue their educational dreams on their way to U.S. citizenship.**

The students targeted by HB390 have already overcome significant obstacles to pursue higher education, including mastering English, excelling academically, and coming up with the money to pay the significant out-of-state tuition costs without any financial aid. We benefit as a state from their dedication to preparing themselves to be productive members of our society. We must remember that the vast majority of these students will become U.S. citizens when they can finish weaving their way through the maze of immigration laws. It is in our best interest to encourage them to pursue an education on their way.