

STRATEGIES FOR PROVIDING BETTER SUPPORT TO UNDOCUMENTED/DACA STUDENTS

JOE SAUCEDO, M.ED.

JULY 28, 2020



LEARNING OUTCOMES

- You will have a better understanding of the needs of undocumented or DACA students.
- You will be able to provide students with culturally-relevant support.
- You will learn practical ways to develop inclusive programming.

AGENDA

- Vocabulary 101
- Broad overview of higher education and undocumented students
- Economic contributions of undocumented immigrants
- BREAK – 10min
- Student testimonials
- Strategies for supporting undocumented/DACA student success
- Programming tips and case studies
- Q&A and call to action

If you don't
have to think about it,
it's a privilege.

CITIZENSHIP PRIVILEGE

- I don't have to worry daily about me or my family being discovered or deported.
- I can apply for a passport that will allow me to travel back and forth to most countries in the world.
- If I want to get a driver's license, it's a matter of bringing my birth certificate, social security card, insurance card, and taking the test.
- I can apply for a work-study job or any job without too much worry.
- I can vote in any local or national election for policies or people who will create laws that affect me and my loved ones.
- I can apply for financial aid at universities that are supported by my family's tax dollars.

Source: Adapted from Washington Dream Coalition

**undocumented,
unafraid and
unapologetic**



Artist: Julio Salgado

TERMINOLOGY

Undocumented - Refers to people who are not U.S. citizens or Permanent Residents of the United States, who do not hold a current visa to reside in the U.S. and who have not been approved for legal residency in the U.S.

DREAMers - undocumented and also part of the DREAM Act movement. *Not all undocumented students* identify as DREAMers and some who were part of the movement are now demanding allies to not use the term anymore.

DACA-mented - used by undocumented individuals who have been granted Deferred Action for Childhood Arrivals (DACA). DACA-mented (similar to Dreamer) is sometimes used as a way to navigate away from the negative connotations given to terms such as undocumented immigrant, non-U.S. citizen and so forth.

Mixed Status Family - Refers to students who either: Are undocumented but have family members that are Legal Permanent Residents (LPRs) or U.S. Citizens, or are LPRs or U.S. Citizens but have family members who are undocumented.



NO HUMAN
BEING IS
ILLEGAL





Intersection of Federal Laws and Education

1974	1982	2012	2020
<p>FERPA</p> <p>Protects students' privacy rights regarding the disclosure of information of the student's education records. Students may suppress their <i>Directory Information</i> with the registrar at their institution from any third party entity.</p>	<p>Supreme Court Case Plyler vs. Doe</p> <p>States cannot constitutionally deny free public education on account of immigration status.</p>	<p>Deferred Action for Childhood Arrivals (DACA)</p> <p>DACA is a program fought for and won by undocumented immigrants. Executive Action that protects eligible applicants from deportation and gives them work authorization for a renewal period of 2 years. <i>DACA provides lawful presence but it does not provide lawful status.</i></p>	<p>SCOTUS DACA Decision</p> <p>The Supreme Court decided that the current administration way of ending the program was "reckless and unreasonable." This means the administration will attempt other avenues to end the program - however, DACA survives and we await details on new applications moving forward.</p>

