

## *Tuition hearing draws emotions*

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### **Body**

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They watch music videos on YouTube, crave chicken sandwiches from McDonald's and load up on Advanced Placement classes at school. They have spent most of their young lives in Maryland, striving for success at local high schools. But because they are undocumented immigrants, when it comes time to graduate, they must pay three times the tuition charged to fellow classmates to attend one of the state's public colleges and universities.

Immigration advocates and dozens of students made highly personal appeals to a state Senate committee Wednesday, asking lawmakers to treat these teenagers as they would any other graduate of a Maryland high school: by giving them in-state tuition breaks.

A bill introduced by Sen. Victor R. Ramirez (D-Prince George's) would offer in-state tuition to undocumented immigrants who attended at least two years of high school in Maryland and whose parents pay taxes. Students would have to express an intent to apply for legal status in the United States.

"This bill holds the hopes and dreams of hundreds of students," a Prince George's County high school senior, Jacqueline Midence, told the committee. Midence arrived from El Salvador in 2007 and is part of her school's National Honor Society. "Most of us here today did not have a choice in coming to the United States. The choice that I have made is to contribute."

But with tensions running high nationwide over illegal immigration and fierce competition for admission to the University of Maryland and other four-year institutions, advocates may have to accept a compromise backed by Senate leaders.

"We've got to find a way to accommodate the interests of these constituents no matter how they got here but also recognize that there are people whose grandparents and parents played by the rules and now cannot get into one of Maryland's four-year colleges," said Senate President Thomas V. Mike Miller Jr. (D-Calvert).

Ten other states, including California, Illinois, New York and Texas, have in-state tuition measures on the books. A bill similar to the one being considered in Maryland passed both chambers in 2003, but it was vetoed by then-Gov. Robert L. Ehrlich Jr. (R).

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Strong opposition remains among Republican lawmakers, who have introduced a series of measures this session that target illegal immigrants.

At the Senate hearing Wednesday, Sen. Bryan W. Simonaire (R-Anne Arundel) said he has reservations about using taxpayer money to subsidize "those who have not come to America properly. There is no law in Maryland prohibiting them from going to college. This bill is just trying to give them a break."

That sentiment was echoed by a group of citizens opposed to the bill who also attended the hearing.

"I have no problem with these kids going to college," said Bernadette Sgorski of Harford County. "But I do not want my taxpayer dollars used to subsidize their tuition."

The measure has the backing of the University System of Maryland, a coalition of religious leaders and county executives Isiah Leggett (D) of Montgomery and Rushern L. Baker III (D) of Prince George's, both of whom testified at the hearing.

"Our investment in our students should not end with a high school diploma," Baker said in prepared remarks.

But even some Democrats are concerned about giving coveted in-state seats to undocumented immigrants because it could deny spaces to other state residents.

"It's important to give opportunities to these kids who are here through no fault of their own," said Sen. Brian E. Frosh (D-Montgomery). "But it makes me uncomfortable to the extent those opportunities come directly at the expense of somebody else who qualifies for admission."

Sen. Joan Carter Conway (D-Baltimore), chairman of the education committee, said she plans to offer a compromise that would provide reduced-rate tuition at community colleges, regardless of immigration status. Students who receive associate degrees could then transfer to a four-year institution and pay in-state rates.

For the students who have the most at stake, the push to change the law is all about affordability.

"Some of us want to be someone in the future, and not just anyone. I don't just want to be working at McDonald's," said Ivette, a Silver Spring high school senior enrolled in AP literature who aspires to be a psychologist. Like other students interviewed, Ivette agreed to talk only on a first-name basis out of concern about potential legal liabilities stemming from being identified.

Many of the students say they cannot rely on their parents for financial help. Their mothers and fathers clean offices, repair houses or work in restaurants for little more than minimum wage.

Karolina, who graduated from a Montgomery high school in 2008, babysits and helps her mother clean houses to cover the cost of classes at Montgomery College. She was inspired to pursue a career in nursing after volunteering at Holy Cross Hospital and hopes to transfer to the nursing program at the University of Maryland, Baltimore.

For Karolina, the fate of the bill has huge financial implications: the difference between \$7,100 for in-state students and \$25,000 for out-of-state ones.

Karolina, who arrived from Peru a decade ago, choked up when talking about how she would pay the full fare.

"It's like a big rock that you carry wherever you go," she said.

Federal law prohibits states from providing in-state rates to undocumented immigrants unless these rates are offered to all students. States that provide in-state tuition have gotten around the prohibition by basing eligibility on attendance at a local high school - not residency - an approach upheld by the California Supreme Court.

But there are conflicting practices and legal interpretations within Maryland.

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Conservative legal group Judicial Watch sued Montgomery College in January over its practice of offering discounted **tuition** rates to undocumented immigrants who have graduated from county high schools. The group alleges that the college's policy violates federal law and has cost taxpayers millions in lost **tuition** fees.

Prince George's Community College, in contrast, makes undocumented immigrants pay full **tuition** because of a 2006 attorney general's opinion, which is not legally binding. The attorney general said the college "lacks the authority to waive the out-of-county **tuition** rates for undocumented aliens." State law, the opinion says, "does not afford the board the discretion to determine whether to charge such rates in this situation."

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