Small Cost, Bigger Payoff: Florida’s Tuition Equity for Dreamers Law

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Executive Summary

A 2023 legislative proposal announced by Gov. Ron DeSantis would repeal Florida’s tuition equity law, which requires that colleges, universities, and postsecondary institutions waive out-of-state tuition for certain undocumented students who graduated high school in the state.

Also known as “Dreamers,” after the federal DREAM Act, these young people were brought to the United States as children, and often do not remember living in any other country.

Florida Policy Institute found that while the cost of waiving out-of-state fees for Dreamers is nominal, it leads to significant economic benefits. Specifically:

• The number of Dreamers granted out-of-state fee waivers under the 2014 law has dropped since 2018-19, but 6,500 Florida undergraduates still benefitted from them in the 2021-22 academic year alone, and almost 36,000 have benefitted since 2017.

• The majority of out-of-state fee waivers are granted to college and university students, with only a small number of technical college/charter career center attendees receiving them.

• Less than 1 percent of all enrolled undergraduates receive nonresident waivers each year, at an average annual cost of $41.3 million (from 2017-18 to 2020-21).

Repealing the state’s tuition equity law would impede young immigrants’ ability to thrive, earn higher wages, and contribute further to Florida’s economic prosperity.

Introduction

The Florida Department of Education believes “Every [emphasis added] hard-working student deserves a real opportunity to earn an affordable, high-quality degree or credential that offers a clear path to civic engagement.” Yet Florida’s young immigrants who are undocumented face myriad barriers to higher education and economic prosperity. Also known as “Dreamers,” after the federal DREAM Act, these young
people were brought to the United States as children, and often do not remember living in any other country. Florida’s 23,000 Dreamers are ineligible for federal and state financial aid, making the cost of college insurmountable for most.

Fortunately, states have begun to recognize Dreamers’ potential by passing tuition equity laws for immigrants, regardless of documentation status. Nearly half of states (23 plus the District of Columbia) now extend in-state tuition to their Dreamer population, including Florida. At present, however, some lawmakers in Florida are attempting to reverse this progress with numerous anti-immigrant measures. The Legislature is poised to repeal Florida’s 2014 tuition equity law, as it is a 2023 priority Gov. Ron DeSantis.

The 2014 law was intended to benefit Dreamers, so with a few possible exceptions, waivers granted under this tuition equity policy impact young, undocumented students.

To determine the potential implications of such a repeal, Florida Policy Institute examined trends in the out-of-state fee waivers (2017-18 to 2021-22) and degrees awarded (2018-19 to 2020-21) to Florida’s Dreamer students.

### Who is Eligible for Florida’s Tuition Equity Policy?

Florida law states universities, colleges, and district postsecondary institutions (i.e., technical colleges, charter career centers) must “waive out-of-state fees for students, including, but not limited to, students who are undocumented for federal immigration purposes” who:

- Produce proof of attending and graduating from a Florida high school
- Attended school in Florida for three consecutive years before graduating high school
- Apply to a Florida college, university, or district postsecondary institution within two years of graduating high school

### Out-of-State Tuition is Unaffordable for Dreamers

In-state tuition, on average, is $8,000 to $14,000 cheaper than out-of-state tuition for Florida’s public colleges and universities, respectively. (See Figure 1.) Without out-of-state fee waivers, Florida Dreamers would have few alternatives, forcing many to forego higher education entirely. An estimated 61 percent (467,000) of Florida’s 772,000 undocumented residents live in households with income below 200 percent of the federal poverty guidelines. For a two-person household, that equates to less than $36,620 per
Meanwhile, the average annual cost of out-of-state tuition at public universities in Florida is $21,000. Costs are even higher among many of the institutions that grant the most waivers to Dreamers. (See Figure 1.)

Despite their relative affordability compared to universities, the state recently determined college enrollment rates are on the decline and poised to get worse. Shutting out thousands of undocumented students — many of whom end up in STEM fields that the state has identified as strategically important — will cost Florida revenue, skilled labor, and the unique contributions of these young Floridians.

