




# SERVING UNDOCUMENTED STUDENTS IN HIGHER ED

Webinar provided by Teman Training and Consulting



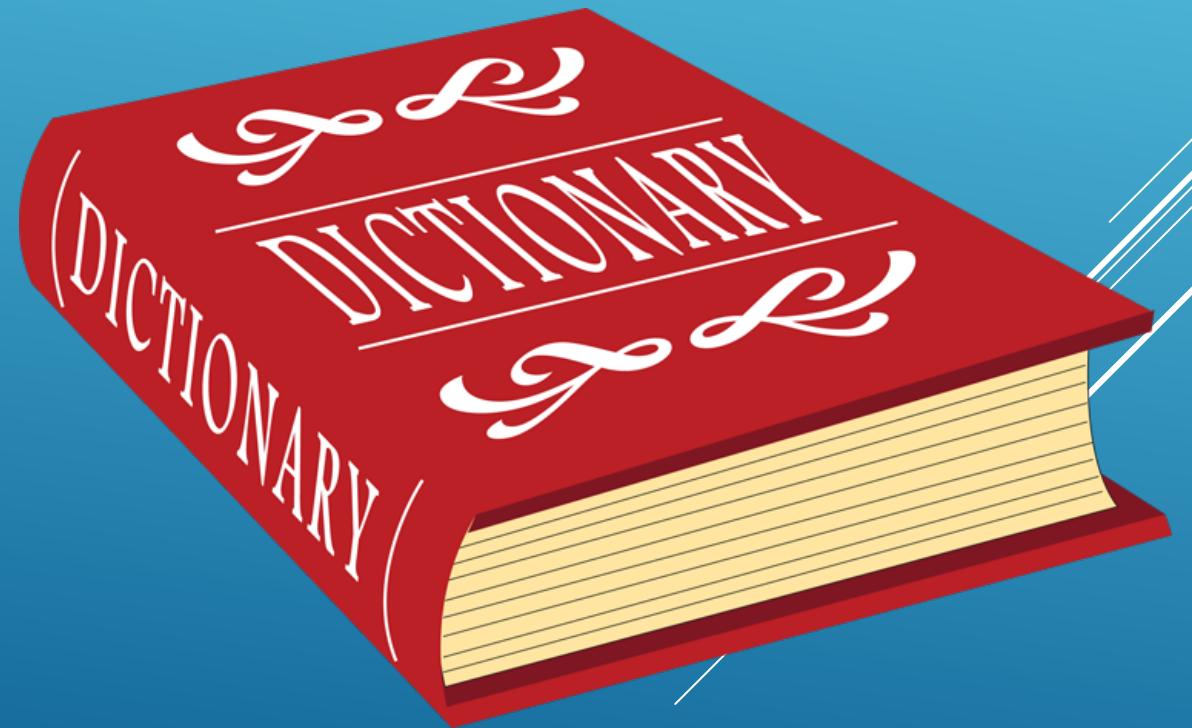
- **Introductions**
- **A Brief History**
- **House Keeping Items**
  - Live Audio Broadcast
  - Recording Access
  - Live Q and A
  - Beyond Today

