UNDOCU-BASICS

Brought to you by:
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Penn for Immigrant Rights
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THE ISSUE
WHAT IS AN ‘UNDOCUMENTED’ STUDENT?

- They are living in the country unauthorized and have no social security number
- Many entered without inspection, but many more have merely overstay their visas
Has remained unchanged at roughly 11 million since 2009

3/5 have been in the US for more than a decade

They account for roughly 1-in-20 workers

(Pew Hispanic Center and Department of Homeland Security)
4.5 million native-born US citizen children have at least one unauthorized parent

Another 1 million children are unauthorized themselves

7000-13,000 are currently enrolled in college throughout the US

(Pew Hispanic Center)
COUNTRY OF ORIGIN

Mexico 60%
El Salvador 6%
Guatemala 5%
Honduras 3%
Philippines 3%
India 2%
Ecuador 2%
Brazil 2%
Korea 2%
China 1%
Other 14%

(Department of Homeland Security)
Isn’t there a way for them to become citizens the “right way”?  
Why don’t they just get in line?  
Why should they get special treatment?
## WHERE IS THE LINE?

| **Employment Green Cards** | • High skilled professions requiring high levels of education  
• 5000 per year cap for unskilled or low skilled workers |
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<td><strong>Family Immigration</strong></td>
<td>• US citizens can petition for spouses, parents, children, and siblings</td>
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| **Political Refugees**     | • Must prove a “well-founded fear of persecution”  
• No economic refugees |
| **Diversity Visa**         | • 55,000 green cards available in a “lottery” to those from countries with low rates of immigration to US |

(Immigration Policy Center)
Requirements are usually very specific.

Every situation is different.

There is no clear or easy path.
LIVING UNDOCUMENTED
THE OBSTACLES

- No state ID
- No driver’s license
- No employment
- No public benefits
- No federal money (FAFSA)
MENTAL HEALTH

- Fear
- Anxiety
- Depression
- Shame

- Deportation
- Family Separation
- Substance Abuse
- Suicide
- Uncertain Future
- Pressure
- Blame Game
- Alienation

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65,000 undocumented students graduate from US high schools every year (Urban Institute)

Meeting others in their situation helps keep them motivated

THEY ARE NOT ALONE!
SELF DISCLOSURE

- Must be a safe space based on trust and confidentiality
- Let them tell you, and ask before sharing
- All that really matters is them knowing they have options
Motivation to perform well in school

Not planning college or career paths

Refusing to participate in certain programs even if qualified

Scared to travel anywhere (field trips)

Using passport or school card as main form of ID

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They might not be aware of their status yet
Youth typically find out their Junior year of high school
Coming of age and college applications trigger awareness
IS IT SAFE TO BE PUBLIC?

- Come out of the Shadows!
- Sense of community and support system
- Even after civil disobedience, publicly undocumented youth remain in the US
From the Undocumented Students’ Perspective

HIGHER EDUCATION
Like any other student they should prepare for success
- Extra-curricular activities
- Community service
- Leadership positions

However, with added pressure to be the best
No federal law prohibits their admission to colleges or universities (public or private)

- Nor is it federally required to prove citizenship for admission

Primary obstacle is financial

- They cannot obtain Student Visas, so universities will code them as “international”
“UNDOCU-FRIENDLY” SCHOOLS

Look here first

- In state tuition
- Private schools
- Supported federal dream act (NILC)
  - More than 73 colleges and universities across US
- Multicultural centers

Questions to ask

- Are there any institutional scholarships available?
- Are residency requirements fixed?
- Can students who do not meet the residency requirements still apply?

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THE FORMS

FAFSA: No
SAT: Yes
ACT: Yes
Common App: Yes
CSS Profile: Yes

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There are direct and less direct ways of incorporating their immigration status.

They should NEVER have their status overshadow their academic achievements.

Know the audience – some schools care more than others.
Largest Databases

- Scholarships A-Z
- Mexican American Legal Defense and Education Fund
- Educators for Fair Consideration
- United States Hispanic Leadership Institute
- U. of Maryland National Scholarships Office
POST COLLEGE

- Open a bank account
- Rent an apartment
- Pay taxes
- Open an LLC
- Individual Tax Identification Number
NATIONAL RESOURCES

- DreamActivist.org
- United We Dream
- Educators for Fair Consideration
- National Immigration Law Center
- Immigrant Legal Resource Center
- Immigration Policy Center
- National Council of La Raza
- Pew Hispanic Center
FEDERAL LEGISLATION

- Plyler v. Doe
  - Supreme Court ruling making K-12 education a fundamental right, regardless of status

- FERPA
  - Protects privacy of student records at educational institutions, including elementary & secondary schools, colleges, and universities

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DEFERRED ACTION FOR CHILDHOOD ARRIVALS (DACA)
REQUIREMENTS

- Have arrived to the US before the age of 16 and not be older than 31
- Have been living in the US for five consecutive years
- Have graduated from high school or obtain a GED
- Have good moral character
PURPOSE

- Grants someone deferred action – reprieve from deportation
- Allows you to apply for a work permit
- Both must be renewed in two years
BUT...

- If you get rejected you cannot appeal
- It is not an executive order
- It does NOT provide a path to legalization
- A long-term solution is still necessary!
IN-STATE TUITION

(State Dream Acts)
IN-STATE TUITION?

- Allows undocumented students to pay the same rate as their citizen counterparts for higher education.

- Specific requirements vary by state:
  - Student must reside in the state for a number of years.
  - Graduate high school or acquire GED in state.
In state tuition
Financial aid
Banned from public colleges
DEVELOPMENT, RELIEF, AND EDUCATION FOR ALIEN MINORS ACT (DREAM ACT)
**REQUIREMENTS**

- Came to the U.S. before the age of 16
- Have been in the U.S. for at least 5 years before the bill’s enactment
- Graduate from a U.S. high school or obtain a G.E.D.
- Demonstrate good moral character

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PURPOSE

Conditional Permanent Residency

- Eligible for federal loans and work-study programs
- Can work, drive, go to school, enlist in the military
- Limited travel outside the country

After 6-10 Years

- Legal Permanent Residency
- Can apply for US citizenship
I QUALIFY...NOW WHAT?

Meet the requirements!

- Complete at least 2 years of higher education (college or university) **OR**
- 2 years of military service
- Maintain good moral character
COMPREHENSIVE IMMIGRATION REFORM
FEDERAL CONVERSATION

- Secure border
  - What are the guidelines for when the border will be secure “enough” for undocumented immigrants to be considered for citizenship?

- Family unity
  - Only married couples? With kids? What about LGBT partners?

- Visa backlog
  - How are they addressing this? What about workers’ visas?

- E-Verify, Secure Communities, 287 (g)
  - Will they be keeping these programs in place? Have they come up with more effective methods?
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