DEFERRED ACTION FOR CHILDHOOD ARRIVALS

PROS

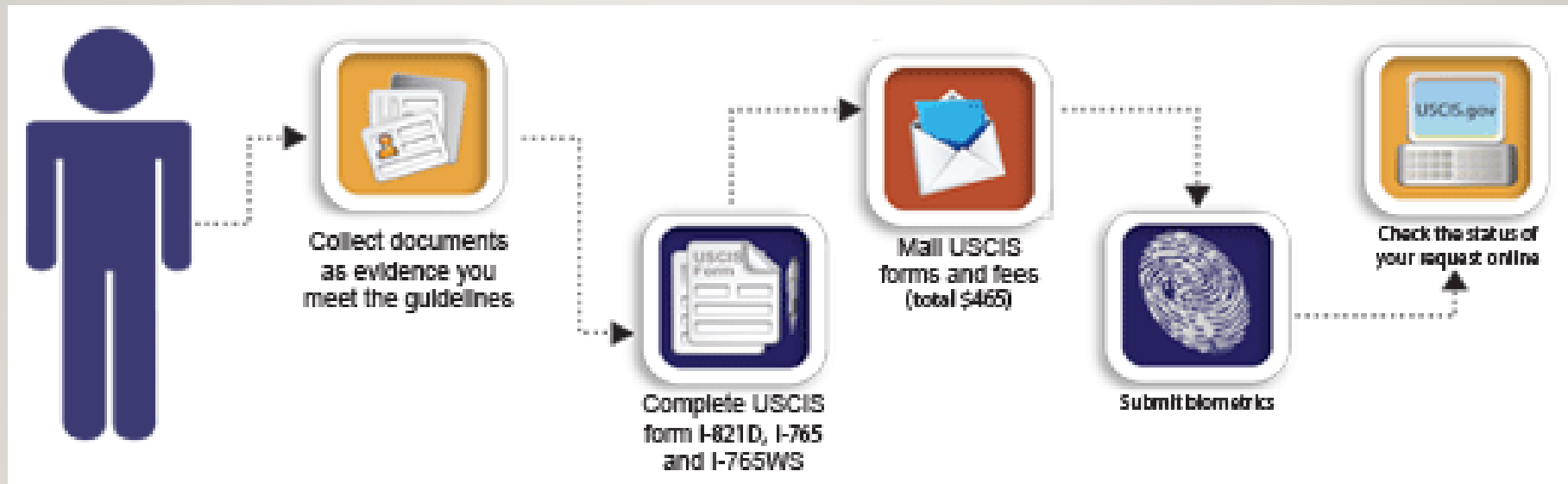
- Protection from deportation that can be renewed every 2 years
- Access to a work permit
- Valid state ID and social security #
- Driver's license in most states
- Professional licensure in certain states

CONS

- No legal pathway to citizenship or lawful status
- Application fee is \$495
- Does not override exclusion from federal financial aid
- DHS has access to applicant's private information

Source: The Immigration Initiative at Harvard

DACA FILING PROCESS



Source: U.S. Citizenship and Immigration Services

UNDOCUMENTED YOUTH AND DACA

- Of the 125,000 undocumented youth who are reaching high school age, 98,000 graduate from high school each year:
 - only 5-10% will attend college, more than likely a community college.
- As of September 2019, there are 653,880 DACA recipients and an estimated 1,322,000 who are DACA-eligible and may be hoping to apply for the first time.

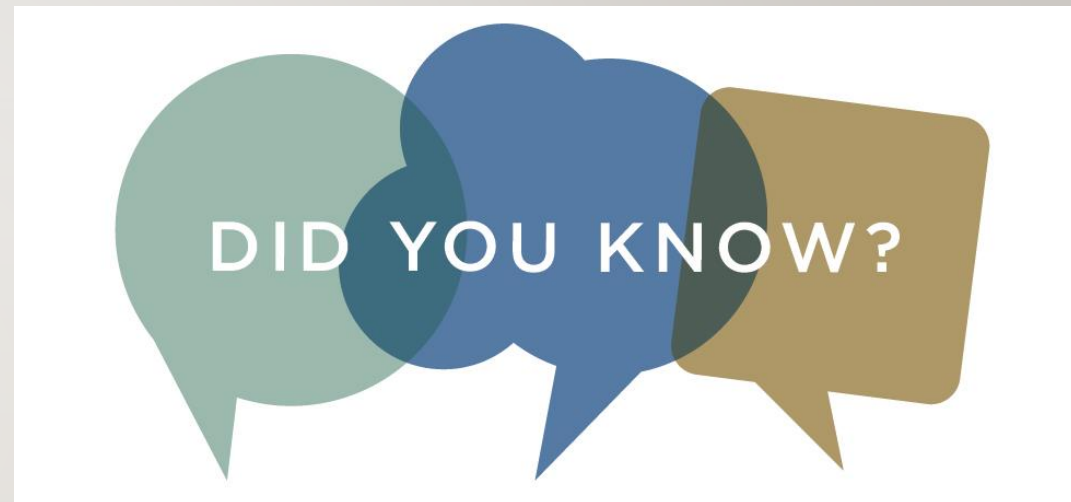
Source: Migration Policy Institute

OHIO – IMMIGRATION STATS

- More than 50,000 U.S. citizens in Ohio live with at least one family member who is undocumented.
- The top countries of origin for immigrants were India (11 percent of immigrants), Mexico (8 percent), China (6 percent), the Philippines (3 percent), and Canada (3 percent).
- 3,880 active DACA recipients lived in Ohio as of 2019
- As of 2019, 46 percent of DACA-eligible immigrants in Ohio had applied for DACA.
- Fewer than 2,000 additional Ohio residents would satisfy all but the educational requirements for DACA, and fewer than 1,000 would be eligible as they grew older.