# TODAY'S AGENDA

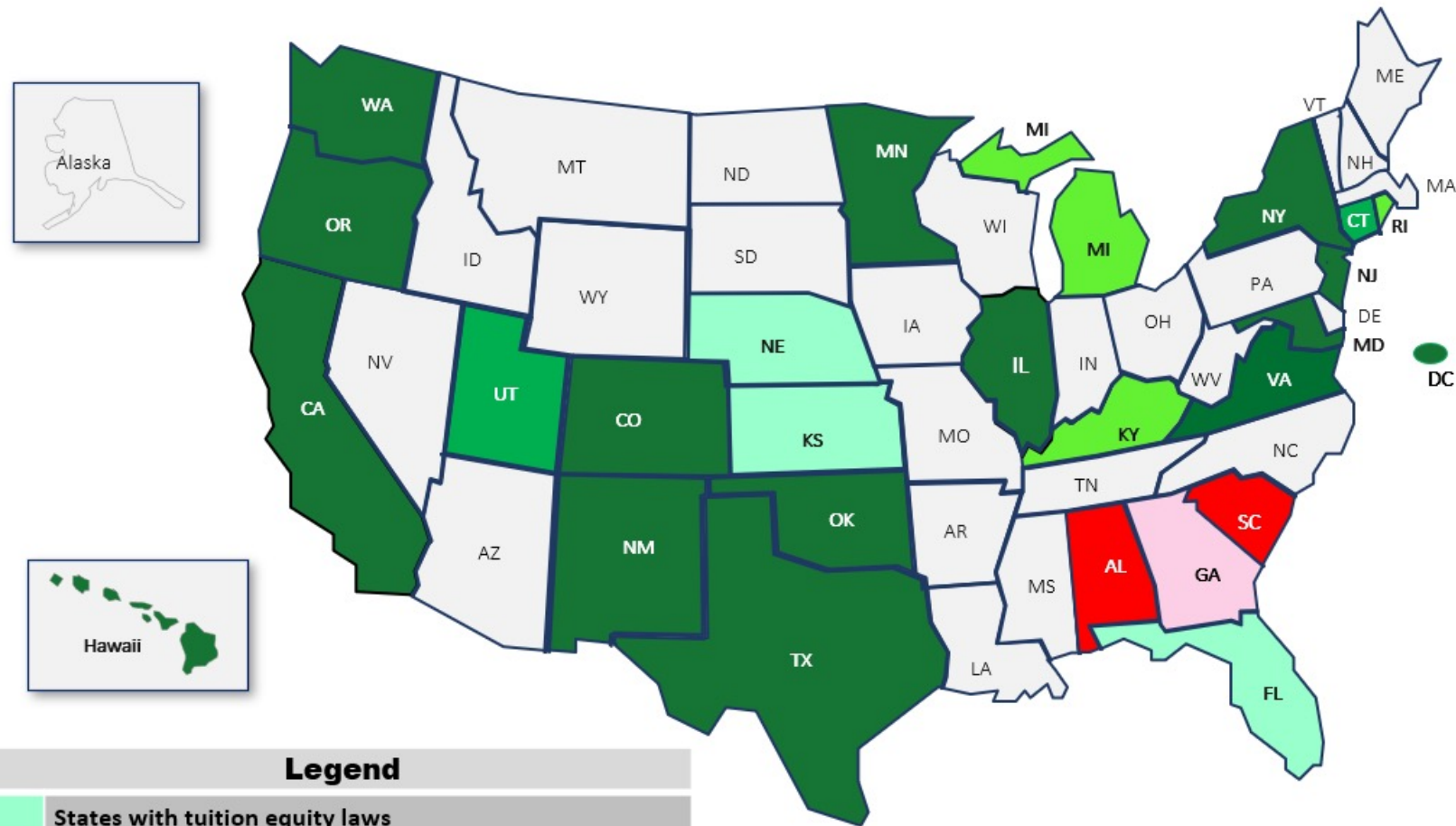
- Current state of policies on access
  - DACA now
  - Demographic Data and Resources
  - Facts on wages and job creation
  - Scholarship access and resources and Key Partner Organizations
  - Navigating employment options
  - College major choices
  - Training your team
  - Q and A session
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# TERMINOLOGY REFRESHER

- Visa Overstay
- Out of Status
- Undocumented
- Undocumented DACA Recipient



## Current State Laws &amp; Policies on Access to Higher Education for Immigrants | March 2021



### Legend

States with tuition equity laws
States with tuition equity policies at major institutions
States with tuition equity laws and scholarships
States with tuition equity laws or policies and some state financial aid
States that ban enrollment to undocumented students
States where some college systems deny enrollment





