

# NEW YORK STATE DREAM LEGISLATION UPDATE

DECEMBER 5, 2011

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Dear Friends:

We are gearing up for a very important campaign to pass DREAM legislation in New York State this legislative session. Each year, thousands of undocumented youth nationwide graduate from high school with no hope to pursue their dreams because they are ineligible for financial aid to attend college and because they are forced to live in the shadows without a path to legal status. The federal DREAM Act would provide a path to citizenship for young people who meet eligibility requirements such as attending college and performing military service, but the bill has been stuck in Congressional gridlock. With Federal DREAM legislation stalled, New York must join states like California, Texas, Illinois and New Mexico, which have shown leadership by passing legislation to support DREAMers who have been left in limbo by Washington. Last year, a version of the New York State DREAM Act was introduced by Senator Bill Perkins and Assembly member Guillermo Linares, but the bill failed to pass either house of the state legislature.

This year, the future is looking brighter for DREAM youth in New York State. Just last month, undocumented youth, labor, faith and civic leaders joined Merryl H. Tisch, Chancellor of the New York State Board of Regents, and State Education Department Commissioner John B. King, Jr., to applaud the vote by the Regents to support the extension of the state's Tuition Assistance Program (TAP) to all students, regardless of immigration status. This change would make it possible for young New Yorkers who were raised in this country without status to attend college and fulfill their potential. The press release for the event can be found here: [http://thenyc.org/PR\\_regentsvote\\_11-15-11](http://thenyc.org/PR_regentsvote_11-15-11)

Building upon the success of the Regents vote, several pieces of DREAM legislation have been introduced in the New York State Legislature over the last month. This **FRIDAY, December 9<sup>th</sup>, 2011, at noon** at 250 Broadway, NY, NY the New York State Assembly will hold a **joint hearing of the Higher Education and Government Operations Committees to discuss New York State DREAM legislation**. Prior the hearing, the advocates will be holding a press conference at 11am on the Steps of New York City Hall along with Assemblymembers Francisco Moya and Guillermo Linares. Presenting oral testimony at the hearing is by invitation only, but the public may submit written testimony. All supporters of DREAM legislation are encouraged to attend the 11am press conference on the steps of City Hall to show support for New York State DREAM legislation. A summary of proposed NYS DREAM bills to be discussed at the hearing is included on the following page, along with suggested talking points. Join us to show support for NYS DREAM:

**WHAT:** Press Conference & Joint Hearing: NYS Assembly Higher Education/Governmental Operations Committees

**TOPIC:** NYS DREAM Legislation

**TIME:** 11am -- Press Conference on Steps of City Hall. **Please join us!**

**Noon** -- Hearing in 250 Broadway, NY, NY (note that oral testimony is by invitation only, and the hearing room can only accommodate a small number of people).

The press conference is being coordinated by the NYS DREAM Working Group. The group holds regular public meetings, and DREAM supporters are invited to attend. To be added to the NYS DREAM Working Group listserv, for information about the next meeting, or for more information about the NYS DREAM bills or the campaign, please go to <http://groups.google.com/group/nysdreamwg> or contact Jackie Vimo: [jvimo@thenyc.org](mailto:jvimo@thenyc.org) or 212.627.2227 x248.

Sincerely,

Jackie Vimo, Director of Advocacy, NYIC

# CURRENT AND PROPOSED NYS DREAM LEGISLATION

Three NYS DREAM-related bills have been introduced to date. The bills fall into three categories:

## PUBLIC FUNDING FOR DREAM STUDENTS

- 1.) **TAP/PUBLIC SCHOLARSHIPS** Assemblymember Linares and Senator Perkins have amended their NYS DREAM Act introduced last session. The current bill extends access to TAP and other scholarships for undocumented students.
  - **A06829 establishes the New York DREAM Act, providing certain benefits to undocumented immigrants that satisfy certain criteria**  
[http://assembly.state.ny.us/leg/?default\\_fld=&bn=A06829&term=2011&Summary=Y&Text=Y](http://assembly.state.ny.us/leg/?default_fld=&bn=A06829&term=2011&Summary=Y&Text=Y)
  - **S04179 is the same-as Senate counterpart to the Assembly DREAM Act**  
<http://assembly.state.ny.us/leg/?bn=S04179&term=2011>
- Please note that this is the same content as the legislation proposed by the board of Regents/State Education Department (SED).