By Florida law, all institutions that grant nonresident waivers (a.k.a. out-of-state tuition waivers) are required to report the number and value of waivers granted to the Florida Board of Governors (which oversees state universities) and Florida Department of Education (which oversees state colleges and district postsecondary institutions). Thus, the waiver data reported are those granted under Florida’s 2014 tuition equity law and are referenced as Dreamer or nonresident waivers throughout this brief. FPI analyzed the available reports alongside undergraduate enrollment data.

![Figure 1. Out-of-State Tuition is Costly](https://example.com/notebook-image.png)

Tuition and fees for top waiver-granting institutions, 2021-22 academic year

Source: Tuition and fees for 30 credit hours (e.g., full-time student, two semesters) from Florida College System (FCS) and State University System (SUS) reports.
The Number of Students Receiving Out-of-State Fee Waivers Is Nominal

Across all institutions, 7,365 Dreamers were granted waivers, on average, from 2017-18 to 2020-21. Matching this to enrollment data demonstrates that less than 1 percent of all Florida’s undergraduate students received waivers under the 2014 tuition equity law during the four-year period. Most nonresident waivers go to college students. A substantial, yet smaller number, go to university students, and hardly any go to district technical colleges/career centers.

Universities

State university system (SUS) waiver data\(^1\) shows that the average number of Dreamers who received fee waivers at least once per academic year was 2,155 from academic years 2017-18 to 2020-21. (See Figure 2.) This represents just 0.6 percent of all SUS undergraduates enrolled in those years.

Colleges

Florida College System (FCS) waiver data\(^2\) paints a similar picture, though its waivers benefit more students for less money. This is presumably because of the lower cost of college tuition compared to university rates. The average number of Dreamers who received FCS waivers at least once was 5,202 from academic years 2017-18 to 2020-21. (See Figure 2.) This represents just 0.8 percent of all enrolled college students during these four years. The college waiver count has fluctuated annually since 2017, but 4,512 students received them in the 2021-22 academic year, a 23.5-percent increase over the prior year.

Technical Colleges and Career Centers

The number of Dreamers receiving waivers from Florida’s 52 technical colleges and career centers (i.e., district postsecondary institutions) is minuscule compared to the number of college and university students who receive them. An average of only 9 Dreamers received district postsecondary institution (DPI) waivers from academic years 2017-18 to 2020-21, with the maximum reaching 11 in the 2018-19 academic year. Even in that peak academic year, nonresident waivers went to just .02 percent of all DPI students.\(^3\)
The Cost of Extending In-State Tuition to Dreamers is Minimal

How each institution calculates its waiver costs appears to be the difference between what students would have paid in out-of-state tuition versus what they did pay in in-state tuition once those nonresident fees were waived. Experts in other states who have tuition equity policies have similarly found that the cost to extend waivers to Dreamers is nominal because these students still pay in-state tuition when out-of-state fees are waived. In other words, institutions would lose money if waivers were not provided, as fewer undocumented youth would enroll because they would not be able to afford the high cost of out-of-state rates. Moreover, nonresident waivers comprised just 8 percent of all the state’s waiver and exemption costs from the 2017-18 to 2021-22 academic years.

Dreamers are not the only population to receive exemptions and fee waivers in Florida. Aside from the nonresident waivers granted through the 2014 tuition equity law, other eligible students that can receive fee waivers and exemptions include institution employees, state employees, veterans and active military.
certain classroom teachers, wrongfully incarcerated Floridians, those experiencing homelessness, and former or current youth in foster care.¹⁸

Universities

On average, the cost to extend these waivers to university students was just $21.4 million annually from 2017-18 to 2021-22. The cost dropped to a low of $20.2 million in the 2021-22 academic year, which represents just 5 percent of all SUS waiver and exemption costs. (See Figure 3.)

Colleges

On average, the cost to extend these waivers to college undergraduates was just $19.5 million annually from 2017-18 to 2021-22. The cost dropped to $18.9 million in the 2021-22 academic year, which represents 12.6 percent of all FCS waiver and exemption costs. (See Figure 3.)

