



# How states can reduce the dropout rate for undocumented immigrant youth: The effects of in-state resident tuition policies



Stephanie Potochnick\*

Truman School of Public Affairs, University of Missouri-Columbia, United States

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## ABSTRACT

As of December 2011, 13 states have adopted an in-state resident tuition (IRT) policy that provides in-state tuition to undocumented immigrants and several other states are considering similar legislation. While previous research focuses on how IRT policies affect college entry and attainment, this study examines the effect these policies have on high school dropout behavior. Using the Current Population Survey (CPS) and difference-in-difference models, this paper examines whether IRT policies reduce the likelihood of dropping out of high school for Mexican foreign-born non-citizens (FBNC), a proxy for undocumented youth. The policy is estimated to cause an eight percentage point reduction in the proportion that drops out of high school. The paper develops an integrated framework that combines human capital theory with segmented assimilation theory to provide insight into how IRT policies influence student motivation and educational attainment at the high school level.

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## 1. Introduction

Responding to the lack of comprehensive immigration policies at the federal level, states have increasingly sought to protect their own interests by adopting state and local level immigration related policies (Gonzales, 2009; Goździak and Martin, 2005; Laglagaron et al., 2008; Olivas, 2008). A policy area that has captured significant state attention is determining college access for undocumented immigrants. In 1996, the federal Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) prohibited states from providing in-state resident tuition benefits to undocumented immigrants unless all US citizens and nationals were eligible for the same benefits. Within the guidelines of the IIRIRA, however, several states have reduced access barriers to higher education for undocumented immigrants residing in their state (Flores and Chapas, 2009).

As of December 2011, 13 states have adopted an in-state resident tuition (IRT) policy that provides in-state tuition to undocumented immigrants and at least 20 others have considered similar legislation (IHELG, 2008; NCSL, 2010, 2012; Olivas, 2010). Given that out of state tuition often exceeds 140% of resident tuition, the size of these tuition discounts is substantial (Gonzales, 2009). For the undocumented population, which is ineligible for federal and most state financial aid (Frum, 2008; Szelenyi and Chang, 2002) and which experiences high rates of poverty (Borjas, 2011; Gonzales, 2009; Passel, 2005a), this tuition discount can significantly reduce the financial burden a family faces when trying to send their children to college.

While previous research focuses on how IRT policies affect college entry and attainment (Chin and Juhn, 2011; Flores, 2007, 2010a,b; Flores and Chapas, 2009; Kauschal, 2008), this study examines the effect these policies have on high school

\* Address: Truman School of Public Affairs, University of Missouri-Columbia, 232 Middlebush Hall, Columbia, MO 65211-6100, United States. Fax: +1 573 884 4872.

E-mail address: [potochnicks@missouri.edu](mailto:potochnicks@missouri.edu)

dropout behavior. One of the main pro-policy arguments is that by offering a more affordable college education, IRT policies provide a strong incentive for high school completion (Fulgini and Perreira, 2009; Gonzales, 2009; Murray et al., 2007; NILC, 2005; Reich and Barth, 2010; Russell, 2007). Policy advocates argue that financial barriers to higher education imposed by out of state tuition costs decrease student motivations and contribute to the high dropout rate for undocumented youth (Abrego, 2006; Horwedel, 2006; Marklein, 2003; Mead, 2004; Menjívar, 2008; Milliken, 2010). State estimates in Nebraska, for instance, suggest that 50% of undocumented immigrant youth drop out of high school (Milliken, 2010), and national estimates of adults (age 25–64) indicate that undocumented immigrants are less likely to have a high school diploma (50%) than legal immigrants (75%) and natives (91%; Passel, 2005b). Particularly concerning is the educational attainment of undocumented Mexican–American immigrants. While the majority of Mexican–American youth are documented, Mexican–Americans make up the majority (59%) of the undocumented population (Gonzales, 2009; Passel, 2008) and have the highest dropout rate of any immigrant group (Fry, 2003; NCES, 2009; Perreira et al., 2006).

