

*State Level Catalysts and Constraints*

**COLLEGE PERSISTENCE AMONG UNDOCUMENTED  
STUDENTS AT A SELECTIVE PUBLIC UNIVERSITY:  
A QUANTITATIVE CASE STUDY ANALYSIS**

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**ABSTRACT**

Texas House Bill 1403, which was passed in 2001, is the first in-state resident tuition (ISRT) policy to benefit undocumented students in the United States. Seven years later, the literature includes virtually no empirical evidence of the persistence patterns of students who have enrolled in postsecondary institutions as beneficiaries of the in-state resident tuition policies in Texas, and in the United States in general. This study represents one of the first research studies to provide a quantitative analysis of the persistence behavior of ISRT policy eligible students at a large selective public institution in Texas. The findings, while not generalizable to all postsecondary institutions with this population, provocatively suggest that ISRT recipients are remaining in college at rates similar to those of their Latino peers who are U.S. citizens and legal residents. The study addresses the implications of this policy for selective institutions and makes suggestions for further research.

**INTRODUCTION**

Texas House Bill 1403 (HB 1403), which was passed in 2001, is the first in-state resident tuition (ISRT) policy to benefit undocumented students in the United

States. Although not a specific program for undocumented students, the tuition policy allows undocumented individuals who meet certain high school graduation and residency requirements to attend Texas public colleges and universities at the same in-state price as state residents. Researchers have begun to document the educational outcomes of students identified as eligible for the in-state resident tuition law, the overwhelming majority of whom have enrolled in Texas public community colleges, a trend consistent with national analyses of where immigrant students are most likely to enroll (Erisman & Looney, 2007; Gonzales, 2007; Keeton Strayhorn, 2006; Rincon, 2008). However, there is limited information available regarding immigrant students who have enrolled in a 4-year institution, and even less on those enrolled in *selective* 4-year institutions. Moreover, the literature includes virtually no empirical evidence of the persistence patterns of students who have enrolled in institutions as beneficiaries of recently enacted in-state resident tuition policies that allow undocumented students to attend college at in-state resident rates.

One interesting tension in this policy story is that the incentive for undocumented students to enroll and persist in college has often been characterized as an irrational investment given current limitations to apply those benefits of an earned college education to the formal U.S. labor market as a result of unresolved citizenship status. A major drawback of the in-state resident tuition legislation is that it only guarantees a tuition discount, as students with undocumented status do not qualify for any federal aid. Moreover, even if these students do graduate from college, they are not permitted to work in the United States without legal authorization. Such restrictions were to be resolved with the passage of the federally proposed Development Relief and Education for Alien Minors Act (DREAM Act). This Act, however, has failed to pass in the U.S. Congress since 2003 (Olivas, 2004). Nonetheless, data from the Texas Higher Education Coordinating Board document an increase in enrollment of students identified as HB 1403 eligible from 2001 to 2004. Figure 1 presents the total number of students who applied under HB 1403, which includes those who qualified under Section 2 (those classified as [state] residents) and Section 4 (those whose legal and state residency status was pending in this period). As Figure 1 indicates, total enrollment in the public 4-year sector in Texas grew from 633 entering students per year in the fall of 2001 to 2,275 students in the fall of 2004.<sup>1</sup> Student enrollment (Section 2 and Section 4) in the state's most selective public institution, The University of Texas at Austin, grew from 101 to approximately

<sup>1</sup> The Texas Higher Education Coordinating Board documents a similar number of enrollees under Section 2 to the enrollment data provided by the University of Texas at Austin. For the statistical analysis in this study, we use enrollment data provided by the University of Texas at Austin to track an eligible cohort over time according to university definitions.

