

Motion in Response to the FSVA Resolution on In-State Tuition

WHEREAS the Faculty Senate of Virginia passed the following resolution on May 16, 2020:

Recommendations for Implementation of In-State Tuition Expansion to All Students, regardless of immigration status

The passage of HB 1547 and SB 935 during the 2020 Virginia legislative session requires implementation of in-state tuition expansion to all students, regardless of immigration status, across VA campuses for July 1 uptake.

The purpose of this resolution is to provide recommendations about how Virginia institutions of higher education should approach implementation of this new law in order to make in-state tuition broadly accessible. Each public institution of higher education in Virginia has its own forms and appeals process as it relates to applications for in-state tuition rates.

Implementation of this in-state tuition expansion will require thoughtful planning about staff training. When the Deferred Action for Childhood Arrivals (DACA) program was established in 2012 and in 2014, Virginia allowed for in-state tuition for DACA holders. Those students frequently encountered barriers to accessing in-state tuition, despite Attorney General guidance on the matter. Students had to advocate for themselves, often educating the front-line staff at the registrar, financial aid, and/or admissions offices.

To promote successful implementation of this new law:

- 1. We recommend that each college and university designate a point of contact within registrar, financial aid, and/or admissions offices specifically to work with undocumented students. Furthermore, we recommend schools hire and/or appoint undocumented/DACA documented student program coordinators to provide support and guidance.*
- 2. We recommend that colleges and universities not collect information about immigration status or Social Security number (beyond whether an individual holds one of the excluded visa statuses) since it is unnecessary to comply with the new law;*
- 3. We recommend refraining from creating separate in-state tuition application protocols*

and paperwork for undocumented students (aside from the exclusion of individuals with certain visa categories, the new option for in-state tuition is not contingent upon immigration status).

4. We recommend that colleges and universities proactively reach out to students who

have graduated from Virginia high schools or received a GED (after having attended for two years) and are currently paying out-of-state tuition rates to inform them of the new law. Colleges already have this information about their currently matriculated students in their files. Further, colleges and universities should add information prominently on their websites about the new in-state tuition law, eligibility criteria, a point of contact, and the effective implementation date of July 1, 2020.

Note: Implementation recommendations presented here are drawn from the work of the Virginia Coalition for Immigrant Rights (VACIR) in-state tuition workgroup.

WHEREAS James Madison University has missed the July 1, 2020 deadline to add information about in-state tuition eligibility for DACA holders,

WHEREAS JMU is a community dedicated to access, inclusion, and equity to build a diverse learning community.

BE IT THEREFORE RESOLVED that the JMU Faculty Senate recommends JMU implement the recommendations put forth by the FSVR Resolution regarding in-state tuition rates for all DACA holders