

ACLU OF RI POSITION: SUPPORT

**TESTIMONY IN SUPPORT OF 21 – H 5238
AN ACT RELATING TO EDUCATION – COUNCIL ON POSTSECONDARY
EDUCATION
February 24, 2021**

The ACLU is highly supportive of H 5238, which would identify students in Rhode Island who are exempt from paying nonresident tuition at public universities, colleges, or community colleges. This legislation is critical to ensure that tuition for higher education is accessible to students who have spent a considerable amount of their adolescence in Rhode Island but may not have residency status.

As higher education becomes both a necessity for economic mobility and an increasingly costly financial investment, access to in-state tuition can make a significant difference in the lives of Rhode Island residents going to college. Especially for students who are undocumented, students who are children of refugees or other individuals with legal status, and students in military families whose parents are stationed in Rhode Island, all of whom may have been living in Rhode Island for an extensive period without residency status, the benefit of having affordable and accessible higher education close to home cannot be overstated.

As the committee knows, the provisions contained within this bill have been in effect through administrative policy adopted by the Council on Postsecondary Education a number of years ago. We believe that the time has come to codify this important policy into statute in order to better ensure its permanence and assure students of the reliability of these benefits.

At past hearings, questions have occasionally been raised regarding the legality of a bill like this. However, the courts have been clear that states have the legal authority to provide this benefit, and any commentary to the contrary should not be an issue in the committee's deliberations.

Affordable access to college is a crucial component of educational equity. As Rhode Island takes steps towards creating a high-achieving public education system, the ability for students to make further progress towards their career and academic goals must be also taken into consideration. We urge passage of this important piece of legislation.

Submitted by: Hannah Stern, Policy Associate