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Figure 3. Nonresident Waivers Comprise A Small Share of All Waivers and Exemptions Granted

University and college student waivers and exemptions, 2017-18 to 2021-22 academic years (in millions)

Source: FPI analysis of state university system and Florida college system fee waiver and exemption summary data. See Methodology Notes for more detail.
Technical Colleges and Career Centers

On average, the cost to extend these waivers to students at district postsecondary institutions was just $27,500 annually from 2017-18 to 2021-22. The cost dipped to $6,600 in the 2021-22 academic year, which represents just 0.1 percent of all DPI waiver and exemptions costs. ¹⁹

Thus, while the costs of Florida’s tuition equity law are minimal, it enabled nearly 2,000 university students and over 4,500 college students to pay in-state rates in the 2021-22 academic year alone (most recent data available).

The Benefits of Tuition Equity are Substantial

Educational outcomes

Without waivers, Dreamers would likely be locked out of higher education and miss out on the talents, skills, and increased spending power that they would have contributed with a postsecondary degree. Florida would miss out on the increased educational attainment for its residents and the corresponding economic boost. Acknowledging the benefits of a credentialed workforce, Gov. DeSantis in 2019 signed House Bill 7071, a workforce education bill that included the “SAIL to 60” initiative. SAIL to 60 establishes a goal for the state to raise the rate of working-age Floridians with a degree or high-value postsecondary certificate to 60 percent by 2030. ²⁰ Moreover, at a time when Florida’s 28-member college system faces an 18-percent decline in enrollment within the next four years ²¹, recognizing young immigrants’ contributions to higher education has never been more critical.

The Florida Board of Governors, which oversees the state university system, has prioritized the need for a more educated, specialized workforce in its recent strategic plan. To make this happen, the board highlights the need for more bachelor's degrees and additional STEM graduates in particular. ²² STEM fields like architecture, engineering, information technology, and mathematics are just a few of the areas in which state business advocates point out ongoing shortages and a need for skilled, educated workers to fulfill industry roles. ²³ Nationally, 39 percent of undocumented immigrants pursue STEM undergraduate degrees, and while the share is unknown for Florida, it is likely on par or higher, given Florida is one of the top five states for Dreamer students. ²⁴ That number could change if Florida repeals in-state tuition for Dreamers.
Economic outcomes

Not only does receiving in-state tuition rates empower Dreamers to enroll in and complete degree programs that the state has prioritized\(^\text{25}\) — it also leads to a more skilled and better-paid workforce overall. This allows working Floridians to become economically stable and secure. It also helps Florida businesses address key labor shortages,\(^\text{26}\) and over time, stimulates local and state economies.

When the state gives young people — including immigrants without a documented status — better access to higher education, they earn more upon graduating each step of the way. Inflation-adjusted estimates of 2020-21 earnings data shows that the average annual wage of a Florida high school graduate is just $33,000. Conversely, Floridians with a certificate, associate, or bachelor’s degree average $53,000, $54,000, and $63,000 each year, respectively. (See Figure 4.)

Figure 4. Florida Undergraduates Earn Significantly More Than Those With A High School Diploma
2020-21 average annual earnings by level of education, inflation-adjusted

Moreover, despite not being granted citizenship or a documented immigration status (and most of the societal benefits that go along with those privileges) Florida’s undocumented immigrants contribute over $598 million annually in state and local taxes,\textsuperscript{27} approximately $77.6 million of which is from DACA-eligible and DACA-recipient youth.\textsuperscript{28} Florida’s undocumented immigrants also pay $1 billion in federal taxes annually.\textsuperscript{29} Thus, ensuring that all youth — no matter their immigration status — have access to higher education remains pivotal to Florida reaching its workforce goals.

**Policy Recommendation**

Florida continues to prioritize growing its competitive workforce and ensuring that the state attracts business, talent, and revenue to thrive. Pulling the rug out from under young immigrant high school graduates — who have been counting on in-state rates since the state passed tuition equity almost a decade ago — will further none of these state goals.

Instead of repealing tuition equity and punishing Dreamer Floridians who cannot secure a path to citizenship until the federal government changes course, Florida should stay the course and empower all its young people to thrive.

