Undocumented Memphis students hope for passage of in-state tuition bill

March 05--Ana Rodriguez, a straight-A senior at Wooddale High, wants nothing more than to go to college and spend the rest of her life in Memphis, a city in need of college-educated talent.

Bills inching through committee in Nashville now are the best chance she’s had at the American dream since her family -- all undocumented -- left Mexico eight years ago.

SB1951 and HB1992 would give undocumented students who have spent five years in Tennessee schools access to in-state tuition.

At the University of Memphis, the in-state cost is $8,312 vs. $23,024. Rodriguez’s father is a tree-trimmer. Her mother is a homemaker. Even with in-state tuition, she will need scholarships. But without it, college is nearly impossible.

"I think we should be considered part of the population of Tennessee,” she said. “We are willing to work hard and help. The U.S. is falling in math and science ranks. They have us here, but they are not willing to recognize us because we are competition for American jobs. But the reality is, we are well-prepared to keep American going.”

Daniela Garcia has gone out of her way to take AP and honors classes. She is currently a senior in the International Baccalaureate program at Ridgeway High.

"I have worked so hard my entire life just to get to where I am. I feel it is very unfair I don’t get the same tuition treatment as other students. My parents definitely cannot pay out-of-state tuition.”

If the bill fails, Garcia will have to take out more in loans or “go to a school that is not as good as I could with in-state tuition.”

Senate sponsor Todd Gardenhire, R-Chattanooga, takes heat from immigration-reform opponents until he pulls up a slide from the conservative Heritage Foundation that shows families headed by college graduates pay more taxes than they receive in benefits.

"When you add college, it becomes a positive cash flow,” Gardenhire said. “Just being selfish, we need to get as many of
those children educated with college degrees as we can. They become very productive citizens and not a drain on the economy. People get that real quick, and that has made a big difference.”

The bill faces a test in the Senate Education Committee Wednesday, where opponents, including Sen. Brian Kelsey, R-Germantown, are expected to push back.

"There is some bipartisan support,” said House Education Subcommittee chairman Mark White, R-Memphis. “I am getting email saying we don’t want in-state tuition for illegal immigrants. I understand that, but at the same time, until real immigration reform happens in this country, we have a situation where we have a lot of young people growing up in our state. When they graduate from high school, they want to go on to higher education. The issue is, unless we give them in-state tuition, they probably won’t go.”

No one knows how many undocumented workers are in Tennessee. The Federation for American Immigration Reform estimated the number at 120,000 in 2010.

Since 2001, 17 states, starting with Texas, have passed laws or enacted statutes that allow undocumented college students to establish residency. Most require they live one to three years in the state. Gardenhire said he chose five years so that Tennessee wouldn’t attract immigrant families seeking tuition benefits.

"What I am trying to avoid as desperately as I can is getting involved with issues concerning immigration and different interest groups fighting the battle for or against. These are not freeloaders. They are paying sales taxes and road taxes.”

Mike Olivas, law professor at the University of Houston, faults the bill. “Five years is punitive. No other state required that much time in schools in the state.”

To be eligible, the students would have to meet the qualifications for the Hope Scholarship, although they could not receive it. Hope Scholars must score at least 21 on the ACT (American College Testing) and have an overall weighted grade point average of 3.0.

The General Assembly’s fiscal review committee estimates that if the bill passed, it would add $130,000 to the state coffers next year and more than $146,000 by 2017 in increased tuition.

"We know there are mixed feelings,” said Mauricio Calvo, executive director of LatinoMemphis. “It is sponsored by Republicans from East Tennessee. That was a pleasant surprise. ... We think lots of things are lining up, including that (interim president) Brad Martin at the University of Memphis is fighting for in-state tuition for all students.”

Rodriguez, has a 4.2 GPA. Last year, she received a scholarship for a summer program at the University of Notre Dame until its admissions counselors learned she was undocumented and canceled the offer.

"I fell into depression after the rejection,” she said. “I had been accepted. I had the grades. I had the drive. I had it all, but my immigration status took it all away.

"I’ve heard a lot of kids in my school say, ‘What’s the point of finishing high school? I’m going to be stuck; I won’t be able to go to college,”’ she says. “I feel very passionate about science. Not even this immigration burden has been able to take that from me.”

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