

**Jared Polis, Vice Chairman, Colorado State Board of Education  
Testimony on the DREAM Act (Development, Relief, and Education for Alien Minors)  
S. 2075, HR 5131  
Hearing of the United State House of Representatives, Committee on Education and  
Workforce Greeley, Colorado  
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Members of the committee, my name is Jared Polis and I'm the Vice Chairman of the Colorado State Board of Education. I want to begin by thanking you for the opportunity to share my thoughts with you this morning. As we all know, there is significant good faith disagreement among Coloradans, like many Americans, on the issue of immigration. But there is one element of the immigration discussion where there seems to be substantial agreement among Americans - Republican or Democrat, progressive or conservative - and that relates to children.

As the Supreme Court eloquently noted in its 1982 opinion, the rights and opportunities of children are separate from the issue of their parents' immigration status. We should not, the Court said, impose "a lifetime of hardship on a discrete class of children". Within that context, I'm here today to strongly urge the United States Congress to pass the DREAM Act, a bipartisan bill that would give a fair chance to undocumented students, who were brought to this country as children through no fault of their own, as early as age 5 or 10. Instead of punishing these students, the act would help them complete their education, provide them with a path to citizenship, and improve our state's competitiveness. This bill is not about immigration – it is about whether young people who have grown up here can complete their education...or not.

In Colorado and nationally, we hear about the importance of preventing dropouts, closing the achievement gaps, and improving student academic performance. Now, my message to you in Congress is: it's time to put action to these words – pass this legislation so our state and nation can begin to meet these goals.

The DREAM Act would do two things:

First, and most important, it would provide a path to legal status for individuals who were brought to this nation years ago as children. To qualify, an undocumented person would have to show that he or she:

- entered the U.S. at the age of 15 or less at least 5 years before the bill is enacted;
- has "good moral character" (a term of art in immigration law); and
- has graduated high school in the U.S.

Those who qualify would be granted a "conditional" status, that would permit them to remain legally in the U.S. for 6 years, during which they would be required to graduate from a community college, complete at least two years towards a college degree, or serve at least two years in the U.S. military.

Second, it would eliminate a provision of federal law that places conditions whether states use their own funds to provide in-state tuition to undocumented students. If this provision is repealed, states would be permitted to decide for themselves without federal interference whether it is beneficial to the state to permit such students to study in their colleges and universities at the in-state rate.

The DREAM Act would not require Colorado or any other state to provide in-state tuition to undocumented immigrants. The choice would be up to each state.

By providing a path to legal status, the DREAM Act would help transform the lives of an estimated 65,000 students who successfully graduate from high school each year but who are ineligible to work legally, join the military, or, in 40 states, to pay in-state college tuition rates at public colleges and universities, or apply for financial aid. These students live on the margins of society and face limited futures because of their undocumented status. Although they consider the U.S. their home and want to contribute to its future by serving in the military or giving back to their community as teachers, doctors or engineers, undocumented students currently have no way to legalize their immigration status and get on with their lives. To many of them, the United States is their only home and English their only fluent language.

Mr. Chairman, these students are to be admired. They have met the challenges of transitioning to a new country, a new culture, and a new language. They have avoided the temptations that derailed some of their peers and they have persevered to graduate from high school.

It is impressive what many of them have accomplished despite the barriers they have faced. Many are high achievers, including valedictorians, honors students, academic and athletic prize winners, team captains, and class leaders; in 2004, there were 17 undocumented immigrant high school valedictorians in California alone.

Colorado's economic future will depend on our ability to educate all of our young people and send them into the workforce, which the DREAM Act would help us to do.

In the absence of federal action, many states have taken it upon themselves to keep their immigrant youth in school. Ten states have enacted laws permitting undocumented students who have attended high school and graduated from high school in their state to pay the discounted in-state tuition rate at state colleges and universities. The states are Texas, California, Utah, Washington, New York, Oklahoma, Illinois, Kansas, New Mexico, and Nebraska.

Colorado is one of the states that have considered similar legislation but thus far it has not passed here. The bipartisan Colorado Commission on High School Improvement, which I was privileged to co-chair, recommended that Colorado residents be eligible for in-state tuition regardless of their immigration status. This year the in-state tuition for a full-time undergraduate student at CU-Boulder is \$4,446 while the out-of-state tuition is \$21,900; at UNC, the in-state tuition is \$3,950, while the out-of-state is \$12,530; the in-state tuition at Arapahoe Community College is \$1,746 while the out-of-state is \$8,284. The vast majority of undocumented students come from low-income families that are unable to help them pay these tuition rates. If we want them to complete their education and contribute to our state up to their full abilities, then it is imperative that they not be charged above their means.

Mr. Chairman, I understand how hard it is to enact the needed comprehensive reforms of our immigration policy. It is complicated and reasonable minds can disagree about many of the issues and equities involved.

The same cannot be said about the DREAM Act. It represents a simple acknowledgement that our immigration failures and the mistakes of adults ought not to be visited on children who have done nothing wrong, who have, in fact, done what exactly what we, as a society have asked: go to school, stay out of trouble, succeed.

Congress should act to ensure that these students have an opportunity to legally pursue the American Dream. It is the right thing to do — for our country and for these children's future.

Thank you.