**Methodology Notes**

The data throughout this analysis is relegated to Florida undergraduate programs and institutions since they are the focus of Florida Statute 1009.26(12) granting eligible immigrant students out-of-state fee waivers. Graduate students remain ineligible. The institutions included are Florida’s 12 universities, 28 colleges, and the state’s 52 district postsecondary institutions, which are primarily technical colleges. (See list in Appendix.) The levels of study considered were bachelor’s and associate degrees, along with subbaccalaureate certificates.

**Postsecondary Tuition and Fee Waivers**

State University System (SUS) data is reported by the Florida Board of Governors; the Florida College System (FCS) and District Postsecondary Institution (DPI) data is reported by the Florida Department of Education. While both SUS and FCS waiver data are readily available online, the DPI data is not. FPI contacted the Florida Department of Division of Career, Technical, and Adult Education for 2017-18 to 2021-22 reports on the number of waivers granted to immigrants under F.S. 1009.26(12).
It should also be noted that while it is assumed most students to benefit from the nonresident fee waiver under F.S. 1009.26(12) are Dreamers, the state does not track waiver use by immigration status, so a small number of nonresident waivers may have gone to students who are not undocumented. Counts are unduplicated and only indicate that a student received a waiver at least once annually, as semester hours and enrollment statuses vary. The Florida Board of Governors waiver dashboard includes categories that the Florida Department of Education categorizes as exemptions (e.g., those experiencing homelessness, Department of Children and Families-involved students), not strictly fee waivers. Thus, for ease of comparison, the data on nonresident waivers’ cost share is calculated as the percentage of total waiver and exemption costs reported by each institution type. For more information on the types of exemptions and fee waivers, see Florida Department of Education.

**Enrollments**

As with waiver data, the National Center for Education Statistics Integrated Postsecondary Education Data System’s (IPEDS) enrollment data is a headcount of students enrolled each year, which allowed for direct comparisons to determine the share of nonresident waivers per student body. However, IPEDS data is only available up to the 2020-21 academic year, whereas Florida waiver data is available up to 2021-22. Thus, when reporting comparisons between enrollment and waiver data, FPI only included the matched years of 2017-18 to 2020-21.

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2 As of their latest data (September 2022), Migration Policy Institute estimates there are 23,060 DACA recipients in Florida with another 53,000 Floridians who are immediately eligible for DACA; Migration Policy Institute, “DACA Recipients & Eligible Population, By State,” 2022, https://www.migrationpolicy.org/programs/data-hub/deferred-action-childhood-arrivals-daca-profiles?gclid=CjwKCAjw_MqgBhAGEiwAnYOAnUfBxjKj05A1mNyRIFpTa1ej60YAG14Mc7pmEUZ-PaJp0PWP2rc8YRoCJY8OAvD_BwE.
4 Florida SB 1718 “Immigration” (2023); Florida HB 1617 “Unlawful Immigration” (2023)
Florida Board of Governors and Department of Education fee waiver and exemption reports specifically delineate waivers they grant under 1009.26(12), which is the codified statute of the 2014 tuition equity law.


11 F.S. 1009.26(12)


15 Reports provided to FPI via email by Division of Career, Technical, and Adult Education staff at the Florida Department of Education (FDOE), March 8-10, 2023.

16 Only the district postsecondary institution reports the author obtained via email communication March 10th referenced methods for determining waiver and exemption costs: “Value of exemption based on the system average tuition and fee rates, including financial aid, capital improvement, and technology fees.” FPI was unable to definitively identify how the Board of Governors and Department of Education calculate their reported costs.

17 Broder


19 FDOE communication, March 8-10, 2023


21 EDR, 2023

24 Presidents’ Alliance and New American Economy
26 Florida Chamber Foundation, 2021
Appendix: List of Public Colleges and Universities in Florida

For a list of the 52 District Postsecondary Institutions that grant certificates, visit: https://www.fldoe.org/academics/career-adult-edu/dist-ps-instit.stml

**Florida Universities That Grant Tuition Waivers (12)**

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<td>University of Central Florida</td>
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<td>Florida Gulf Coast University</td>
<td>University of Florida</td>
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**Florida Colleges That Grant Tuition Waivers (28)**

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<td>Valencia College</td>
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