

MEMORANDUM

TO: CHAIR, OPERATIONS COMMITTEE, BOARD OF TRUSTEES

FROM: THOMAS E. REDMOND, DIRECTOR-STATE AND LOCAL AFFAIRS

CC: MICHAEL C. ROGERS, VICE-PRESIDENT, INSTITUTIONAL
ADVANCEMENT

RE: PROPOSED UNDOCUMENTED STUDENTS POLICY CHANGE

DATE: JUNE 5, 2015

Attached please find a resolution for your approval. The purpose of this resolution is for the Board of Trustees to adopt a policy that would allow all Bona Fide DC Residents to qualify for in-state tuition rates and/or local financial aid regardless of their citizenship status.

The number of undocumented students in DC is unknown. The Pew Hispanic Center estimated in 2012 that DC had approximately 4,065 undocumented children in D.C public schools K-12, approximately 20,000 college age undocumented students, and that roughly 4.5% of the DC population of 300,000 was undocumented (Estimates for the District of Columbia are based on 2010/11 data.)

The University currently admits undocumented students who assert they are District residents. However, without certain documents which provide proof of residency or allow them to meet the University's "special population" requirements, they are charged the international student tuition rate. Furthermore, all undocumented students are ineligible for federal or state aid.

Currently, District of Columbia public and public charter high school graduates who are undocumented qualify for the resident tuition rates if they apply within one year of graduation and provide an official high school transcript with their address noted on the transcript. Undocumented students who are bona fide D.C. residents, but have been out of school for more than one year may face obstacles to proving residency.

Adoption of this policy would extend in-state tuition rates to undocumented persons who meet specific proof of residency requirements without regard to length of time between graduation and admission. The draft legislative language would provide that undocumented DC residents are

eligible for in-state tuition rates and state financial aid if they can demonstrate that they are a DC resident. (See attached legislative draft). Specifically, the proposed legislation provides that to establish proof of District residency and qualify for District Area tuition rates , all students must demonstrate that for at least 12 consecutive months immediately prior to and including the last date available to register for courses in the semester/term for which the student seeks in-state tuition status, the student was and currently is domiciled in the District of Columbia Residency could be established by providing proof that the undocumented DC resident either attended high school in the District and obtained a high school diploma or equivalent in the District or if the undocumented DC resident provides acceptable documentation required by the District to establish legal residency in the District or establish domicile in the District pursuant to the D. C. Code. I am available should you have any further questions.

Chairman Phil Mendelson
at the request of the University of the District of
Columbia

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Chairman Phil Mendelson, at the request of the University of the District of Columbia
introduced the following bill which was referred to the Committee on _____
_____.

To provide for eligibility for in-state tuition and local financial aid to students who are not
citizens or permanent residents of the U.S. whether documented or not but are residents of the
District of Columbia.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this
act may be cited as the "University of the District of Columbia Resident Tuition and Fees Act of
2015"

Sec. 2. Pursuant to D. C. Code 38-1202.06(3)(8), any District of Columbia resident or
student shall be classified as a resident for tuition purposes at the University of the
District of Columbia and the University of the District of Columbia Community College;
including, but not limited to, District of Columbia students and residents who are
undocumented for federal immigration purposes;

Sec. 3. Pursuant to D. C. Code 38-1202.06(3)(8), and notwithstanding any other
provision of the law to the contrary, the Board of Trustees may charge the same tuition
and provide local financial aid to undocumented DC resident students as is charged or
provided to any person domiciled in the District of Columbia upon the establishment of
bona fide residency for at least 1 year.

Sec.4. Fiscal Impact Statement.

The Council adopts the fiscal impact statement in the Committee report as the Fiscal
Impact Statement required by section 602(c)(3) of the District of Columbia Home Rule Act,
approved December 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(3)).