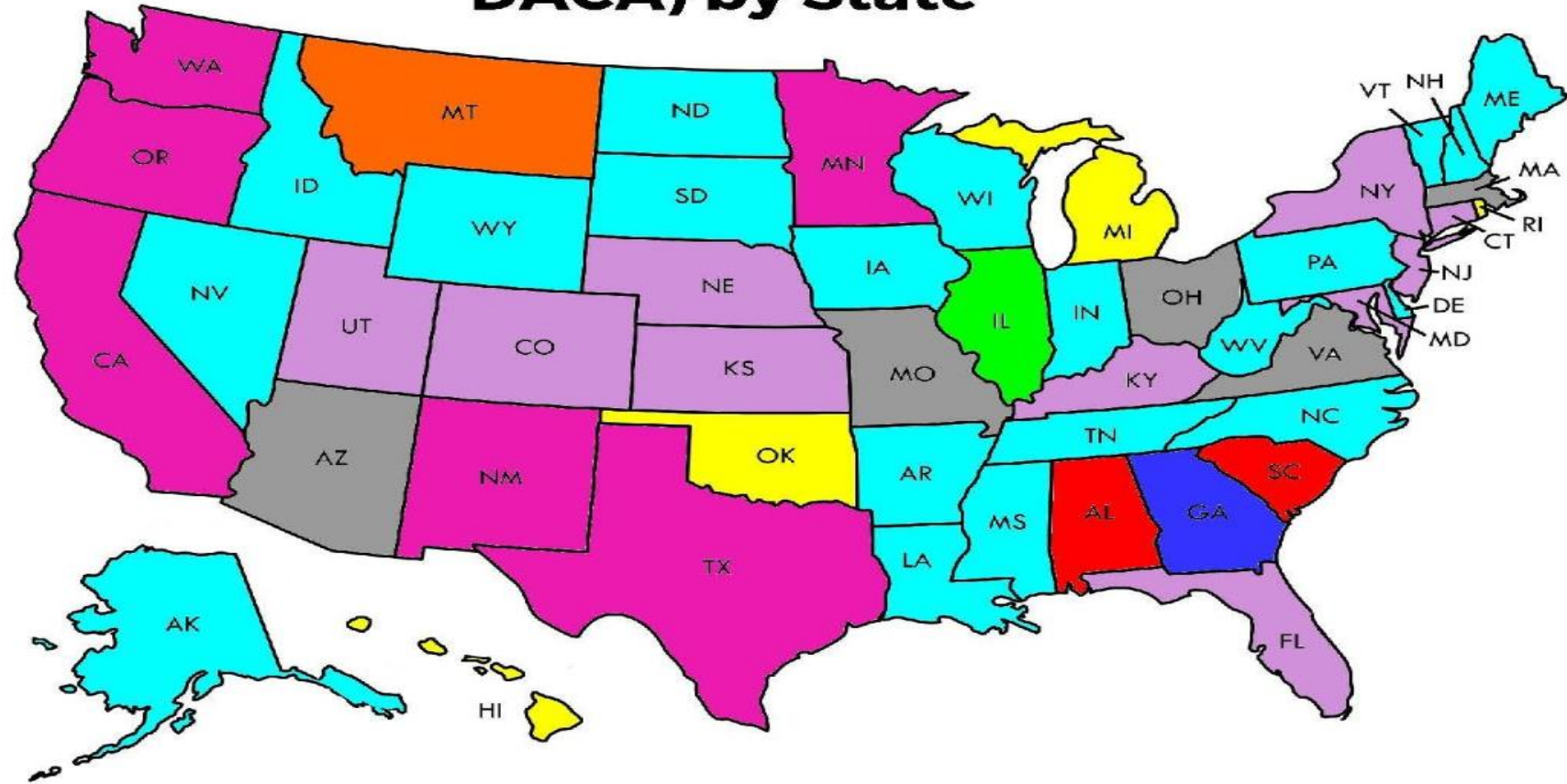
Source: American Immigration Council

- Undocumented immigrants in Ohio paid an estimated \$236.1 million in federal taxes and \$127.5 million in state and local taxes in 2018.
- Ohio DACA recipients and DACA-eligible individuals paid an estimated \$11.9 million in state and local taxes in 2018.



