

**EASTERN MICHIGAN UNIVERSITY STUDENT BODY
THE NINETY-EIGHTH STUDENT SENATE
WINTER TERM TWO THOUSAND TWELVE**

RESOLUTION NO. S.Res-98-013

AUTHORED BY Antonio Cosme

SUPPORTED BY Jessica Rubio, Anarosa Mendoza-King,

EMU Latino Students Association, Kevin Mersol-Barg, Martha Valdez

A RESOLUTION TO: FORMALLY REQUEST EASTERN MICHIGAN UNIVERSITY OFFER IN STATE TUITION TO UNDOCUMENTED RESIDENTS OF MICHIGAN

THE STUDENT BODY OF EASTERN MICHIGAN UNIVERSITY ENACTS:

WHEREAS, Federal law forbids undocumented immigrant from being eligible on the basis of residence within a State for any post-secondary education benefit unless a citizen or national of the United States is eligible for such a benefit (in no less an amount, duration, and scope) without regard to whether the citizen or national is such a resident,

WHEREAS, despite this thirteen states have adopted policies that in effect grant in-state tuition to undocumented immigrants,

WHEREAS, residency determined in the Admissions Office at the time a student is initially admitted to the University, a rule established by the EMU Board of Regents, and whose overall responsibility "for implementation and administration of this policy and for adopting, amending and/or revising related administrative policies and procedures falls under the responsibility of the Vice President for Business and Finance and the Vice President for Enrollment Services."

WHEREAS, the 1963 rewriting of the State of Michigan Constitution established university constitutional autonomy, vesting the exclusive management and control of the institution in the governing body, the Board of Regents,

WHEREAS, undocumented immigrants are foreign nationals who entered the United States without authorization or who entered legally but remained without authorization and Michigan has an estimated undocumented population of 150,000 residents,

REAFFIRMING, resolution 94-004 Formally Supporting the Dream Act was passed by the EMU Student Senate in Fall 2009,

FURTHER NOTING, that many of these undocumented immigrants are brought to this country under the age of 18 and by no choice of their own, namely the target beneficiaries of the Dream Act,

REMINDING, 65,000 students graduate annually from United States high schools who qualify for the Dream Act,

DEEPLY CONCERNED, tens of thousands of these students are either forced to pay dramatically higher out-of-state tuition in their resident states or prevented from attaining their educational dreams and societal potential due to financial constraints,

RECOGNIZING, that the increased cost of out of state tuition is prohibitively expensive for immigrant families,

NOTING WITH DEEP CONCERN, Federal law forbids undocumented students from receiving federal loans and grants, including work-study jobs, and forces undocumented students to rely on private loans and scholarships to fund their higher education,

NOTING WITH APPRECIATION, Western Michigan University has already implemented a scholarship to bridge the difference in cost between in-state and out-of-state tuition for undocumented Michigan residents,

RECOGNIZING, the United States Supreme Court denied an appeal of the California Supreme Court ruling, *Martinez v. Regents of The University of California* (2010), upholding a California state law providing resident tuition rates to undocumented immigrants based on their attendance at high schools in the state,

NOTING, The State of Michigan allows its public universities to determine their own residency policies for the purpose of in-state tuition, and therefore the Eastern Michigan University fully controls its residency policy.

HAVING CONSIDERED, a recent study by the Institute for Taxation and Economic Policy shows that nationally undocumented immigrants paid \$8.4 billion in sales taxes, \$1.6 billion in property taxes, and \$1.2 billion in personal income taxes in 2010, of which income taxes came from an estimated half to two-thirds of all undocumented immigrants,

WHEREAS, Eastern Michigan University's adoption of tuition equity will assist the state's undocumented students maximize their intellectual and social potential, strengthen their local communities, and become productive contributing members of our society,

BELIEVING, tuition equity for undocumented residents of Michigan is in accordance with the highest American values and those of the Eastern Michigan University Creed,

BE IT RESOLVED, EMU Student Government shall support EMU Dare to Dream in their campaign to achieve tuition equity for undocumented Michigan Residents;

BE IT FURTHER RESOLVED, EMU Student Government, speaking on behalf of the Eastern Michigan Student Body, having already supported the Dream Act, calls upon the Chief of Financial Officer John Lumm, Vice President of Student Affairs Bernice Lindke, and Associate Vice President for Enrollment Management Kevin Kucera write a resolution institutionally adopting Dream Policies, namely, offering in-state tuition to undocumented students who can prove residency and graduation from a Michigan high school;

BE IT FINALLY RESOLVED, the Student Senate urges to Eastern Michigan University Board of Regents to change university policy to allow undocumented residents of Michigan equal access to in-state tuition, becoming a Dream friendly school.

INTRODUCED IN THE SENATE: 3/13/12

COMMITTEE ACTION:

VOTE REQUIRED:

SENATE VOTE TOTALS: 14:1:5

PASS

FAIL

SILENT CONSENT

AUTHORIZE VETO


CLERK OF THE SENATE


STUDENT BODY PRESIDENT