Prior research indicates that undocumented immigrant children—which make up almost two million of the nation’s K–12 population (Passel, 2005b)—face significant financial, legal, and cultural challenges that hinder high school attainment. Similar to their documented counterparts, undocumented immigrant Latino youth suffer several known risks for high school failure (Perreira et al., 2006), including living in low SES families, attending resource poor schools, and living in racially and economically isolated neighborhoods (Gonzales, 2009; Greenman and Hall, 2013; Suárez-Orozco et al., 2011). Unlike their documented counterparts, however, undocumented Latino youth have fewer cultural resources, including school attachment, parental engagement, and college aspirations, to buffer the negative consequences of these risks (Abrego, 2006; Perreira et al., 2006; Suárez-Orozco et al., 2011). Moreover, as these youth enter high school they begin their “transition to illegality” as they confront legal limitations in obtaining a driver’s license, applying for a part-time job, and accessing higher education (Gonzales, 2011). As a result, many of these youth are “pulled-out” of high school to help meet family economic needs and to adhere to the strong work-ethic values associated with Mexican labor migration (Bachmeier and Bean, 2011; Bradley and Renzulli, 2011).

In an economic era where the financial and employment consequences of high school dropout have never been higher (Lofstrom, 2007), the decision to leave high school early will have lasting implications for the well-being of undocumented immigrant youth and the states where they reside. To the extent that IRT policies encourage undocumented immigrant youth to stay in school by reducing institutional barriers, these policies will shape the future economic trajectories of these youth and the states where they reside. Consequently, states have a vested interest in determining whether providing in-state tuition to undocumented immigrants can reduce dropout behavior.

Using the Current Population Survey (CPS), this paper employs a difference-in-difference model (DD) to examine whether IRT policies targeting undocumented immigrants reduce the likelihood of dropping out of high school for Mexican foreign-born non-citizens (FBNCs), one of the strongest proxies available for undocumented youth. The paper develops an integrated framework that combines human capital theory (Becker, 1964) with segmented assimilation theory (Portes and Rumbaut, 2001, 2006) to provide insight into how IRT policies influence high school dropout decisions.

## 2. Background

### 2.1. In-state tuition policy history

In 2001, Texas adopted the first IRT policy that allowed undocumented students who meet specific residency criteria to qualify for in-state tuition.<sup>1</sup> As of December 2011, 12 other states—California in 2001; Utah and New York in 2002; Washington, Oklahoma<sup>2</sup> and Illinois in 2003; Kansas in 2004; New Mexico in 2005; Nebraska in 2006; Wisconsin<sup>3</sup> in 2009; Maryland and Connecticut in 2011—have adopted similar policies. Several other states have also considered similar legislation but had not yet enacted it as of date (Flores, 2007; NCSL, 2011, 2012; Olivas, 2010; Rhymer, 2005).

The adoption of these IRT policies remains controversial. Several legal challenges<sup>4</sup> have been made against these policies and other states have adopted or considered counter legislation. Four states—Arizona, Colorado, Georgia, and Indiana—have barred undocumented immigrants from receiving in-state tuition benefits (NCSL, 2011). South Carolina and Alabama have gone a step further and banned undocumented students from attending any of its public colleges, while for a short time North Carolina’s state’s attorney general banned undocumented students from attending community colleges (Gonzales, 2009; NILC, 2011). The map in Fig. 1 provides a geographic description of the states that have adopted or considered IRT policy legislation (Flores, 2007; Olivas, 2008; NCSL, 2010, 2011; NILC, 2011, 2012; Rhymer, 2005; Zaleski, 2008). The states labeled in solid dark

<sup>1</sup> To adhere with the IIRIRA regulations, states have adopted conditions for eligibility to ensure that US citizens and legal permanent residents (LPRs) who meet the policy requirements but no longer live in the state also qualify for the in-state tuition rate. While the specific conditions vary from state to state, each state policy includes three general requirements (NILC, 2009): (1) attend a school in the state for a certain number of years; (2) graduate from high school in the state or receive a state issued GED; and (3) sign an affidavit stating that they have either applied to legalize their status or will do so as soon as eligible.

<sup>2</sup> In 2007 Oklahoma adopted a repeal that prohibited undocumented immigrants from receiving in-state tuition benefits. The State Board of Regents, however, can award in-state tuition waivers for undocumented immigrants if they meet same criteria specified in the original IRT policy.

<sup>3</sup> Wisconsin revoked its law in June 2011 (NCSL 2011).

<sup>4</sup> In 2005, the same group of lawyers challenged both the Kansas and California statutes. The Kansas court ruled that the plaintiffs had no legal standing since only the Department of Homeland Security (DHS), not private citizens, has the right to enforce IIRIRA (IHELG, 2008). The California Supreme Court upheld the IRT law by overturning a 2008 appellate court decision that had repealed the law (Lara, 2011).

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