## Keeping up with the Changes

Link:

<https://www.nilc.org/issues/education/eduaccesstoolkit2a/#tables>

Laws & Policies Improving Access to Higher Education for Immigrants							
Last updated JULY 2019							
State	Year enacted	Bill number	Requirements: Years of high school in state	In-state tuition	State financial aid	Privately funded scholarships	Links to bill text, fiscal notes, analyses, and testimony, where available
CA	2001	<a href="#">AB 540</a>	3 years of high school coursework, provided that the student attended a total of 3 years at an elementary and/or secondary school in California,	Yes	Yes	Yes	<a href="#">California State Legislature - AB 540</a>
	2011	<a href="#">AB 130</a>					<a href="#">California State Legislature - AB 130</a>
	2011	<a href="#">AB 131</a>	OR a total of 3 years of full-time attendance or credit at a California high school, adult school, or community college (up to 2 years at community college may be counted toward this total).				<a href="#">California State Legislature - AB 131</a>
	2012	<a href="#">AB 1899</a>					<a href="#">California State Legislature - AB 1899</a>
	2014	<a href="#">AB 2000</a>					<a href="#">California State Legislature - AB 2000</a>
	2014	<a href="#">SB 1210</a>					<a href="#">California State Legislature - SB 1210</a>
	2017	<a href="#">SB 68</a>					<a href="#">California State Legislature - SB 68</a>
	2019	<a href="#">SB 77</a>					<a href="#">California State Legislature - SB 77</a>

This resource allows you to view the legislation in regards to access at the state level.

CERTIFICATION OF ENROLLMENT

**ENGROSSED THIRD SUBSTITUTE HOUSE BILL 1488**

Chapter 204, Laws of 2018

65th Legislature  
2018 Regular Session

HIGHER EDUCATION--SCHOLARSHIPS AND RESIDENCY STATUS--IMMIGRATION  
STATUS

EFFECTIVE DATE: June 7, 2018

Passed by the House March 3, 2018  
Yeas 59 Nays 37

CERTIFICATE

I, Bernard Dean, Chief Clerk of the  
House of Representatives of the  
State of Washington, do hereby  
certify that the attached is

FRANK CHOPP

**Speaker of the House of Representatives**

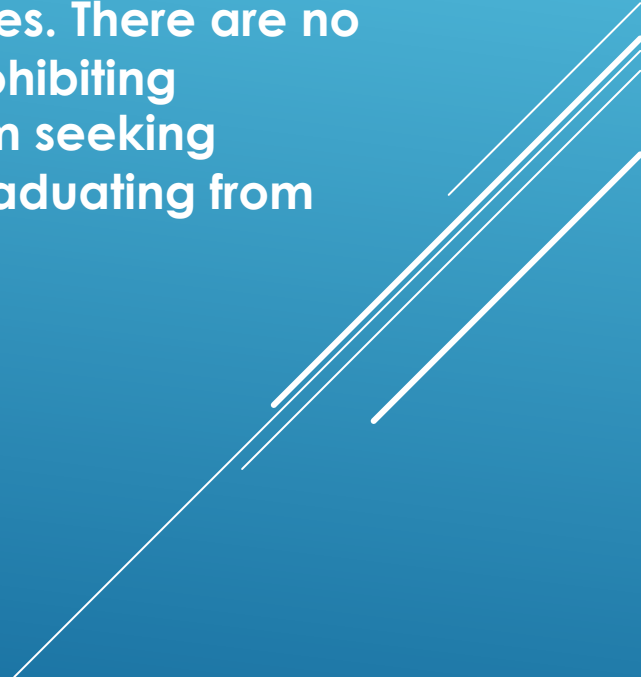
# GENERAL KEY POINTS ON THE FEDERAL END

## FERPA –

For undocumented students who don't possess student visas, the implication of FERPA is that there is no need or reason to disclose your immigration status and you can't be made the subject of discrimination, intimidation, or deportation as a consequence of your desire to access to education.