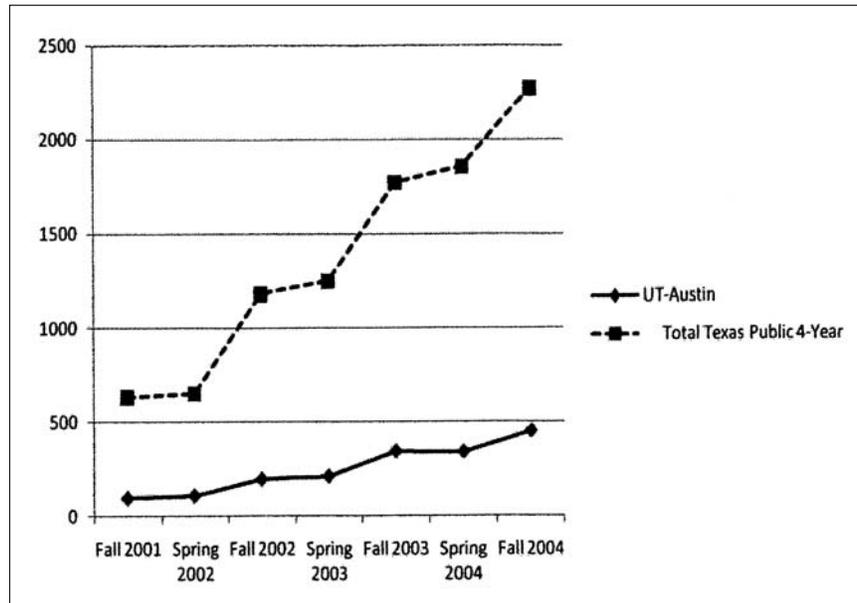


Figure 1. Total enrollment of students under HB 1403 at The University of Texas at Austin and the Texas public 4-year sector, fall 2001 to fall 2004.

**Source:** Texas Higher Education Coordinating Board and authors' calculations.

451 entering students between 2001 and 2004 (authors' calculations, Texas Higher Education Coordinating Board, n.d.).<sup>2</sup>

Persisting at a selective postsecondary institution, even if the cost is mitigated, requires a specific set of skills beyond academic achievement. Further exacerbating the obvious challenges, students with uncertain citizenship status are often left to navigate the institution with levels of secrecy not understood by the average college student. For example, students have formed local institutional in-state resident tuition beneficiary groups through the confidential assistance of university program administrators. These students often are not easily identifiable and rely on university administrators to connect them through e-mail or other carefully constructed confidential methods to help form a cohort of students in similar legal situations. The result has often been information sharing on how to navigate university components that require identification that might expose them as undocumented.

<sup>2</sup> Gonzales (2007) reports that there is currently no systematic method to track the numbers of undocumented students at the state level, although institutions are likely to track these individuals.

Seven years after the enactment of HB 1403 in 2001, the persistence rates of students who are enrolled as a result of this policy remain empirically unexamined. While previous research has documented the role of institutional factors available to and levels of institutional commitment exerted by students at U.S. universities, comparable research on how undocumented students, with their particular vulnerable citizenship status, might respond to similar indicators is not yet available (Braxton, 2000; Braxton, Sullivan, & Johnson, 1997). Absent these data indicators, this analysis aims to fill this gap in the literature, with a particular focus on factors of individual background and performance, such as select demographic indicators and academic achievement, to measure the persistence of undocumented students who are beneficiaries of Texas House Bill 1403.

### **PURPOSE**

Enrolling in a 4-year postsecondary institution is in itself a significant academic step for students who do not qualify for federal financial aid. Persistence to the second year and ultimately to graduation is, however, a more profound and underexplored example of academic motivation. In particular, while prior work has documented that each additional semester of postsecondary attendance provides long-term financial gains (e.g., Kane & Rouse, 1995), it is ultimately with the receipt of a bachelor's degree that students maximally benefit (Dale & Krueger, 2002; Murphy & Welch, 1992). This study examines in detail the persistence patterns of undocumented students identifying as ISRT beneficiaries 4 years after enrolling at the most selective public institution in Texas, The University of Texas at Austin. While undocumented status is a condition that influences each step of the college access, choice, and persistence pipeline, this study examines whether such a condition is associated with whether a student persists through college. That is, the study offers an expanded understanding of the extent to which individual conditions such as undocumented status moderated with a policy intervention designed to reduce college access barriers (a tuition discount) has any influence over whether a student persists through college. As undocumented status in the U.S. higher education pipeline as it relates to persistence has not been empirically assessed in conjunction with a financial aid policy intervention, this is one of the first research studies to provide a quantitative analysis of the persistence behavior of students enrolled under the ISRT policy at a large selective public institution. To measure the persistence behavior of these successful undocumented high school graduates, we employ a Cox proportional hazard regression analysis using application, admission, enrollment, and transcript data on students classified as being eligible for in-state resident tuition.

Because a majority of the students eligible under this policy are of Latin American origin, we compare their enrollment and persistence behavior to a

sample of Latinos who are U.S. citizens to confirm whether certain behaviors are particular to immigrant students with uncertain citizenship status. The research questions include:

1. How do the characteristics of in-state resident tuition students enrolled in a selective public institution compare to those of their Latino counterparts who are U.S. citizens?
2. Are there differences between the persistence rates of students who enrolled as in-state resident tuition beneficiaries and similar students who are legal residents or U.S. citizens?
3. What factors are likely to predict persistence through to degree completion among the ISRT beneficiaries, and do these factors play a similar role for similar students who are U.S. citizens or legal residents?