Source: American Immigration Council

Education Equity Laws and Policies for Undocumented Students (with and without DACA) by State



	States with tuition equity law or policy.
	States with tuition equity laws and state financial aid.
	States with tuition equity laws and scholarship funding.

	States where some university systems have tuition equity policies.
	States where DACA grantees may be eligible to pay in-state tuition rates at some institutions.
	States where some institutions ban undocumented students to enroll.

	States that ban enrollment of undocumented students without DACA, but may enroll DACA recipients.
	States where some institutions ban undocumented students. Have tuition equity laws for DACA grantees in the institutions where undocumented students are able to enroll.

	States that do not have any known tuition equity law or policies. Undocumented students, with or without DACA, in these states may be able to enroll in higher education institutions; however, they may have to pay out of state or an international student tuition.
--	--

Updated: January 2017

PRESIDENTS' ALLIANCE | ON HIGHER EDUCATION AND IMMIGRATION

❑ Expand and Continue Legal Representation and Screenings

- ❑ Partner with nonprofits, private attorneys, campus clinics, and others.
- ❑ Identify existing and emerging paths to legalization for students.
- ❑ Establish a relationship with your Member of Congress constituent services staffer.

❑ Audit and Update Internal and Institutional Policies

- ❑ Decouple institutional admissions, aid/funding, and tuition policies from DACA; clarify admissions and financial aid policies for undocumented students on your website.
- ❑ Ask local, national, and field-specific organizations that provide scholarship/fellowships to expand eligibility access to undocumented undergraduate and graduate students.
- ❑ Expand eligibility for admissions, tuition, and aid to undocumented students if not already the case; decouple eligibility from DACA status (if an existing requirement).
- ❑ Establish local, state, and regional collaboratives with other higher ed institutions.
- ❑ Ensure focus on access and funding includes undocumented graduate and professional students.

❑ Prepare a Comprehensive Communications Plan

- ❑ Create a communications plan for pre- and post-decision.
- ❑ Participate in unity or coalitional messages in support of DACA post-decision.
- ❑ Meet with your or establish a campus immigration task force.

❑ Promote Holistic Support Services and Career Guidance

- ❑ Provide and communicate the availability of holistic support services, including mental health support, grants, food security, career guidance, etc.; establish or direct students to a hub where information is available.
- ❑ Review and update existing financial aid appeal and adjustment processes.
- ❑ Share alternative income options with students and campuses.

❑ Develop Rapid Response Plan

- ❑ Develop a rapid response network for steps to take after a decision.
- ❑ Train students, faculty, and staff on their rights in response to ICE enforcement on campus.
- ❑ Utilize FERPA privacy protections to protect immigrant student information.

TOP 5 THINGS YOU NEED TO KNOW About the SCOTUS Decision on DACA

JUNE 18, 2020

After years of victories, fights and lawsuits, the Supreme Court of the United States (SCOTUS) finally decided on the DACA case today coming down to a split decision (5-4) between the conservative and liberal justices, with Chief Justice Roberts siding with the liberal justices.

1. THE DECISION: DACA STAYS!

The Supreme Court decided it had the authority to review the case AND the way Trump ended the program was reckless and unreasonable. This means DACA survives for now.

2. New DACA Applications!

Yes! The Supreme Court decision says the program should reset to its original mandate in 2012 and new applications **MUST** be accepted! Now it's up to Trump to respond.

3. The Trump administration will most likely try to end DACA, again.

Most likely. The Administration has hinted that they will be pursuing other avenues to end the program. This decision does not stop the administration from ending the program altogether.

4. Celebrate and let's keep fighting together! This is a HUGE win for our people!!! DACA was won by our communities and it is not the last of our victories. Continue fighting with us! This is a temporary victory. We must fight for a permanent solution for our ENTIRE community! We must mobilize our communities to choose champions, who will fight for us! We need all hands on deck: **Text DACADECISION to 877-877 to support immigrants NOW!**

5. Donate to our DACA Renewal Fund!

Now that new applications must be accepted again, immigrant youth will need your help! **Donate at www.dacarenewalfund.com**

¹ For questions regarding this document, please contact jose@presidentsalliance.org or visit <http://www.presidentsalliance.org>.

