

## ***Va. Student Wins Immigrant Group In-State Tuition***

The Washington Post

August 26, 2007 Sunday, Met 2 Edition

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Distribution: Virginia

Section: METRO; Pg. C01

Length: 724 words

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### **Body**

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Ernesto Galeas, a Salvadoran immigrant, has lived in Virginia for seven years and paid taxes to the state for five. So he was stunned this spring when Northern Virginia Community College denied him in-state tuition and slapped him with a \$2,400 bill -- about three times as high as he expected.

The reason, Galeas was told: Immigrants with temporary protected status, which provides a permit to live and work in the United States, are ineligible for the tuition break even if they meet every other requirement.

Galeas fought the decision and got the college and the state's top lawyers to change their minds. As of last month, all Virginia college students with the permit, called TPS, are eligible for the tuition break, officials said.

"This marked a precedent for future students," Galeas said. "Really, I do not see it as a personal achievement but one for people who come after me or are in my same situation. It's a feeling of satisfaction."

TPS grants temporary refuge in the United States to nationals of countries recovering from armed conflict or natural disaster. There are about 300,000 TPS holders in the United States, according to U.S. Citizenship and Immigration Services. The vast majority are from El Salvador -- the source of the Washington region's largest immigrant group -- but thousands of others come from Liberia, Burundi, Nicaragua, Somalia, Sudan and Honduras.

Although many states deny in-state tuition to illegal immigrants and those whose visas do not grant long-term stays, such as tourists or foreign students, they often grant it to temporary immigrant workers who meet all other requirements. But most states, including Maryland, do not mention TPS in their guidelines, said Luis Parada, a D.C. lawyer who took Galeas's case free of charge.

Virginia's guidelines did not address TPS, said Lee Andes, assistant director for financial aid at the State Council for Higher Education of Virginia. But the Virginia attorney general's office previously interpreted TPS holders as ineligible because their immigration status did not reflect an "intent to remain" in the state, Andes said.

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NVCC turned down Galeas's appeals three times. When he reached the fourth and final appeals level -- the desk of the college president, Robert G. Templin -- Templin turned to state officials. The attorney general's office found that TPS holders qualify, said J. Tucker Martin, a spokesman for Virginia Attorney General Robert F. McDonnell (R).

"It's the right decision," Templin said. "They deserve the same benefits that other taxpayers have and not to be held hostage by an immigration status that leaves their identity uncertain, when in fact they're lawfully present . . . and want to go to college."

Templin said as many as 100 TPS holders are among the college's 64,000 students. Although many with TPS entered the United States illegally or overstayed visas, the permit grants them lawful residence. It does not provide a path to permanent residency.

Virginia lawmakers have battled in recent years over whether to deny in-state tuition to all illegal immigrants. Bills proposing to do so have failed. Yet denial is common practice, Parada said, because Virginia's higher education guidelines, which are determined by the state attorney general's office, classify illegal immigrants as ineligible.

Parada said the change has no implications for illegal immigrants. But it will make a huge difference for those with TPS, he said.

"Denying a student the opportunity to go to college is one of the most unfair and counterproductive things we as a society can do, especially in what should have been a clear-cut case like students with TPS," Parada said. "For a lot of the students, having to pay three times the amount of tuition is the difference between being able to attend college or not."

Galeas said he is among those students. He immigrated illegally in 2000 and was granted TPS the next year. Early on, the construction worker studied English at NVCC. This spring, he decided he was ready to take two English literature classes for credit and to start working toward the political science degree he dreams of earning at Georgetown University.

Galeas said he could not have continued if not for the change. He recently attended the first day of the two political science courses he is taking this semester. His bill was less than \$900.

## Classification

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**Language:** ENGLISH

**Publication-Type:** Newspaper

**Subject:** IMMIGRATION (90%); TUITION FEES (90%); COLLEGES & UNIVERSITIES (89%); STUDENTS & STUDENT LIFE (89%); LAWYERS (88%); ATTORNEYS GENERAL (84%); PASSPORTS & VISAS (78%); CITIZENSHIP (78%); US STATE GOVERNMENT (78%); FOREIGN LABOR (78%); TAXES & TAXATION (78%); COMMUNITY COLLEGES (77%); STUDENT FINANCIAL AID (77%); ILLEGAL IMMIGRANTS (73%); FOREIGN STUDENTS (72%); UNIVERSITY ADMINISTRATION (72%); HOSTAGE TAKING (66%); NATURAL DISASTERS (52%)

**Organization:** US CITIZENSHIP & IMMIGRATION SERVICES (55%)

**Industry:** COLLEGES & UNIVERSITIES (89%); LAWYERS (88%); COMMUNITY COLLEGES (77%)

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**Geographic:** **VIRGINIA**, USA (96%); DISTRICT OF COLUMBIA, USA (79%); MARYLAND, USA (79%); UNITED **STATES** (94%); SOMALIA (79%); EL SALVADOR (79%); LIBERIA (79%); BURUNDI (79%)

**Load-Date:** August 26, 2007

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