

## **Bad policy to consider breaks in illegal immigrants' tuition**

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### **Body**

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Seven states have experienced heated legislative debate during the past two years over granting illegal immigrants in-state college tuition. It is absolutely incredible these states wasted time and money on such debate --- but the fact they did emphasizes how bold the radical open-borders lobby has become, even in the post-Sept. 11 era.

In recent weeks, Colorado Gov. Bill Owens signed a bill barring any such tuition break. In Virginia, the Legislature adopted a similar bill, only to see it vetoed by Gov. Mark Warner. All this followed the Maryland Legislature's vote to grant in-state tuition to illegal immigrants --- thankfully vetoed by Gov. Robert Ehrlich. For the Journal-Constitution

Interestingly, some black lawmakers joined conservatives in arguing that breaks for illegals come at the expense of underprivileged citizens who will face increased competition for slots at state colleges and universities.

Four states --- Texas, California, New York and Utah --- now allow undocumented immigrants to pay in-state tuition if they have attended high school in the state for at least three years.

The trend began in 1982, when the U.S. Supreme Court ruled that states must provide a free high school education to every child, even those illegally on American soil. Paradoxically, in that same decision, the high court also said that "like all persons who have entered the United States unlawfully, these children are subject to deportation." So if the feds don't remove them, the taxpayers have to educate them.

In 1996, Congress specifically made it illegal for states to grant any postsecondary education benefits to undocumented foreigners. So a state law allowing such benefits leaves itself wide open to legal challenge.

In Georgia, illegal immigrants are beginning to get tuition breaks by stealth; that is, some softheaded college presidents are simply implementing the practice on their own. At least three Georgia colleges give acknowledged lawbreakers "presidential waivers" on out-of-state tuition fees.

The amounts vary, but consider the fees at just one of these schools, Dalton State. In-state tuition there is \$666 per semester for a full-time student, compared with \$2,664 for out-of-state residents. Gainesville College President Martha Nesbitt openly says she waived out-of-state tuition for illegal immigrants because "I just feel that in the long run, it's better for society if they get a degree." But the main excuse given by admissions officials at the Georgia schools is that they have no way to identify who's registered legally or illegally.

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That should be unacceptable at a time when the United States is engaged in a war on terrorism and President Bush is asking all 50 states to focus on "homeland security." That excuse should be rejected when the Justice Department is seeking the help of universities in identifying foreign students who have overstayed their visas --- all too many from terrorist-supporting countries.

Incredible, too, is that Georgia's regents just approved a 15 percent **tuition** hike --- the highest in 18 years. Yet the regents allow undocumented foreigners to get **tuition** breaks because "multiculturalist" University System admissions officials focus only on residency and shun working with federal authorities on students' immigration status.

It may take legal action to force states that have allowed **tuition** breaks for illegals to stop such a foolish and unfair practice. In the case of Georgia, where liberal college presidents seek to undermine U.S. immigration law, clear **policy** must be implemented --- set by the General Assembly, if University System regents won't do it --- on what kind of student identification colleges must accept and who may be given in-state **tuition** rates.

### E-MAIL FORUM

Should Georgia colleges and universities allow **illegal immigrants** to pay in-state **tuition**? Send your e-mail to [issue@ajc.com](mailto:issue@ajc.com), where it will be posted online. Please include full name, city or county of residence and daytime phone. (Phone numbers will not be published.)

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## Graphic

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Photo: Phil Kent

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