

## Admitting Illegal Aliens Into State Colleges

Alabama has received substantial national press coverage as a result of its recently passed statute dealing with illegal immigrants. Alabama's new immigration law, known as the "Beason-Hammon Alabama Taxpayer and Citizen Protection Act," Ala. Laws Act 2011-535, was signed into law by Governor Robert Bentley on June 9, 2011. One provision of the new act bars institutions of postsecondary education from enrolling undocumented students. Enforcement of this provision has been enjoined by the federal courts. There are five other states, Arizona, Colorado, Georgia, Indiana and South Carolina, that also have statutes barring undocumented students from being admitted into the state's colleges or universities. One additional state, North Carolina, has a rule from its governing administrative board, the University of North Carolina Board of Governors, that prohibits the admission of undocumented students by administrative rule.

Fourteen states have laws that allow public colleges and universities to admit undocumented students. These states are Texas, California, Utah, New York, Washington, Oklahoma, Illinois, Kansas, New Mexico, Nebraska, Wisconsin, Maryland, Connecticut and Rhode Island. Most of these states allow undocumented students to establish residency and attend the state's colleges and universities at in-state tuition rates.

Twenty-two states do not have any laws or administrative rules addressing the subject of admission of undocumented students into postsecondary institutions. With the issue continuing to receive a great deal of press and legal attention, it may be expected that these remaining states will join one side of the debate or the other in the near future.