We begin by providing the context in which the ISRT policy was introduced and has functioned over the last 7 years, followed by a review of the literature related to the persistence rates of students who have characteristics similar to those examined in this study. We follow with our analytic strategy, results, and a discussion of our findings. We end with a series of recommendations for further research and institutional practice.

## **BACKGROUND**

### **Policy Context: Texas In-State Resident Tuition Legislation Amid the Top Ten Percent Plan**

Ten states nationwide have passed in-state resident tuition legislation that benefits undocumented students, although these plans vary in criteria and the level of tuition benefits supported by state governments.<sup>3</sup> This analysis focuses on the original Texas in-state residency criteria set forth in HB 1403, which was revised in 2005 with the passage of SB 1528. The original criteria for HB 1403 examined in this analysis include the requirements that a student:

1. had graduated from a public or private high school or received the equivalent of a high school diploma in the state;
2. had resided in the state for at least 3 years as of the date they graduated from high school or received the equivalent of a high school diploma;
3. register as an entering student in an institution of higher education not earlier than the 2001 fall semester; and

<sup>3</sup> In addition to Texas, nine other states have passed in-state resident tuition policies, including California (2001), New York (2002), Utah (2002), Oklahoma (2003), Illinois (2003), Washington (2003), Kansas (2004), New Mexico (2005), and Nebraska (2006). The Oklahoma policy was repealed in 2007 (Hebel, 2007).

4. provide an affidavit to the institution stating that they will file an application to become a permanent resident as soon as they are eligible to do so<sup>4</sup> (H.B. 1403, 77th Legl., Reg. Sess. (Tex. 2001)).

The amended Senate Bill 1528, which included changes that became applicable to students in the spring of 2006, expanded the provisions of House Bill 1403 to include all individuals who had lived in Texas a “significant part of their lives” (Texas Higher Education Coordinating Board, 2008). The number of students who have qualified for these provisions at all Texas public colleges and universities has increased significantly over the years, but it remains less than approximately 1% of the state’s total public institution enrollment. The estimate of beneficiaries in 2007 ranged from 9,062 to 11,132 students, while Texas public postsecondary enrollment in 2007 was approximately 1,202,572 (Rincon, 2008; Texas Higher Education Coordinating Board, 2008). Despite the small numbers relative to the total population, however, evidence of increased enrollment of ISRT students calls for an examination of whether these students are persisting beyond the first semester, what factors may facilitate this persistence, and whether persistence rates differ from students with similar characteristics but with legal U.S. residency or citizenship status.

The discount provided by an in-state resident tuition policy is substantial. The difference between in-state and out-of-state resident tuition per academic year at UT–Austin, for example, is approximately \$8,000 (Texas Higher Education Coordinating Board, n.d.).<sup>5</sup> These savings, in addition to financial aid available from the state of Texas, make a college degree potentially more accessible for students with uncertain legal status than in states with no tuition policy or even states with a tuition policy but no state financial aid.

The in-state resident tuition legislation in Texas has emerged amid evolving admissions criteria regarding the use of race and ethnicity in college admissions. This policy is particularly relevant for Latino and African-origin immigrant students, who are generally identified as recipients of underrepresented minority student aid and admissions programs. Even before the introduction of in-state resident tuition policies, the University of Texas at Austin operated under a distinct set of admissions practices governed by an alternative admissions plan. After a 1996 federal court ruling barred the use of race in college admissions (*Hopwood v. Texas*), the Texas state legislature enacted House Bill 588, commonly known as the Texas Top Ten Percent Plan. The plan allows the top 10% of high school graduates to enroll at the public university of their choice upon meeting certain criteria. The university’s admissions strategy was further enhanced in 2005 by the reinstatement of race as a factor in admissions decisions as

<sup>4</sup> HB 1403 did not preclude older students from eligibility as long as they met the criteria.

<sup>5</sup> In 2004, 2 year in-state tuition was \$1,631; out-of-state tuition was \$3,405; 4-year in-state tuition was \$4,847, compared to \$12,927 out-of-state tuition.

a result of the 2003 U.S. Supreme Court case, *Grutter v. Bollinger*. As a result, an undocumented student graduating in the top 10% of their high school class could qualify for admission to The University of Texas at Austin and receive in-state tuition and state aid if they met the criteria set forth in House Bill 1403.<sup>6</sup>

## RELEVANT LITERATURE

The college students examined in this analysis represent a particular palate of characteristics that is underexamined in the college persistence literature. They are international students by definition, in that they were not born in the United States. In at least two of three respects they are likely among the first generation in their family to attend any type of postsecondary school in any country, to grow up in the United States (Erisman & Looney, 2007; Gonzalez, 2007), and to attend a U.S. postsecondary institution. Having undocumented status also suggests that the students are highly likely to be of Latino origin and low socioeconomic status (Erisman & Looney, 2007; Passel, 2005). While there is limited information available on the persistence patterns of this group of students at a selective 4-year institution, some literature does explore individual components of the first-generation college, undocumented, Latino student profile in U.S. higher education, although not the configuration of student characteristics examined in this study. The persistence and attrition literature addressing such particular characteristics contributes to the growing understanding of this unique group in U.S. higher education history.

