



Rise in immigration brings questions about education costs, access

by Laura Kliewer

Once only a consideration for a handful of states, the influx of immigrants over the past decade has begun to affect parts of the Midwest that had been largely untouched by past migration patterns. Nowhere is the impact being felt greater by states than in their education systems, both K-12 and postsecondary.

The number of K-12 students requiring limited English proficiency (LEP) services has grown astronomically compared to the rise in total student enrollment. In this region, while total student enrollment in preK-12 public schools rose less than 5 percent between the 1994-95 and 1999-2000 school years, the number of students served in LEP programs increased by more than 40 percent. That figure has more than doubled in certain Midwestern states.

While the percentage of LEP students (generally children who were not born in the United States and/or do not speak English as a first language) is still relatively small in most of the Midwest, the dramatic growth in numbers — combined with the overall shortage of teachers qualified to teach bilingual or English as a second language classes — will place a continuing stress on numerous districts in the Midwest. The small town of Fort Atkinson, Wis., provides one example of how dramatic student population changes can be. There, the number of non-English-speaking students grew from eight to 65 in two years.

Faced with new challenges and resource demands as the result of changing migration patterns, local educators will need assistance from the state and federal government. The federal Office of English Language Acquisition already is planning to allocate \$665 million in grants this year to help districts put teacher

candidates through college so that they receive the licenses needed to instruct LEP students.

It is not known how many of the families of LEP students are living in this country illegally. “It is information that is almost impossible to acquire; schools don’t keep records on this, and they can’t ask them [families about their legal status in the United States],” says Nebraska Sen. DiAnna Schimek of Lincoln.

The latest figures by the Immigration and Naturalization Service estimate the number of illegal immigrants in this country to be about 5 million. This figure would indicate that K-12 schools are teaching a significant number of children of undocumented workers in this country. As a result, policymakers are beginning to examine another consequence of the changing population patterns in their state. What happens to the children of undocumented workers when they get older? Many who come to the United States with limited English skills learn to speak the language fluently and go on to excel in high school. But for students interested in continuing their education beyond the K-12 system, significant barriers exist.

Seeking a college degree

In 1982, the U.S. Supreme Court ruled that public schools must educate all children, whether they are in the country legally or not. Federal law doesn’t prohibit the children of undocumented workers from being admitted to a postsecondary school, but it does inhibit their chances of attending an institute of higher education.

Students are barred from obtaining federal loans and grants, and the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 prohibits “an alien who is not lawfully present in the United States” to be “eligible on the basis of residence within a

State ... for any postsecondary education benefit” not afforded to nonresident citizens.


efforts in Texas and California led to those states explicitly allowing undocumented students who had resided in their states for a certain number of years to qualify as residents for tuition purposes. Last summer, after reading about those initiatives, Schimek called the University of Nebraska to find out if state higher education officials thought a similar law would be beneficial for her state. They did, so she introduced Legislative Bill 955 this year. The measure would have allowed students to be considered Nebraska residents if they had graduated from high school in the state, lived there for at least three years prior to graduation and provided an affidavit stating that they would apply for permanent residency as soon as they were eligible to do so.

“It places only a minimal documentary burden on colleges and universities, a burden which we at the University of Nebraska at Omaha are more than willing to accept,” Derek Hodgson, vice chancellor for academic affairs at the University of Nebraska at Omaha, said in legislative testimony supporting the bill.

Schimek adds: “We are simply allowing them the same access that other students have who are graduates of Nebraska high schools.”

Nebraska legislators, while agreeable to the bill’s intent, were reluctant to advance a measure they feared would conflict with federal law, Schimek says. Instead, the Unicameral passed a resolution to study the issue during the interim. Schimek has scheduled a hearing for this fall and plans to introduce the legislation again in 2003.

Similar legislation proposed in Minnesota this year never made it out of committee, while a law that would have allowed some undocumented high school students to attend Wisconsin state colleges for in-state tuition was vetoed in 2001 by Republican Gov. Scott McCallum, who expressed concern about its constitutionality. Other critics of such proposals say they unfairly favor illegal aliens over American citizens who have to pay out-of-state tuition. They also note that state universities have limited enrollment, so that increasing the ability of illegal aliens to attend postsecondary schools would impact U.S. citizens and legal residents.

This spring, Utah lawmakers passed legislation allowing undocumented students to be considered residents for tuition purposes but stipulated that the bill could only be implemented “if allowed under federal law.” Two Utah congressmen are leading the effort to change the 1996 federal immigrant reform act so that states are able to determine their own in-state residency tuition standards. In June, the federal legislation — known as the DREAM Act — passed out of committee. The legislation also would allow undocumented high school graduates under the age of 21 who have lived for at least five years in the United States to become legal permanent residents. 

Midwest schools see rise in limited English proficiency (LEP) students
The number of students in this region’s K-12 education systems with limited English proficiency has grown at a much faster rate than overall enrollment figures. Comparisons are made between the 1994-95 and 1999-2000 school years.

State	Total change in enrollment, 1995 to 2000	LEP change in enrollment, 1995 to 2000	LEP enrollment as percent of total, 1995	LEP enrollment as percent of total, 2000
Illinois	5.8%	34.3%	5.6%	7.1%
Indiana	2.1%	107.8%	0.7%	1.3%
Iowa	-.7%	82.2%	1.1%	2.0%
Kansas	2.0%	84.0%	2.2%	4.0%
Michigan	7.0%	-5.6%	3.0%	2.6%
Minnesota	3.9%	110%	2.7%	5.4%
Nebraska	0.7%	136.6%	1.4%	3.2%
North Dakota	-5.5%	48.2%	4.7%	7.4%
Ohio	5.7%	48.5%	0.7%	0.9%
South Dakota	-2.4%	18.7%	3.4%	4.2%
Wisconsin	2.0%	32.3%	2.4%	3.1%
Midwest	4.1%	40.5%	2.6%	3.5%

Source: National Clearinghouse for English Language Acquisition (calculations done by CSG Midwest)