

KANSAS STRONGER TOGETHER
1611 St. Andrews Drive – Lawrence, KS 66047
kansasstrongertogether@gmail.com

June 28, 2016

Board of Sedgwick County Commissioners
525 N. Main, Suite 320
Wichita, KS 67203

Dear Commissioners:

We noted with grave concern that the Board of Sedgwick County Commissioners is considering asking the Kansas Legislature to repeal the state's policy related to the granting of in-state tuition, regardless of immigration status. The current law, adopted in 2004, states that in order to be eligible to pay in-state tuition at a state school, an undocumented student must attend a Kansas high school for at least three years, graduate or obtain a GED, and sign an affidavit declaring that he or she will seek to adjust his or her immigration status as soon as such option becomes available.

We strongly support the current law on in-state tuition, and ask that the Commission reject any proposal that seeks to overturn it.

The signatories to this letter are part of Kansas Stronger Together, a statewide coalition that advocates on immigration-related issues. Our coalition believes that Kansas is a stronger, healthier, more prosperous, and more just place when *all* Kansas residents are treated fairly, equitably, and without discrimination on the basis of national origin, immigration status, race, or ethnicity.

We strongly support the current law on in-state tuition, because:

- Kansas is in good company in providing in-state tuition to all residents. There are at least seventeen states that currently have in-state tuition laws, including Nebraska, Oklahoma, Texas and Utah, and a number of public university systems opt to provide in-state tuition for undocumented students without any legislative requirement to do so.
- The current in-state tuition law is a wise economic investment, one that promotes economic development and prosperity for *all* Kansans. Our state already invests in providing primary school education to all of our youth; in-state tuition is simply a good return on our investment. If we were to repeal in-state tuition, most of these students would not be able to pursue their dream of going to college. In today's economy, we need a work force with skilled workers and a college degree is a precursor to working, paying taxes and contributing to our state. Rather than creating barriers to higher education, we ought to create policies that increase access to an affordable education for all Kansas youth who work hard, apply and earn admission to college, and who demonstrate that they want to and can contribute to our state and our economy. In-state is not merely good for these students and their futures, but it is good for our state and our collective future.
- Repealing the law would limit access to higher education for Kansas youth solely on the basis of their immigration status, with no regard for their scholastic achievement or merit. Many of the affected students are brought to this country at a young age and grow up going to our public schools just like any other Kansas teen. By the time they are applying to college, they are virtually indistinguishable from their peers. To single out these students for exclusion from in-state tuition would create a disincentive to their working hard to succeed in high school, as it would place yet another barrier to achieving a college education.

- The legality and constitutionality of in-state tuition laws is not in question. State courts around the country have upheld laws that grant in-state tuition to all state residents, regardless of immigration status. A challenge to the Kansas law was dismissed from federal court, and the dismissal was upheld by the 10th Circuit Court.
- The current state law creates a strong incentive for undocumented students to adjust their immigration status, within the confines of federal law. The state law requires students to sign an affidavit—a legal document—that they will adjust their immigration status as soon they are able to do so. As a result of that requirement, many students either become documented immigrants or initiate the naturalization process.

For these reasons, we respectfully but strongly urge the Board of Sedgwick County Commissioners not to adopt a policy statement that calls on the Kansas Legislature to repeal the in-state tuition law.

Sincerely,

Kansas Stronger Together Coalition

American Civil Liberties Union of Kansas
El Centro, Inc.
Kansas Appleseed

Bryan Alldaffer
Guadalupe Arredondo
Paola Arredondo
Alek Ball
Andrea Bell-Donovan
Graciela Berumen
Clinton L. Biggs
Nancy L. Biggs
Emily Brown
Maria De La Torre
Sharon DePierro
Juan Diaz
Lusi Esquivel
Cielo Fernandez
Brad Grabs
Peter Haney
Shabnam Hashemy
Sharareh Hashemy
Porter Hovey
Alaide Vilchis Ibarra
Beatriz Jimenez-Quiroga
Stephanie Juarez
Jacob Kipp
Yolanda Ledesma
Benet Magnuson

Maria Martinez
Kristina McCollum
Christina Meyer
Diane Rojas
Robert Sagastume
Madina Salaty
Diana Salazar-Meza
Sayra Santacruz
Cheryl Shelmire
Sandra Sloop
Judy Stephens
Sister Janice Thome
Marisol Torres
Ronald Trotter
Nancy Twiss
G. Amarilis Valdez-Dempsey
Amber Versola
Manuela Vigil
Theo Voth
Stevie Wakes
Karin Kaufman Wall
Marlys Waters
Roserrita Weber
Gina Wilkinson