Ishitani (2003), for example, compares the attrition rates of first-generation college students to those of students from families in which both parents have a college degree. Using event history analysis, Ishitani investigates the longitudinal effect of being a first-generation student on the attrition rates of 1,747 students at a large comprehensive midwestern university. He finds that the risk of attrition in the first year of college among the first-generation college students was 71% higher than the attrition rates of students with two college-educated parents. This analysis is compelling in two ways. First, it introduces a method that allows researchers to examine the probability of student departure based on varying student characteristics. Second, it provides a general pattern for a student with no prior generational history of college attendance. However, the comparability of these results to the study of the persistence rates of undocumented students may be somewhat limited, as a majority of the respondents in the Ishitani piece were identified as Caucasian and U.S. citizens. Although Ishitani's study makes a useful contribution to the first-generation college literature, a large research gap

<sup>6</sup>Undocumented students are not eligible for institutional scholarships, such as the University of Texas Longhorn Opportunity Scholarship, a recruitment tool for students at designated high schools that are also Top Ten Percent Plan eligible (Domina, 2007; Horn & Flores, 2003).

on the performance of students who are of a different ethnicity and have uncertain citizenship status remains.

A study by Dozier (2001) focuses on the foreign-born status of an individual. Dozier compares international or documented students who entered U.S. higher education under a student visa (F1 visa) with undocumented students who entered the United States illegally or who overstayed the time allowed on their visa. The study, which examines the demographic characteristics and persistence patterns of 540 international and undocumented students at a community college in New York, found that the undocumented students in the sample were older, had lower grade point averages and higher rates of academic probation and dismissal, and underperformed in the mathematics placement tests than their documented international student counterparts. While the author acknowledges the considerable differences in student characteristics and ultimately concludes that research studies should not consider these two groups of students similar or group them together for programmatic design or recommendations, some important evidence is revealed. First, Dozier acknowledges that the performance of students with these demographic and academic profiles may differ significantly at a 4-year institution compared to a community college. Second, he suggests that immigration policy is a critical selection mechanism among foreign students in U.S. colleges and universities, thereby predicting the likelihood of these students' persistence in these institutions. Third, the author's finding that a majority of the documented international group's country of origin is in Asia suggests that a more careful comparison of foreign students from a similar country of origin would, on average, yield more reliable information. Finally, a majority of the undocumented students in the study had attended high school in their home country.

Dozier's profile of the undocumented student therefore differs from that of the undocumented student in our analysis, whose selection into the sample is dictated by distinct state criteria that include, among other provisions, a 3-year residency in the United States and graduation from a high school in the state where the tuition benefit is offered. That is, an eligible student in this study has spent more time in the United States and has specific academic criteria (a U.S. high school diploma) that may give them a higher probability of persistence than the undocumented students in previous analyses.

Finally, a recent study of college freshman persistence to sophomore year by race and ethnicity at a Texas university highlights potentially important factors relating to the Latino-origin component of our sample (Kaiser & Price, 2007-2008). In a study examining 1,014 students entering a midsize public university in Texas in the fall of 2003, Kaiser and Price (2007-2008) found that for a college freshman, the number of college hours the student earned during their first year of college was the most statistically significant and consistent predictor variable correlated with persistence to the sophomore year. Additional factors examined included first-year college GPA, location of residence, mother's and father's education level, and gender. While cumulative GPA was a significant

factor among the larger sample of all students regardless of race or ethnicity, the effect of cumulative hours taken was also the key primary predictor for a separate sample of Hispanic only students. This analysis provides a glimpse of potential factors relating to the persistence patterns of all Hispanic students, but it did not differentiate by generational status or longer and more detailed periods of time in the college pipeline. Hagy and Staniec (2002) examine the enrollment of Hispanic students by generational status, although they do not examine persistence or completion. The Kaiser and Price (2007-2008) study provides some comparability regarding year of entry (1-year difference), ethnicity, and the context and state of a public institution, although it does not provide similar comparability by generational or citizenship status.