## Access to Education -

According to FEDERAL law, undocumented students are allowed to attend colleges and universities in the United States. There are no laws at the national level prohibiting undocumented students from seeking admission, enrolling in, or graduating from American colleges.

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# AMERICAN DREAM AND PROMISE ACT - 2021

## American Dream and Promise Act –

**New version passed by house in March 2021. Senate hearing being held to determine whether a vote will be held.**

### **Overview of proposed legislation:**

The Department of Homeland Security (DHS) or the Department of Justice (DOJ) shall provide conditional permanent resident status for 10 years to a qualifying alien who entered the United States as a minor and (1) is deportable or inadmissible, (2) has deferred enforced departure (DED) status or temporary protected status (TPS), or (3) is the child of certain classes of nonimmigrants. The bill imposes various qualifying requirements, such as the alien being continuously physically present in the United States since January 1, 2021, passing a background check, and being enrolled in or having completed certain educational programs.

# AMERICAN DREAM AND PROMISE ACT

DHS shall remove the conditions placed on permanent resident status granted under this bill if the alien applies and meets certain requirements, such as completing certain programs at an educational institution, serving in the military, or being employed.

Furthermore, DHS and DOJ shall cancel the removal of certain aliens who had TPS, were eligible for TPS, or were eligible for DED status on certain dates. Such an alien shall receive permanent resident status upon meeting certain requirements and applying for such status within three years of this bill's enactment.

For an alien seeking permanent resident status under this bill, DHS may (1) waive certain grounds of inadmissibility, or (2) provisionally deny the application if the alien poses a danger to public safety or has knowingly participated in certain offenses involving a criminal street gang.

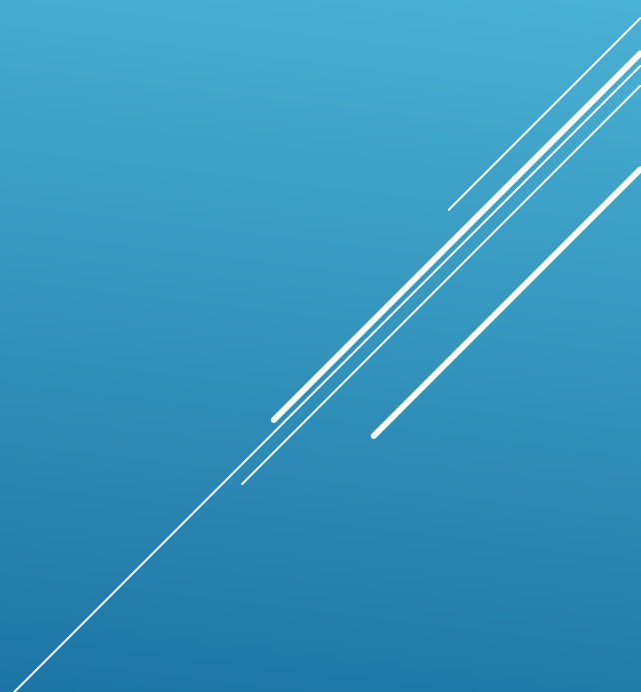


# AMERICAN DREAM AND PROMISE ACT

DHS may not use information from applications filed under this bill or for Deferred Action for Childhood Arrivals status for immigration enforcement purposes.

DHS shall establish a grant program for nonprofit organizations that assist individuals with certain immigration-related issues.

This bill also repeals a restriction that bars a state from providing higher education benefits to undocumented aliens unless those benefits are available to all U.S. nationals without regard to residency in the state.



