In 1982, the U.S. Supreme Court ruled in Plyler v. Doe that undocumented children must be granted access to public schools at the K–12 level. However, undocumented students’ access to higher education, as well as their ability to qualify for in-state tuition, continues to be the subject of legislation at both the state and federal levels. In 2001, Texas became the first state to pass legislation making undocumented students eligible for in-state tuition.¹ Since then, 10 states have passed similar laws, whereas three others have passed legislation denying eligibility.² At least 15 other states are considering legislation on the issue.

1 This legislation is commonly referred to as the “Dream Act,” a term generally used to describe state-level legislation. The state-level Dream Act is related to the federal “DREAM Act,” where DREAM is an acronym for Development, Relief and Education for Alien Minors.

Despite significant literature on state and federal laws and policies regarding undocumented students, we are unaware of research on the specific experiences of undocumented students who attempt to apply for college admission. This article describes the key findings of a project that examined policies and practices related to the admissions process, as well as in-state tuition eligibility, for undocumented students at Big Ten universities, and concludes with a set of recommendations for changes in state and school policies and further research.

**Methodology**

We reviewed publicly available information on university websites, application documents, and statements on the official websites of each Big Ten university regarding the application process and eligibility for in-state tuition. We also examined state laws for the eight states in which the Big Ten universities are located to ascertain whether legislation had been passed that considered undocumented students to be state residents, and therefore eligible for in-state tuition.

Between October 2009 and March 2010, our team of graduate students made phone calls to university admissions offices to record responses to questions on the admission of undocumented students. The students called each of the schools on three separate occasions to avoid drawing conclusions on the basis of one conversation with a particular staff or student admissions counselor; they called different schools on their first, second, and third attempts to reduce interviewer bias. We spoke with admissions staff or volunteers each of the three times we called the 11 schools, for a total of 33 interviews. The interviewers used the same general script for each call, asking how to apply for admission as a student who had lived in the state their whole life, but who did not have a social security number. In the first call, our team made general inquiries about admissions procedures and policies, and opportunities for financial aid for undocumented students. In the second and third calls, we asked more specifically how to complete the online admissions application without a Social Security number and therefore ineligible for in-state tuition. During the calls, the interviewers kept detailed notes, which were subsequently transcribed and coded for analysis.

**Findings**

Our findings from the research are summarized in this section and in Table 1.

**State Laws.** The term “Big Ten” universities is misleading because the category actually includes 11 universities in eight states. As of this writing, only two of the eight states (Illinois and Wisconsin) had passed legislation allowing undocumented students to qualify for in-state resident tuition. The legislation in the two states varies, but both laws require students to have graduated from a high school in the state, to have lived in the state for a specified period of time, and to agree to apply for U.S. citizenship or residency, when possible, to be eligible for in-state tuition.

**University Admissions and Residency Policies.** Only two of the eight states in the study had passed legislation permitting undocumented students to be eligible for in-state (resident) tuition rates, and implicitly permitting them to apply without a Social Security number (SSN). In terms of information available on university websites, the residency requirements were often vague, exclusionary, and difficult to interpret. For example, on 10 of the schools’ websites, policies regarding what constitutes “residency” did not specify whether undocumented individuals might qualify for in-state tuition rates if they met general residence requirements.

We also found many instances in which a discrepancy existed between “official” residency policies stated on a school’s website and the information we gathered through phone calls. The majority of schools’ official policies stated that only citizens, permanent residents, and—at some schools—other types of immigrants were eligible for in-state resident tuition rates; however, as noted earlier, phone representatives at all the schools stated that students without Social Security numbers could be eligible for resident tuition. For at least three of the schools, the residency policies articulated by the phone representatives directly contradicted official policies on the schools’ websites, and in one case they contradicted state law that made undocumented students eligible for in-state tuition levels.

In addition, four of the phone representatives did not understand the meaning of “undocumented status,” or why an applicant might not have a SSN. Several admissions counselors seemed to assume that we were inquiring about international students or about students who did not want to reveal their number due to privacy concerns. For at least two of the schools, students without SSNs who tried to apply for admission online were immediately redirected to an application for international students (who are charged non-resident tuition levels).

Table 1. Summary of Barriers to Admission to Big Ten Universities

<table>
<thead>
<tr>
<th>Barriers</th>
<th>Number of instances</th>
</tr>
</thead>
<tbody>
<tr>
<td>Online residency policies do not specify status for undocumented students</td>
<td>10</td>
</tr>
<tr>
<td>Financial aid application requires Social Security number</td>
<td>8</td>
</tr>
<tr>
<td>Admissions representative was not able to reference additional financial aid opportunities beyond generalities</td>
<td>6</td>
</tr>
<tr>
<td>Admissions representative did not understand undocumented status or why a student would not have a Social Security number</td>
<td>4</td>
</tr>
<tr>
<td>Admissions representative referenced additional residency policy or policies that were not stated online</td>
<td>4</td>
</tr>
<tr>
<td>Online application automatically filters applications without SSNs to an international application, or requires residency status</td>
<td>2</td>
</tr>
</tbody>
</table>

Note: These data represent conservative estimates because not all categories were discussed during each phone call.
Tuition and Financial Aid. A major barrier to college attendance on the part of undocumented students is cost. At the time of our study nonresident tuition rates at the Big Ten schools range from $15,000 to more than $35,000 per year. Because students without Social Security numbers are ineligible for federal financial aid, even resident tuition rates of $6,000 per year or more can be prohibitive.

Recommendations
We found contradictions between official policies and practices regarding the acceptance of applications for admission, residency, tuition, and financial aid on the part of undocumented students in all of the Big Ten schools, including those in Wisconsin and Illinois, two states that have passed legislation making undocumented students eligible for in-state tuition. Although many of the schools we contacted have official (or unofficial) policies designed to remove barriers for undocumented students to apply for admission, we found that these policies have not been communicated to the telephone advisers who are “gatekeepers” for entry to the schools. To remedy this situation, we recommend the following:

- Universities should have at least one trained staff person or admissions counselor who is equipped to deal with the needs of undocumented students, and to whom all relevant inquiries are referred.
- Universities should explicitly state on their websites their policies regarding admission, residency, and financial aid for students without Social Security numbers, as well as information on how to contact a knowledgeable staff person.
- States considering legislation that would make undocumented students eligible for in-state tuition should add a provision that requires all higher education institutions in the state to report back to the legislature regarding implementation of the act and the removal of administrative, website, and counseling hurdles for potential applicants who do not have Social Security numbers. Those states that have already passed such legislation should be asked to report on its implementation and impact.

Finally, our work suggests the need for future research on barriers to financial aid and potential sources of funding for higher education for undocumented students, as well as follow-up with each of the Big Ten schools to assess whether they have made changes to their application processes.

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CURA previously supported research on violations of the civil rights of immigrants detained in Minnesota conducted by Fennelly, Chin, and colleagues. A summary of the project that was published in the Spring/Summer 2010 CURA Reporter is available at www.cura.umn.edu/publications/catalog/reporter-40-1-2-6, and a related policy brief is available at www.cura.umn.edu/publications/policy-briefs.

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