## SAMPLE AND METHODS

This study uses a unique longitudinal dataset provided by the University of Texas at Austin, which provided admission, enrollment, and course-taking information over a 10-year period for all students who applied as first-time college freshmen. In order to study the persistence patterns of ISRT-eligible students relative to their non-ISRT eligible Latino peers, this sample includes all students admitted and enrolled as freshmen in fall 2004 who were either eligible for in-state resident tuition as stipulated by House Bill 1403 ( $n = 102$ ) or self-identified as Latino ( $n = 1148$ ) on the Texas Common Application.<sup>7</sup> We compare only these two groups (who are included in the full group of 6,818 admitted and enrolled freshmen in 2004) because, for the purpose of this analysis, we are primarily interested in identifying differences between students targeted by the original in-state resident tuition legislation and an ethnically and racially similar group of non-eligible peers (Rincon, 2008). We use the 2004 freshman cohort for relevant policy and time-related reasons, as 2004 marked an important year in the context of policy implementation. Specifically, using this entering cohort year allows us to capture data on the cohort that was the last to complete 4 years of college before substantial changes were made to the original legislation, and which ultimately resulted in the revisions found in Senate Bill 1528. In other words, the 2004 cohort provides 4 years of data (eight long semesters) on students eligible for the original provisions of the in-state resident tuition bill to examine persistence patterns at a finer-grained level than simply from year to year.<sup>8</sup>

<sup>7</sup> The Texas Common Application is a single application that can be used to apply to any public university in Texas and is available in English and Spanish. For additional information, see [https://www.applytexas.org/adappc/gen/c\\_start.WBX](https://www.applytexas.org/adappc/gen/c_start.WBX)

<sup>8</sup> See Ishitani and DesJardins (2002-2003) and DesJardins, Ahlburg, and McCall (2002) for additional information on the effect of factors affecting student departure over time.

## ANALYTIC STRATEGY

In order to examine the relative persistence patterns of ISRT and non-ISRT Latino students over time, this study employs a Cox proportional hazard regression analytical approach. Often referred to as proportional hazard models, such regressions estimate “effect of secondary variables on survival. . . . It’s strength lies in its ability to model and test many inferences about survival without making any specific assumptions about the form of the life distribution model (National Institute for Standards and Technology/SEMATECH, 2006, n.p.). Because of the nature of the available data, rather than limiting the definition of persistence to two static points in time (e.g., from first to second semester or from first to last semester), this analysis considers the distribution of survival times (Fox, 2002) across eight long semesters. In calculating these estimates, it is important to account appropriately for the conditional influences on the likelihood of survival from semester to semester without assuming a distribution in calculation of the hazard ratios (Garson, 2008). For the purpose of this study, the dichotomous dependent variable was enrollment status for a given semester (indicated by a 1 if enrolled and 0 if not). The independent variables included high school academic rank (Adelman, 2006), SAT and ACT scores (Lemann, 1999), and flags for ISRT (Marin & Flores, 2008) and HS 588 eligibility (Kain & O’Brien, 2004; Tienda & Niu, 2006). Additionally, models were run to include a time-varying covariate, semester GPA (Ishitani, 2003), to control for its varying influence on the likelihood of being enrolled in a given semester.

## RESULTS

### Descriptive Statistics

Table 1 presents descriptive information about the sample. As the data reveal, these two groups of students are similar in many respects. For example, 9% of non-ISRT students graduated within 4 years of matriculation, compared with 11% of ISRT students. Additionally, 38% and 35% of non-ISRT Latino and ISRT students, respectively, had departed at least once during the eight long semesters considered in this study. For both groups, approximately 69% of all the students who were enrolled as freshman in fall 2004 were enrolled in the last semester for which data were available. The two groups diverge, however, on several key indicators. In 2004, the non-ISRT Latino freshmen had a much higher proportion (76%) eligible for automatic admission under House Bill 588 than ISRT students (58%). Furthermore, the mean SAT verbal and math scores are substantially higher for ISRT students (558 and 635, respectively) than for their non-ISRT Latino counterparts (517 and 529, respectively).

Taken together, this demographic portrait represents students who entered college with a strong high school academic record, as evidenced by the typically

Table 1. Descriptive Statistics for Students Enrolled as In-State Resident Tuition Policy Beneficiaries (ISRT) and Latino Students Not ISRT Eligible

Variable	Non-ISRT students <sup>b</sup>	ISRT students <sup>b</sup>
<b>Demographics</b>		
Percentage female	54 [625]	54 [52]
<b>Status</b>		
Percent graduated by spring 2008	9	11
Percent departed at least once during 8 semesters	38	35
Percent enrolled as of spring 2008	69	70
<b>Academic status</b>		
Percent HB 588 eligible	76	58
Mean ACT <sup>a</sup>	9	4
Mean SAT verbal	517	558
Mean SAT math	7	9
Mean rank in high school	529	635
<b>Total students</b>	<b>1,148</b>	<b>102</b>

<sup>a</sup>ACT means should be interpreted with caution as very few students took the ACT.