## PRIVATE FUNDING FOR DREAM STUDENTS

- 2.) **PRIVATE FUND** Assemblymember Moya has introduced a NYS DREAM Fund bill that addresses PRIVATE tuition assistance for DREAMers. This bill creates a commission that will raise private funds for all children of immigrants (both documented and undocumented).
  - **A08689 Creates the New York DREAM fund commission**  
[http://assembly.state.ny.us/leg/?default\\_fld=&bn=A08689&term=2011&Summary=Y&Text=Y](http://assembly.state.ny.us/leg/?default_fld=&bn=A08689&term=2011&Summary=Y&Text=Y)
- 3.) **COLLEGE SAVINGS ACCOUNTS (529s):** In addition to Assembly bill A08689 that creates the DREAM Fund, Assemblymember Moya has also introduced A08690 which opens 529s college savings accounts (which offer tax shelters) to undocumented students and their families.
  - **A08690 opens 529s to undocumented students**  
[http://assembly.state.ny.us/leg/?default\\_fld=&bn=A08690&term=&Summary=Y&Text=Y](http://assembly.state.ny.us/leg/?default_fld=&bn=A08690&term=&Summary=Y&Text=Y)

**ONLY the above EDUCATION-RELATED LEGISLATION WILL BE DISCUSSED AT THE DECEMBER 9<sup>th</sup> HEARING.**  
*The Committees can only discuss legislation that has already been introduced.*

## STATE-ISSUED IDENTIFICATION FOR DREAM STUDENTS

In addition We have been informed by Senator Espaillat that he is shortly introducing a fourth DREAM-related bill, and New York State Youth Leadership Council is working on a fifth bill:

- 4.) **DRIVERS' LICENSES:** According to Senator Espaillat's office, this bill would open DLs to undocumented students with New York high school diplomas or GEDs. They will be asked for Social Security Numbers, but if they cannot provide one (i.e. are ineligible for one) the requirement will be waived.
- 5.) **NON-DRIVER STATE IDs:** The New York State Youth Leadership Council is in the process of finalizing a proposal for a non-driver's license ID bill. Details to follow.

If you have any questions about this legislation or want to get involved in the NYS DREAM Working Group, please contact Jackie Vimo, Director of Advocacy, NYIC : (212) 627-2227 x248 | [jvimo@thenyc.org](mailto:jvimo@thenyc.org)

# NYS DREAM LEGISLATION TALKING POINTS

## 12.5.11

- All students should have an equal chance to pursue their dreams of higher education.
- Unfortunately, undocumented youth are currently barred from most forms of tuition assistance, scholarship and federal loans that are available to other students.
- Just last week, Joaquin Luna, an undocumented 18 year-old youth in Texas, took his life, citing his hopelessness at being unable to attend college because of his immigration status. We must work to create real opportunities for undocumented youth to attend higher education in order to offer them real hope for their futures.
- Federal legislation, Development, Relief and Education for Alien Minors (DREAM) Act DREAM (H.R. 1842/S. 952), would extend access to federal higher education grants for students who meet the eligibility criteria. However, the federal DREAM Act is stalled in Congress and unlikely to be passed soon.
- With the federal DREAM Act unlikely to pass this year, states like California, Texas and Illinois have already passed state-level DREAM Acts to open opportunities for undocumented students to access higher education. New York State should join these states in supporting undocumented youth by passing the New York State DREAM legislation.
- New York State DREAM legislation would enable undocumented students to pursue their dreams of higher education by providing them with tuition assistance and access to private funds and tax breaks on college savings accounts.
- New York has long recognized the necessity of supporting New York's immigrant students through funding programs to support English Language Learners and college readiness programs for immigrant students.
- Approximately 65,000 undocumented students graduate from U.S. high schools each year (an estimated 7% of these are in New York State), but because of the barriers they face accessing higher education, only 5-10% of these undocumented high-school graduates go to college.
- While our ultimate goal is to pass a Federal DREAM Act, a New York State level bill will offer undocumented students in New York equal access to the state financial assistance that they desperately need to pursue their educational goals.