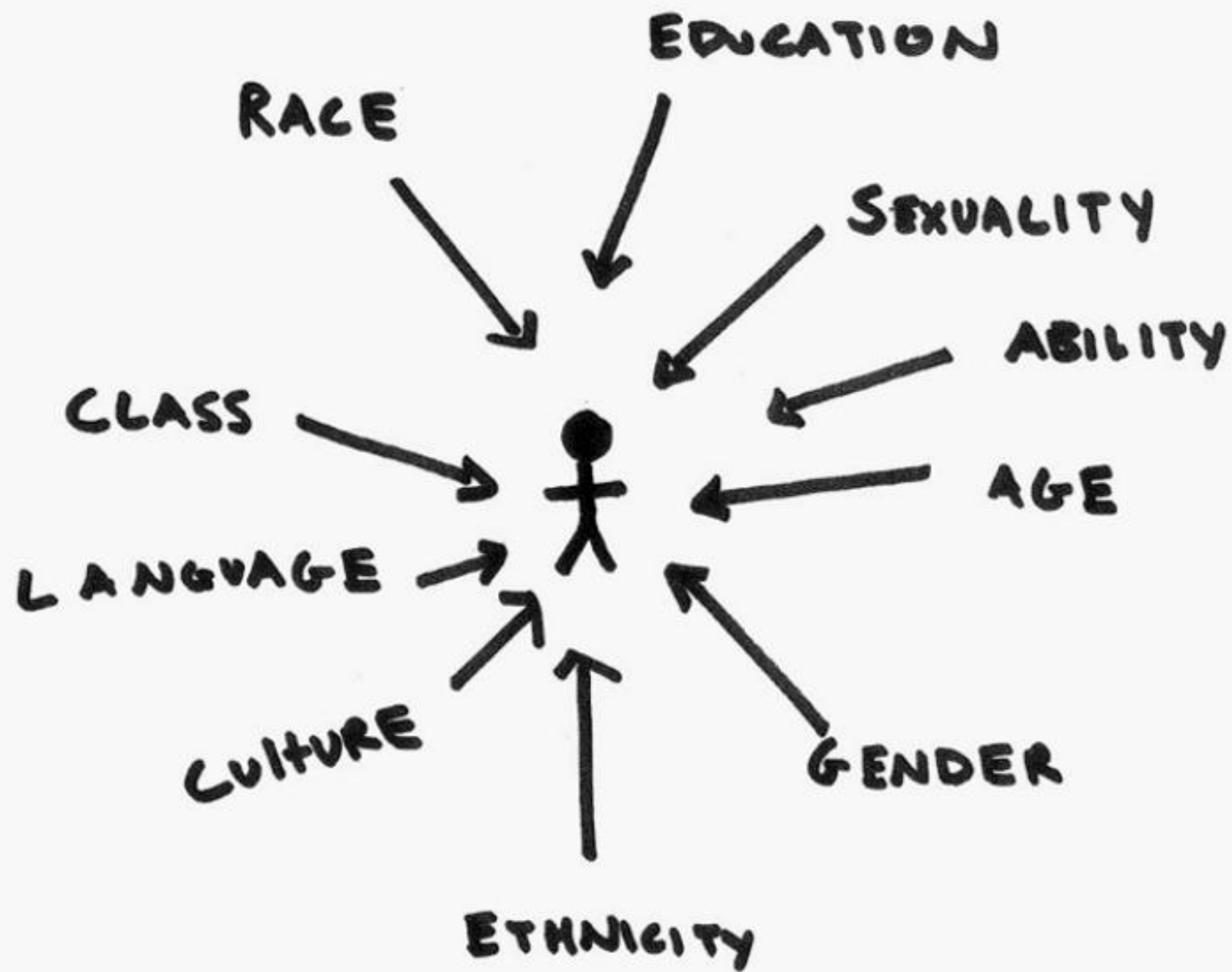


Text DACADECISION to 877-877

BREAK – 10 minutes

Undocumented Student Perspectives





LET'S KEEP IN MIND...

- Although they share parallel experiences, each student has a unique story
- They are **more** than their immigration status
- Entry and range of time spent in the U.S. will vary
- Some students are citizens with parents/siblings who lack lawful status
- Hyperdocumentation (Dr. Aurora Chang, Loyola University Chicago)



“Two oppressed minorities...for a long time I was in hiding about my sexuality and immigration status. But I’m proud to be out.”