<sup>b</sup>Numbers in brackets represent total sample.

high class rank of these entering students, as well as other traditional predictors of first-year college performance (i.e., SAT scores). In understanding the total sample's strength as an incoming cohort relative to their freshmen peers, consider the fact that the mean SAT scores for the entire group of freshmen entering UT-Austin for the first time in fall 2004 were 602 verbal and 628 math (University of Texas at Austin Office of Institutional Research, 2005). In the context of the college persistence literature, then, the students in the study entered college at least reasonably well-positioned for a successful experience. This potential for success is reinforced by the fact that 69% of both groups remained in school 4 years after starting.

### Cox Proportional Hazard Regression Results

To help understand the relative persistence patterns of ISRT-eligible students and their non-ISRT-eligible Latino counterparts, Figure 2 displays the proportion of first-time college freshmen enrolled at each semester from each group.

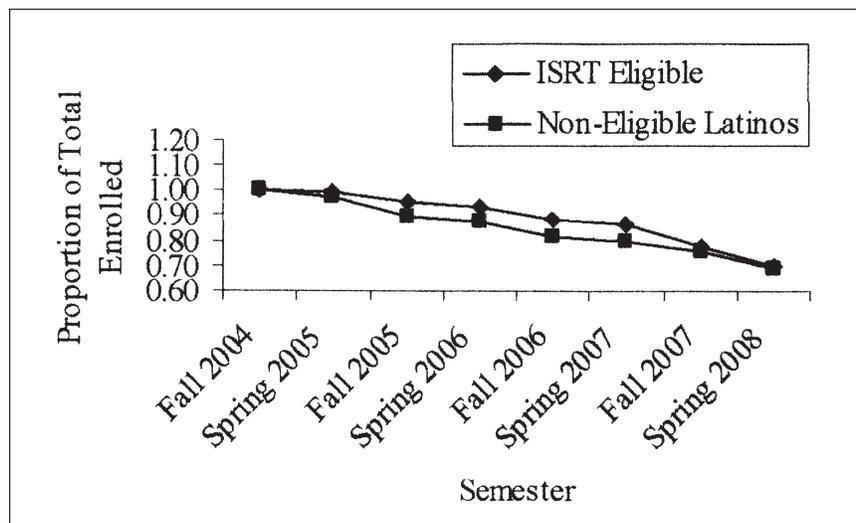


Figure 2. Enrollment by semester and ISRT status, fall 2004 through spring 2008.

As can be seen, a greater proportion of ISRT-eligible students were enrolled in all semesters included in the study, although the differences between the two groups are relatively small. For example, in fall 2005, 95% of the original group of ISRT-eligible students was enrolled, compared to 90% of the non-ISRT-eligible Latino students. The largest gap (6 percentage points) is seen in spring 2007.

Figure 3 presents the survival functions, by semester, for ISRT-eligible students compared with their non-ISRT-eligible counterparts. As can be seen again, the two groups are virtually indistinguishable across semesters, with only modest exceptions. For example, there was less than a 1% gap in survival functions between ISRT-eligible and non-ISRT-eligible Latino students for the first five semesters of analysis. It is only in the last two semesters that those gaps widen slightly, to 3% and 4%, respectively (survivor functions, by semester, are presented in Table 2).

In further considering the differences in persistence patterns between ISRT-eligible and non-ISRT-eligible Latino students, the study undertook analyses that included a time-varying covariate, semester GPA. Table 3 presents the regression coefficients and identifies that, in fact, only semester GPA, by semester, serves as a statistically significant predictor of the likelihood of persistence for a given time period.