# THE DACA PROGRAM

- Provides a lawful, but temporary status within the US
- Executive order passed in 2012
- Allows for work permits and easier access to benefits

## Where it Stands Today

- DACA has been reinstated to its initial form
- New applications will be accepted
- Renewals will still be processed and advance parole will be allowed

**Renewals: 616,000 renewals have been processed at 99.2% success rate**

# DACA REQUIREMENTS

A person may qualify for DACA if they can show that they:

- 1) Were under 31 years of age as of June 15, 2012, when the DACA program was announced (i.e. the person was born after June 15, 1981)
- 2) Entered the United States before turning 16
- 3) Have continuously resided in the United States since June 15, 2007 up to the present
- 4) Were physically present in the United States on June 15, 2012, and at the time of making the request for DACA
- 5) Were undocumented as of June 15, 2012
- 6) Are currently enrolled in school, have graduated from high school, have obtained a certificate of completion, or are an honorably discharged veteran of the U.S. Coast Guard or U.S. Armed Forces
- 7) Have not been convicted (as an adult) of a felony offense, a significant misdemeanor offense, three or more non-significant misdemeanor offenses, or do not otherwise pose a threat to national security or public safety.



# APPLYING FOR DACA

Application for DACA requires submission of 3 forms:

I-821D – Consideration for Deferred Action for Childhood Arrivals

I-765 – Work Authorization Application

I-765WS – Worksheet for I-765

Fees total \$495.00 and cannot be waived

All up to date forms can be found on the USCIS.gov website and should be downloaded when application is ready to be made.

Refer to the USCIS website for all required supplemental documents for filing.

# EDUCATIONAL DEMOGRAPHICS

Education	Estimate	% of Total
<b>School Enrollment of Children and Youth</b>		
Population ages 3 to 17	1,092,000	100%
Enrolled	1,002,000	92%
Not enrolled	90,000	8%
Population ages 3 to 12	438,000	100%
Enrolled	385,000	88%
Not enrolled	53,000	12%
Population ages 13 to 17	654,000	100%
Enrolled	617,000	94%
Not enrolled	38,000	6%
Population ages 18 to 24	1,325,000	100%
Enrolled	497,000	37%
Not enrolled	828,000	63%

# EDUCATIONAL DEMOGRAPHICS

Educational Attainment of Adults		
Population ages 25 and older	8,844,000	100%
0-5 grade	1,138,000	13%
6-8 grade	1,556,000	18%
9-12 grade	1,422,000	16%
High school diploma or GED	2,182,000	25%
Some college or associate's degree	1,178,000	13%
Bachelor's, graduate, or professional degree	1,368,000	15%
English Proficiency		
Population ages 5 and older	11,214,000	100%
Speak only English	1,063,000	9%
Speak English "very well"	2,978,000	27%
Speak English "well"	2,281,000	20%
Speak English "not well"/"not at all"	4,891,000	44%
Top 5 Languages Spoken at Home		
Population ages 5 and older	11,214,000	100%
Spanish	7,913,000	71%
English	1,069,000	10%
Chinese	371,000	3%
Tagalog	247,000	2%
Korean	152,000	1%

→ Average for US Citizens – 33.4%

# FACTS OF WAGE AND JOB CREATION

The National Academies of Sciences, Engineering and Medicine show that the passing of a bipartisan immigration act like the Dream Act could bring up to 470,000 immigrant entrepreneurs into the economy with the potential production of 5.7 million jobs.

Undocumented Immigrants contribute an average of 8% of their income to taxes. This average then accounts to \$80,000 more in taxes paid in than services used in a lifetime.

With the fees obtained by DACA applications, the program has cost taxpayers ZERO. Complete elimination of the program would reduce the GDP by 433 billion over 10 years.

# SCHOLARSHIPS AND ACCESS

Without access to Federal Financial Aid, providing multiple resources for scholarships is a way to reduce one of the main burdens of access...finances.

The following resources provide nationwide scholarship opportunities for undocumented students, remember to also look locally.





# THE DREAM.US

## OUR SCHOLARSHIPS

### Scholarship Applications open Nov. 1

**TheDream.US has adopted new immigration eligibility criteria! You are now eligible to apply if you came to the country before November 1, 2014.**

We offer two scholarships. The National Scholarship is for high school or community college graduates. The Opportunity Scholarship is for students who live in targeted, locked-out states where they cannot get in-state tuition. Your eligibility for both is based upon where you live.