Sec. 5. This act shall take effect following approval by the Mayor (or in the event of veto
by the Mayor, action by the Council to override the veto), a 60-day period of Congressional
review as provided in section 602(c)(1) of the District of Columbia approved December 24, 1973

1 (87 Stat. 17 813; D.C. Official Code § 1-206.02(c)(2)), and publication in the District of
2 Columbia Register.
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BOARD OF TRUSTEES

UNIVERSITY OF THE DISTRICT OF COLUMBIA

UDC RESOLUTION NO. 2015- ____

SUBJECT: Board of Trustees Approval of Undocumented Student In-State Tuition Rates and Local Financial Aid Eligibility

WHEREAS, pursuant to D.C. *Code §38-1202.06 (8)*, the Board of Trustees of the University of the District of Columbia shall fix tuition, and fees in addition to tuition, to be paid by resident and nonresident students attending the University; provided, that such tuition and fees are adopted by the Trustees in accordance with the provisions of D.C. Official Code §2-505(a); and

WHEREAS, Federal law (8 U.S.C. 1621(d)) provides that a “State may provide that an alien who is not lawfully present in the United States is eligible for any State or local public benefit for which such alien would otherwise be ineligible under subsection (a) of this section only through the enactment of a State law after August 22, 1996, which affirmatively provides for such eligibility;” and

WHEREAS, the University currently admits undocumented students who are bona fide District residents, however, without producing certain documents as proof of residency or meeting the special population requirements, they are charged the international student tuition rate; and

WHEREAS, currently, undocumented students who are bona fide District residents are ineligible for State or local aid; and

WHEREAS, the District of Columbia has a proven commitment to making the city more hospitable to undocumented immigrants, and has demonstrated its commitment by enacting policies that remove administrative barriers so that undocumented District residents may work and live in the District, but does not have a law which affirmatively provides for undocumented students who are Bona Fide District residents to be eligible to receive in state tuition rates nor receive local or state financial aid at the District of Columbia’s only public institution of higher learning; and

WHEREAS, the Board of Trustees seeks to remove administrative barriers for undocumented students seeking to pursue educational opportunities at the University of the District of Columbia and its components;

THEREFORE BE IT RESOLVED, that it is the University of the District of Columbia policy that undocumented DC residents; undocumented DC public, private and

charter high schools graduates or GED recipients be eligible for in-state tuition rates and local financial aid at the University of the District of Columbia and the University of the District of Columbia Community College; and

BE IT FURTHER RESOLVED, that the Board of Trustees approves the attached policy and directs the Administration to submit a legislative proposal to the Council of the District of Columbia recommending the enactment of legislation which provides in-state tuition rates and local financial aid for undocumented residents; and

BE IT FURTHER RESOLVED, that, consistent with the legislation, the Board of Trustees of the University of the District of Columbia hereby directs the President to establish and adopt a process which grants undocumented DC residents in-state tuition rates and state financial aid if the undocumented DC resident either attended high school in the District and obtained a high school diploma or equivalent in the District and/or otherwise demonstrates that they are a bona fide DC resident.

Submitted by the Operations Committee:

June 18, 2015


Approved by the Board of Trustees:

Date

Elaine Crider
Chairperson of the Board

Donald L. Rickford
Chief Financial Officer**FISCAL IMPACT STATEMENT**

TO: The Board of Trustees

FROM: Office of the Chief Financial Officer (UDC) 

DATE: June 4, 2015

SUBJECT: Undocumented Students Policy

Conclusion

It is concluded that there is insufficient reliable data associated with the number of undocumented students attending the University of the District of Columbia (UDC) to estimate the fiscal impact of adopting a policy wherein undocumented DC residents; undocumented DC public, private and charter high schools graduates or GED recipients will be eligible for in-state tuition rates and local financial aid at the UDC and the UDC Community College.

Background

The University of the District of Columbia (the District) currently admits undocumented students that are bona fide District residents who are charged the international tuition rate without producing certain documents as proof of residency or meeting the special population requirements.

The number of undocumented students in the District is unknown, by most estimates. However, according to the Pew Hispanic Center, it is estimated that approximated 4,056 undocumented children attend DC public schools. The Center has also estimated that there are approximately 20,000 undocumented college age students in the District.

Financial Impact

Given the fact that the number of undocumented students in the District is generally unknown and the number of undocumented students at UDC is similarly unknown, there is no reliable basis upon which to measure the fiscal impact of approving the proposed resolution.