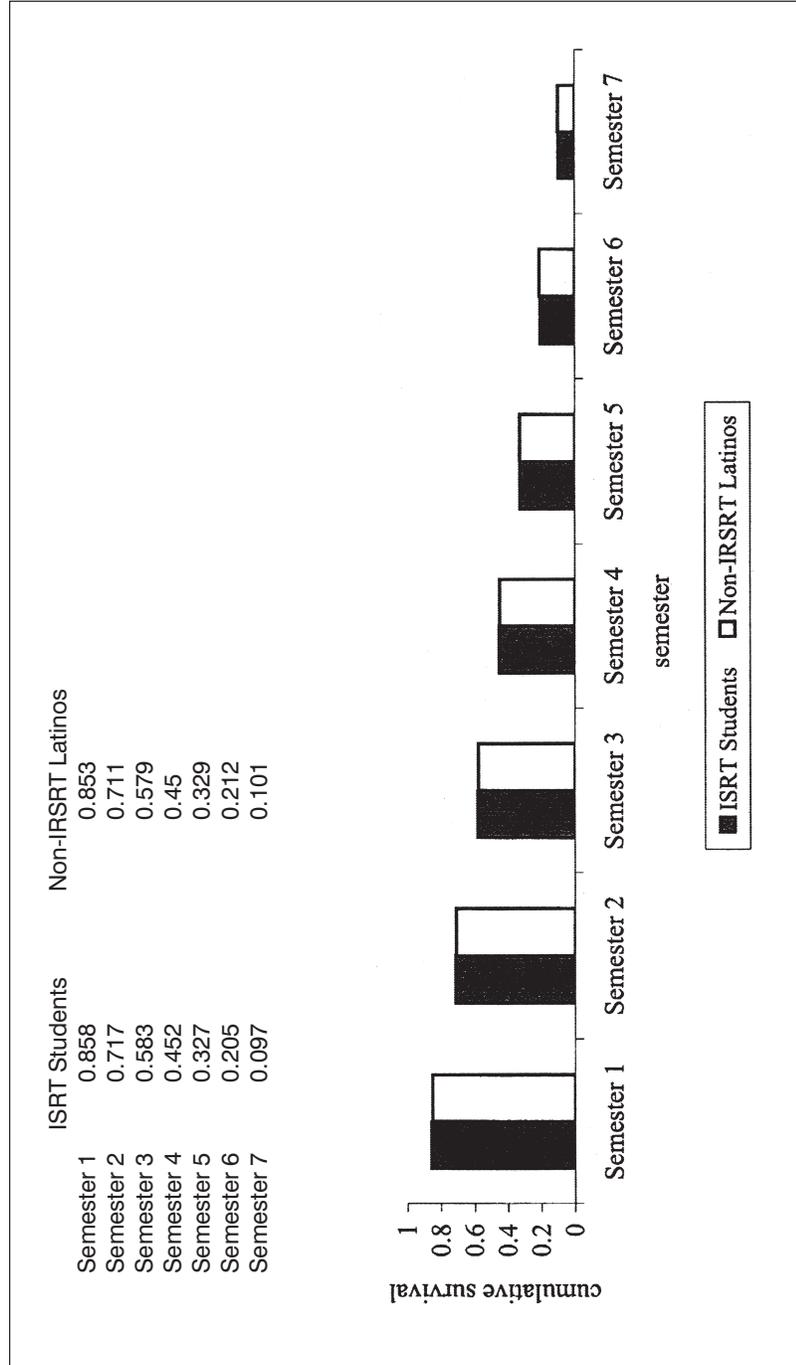


Figure 3. Survival function for ISRT and non-ISRT students at the mean of the covariates.

Table 2. Survivor Functions of  
First Seven Long Semesters,  
by ISRT Eligibility Status

Semester	Eligible	Not eligible
1	0.858	0.853
2	0.717	0.711
3	0.583	0.579
4	0.452	0.45
5	0.327	0.329
6	0.205	0.212
7	0.097	0.101

**Source:** The University of Texas at Austin  
Administrative Data, 2004 to 2008.

Table 3. Cox Regression Model with  
Time Varying Covariate (GPA),  
Fall 2004 through Spring 2008  
(*N* = 1250)

Semester	Coefficient
Gender	.01
ACT	-.001
SAT verbal	.001
SAT quantitative	.001
Time varying GPA	1.80*
588 eligibility	.01
1403 eligibility	.006

\*Significant at the .05 level.