Julio Salgado

STUDENT TESTIMONIES

"Frequent check-ups would be helpful-- making sure everything is okay at home and school, as well as keeping up with the news to be able to bring that up with students." - Ruth

"If anyone wants to help, simply don't forget about us. Don't be satisfied with the government's actions regarding immigration until a law is passed that allows us security. No more uncertainty."

- Malik



STUDENT TESTIMONIES

“Learn with the heart and not the mind. Many times statistics and numbers don’t capture the emotional factor that comes from being undocumented. Sometimes, all we need is someone to be there. We know that our problems might not have instant solutions, but sometimes this is enough. Stay informed, be willing to fight alongside us and listen to our concerns.”

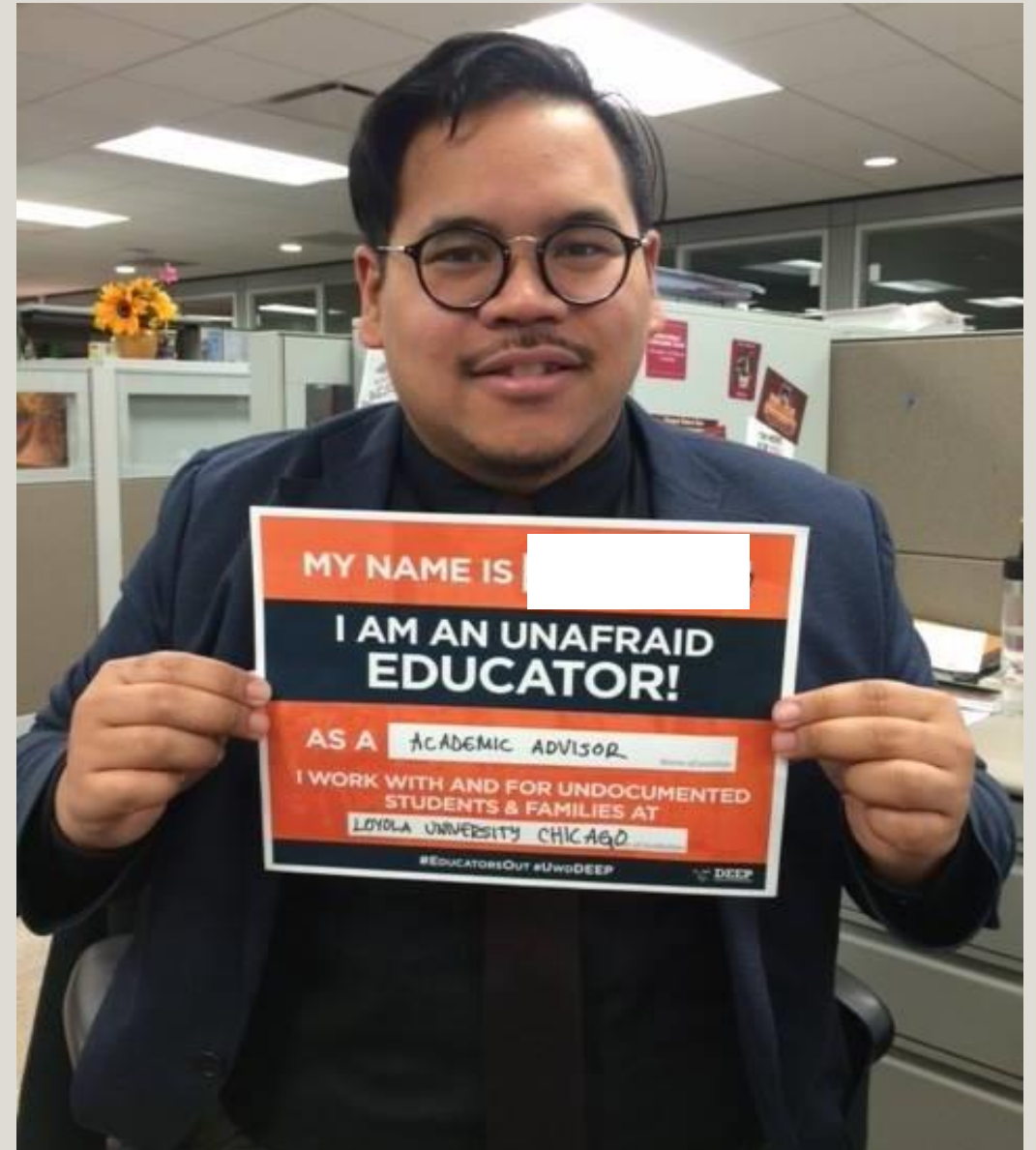
– Gabriela



Does your institution offer deliberate programs for first-generation or students of color?

