



Legislation Text

File #: Res 1671-2013, **Version:** *

Res. No. 1671

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, the New York State Development, Relief and Education for Alien Minors (DREAM) Act of 2013 (S.2378/A.2597).

By Council Members Dromm, Rodriguez, Barron, Brewer, Chin, Comrie, Eugene, Ferreras, Gonzalez, James, Koo, Koppell, Lander, Mark-Viverito, Mendez, Palma, Richards, Rose, Van Bramer, Vann, Williams, Lappin, Jackson, Mealy and Reyna

Whereas, According to the 2010 U.S. Census, New York State is home to 4.3 million immigrants, three million of whom live in New York City; and

Whereas, New York State is also home to 1.4 million children of immigrant parents, many of whom live in New York City; and

Whereas, As of 2011, New York State public schools were educating approximately 400,000 undocumented youth yearly; and

Whereas, Immigrant youth, regardless of their immigration status or the immigration status of their parents, are entitled to free public education through the 12th grade and are eligible to enroll in college; and

Whereas, Undocumented immigrant students and the children of undocumented immigrants with a high school diploma often do not pursue higher education because the fact they do not have legal immigration status renders them ineligible for financial aid assistance and makes higher education impossible for them to afford; and

Whereas, Federal legislation has been introduced to address this issue, for example, the federal DREAM Act of 2009 and the Comprehensive Immigration Reform Act of 2011, among others, but nothing has been passed; and

Whereas, Although the federal government failed to act, Texas, New Mexico, and California offer state

financial aid to children of undocumented immigrants and undocumented youth; and

Whereas, In order to do more to help immigrant families and youth, two pieces of legislation, known as the New York DREAM Act and the New York DREAM fund were introduced in the New York State Legislature during the 2011-2012 Regular Session; and

Whereas, The 2011/2012 New York DREAM Act and the New York DREAM fund legislation sought to provide certain higher education-related benefits to eligible undocumented immigrants and to establish a fund that would provide financial assistance to eligible immigrants who wished to pursue higher education; and

Whereas, Despite the support for both of these bills from many, including the State University of New York Board of Trustees, and the advocacy of many, including New York City's immigrant youth and the New York City Council, both bills died during the 2011-2012 Legislative Session; and

Whereas, In January 2013, modifying and combining those bills, Assemblyman Francisco Moya and Senator Jose Peralta introduced the New York State DREAM Act of 2013 (S.2378/ A.2597), a bill that would “enact the New York State DREAM Act by creating the New York DREAM fund commission and amend eligibility requirements and conditions governing certain awards”; and

Whereas, The New York State DREAM Act of 2013 would establish a New York DREAM fund commission that would raise private dollars to provide scholarships to eligible immigrant students in order to assist them in pursuing a higher education; and

Whereas, Also, the New York State DREAM Act of 2013 would increase access for eligible immigrant youth and the children of undocumented immigrants to various forms of financial assistance, including the Tuition Assistance Program, Higher Education Opportunity Program, Collegiate Science and Technology Entry Program, Educational Opportunity Program, and opportunity programs available at community colleges; and

Whereas, In addition, the New York State DREAM Act of 2013 would give immigrant families, regardless of status, the opportunity to save for higher education costs, by allowing immigrants with a taxpayer identification number to open a New York State 529 family tuition account under the New York State College

Tuition Savings Program; and

Whereas, To be eligible for benefits under the New York State DREAM Act of 2013, an applicant would be required to establish that he or she: (1) attended a registered New York high school for two or more years, graduated from registered New York high school, and applied for attendance at the institution of higher education for undergraduate study for which an award is sought within five years of receiving a high school diploma; (2) attended an approved program for a state high school equivalency diploma, received a diploma, and applied for attendance at the institution of higher education for undergraduate study for which an award is sought within five years of receiving such diploma; or (3) is otherwise eligible for the payment of tuition and fees at a rate no greater than that imposed for resident students of the State University of New York, the City University of New York or community colleges; and

Whereas, Undocumented immigrant youth would also be required to submit an affidavit to the higher education institution to demonstrate that steps have been taken to legalize their immigration status, or that they will take such steps as soon as they are eligible to apply for such status; and

Whereas, If enacted, the New York State DREAM Act of 2013 would have a profound positive impact on both New York State itself and the estimated 400,000 undocumented youth who call New York their home; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, the New York State Development, Relief and Education for Alien Minors (DREAM) Act of 2013 (S.2378/A.2597).

JSM
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