**Source:** The University of Texas at Austin  
Administrative Data, 2004 to 2008.

## LIMITATIONS

Several limitations contextualize the findings of this study. First, although the total sample size is sufficient ( $n = 1250$ ), the number of ISRT-eligible students is small. Second, while the study controls for overall GPA, it does not consider the types or number of classes a student was enrolled in for a given semester. Third, key demographic information, such as parental education levels, family income, and other factors associated with college persistence were not available for the ISRT-eligible (undocumented) students for reasons not made known to the institution, although similar data were available for non-ISRT-eligible students (U.S. citizen Latinos serving as the control group). This condition that made it impossible to control for such variables the literature has suggested may also have an influence on the likelihood of persistence. Finally, due to the size and nature of the available sample, we were not able to account for the critical role of the particular academic elements or larger social systems of a postsecondary institution. Previous work has documented the crucial structural role on the college student experience of two particular elements: the academic and social realms of a college and university (Braxton, Hirschy, & McClendon, 2004). While we document the academic role, the social forces that impact the college student, especially as defined by organizational, psychological, and sociological frameworks, remain unexamined with current data. Moreover, the critical role of faculty members in the retention of students in general (Tinto, 1990) is not included in the study. Even with these limitations, however, this is a growing area of empirical research as it relates to a population rarely documented in the higher education literature, and we seek to provide a foundational picture of retention from which additional researchers can expand. In sum, this study sets the stage for further research examining how the interaction between institution and student differs based on citizenship status.

## CONCLUSION: RESEARCH AND POLICY

### Recommendations for Research

By 2008, various new in-state resident tuition plans faced a series of legal challenges, sometimes from the same legislatures that originally passed such bills (Zehr, 2006). In other cases, state legislation was challenged by private parties, such as in Kansas and, most recently, in California (Krupnick, 2008). The legal environment for these plans remains uncertain, yet this study suggests that students living in a state with an in-state resident tuition program may persist in college. At the same time, universities are working continually to help all students make a successful transition into college life so that state and federal investments in postsecondary outcomes are not wasted. This is particularly relevant, in that college completion rates have remained stagnant over the last three decades even though college enrollment for most students

has increased (Turner, 2004). This study's findings, while limited, provide a first important look at the persistence patterns of ISRT-eligible students at a large selective university, and provocatively suggest that ISRT beneficiaries are remaining in college at rates similar to those of their non-ISRT-eligible Latino peers.

Additional research and new methodologies are greatly needed to explore this population with regard to institutional, state, and federal policy. One example of future research may be peer institutional comparisons across multiple states by 2- and 4-year sector to further dissect the distinct institutional and individual factors in the persistence and attrition equation. Of particular importance is disaggregating the role of selectivity in these analyses, as students in selective institutions may perform differently than students in the community college sector, the type of institution where most immigrant students, regardless of legal status, are likely to enroll. Previous research has documented the critical differences between residential and commuter institutions, signaling that similar theoretical constructs should be replicated on student populations according to citizenship status (Braxton et al., 2004). In addition, comparing the role of California's in-state resident tuition program, which does not offer state aid, with that of the Texas ISRT program may help further isolate the role of particular kinds of financial aid. Furthermore, understanding the specific institutional contributions to the persistence patterns of ISRT students is essential, in that, as the literature suggests, campus-level conditions, or quality of institutional support, may have a strong influence on student success (Braxton et al., 2004; Tinto, 1993). These recommendations, among others, will be possible only with appropriate data quality and availability as well as sensitivity to its management. Institutional cooperation is key, while sensitivity to the unprecedented availability of such data cannot be overstated.

### **Recommendations for Policy**

If high-achieving undocumented students are as likely to persist in a selective public institution as similar students with legal citizenship status, what implications might this have for institutional, state, and federal policy? The 2001 in-state resident tuition policy in Texas, HB 1403, was passed with the intention that the provision of a postsecondary education to undocumented students was a gain for economic welfare of the state. Similar arguments were brought forth in states such as California, Nebraska, and Kansas (Kobach, 2007; Olivas, 2004, 2008; Reich & Ayala Mendoza, 2008; Rincon, 2008). Research has begun to document that certain states with a tuition policy are indeed more likely to enroll students likely to be undocumented than similar states without an in-state resident tuition law (Flores & Chapa, 2009). This study adds to the research on undocumented students by identifying levels of persistence at a selective public

university of students who were able to succeed through the college pipeline components of:

1. graduating from high school;
2. deciding to enroll in college;
3. enrolling in a selective public institution.

Each step in this pipeline presents challenges and opportunities for updated assessment at the institutional, state, and federal levels of policy.

As state legislatures continue to implement retractions of in-state resident tuition policies, we suggest they evaluate the economic returns on their investments as they relate to this population of students. States, however, cannot fully yield the return on the in-state resident tuition policy investment, in this case an associated positive return, without further federal intervention on this issue. A federal law permitting students who have persisted to successfully increase their human capital skills to legally exercise these newly gained skills in the U.S. labor market is the next and necessary step to fully receive the return on investments to date. Finally, as institutional response to students remains an important factor in the retention of students, educating university officials and staff on the delicate nature of the realities of these students should be considered an important institutional priority. Such officials are likely to be the key gatekeepers to experiences that facilitate both retention and departure.

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