SELECT YOUR STATE



## THE NATIONAL SCHOLARSHIP

We think of our National Scholarship as the “Pell Grant” for highly motivated DREAMers with significant, unmet financial need. While we consider your GPA and test scores, we place great emphasis on your demonstrated commitment to community service and your ability to overcome the barriers and challenges that DREAMers face each and every day.

### About the Award

The National Scholarship Award will cover your tuition and fees up to a maximum of \$14,500 for an associate degree and \$29,000 for a bachelor's degree, at one of our Partner Colleges. Please note, some Scholars may be eligible for an additional stipend of up to \$4,000 (or \$1,000 per year) for books, supplies, and transportation.

The award is renewable each year – you simply have to meet the continuing eligibility criteria.

# MALDEF SCHOLARSHIP RESOURCE GUIDE

<https://www.maldef.org/resources/scholarship-resources/>



## SCHOLARSHIP RESOURCE GUIDE

FOR SUPPORT IN THE 2021-2022 ACADEMIC YEAR

LAST UPDATED: MAY 28, 2021

PRINT PDF 

DOWNLOAD PDF 

### Pacific Gas and Electric Company Bright Minds Scholarship

<https://www.scholarsapply.org/pge/>

Award: \$2,000 – \$20,000; renewable for up to five years.

Deadline: Please visit website for details.

#### Requirements:

- Must be at least 16, a high school senior or graduate, have received GED certification, or be a current post-secondary undergraduate student.
- Must live within the PG&E service area.
- Must plan to enroll in full-time undergraduate study at an accredited two-year or four-year college, university, or vocational-technical school for the entire 2019-20 academic year.

### Davis-Putter Scholarship Fund

P.O. Box 7307

New York, NY 10116-7307

[www.davisputter.org](http://www.davisputter.org)

[davisputter@davisputter.org](mailto:davisputter@davisputter.org)

Award: Up to \$10,000; undocumented students are invited to apply.

Deadline: Applications open January 1, 2019 and typically close in April; please visit website for details.

#### Requirements:

- Must demonstrate activism in the struggle to achieve civil rights, economic justice, international solidarity, or other progressive issues.
- Must be enrolled in an accredited college/university or trade school.
- Graduate students are eligible to apply.

# CONNECT YOUR STUDENTS

The following organizations may be key resources for both your student and you:

- <https://unitedwedream.org>
- <https://genprogress.org/>
- <https://immigrantsrising.org/>
- <https://mydocumentedlife.org/>

These resources can keep you and your students up to date on changes in immigration law, advocacy, employment information, and scholarship resources.



# EMPLOYMENT

Labor Force Participation		
Civilian population ages 16 and older	10,491,000	100%
Employed	7,003,000	67%
Unemployed	546,000	5%
Not in the labor force	2,942,000	28%
Top Industries of Employment		
Civilian employed population ages 16 and older	7,003,000	100%
Accommodation and food services, arts, entertainment, and recreation	1,364,000	19%
Construction	1,194,000	17%
Professional, scientific, management, administrative, and waste management services	1,069,000	15%
Manufacturing	939,000	13%
Retail trade	737,000	11%
Economics	Estimate	% of Total



# EMPLOYMENT

Aside from valid DACA recipients, undocumented immigrants are not legally permitted to work for an employer in the United States. The I-9 verification process is in place to attempt to prevent hiring.

Certainly this does not prevent undocumented immigrants from pursuing employment, but does create enhanced risk for both employee and employer.

## The Independent Contractor Loophole

Hundreds of thousands of American small businesses are owned by undocumented immigrants using independent contracting. Undocumented immigrants can file for an ITIN (Individual Taxpayer Identification Number) and provide services as well as pay taxes under the ITIN.