TIPS FOR EARNING TRUST AND CREDIBILITY

- Own your privilege
- Leverage your position
- Empower students to name what they need
- Advocate for inclusion
- Lobby elected officials



EFFECTIVE WAYS TO DEMONSTRATE **INDIVIDUAL** SUPPORT

- Thank a student when they disclose their status.
- Confidentiality – Ask permission if you are referring a student to a specific resource or person.
- Call people *in* when using harmful rhetoric about immigrants.
- Become informed of the issues as they are always evolving.
- Cultivate a brave space – listen without interruption, ask open-ended questions, and sit in silence if that's what the person needs.



EFFECTIVE WAYS TO DEMONSTRATE INSTITUTIONAL SUPPORT

- Require existing faculty/staff to undergo cultural competency training. Being inclusive of all undocumented students regardless of ethnicity.
- Develop and enforce a clear policy that campus police should not act as immigration agents or ask individuals on campus about their immigration status.
- Establish emergency plan in response to ICE presence on your campus. Requiring a 2-week notification prior to arrival.
- Ask the tough questions – don't assume “we can't do that.”

EFFECTIVE WAYS TO DEMONSTRATE INSTITUTIONAL SUPPORT

- Institute a student fee-funded scholarship for undocumented students.
- Ensure that mental health practitioners are knowledgeable about the needs of undocumented & mixed status students.
- Compile and disseminate a list of resources (legal, medical, food, shelter).
- Remove citizenship status requirement from scholarships (Institutional Advancement not require on donor application).
- Adopt an asset-based approach to student recruitment and retention.

STRATEGIES FOR PROGRAM DEVELOPMENT

- Connect with K-12 educators, community-based organizations, & immigration attorneys
- Adapt strategies used to support ***first-generation*** and ***students of color***
- Learn from Undocumented Student Resource Centers at other universities



CAREER READINESS AND WELLNESS

- Students experience multiple stressors
 - College tuition or cost of attendance
 - Managing basic needs like food and housing
 - Fear of deportation, family separation, and uncertainty
- Students with DACA may gain licensure in certain fields in select states: medicine, law, teaching, social work (not in OH)
- Identify pathways to careers or graduate school
 - Ensure staff and industry partners understand work authorization
 - Financial aid to offset cost of entrance exams

LEGAL CONSULTATION AND FUNDRAISING



- Explore partnerships with law schools or legal providers to host clinics supporting DACA applicants
- Engage community-based organizations to lead **Know Your Rights** workshops on campus
- Consider ways to raise funds that support your students seeking to apply for DACA renewals

Case Studies



CASE STUDY

- How would you approach it?
- What questions would you raise?
- What resources would you consider for this student?

CASE STUDY #1

Nestor is currently a third-year student in the Farmer School of Business. He is a DACA beneficiary however, he discloses to you that his DACA status just expired. Nestor did not reapply because he didn't have the funds to cover the renewal fee. He lives at home and his parents rely on his part-time income to support the family. He not only has to deal with his own stress but also the anxiety his parents are experiencing.

Without a work permit, Nestor may lose his job at a local supermarket. He thinks he may need to take a year off from school.

He has not shared his story with anyone else except you.



CASE STUDY #2

You are teaching a class and lecturing about current events. The topic of immigration comes up and a student says “I don’t disagree with the notion that the U.S. should be welcoming to immigrants, however so long as they do so legally. Why can’t illegal aliens just get in line and do it the right way?” The class goes silent and you decide to carry on with the lecture.

The next day, you receive an email from a student who shares how disappointed she was by her classmate’s comment especially since her friend – also in the class - is undocumented. She was upset that you did not comment on the student’s question. The student further explains that as a person of color, incidents like this remind her how hostile the campus can be.



CASE STUDY

- How would you approach it?
- What questions would you raise?
- What resources would you consider for this student?

