

Deferred Action for Childhood Arrivals

Edison offers in-state tuition to some immigrants

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A Miami university this month became the first public higher education institution to announce in-state tuition rates for some young Florida immigrants who are used to paying five times more

for a degree.

But a local college wants recipients of the nascent Deferred Action for Childhood Arrivals status, which allows certain youths who entered the country without legal permission to live and work legally in the U.S., to know Florida International University in Miami isn't

their only option.

"Tell those students they can come to Edison," said Christine Davis, vice president of student affairs at Edison State, which has campuses in Lee, Collier, Charlotte and Hendry counties.

Florida colleges and universities can — but aren't obligated to — accept DACA

status in determining state residency for tuition. That means, in some cases, teens and 20-somethings who were born abroad but have lived in Florida for years can't always get in-state rates.

Federal law guarantees public

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make a similar decision as FIU. "Essentially, when it comes to tuition or waivers, it boils down to local control. The local boards of trustees are responsible," Henderson said.

Florida Department of Education guidelines set in late 2012 include ways non-U.S. citizens can establish Florida residency for determining tuition, including using deferred action. Department spokeswoman Cheryl Eiters confirmed these aren't obligations, and that each public college and university determines which documents it will accept to prove residency for setting tuition.

"We're not going to come out and say a college can't do it," Eiters said. When asked if the policy's uneven application around the state could be construed as discriminatory, Eiters said the schools' discretion is akin to awarding a scholarship to one student over another. Only a legislative measure could dictate a statewide change in policy.

Deferred action isn't a new process. However, in June 2012 the federal government expanded it to allow young adults who entered the U.S. as children without legal permission and who meet certain criteria, such as passing a criminal-background check, to live and work in the U.S. without being deported.

According to government data, 13,881 youths in Florida have received the reprieve. Across the country, about 520,000 people now have DACA status.

DACA doesn't provide a pathway to legal permanent residency (a green card) or citizenship and must be renewed every two years. Receiving residency status from a school to qualify for in-state tuition doesn't confer any legal rights regarding immigration status.

As of May, the National Conference of State Legislatures documented that 16 states allow in-state tuition rates for students with temporary resident status.

education through high school, regardless of legal status; there is no equivalent for higher education. Some students with temporary resident status cobble scholarships together, but the difference in tuition can be four to five times as much.

A bachelor's degree at Edison State College costs residents about \$92 per credit hour, and nonresidents, \$435. The lack of consistency across Florida's higher education institutions is confusing to DACA recipients.

Nestor Prime, a 2007 Immokalee High School graduate who moved to the U.S. with his mother and two brothers from Mexico when he was 12, met with Florida Gulf Coast University staff this summer after receiving DACA approval. School officials told him they wouldn't extend in-state tuition rates to the 24-year-old despite his new lawful status.

The university has no plans to accept DACA for determining tuition, according to Susan Evans, the school's vice president and chief of staff. Gainesville's Santa Fe College, where he still would pay out-of-state tuition for the two-year associate degree he wants to pursue in computer programming. He also applied to Edison State, where he is completing paperwork to determine a tuition rate.

His mother is just glad he's taking a step forward with DACA. "She's pretty excited seeing me finally able to go out and do what I've always dreamed," Prime said.

In addition to the DACA paperwork, applicants to Edison State have to provide other documents such as recent high school transcripts from Florida to prove they are eligible for in-state tuition, just like non-DACA applicants. Carrie Henderson, spokeswoman for the Florida College System, said the agency hasn't guided schools on whether to