Companies that hire contract work are not required to verify contract employment through the I-9.



# EMPLOYMENT – A FIX IS NOT EVEN CLOSE

The issue surrounding employment has never really been fixed. The DACA program came the closest. The reality is, that current federal laws prevent employment of undocumented immigrants. Despite the slight loopholes, employment is still one of the most difficult issues to tackle.

The Immigration Reform and Control Act provides for serious employer penalties. This all being said, undocumented immigrants are still working in many industries throughout the US.

The unfortunate fact is that the lack of change to address this issue at the federal level creates the need for undocumented immigrants to use a variety of tactics to support their families.

**Immigration Reform and Control Act (IRCA)**  
The Immigration Reform and Control Act (IRCA) is a federal law that prohibits businesses from knowingly engaging in illegal activities, such as:

- Hiring undocumented immigrants
- Recruiting undocumented immigrants
- Referring illegal aliens to work in the United States

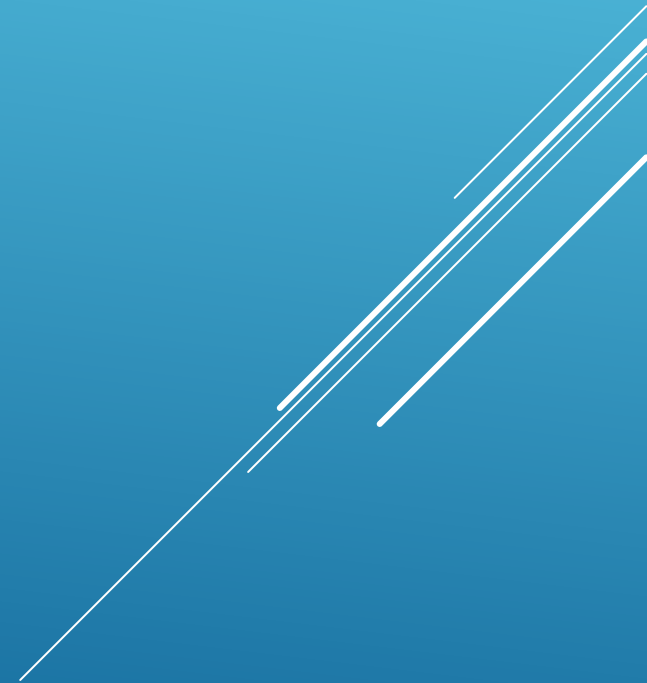
# CHOOSING THE COLLEGE MAJOR

Assisting an undocumented student with choosing a college major is one of the more difficult tasks we may take on.

Being truthful about future prospects of employment combined with providing a sense of realism for the student is important

The unfortunate fact is that some majors may not be the best choice for students

We cannot prevent most students from engaging in certain majors with the hope of legislative change, but we have to present the current state of their post-graduate options




# MAJORS TO CAUTION STUDENTS ON

- Programs that require a board certification or licensure exam
- Programs that have mandatory co-ops or internships that require employment verification through the partnership
- Programs that require background checks
- Programs that may have very limited employment options utilizing independent contracting as an option




# MAJORS TO CONSIDER

- Programs that lead to a student to potential entrepreneurship
  - Fields that may be considering independent contractor friendly: consulting, information technology, construction management, training and education, and a variety of others
  - Remember to pay attention to DACA and its future as it may strongly impact major choice for students
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# SO...WHAT NOW?

Knowledge of the truths of this subject is your biggest ally. The best thing we can do to start is to educate our campus community. Understanding the issue is the only true way to combat it.