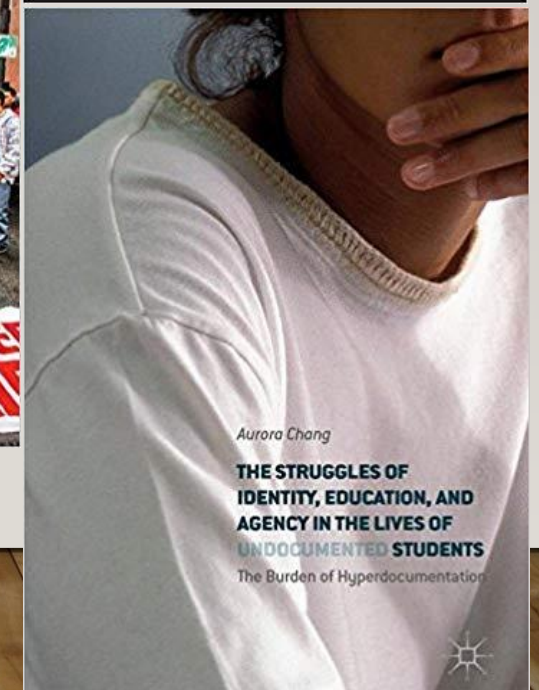
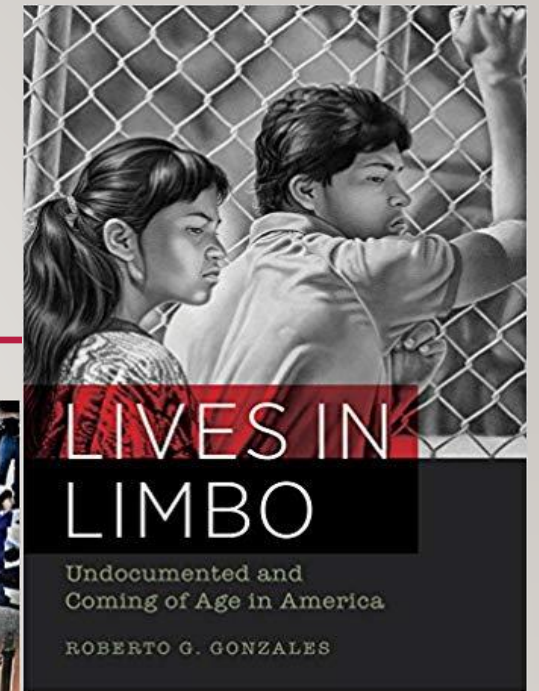
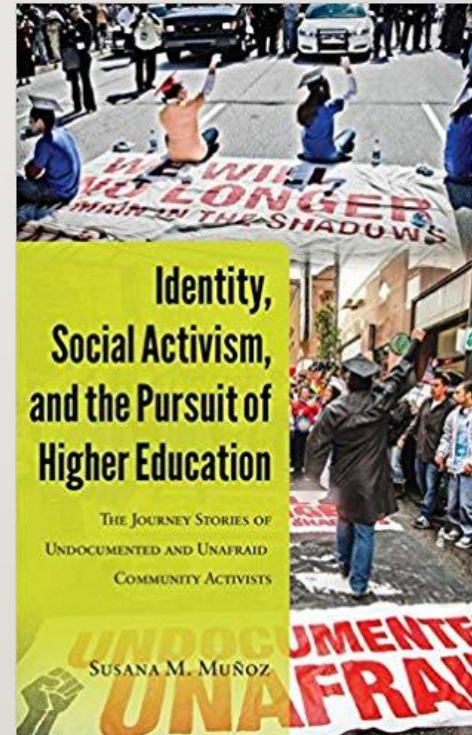
Questions

Considering your role at Miami University, how else might you advocate for students?



SCHOLAR RESOURCES

- Consult research from scholars including:
 - Dr. Roberto Gonzales, Harvard University
 - Dr. Susana Munoz, Colorado State University
 - Dr. Aurora Chang, Loyola University Chicago



RESOURCES

- Immigrants Rising - <https://immigrantsrising.org/>
- United We Dream - <https://unitedwedream.org/>
- Mexican American Legal Defense and Education Fund - www.maldef.org
- My Undocumented Life - <https://mydocumentedlife.org/>
- National Immigration Law Center - www.nilc.org
- National Immigrant Justice Center - <https://www.immigrantjustice.org>
- American Business Immigration Coalition – <https://abic.us/about/>
- President's Alliance on Higher Education and Immigration - <https://www.presidentsimmigrationalliance.org/>
- Ignatian Solidarity Network- <https://ignatiansolidarity.net/>

Thank you!

Contact me at

josephasaucedo@gmail.com