

**PRESS RELEASE FOR IMMEDIATE RELEASE**

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April 29, 2014

**LEGAL AID JUSTICE CENTER'S IMMIGRANT CLIENTS  
WIN IN-STATE TUITION ELIGIBILITY IN VIRGINIA**

CHARLOTTESVILLE, VA – Seven courageous immigrant students represented by Legal Aid Justice Center have won their effort to gain in-state tuition eligibility—not just for themselves, but for thousands of Virginia recipients of Deferred Action for Childhood Arrivals (DACA). Virginia Attorney General Mark Herring announced this morning that DACA recipients are eligible to apply for in-state tuition under existing Virginia law, as the students had argued in a lawsuit filed by the Legal Aid Justice Center last year. Legal Aid Justice Center thanks Attorney General Herring for opening the doors of educational opportunity to these deserving Virginia students.

Last autumn, at a time when advocates were focused on trying to win in-state tuition eligibility through the General Assembly, Legal Aid Justice Center attorney Simon Sandoval-Moshenberg realized there was a parallel path worth pursuing at the same time. By his reading, DACA recipients should have already been considered eligible for in-state tuition under existing Virginia statutes. The Legal Aid Justice Center filed a lawsuit based on this argument in Arlington County Circuit Court on December 17, 2013 on behalf of the seven students. Available at [https://www.justice4all.org/wp-content/uploads/2013/12/Orellana\\_v\\_SCHEV.pdf](https://www.justice4all.org/wp-content/uploads/2013/12/Orellana_v_SCHEV.pdf).

Legal Aid Justice Center's student clients had been granted DACA status by the federal government, were authorized to work in the United States, and met the legal presence requirement for obtaining a Virginia driver's license. But although these students grew up in Virginia and graduated from Virginia high schools, the State Council of Higher Education for Virginia (SCHEV) had told them they were ineligible for in-state tuition rates at Virginia's public colleges and universities. The students' lawsuit has been withdrawn. With today's announcement by Attorney General Herring, the goal of the lawsuit has been accomplished.

"I've lived here in Virginia since I was twelve years old," said plaintiff Giancarla Rojas, who is now twenty. "I graduated from Falls Church High School and now I'm a student at Northern Virginia Community College, preparing to transfer to George Mason in the fall. Paying in-state tuition going forward, I should be able to finish my degree much more quickly. This is a huge relief for me and my family."

"I couldn't even keep taking classes part-time at Piedmont. I had to stop so I could work full-time to save up money to try to pay out-of-state tuition," said plaintiff Ramiro Vazquez

Morales, 21, who graduated from Monticello High School in Albemarle County. “In-state tuition will give me another chance to continue my education.”

“I’ve been paying out-of-state tuition rates at Piedmont Community College, even though I’ve been here in Virginia since I was four years old,” said plaintiff Miriam Garcia Aleman, 19, who graduated from Monticello High School in Albemarle County last year. “My parents have worked hard to pay for my studies. In-state tuition will make things much easier on my family financially.”

“This is about Virginia high school graduates wanting to continue their education here in Virginia,” said Tim Freilich, Legal Director of the Legal Aid Justice Center’s Immigrant Advocacy Program. “It’s completely appropriate that Virginia should help these students realize their dreams. Today’s policy change is a smart investment in the futures of these students, and the future of Virginia.”

“The Attorney General is on solid legal ground granting in-state tuition to DACA recipients,” said Legal Aid Justice Center attorney Simon Sandoval-Moshenberg. “If you are familiar with the DACA program and take a look at existing Virginia law, it’s clear that these students should have been eligible for in-state tuition benefits all along. Going forward, we will monitor implementation of this policy change to ensure that all immigrant students get the tuition benefits to which they are entitled.”

“Today we celebrate the Virginia Attorney General’s announcement regarding in-state tuition,” said Freilich. “Tomorrow we continue the fight on the federal level for a path to full citizenship for these Virginia students and their families.”

Legal Aid Justice Center has been working for many years, together with our clients and community partners, to improve immigrant access to higher education both legislatively through the General Assembly, as well as through the direct representation of immigrant students.

“Legal Aid Justice Center is proud to be a member of Virginia’s diverse and dedicated immigrant advocacy community, and we honor the many community leaders, advocates, and elected officials whose tireless work has paved the way for today’s announcement,” said Freilich. “Above all, we honor the courageous immigrant students who continue to inspire us with their personal stories.”

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Legal Aid Justice Center provides legal representation for low-income individuals in Virginia. Our mission is to serve those in our communities who have the least access to legal resources.

For more information, please visit [www.justice4all.org](http://www.justice4all.org).