- Train your team as much as possible
  - Engage your campus with workshops for both you academic and non-academic faculty and staff
  - Remember, a campus that speaks the language of truth on this subject is the campus that begins to provide the best service to undocumented students
  - Build your menu...resources, scholarships, employment, etc...
  - Learn to learn...know the resources to refer to
  - Be a proponent of positive change
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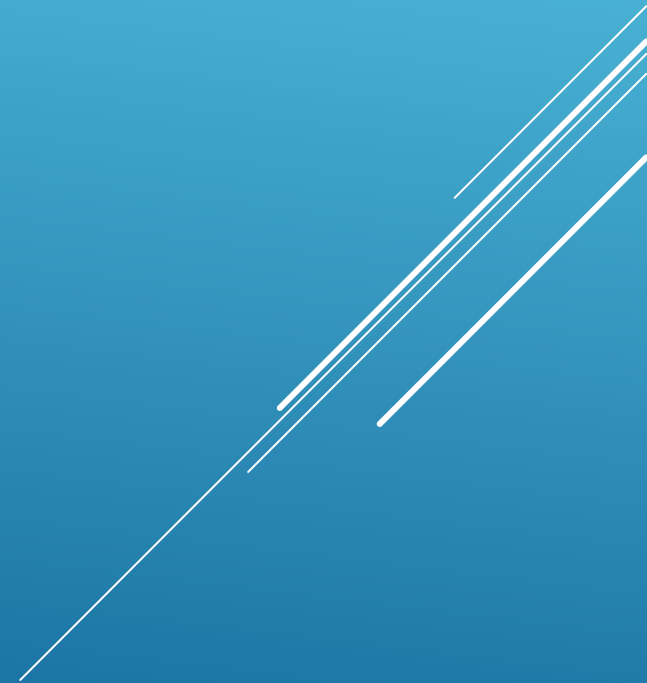
# WAYS TO TRAIN YOUR TEAM

- Make it part of the employee on-boarding process
- Provide quarterly “Lunch and Learn” sessions for your campus
- Invite them to participate in trainings like today
- Make it a part of your campus professional development opportunities
- Create a newsletter and distribute to your campus




# WHERE TO START?


- ▶ The process of enhancing your services begins with community education on the topic
  - ▶ The complexity of this subject is not always the easiest to keep up with
  - ▶ Again, knowing your community demographics is crucial to making institutional decisions to move forward with a plan



# MODIFY SCHOLARSHIPS

- ▶ Review the requirements of your internal scholarships
    - ▶ Is what your asking for possible for an undocumented student to provide
    - ▶ FAFSA
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# HOW DO WE SERVE THESE STUDENTS?


- ▶ Safe space is crucial
    - ▶ Providing blanket knowledge to our community about the benefits available to undocumented students is the start
    - ▶ Families are crucial in the beginning phase and throughout
  - ▶ Abide by FERPA
    - ▶ Undocumented students are protected under FERPA just as our other students
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# PROGRAMMING

- ▶ Community Involvement
    - ▶ Understand your communities and engage
    - ▶ Off site informational sessions to funnel to campus
  - ▶ High School engagement
    - ▶ Partner with school counselors to promote informational family sessions
    - ▶ Initial contact may not be direct recruitment
    - ▶ The college and financial planning session is a good start
  - ▶ Bilingual Brochures for parents
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# PROGRAMMING

- ▶ Start small and let the word get out
    - ▶ Assess your pilot programs and implement needed change
  - ▶ Hard recruitment is...well hard
    - ▶ Utilize your off campus programming to promote visits to campus
    - ▶ Involve student organizations in on and off campus recruitment
    - ▶ Building trust by knowing your facts
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# RETENTION

- ▶ Not unlike any other student...engagement with campus is key to retention
  - ▶ Train your team
    - ▶ Students affairs, faculty, athletics, advisors, career services etc...all should be educated on the ins and outs of working with undocumented students
    - ▶ Training sessions
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# Q AND A AND FEEDBACK

Thanks for joining me today, the Q and A session is now open. You can type your questions in the GoToWebinar question function on the toolbar.

- Feedback via the question function or email is appreciated
- You may contact me at any time after today
- Chad Teman – 419-230-4798 or [chad@temantraining.com](mailto:chad@temantraining.com)